MINUTES
Planning and Engineering Services Committee Meeting

Held on Monday 14 March 2016 at 4:00pm
City of Rockingham Boardroom
# Planning and Engineering Services Committee Minutes

Monday 14 March 2016

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## City of Rockingham
### Planning and Engineering Services Committee
#### Meeting Minutes
##### Monday 14 March 2016 - Council Boardroom

### 1. Declaration of Opening
The Chairperson declared the Planning and Engineering Services Committee Meeting open at **4:00pm**, welcomed all present, and delivered the Acknowledgement of Country.

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

#### 2.1 Councillors
- Cr Chris Elliott  
- Cr Matthew Whitfield  
- Cr Deb Hamblin (Deputy Mayor)  
- Cr Barry Sammels (Mayor)  
- Cr Joy Stewart  
- Cr Justin Smith  
- Cr Kelly McManus  
- Cr Lee Downham  
- Chairperson  
- Observer  
- Observer  
- Observer  
- Observer

#### 2.2 Executive
- Mr Andrew Hammond  
- Mr Bob Jeans  
- Mr John Woodhouse  
- Mr Chris Thompson  
- Mr Peter Ricci  
- Mr Brett Ashby  
- Mr Richard Rodgers  
- Mr Mike Ross  
- Ms Erica Scott  
- Mr Ian Daniels  
- Mr Kelton Hincks  
- Mr James Henson  
- Mr Adam Johnston  
- Mr Allan Moles  
- Mr Darren Dropulich  
- Ms Melinda Wellburn  
- Chief Executive Officer  
- Director Planning and Development Services  
- Director Legal Services and General Counsel  
- Director Engineering and Parks Services  
- Manager Major Planning Projects  
- Manager Strategic Planning and Environment  
- Manager Building Services  
- Manager Statutory Planning  
- Coordinator, Health Services (until 5:00pm)  
- Manager Engineering Services  
- Manager Asset Services  
- Manager Parks Development  
- Manager Parks Operations  
- Manager Integrated Waste Services  
- Construction Engineer  
- PA to Director Planning and Development Services

#### 2.3 Members of the Gallery:
22

#### 2.4 Apologies:
- Cr Katherine Summers

#### 2.5 Approved Leave of Absence:
- Nil
### 3. Responses to Previous Public Questions Taken on Notice

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<th>Mrs Janice Harwood, No.22 Ukich Place, Baldivis - PDS-007/16 - Proposed Structure Plan - Lots 316 and 1340 Stakehill Road, Karnup (Karnup Phase One)</th>
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At the Planning and Engineering Services Committee meeting held on 15 February 2016, Mrs Harwood asked the following questions that were taken on notice and the Director, Planning and Development Services provided a response in a letter dated 3 March 2016 as follows:

**Question**

1. Why weren't all the residents affected by the upgrade to Stakehill Road notified when the information was sent out last year?

**Response (provided at the meeting)**

The Chairperson advised that the upgrade of Stakehill Road was not part of the Concept Plan, although affected by it and that the Report did mention some aspects of Stakehill Road.

The Chairperson also advised that this item is going to be discussed later in the meeting and that in fact, submissions were considered and people were advised of the upgrade of Stakehill Road because submissions were received.

**Question**

2. The proposed Structure Plan is acceptable to Main Roads. What does that mean?

**Response (provided at the meeting)**

The Chairperson advised that there will be further planning done on Stakehill Road and that there may well be consultation on that.

The Director, Planning and Development Services advised that the proposal to upgrade Stakehill Road forms part of the Sub-Regional Planning Framework. Should this proposal proceed through to a formal Metropolitan Region Scheme Amendment (including a requirement to widen Stakehill Road) to include the reservation in the Metropolitan Region Scheme, that would include a public consultation period.

**Question**

3. What does “Village Urban” mean and what will be built there?

**Response (provided at the meeting)**

Mr Brett Ashby, Manager Strategic Planning and Environment advised that the plan is a Concept Plan and it typically indicates a medium density of development with smaller lots and an urban type appeal.

**Question**

4. The proposed Structure Plan identifies areas for commercial development. What will be built there? What about possible noise from equipment and impacts of future development?

**Response (provided at the meeting)**

Mr Brett Ashby, Manager Strategic Planning and Environment advised that it is proposed as a Neighbourhood Centre which will be a retail centre to serve the local community. Mr Ashby further advised that potential impacts on amenity, including noise, would be considered in assessment of any development applications for the Neighbourhood Centre.

The Chairperson advised Mrs Harwood that her further questions to the City would be taken on notice and responses would be provided at a later date.
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<td>5. Page 6 indicates that the propose Structure Plan was advertised on 18 December 2015 and documentation sent to residents for submissions. Although the upgrade to minor roads was mentioned why was the upgrade to Stakehill Road not mentioned in this documentation?</td>
<td>It is acknowledged that the letter to residents inviting comment did not specifically refer to the ultimate duplication of Stakehill Road, which had previously been proposed through the Perth and Peel 3.5 million documents. The correspondence reflects the City’s basic summary of the proposal and was not intended to be a comprehensive list of all matters relating to the Structure Plan. In this regard, the City makes all documentation submitted with a proposal available, and the duplication of Stakehill Road was clearly outlined in the Structure Plan Report documentation. The State Government identified the need for the full extent of Stakehill Road to be upgraded to Regional Road status within its Plan for Perth and Peel @ 3.5million people. This document was advertised for public comment for 3 months in mid-2015. If residents had concerns with the future profile of Stakehill Road, submissions provided on this document will be considered by the Department of Planning.</td>
</tr>
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<td>6. Is Council aware that The Sound Telegraph does not deliver to the area proposed as Rural Residential.</td>
<td>The City is aware that local newspapers are not delivered to properties in the City’s rural areas.</td>
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<td>7. Page 7(I) &quot;Stakehill Road will need to be upgraded to accommodate anticipated traffic.&quot; Are Council aware that the submissions detailed on Page 7, 8, 9 and 10 are based on the information sent to residents regarding the Phase One Structure Plan. As previously outlined the residents were unaware of Stakehill Road upgrade. Is the CoR going to seek further submissions from those residents having the knowledge now that the Stakehill Road upgrade was omitted?</td>
<td>The Planning and Development (Local Planning Scheme) Regulations do not allow for the City to extend the public comment period.</td>
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<td>8. Page 10 Construction of a wall to protect land owners north of Stakehill Road from noise generated from Stakehill Road was declined. Is Council aware that there is not only a noise issue but a safety issue in terms of vehicles leaving the road at high speed onto residents properties?</td>
<td>Road safety will be carefully considered when upgrades to Stakehill Road are designed.</td>
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<td>9. What are the future development plans for the Chicken Farm land? Will CoR ensure that and developments do not affect our rural lifestyle?</td>
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Response
The City is not aware of future development intentions for that landholding.

Question
10. Page 15 DOP does not support the proposal subject to:
   1. Review of the 42m road reservation for the ultimate form of Stakehill Road and consideration of the 50-52m reservation in accordance with the Integrator A type road as outline in LN should the road functions require it. Further justification is required should the reservation remain at 42m as proposed.

Proponents response:
2. Disagree. The road reserve for Stakehill Road was developed with CoR considering its future planning and function. The detailed justification for the proposed 42m road reserve is included in the update TA report (refer section 4.1 of the updated TA report). Sufficient land for required road reserve widening will be made available along the southern side of Stakehill Road, however, LandCorp has the expectation that the landowners to the north of Stakehill Road will provide adequate compensation to LandCorp in lieu of widening of the reservation to the north of Stakehill Road and the land that these landowners would otherwise have to give up.

Is the CoR aware that if land is "provided" by landowners to the north of Stakehill Road that one owner would not be able to get out of their front door and the other would have their house demolished? Why is the CoR not considering the proposal to upgrade the road in context with the rezoning of the Rural Residential area? Will the CoR support and enhance the lifestyle of the RR area by considering relocating the section of Stakehill Road along the proposed RR area?

Response
The Structure Plan proposes the widening of Stakehill Road to occur on the southern side of the road.

The City acknowledges that the amenity of the area to the north of Stakehill Road needs to be carefully considered in the design of Stakehill Road and will consider it further as planning progresses.

Question
11. Will the CoR look at providing a 50m buffer zone for the RR area and not just on the new side of the road?

Response
The zoning and approval of land for urban development is the responsibility of the Western Australian Planning Commission.

Question
12. Can the CoR ask that the residents of the affected areas be involved in the DOP and MR planning processes?

Response
Public advertising of the proposed Structure Plan represents the opportunity for the public to provide input prior to the Structure Plan being determined by the Department of Planning.

The City will consider opportunities for residents to have input into the upgrading of Stakehill Road in the future.
Question
13. Our property is 150m from the Avocado Farm and does not meet the HD current requirements for a 500m buffer. Can the CoR provide me with the details of the name of the HD officer who completed this report so that we can have further investigations why we are being exposed to poisonous chemicals. As residents of the proposed RR area we ask if CoR can give us the same care and consideration in any planning processes that affects us. At the moment I believe we are being looked at as just an Environmental Buffer. Why is the CoR allowing the Avocado Farm to operate next to us using highly toxic chemicals especially the "bombs" needed for avocados and now only concerned when this development is proposed?

Response
The buffers referred to by the Department of Health are generic separation distances intended to provide guidance to decision makers as to where further investigation into possible impacts from existing operations are required. They do not necessarily preclude residential development from being located closer than 500m from such operations.

Based on the inspection undertaken by the City’s Health Service, the most likely potential impacts on your property are likely to be noise and/or odours, it appears that the Orchard is being appropriately managed at this time to mitigate any such impacts. This is evident in that no complaints have been received to date regarding the operations of the Orchard.

I note this matter was discussed at our meeting on the 22nd February 2016, and I would be pleased to arrange a further meeting with the City’s staff to discuss your concerns and provide you with additional information with respect to the operation of the Avocado Orchard.

Question
14. Page 20 Map from draft South Metropolitan and Peel Sub-Regional Planning Framework.

Why does this map which available for public submissions not have road names? Does the CoR think this is easy for the average person to interpret?

Response
The draft South Metropolitan and Peel Sub-Regional Planning Framework, and its associated mapping, was prepared by the Department of Planning.

4. Public Question Time

4:03pm The Chairperson invited members of the Public Gallery to ask questions.

4.1 Mrs Janice Harwood, No.22 Ukich Place, Baldivis - Proposed Structure Plan - Lots 316 and 1340 Stakehill Road, Karnup (Karnup Phase One)

The Chairperson invited Mrs Harwood to present her questions to the Planning and Engineering Services Committee. Mrs Harwood gave a preamble and then asked the following question:

1. If our area is not rezoned urban - as this area is Rural and of Significant Environmental importance, can the City of Rockingham make a commitment in its future dealings to place equal importance on the people and wherever possible keep them informed and protect their rural lifestyle as custodians of this land?

The Chairperson advised that this is an item contained in tonight’s Committee agenda and that decisions on rezonings will be made at State level and the City will respond to those decisions.
4.2 Mr Phil Dickens, No.26 Yate Court, Baldivis - PDS-020/16 - Perth and Peel Green Growth Plan for 3.5 Million

The Chairperson invited Mr Dickens to present his questions to the Planning and Engineering Services Committee. Mr Dickens asked the following question:

1. We don't know exactly where the boundaries where they're going to keep it Rural and change it to Urban Deferred so my question is, can we get the map from State Planning as quick as possible so that people can understand if they are affected or not?

The Chairperson advised that the City and Councillors have concerns regarding the lack of provision of some of the maps and has written to the Department of Planning requesting for those maps to be provided and that the submission date for Perth and Peel Green Growth Plan for 3.5 Million be extended to enable the City, Councillors and public to have access to that information. At this point in time we are not in a position to say whether or not that request will be agreed to.

4.3 Mrs Matilda Gaspar, 291 Hamilton Road, Coogee - PDS-020/16 - Perth and Peel Green Growth Plan for 3.5 Million

The Chairperson invited Mrs Gaspar to present her questions to the Planning and Engineering Services Committee. Mrs Gaspar asked the following questions:

1. In the comments by the Council in today's agenda on Page 118 the last paragraph states "it is therefore recommended that the Council's submission on Green Growth Plan reiterate the land use matters raised in the City's submission on the draft South Metropolitan Perth and Peel Sub-regional Planning Framework", does this mean that even though the SAPPR once again confirm the Urban expansion area in our precinct, that Council will again oppose it as it did in that previous one?

The Chairperson advised that this is an item contained in tonight's Committee agenda and will be considered later in the meeting. A recommendation will be made to Council and the Council will make a decision on whether to accept, amend or defer that recommendation at its meeting on 22 March 2016.

2. Later it is stated "to assist in its consideration, the City commissioned independent advice." Why and at what cost did the City do this if they've got a Planning Department that is experienced and dealing with this?

The Chairperson advised that the City is blessed with a very high quality Planning Department and in his opinion is one of the best in local government in Western Australia, however, it has a limited number of personnel and from time to time requires to seek external advice to assist the Council in making informed decisions.

3. So is this an ongoing cost, are they still commissioned to give advice and at what cost is going to be to put in a report etc?

The Chairperson advised that the City has a budget that is approved by the Council and that Officers strive to ensure that work is carried out within the budgets approved.

4. On Page 118 in part (ii) it mentions that in the SAPPR a number of proposed Conservation Reserves are also identified which includes the Bushforever sites on Ukich Place etc, but then later on in the Conclusions section of the report "it is suggested that the land in the south-west of the precinct might be more suited to the Urban Class of Action", isn't this a conflict of opinion in the Council's own report and will that be debated upon later?

Mr Peter Ricci, Manager, Major Planning Projects advised that the Conservation Reserve related to the wetland on Ukich Place and the land referred to potentially have an Urban class was the land between the wetland and Nairn Drive.
4.4 Mr James Mumme, 36 Gloucester Avenue, Shoalwater - Mangles Bay Marina

The Chairperson invited Mr Mumme to present his questions to the Planning and Engineering Services Committee. Mr Mumme asked the following questions:

1. Is Council aware whether Cedar Woods has submitted the Scope of Works for the Baseline Threatened Ecological Communities Study yet?

   The Chairperson advised that the question would be taken on notice.

2. Does Council know when Cedar Woods propose to submit it?

   The Chairperson advised that the question would be taken on notice.

3. Would Council please ask Cedar Woods today on my behalf when they propose to submit the Study and begin monitoring? If not, what will Council do to find out and tell the community?

   The Chairperson advised that after the Cedar Woods presentation later in the meeting, one of the Councillors may or may not ask that question.

4. The Chief Executive Officer of Landcorp says “there is capacity to undertake some of the initial land development functions on the land side, though not on the water side. They will be undertaken as the first stage…” What does Council understand by “some of the initial land functions on the land side”?

   The Chairperson advised that the question would be taken on notice.

5. If not, what will Council do to find out and tell the community?

   The Chairperson advised that all necessary information will be requested as its part of the Planning process.

4.5 Mr Peter Green, 25 Nabberu Loop, Cooloongup - Mangles Bay Marina

The Chairperson invited Mr Green to present his questions to the Planning and Engineering Services Committee. Mr Green asked the following questions:

1. The Metropolitan Region Scheme Amendment 1280/41, Mangles Bay Marina, identifies on Page 7, under Regional Road Matters that the proponent will undertake a number of initiatives during the advertising period of the amendment.

   One such undertaking was to 'Obtain agreement with the City of Rockingham to the scope of the detailed traffic modelling'.
   With the advertising period concluding on November 13th last year, I ask, "Has the proponent discussed with the City of Rockingham a detailed traffic model, if so, what does it entail?"

   The Chairperson advised that the question would be taken on notice.

2. In response to a question from Mr Marcus Deshon at February Council meeting, the Director, Planning and Development Services replied in part, 'assessment has not commenced on the local structure plan as triggers for its assessment have yet to be satisfied.'

   Besides the Coastal Setback/Foreshore Management Plan and Infrastructure Staging, are there any other triggers the City requires before the Local Structure Plan's assessment can begin? If yes, what are they?

   The Chairperson advised that the question would be taken on notice.

3. Is the City aware of the number of housing blocks planned for the MBM development, if so, how many?

   The Chairperson advised that the question would be taken on notice.

4.28pm There being no further questions the Chairperson closed Public Question Time.
5. Confirmation of Minutes of the Previous Meeting

Moved Cr Sammels, seconded Cr Hamblin:
That Committee **CONFIRMS** the Minutes of the Planning and Engineering Services Committee Meeting held on 15 February 2016, as a true and accurate record.

Committee Voting – 4/0

6. Matters Arising from the Previous Minutes

Nil

7. Announcement by the Presiding Person without Discussion

4:29pm The Chairperson announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.

8. Declarations of Members and Officers Interests

4:29pm Cr Hamblin declared the following Declaration of Interest:

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<th>State Underground Power Program - Round 6 Application</th>
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<td>Cr Deb Hamblin</td>
</tr>
<tr>
<td>Type of Interest:</td>
<td>A Proximity Interest</td>
</tr>
<tr>
<td>Nature of Interest:</td>
<td>Cr Hamblin lives in the area included in the Round 6 Application</td>
</tr>
<tr>
<td>Extent of Interest:</td>
<td>Not applicable</td>
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9. Petitions/Deputations/Presentations/Submissions

9.1 Submission

The Chairperson tabled a petition containing 49 signatures, received from Mr Bo Hannington, 1140 Baldivis Road, Baldivis regarding South Baldivis Urbanisation.

9.2 Presentation

Mr Ben Rosser, State Manager (Cedar Woods), Mr Marcus Deshon, Development Manager (Cedar Woods), Mr Dean Mudford, Chief Operations Officer (Landcorp) and Ms Erin Abbott, Senior Development Manager (Landcorp) attended the Planning and Engineering Services Committee meeting. Mr Rosser provided a presentation on the proposed 'Mangles Bay Marina' project.

5:00pm - Ms Erica Scott, Coordinator, Health Services departed the Planning and Engineering Services Committee meeting.

10. Matters for which the Meeting may be Closed

Nil

11. Bulletin Items

Planning and Development Services Information Bulletin – March 2016

**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 Mosquito Control Program  
3.4 Environmental Waters Sampling  

4. Information Items  
4.1 Mosquito-Borne Disease Notifications  
4.2 Food Recalls  
4.3 Food Premises Inspections  
4.4 Public Building Inspections  
4.5 Outdoor Public Event Approvals  
4.6 Permit Approvals  
4.7 After Hours Noise and Smoke Nuisance Complaint Service  
4.8 Complaint - Information  
4.9 Noise Complaints - Detailed Information  
4.10 Animal Exemptions  
4.11 Building Plan Assessments  
4.12 Septic Tank Applications  
4.13 Demolitions  
4.14 Swimming Pool and Drinking Water Samples  
4.15 Rabbit Processing  
4.16 Hairdressing and Skin Penetration Premises  
4.17 New Family Day Care Approvals  
4.18 Emergency Services  
4.19 Social Media  
4.20 Bush Fire Hazard Reduction  
4.21 Prohibited Burning Period  
4.22 Customer Requests Emergency Service Team  
4.23 Ranger Services Action Reports  
4.24 Prosecutions  
4.25 SmartWatch - Key Result Area: Visibility  
4.26 SmartWatch - Key Result Area: Engagement with Community  
4.27 SmartWatch - Key Result Area: Increasing Perception of Safety  

### Building Services  
1. Building Services Team Overview  
2. Human Resource update  
3. Project Status Reports  
4. Information Items  
4.1 Monthly Building Permit Approvals - (All Building Types)  
4.2 Private Swimming Pool and Spa Inspection Program  
4.3 Demolition Permit  
4.4 Permanent Sign Licence  
4.5 Community Sign Approval  
4.6 Street Verandah Approval  
4.7 Occupancy Permits  
4.8 Strata Titles  
4.9 Unauthorised Building Works (Section 51 of the Building Act)  
4.10 Monthly Caravan Park Site Approvals  
4.11 R Code Variations  

### Strategic Planning and Environment  
1. Strategic Planning and Environment Team Overview  
2. Human Resource Update  
3. Project Status Reports  
3.1 Local Planning Strategy (LUP/1352)
3.2 Water Campaign (EVM/56-02)
3.3 Karnup District Structure Plan (LUP/1546)
3.4 Cockburn Sound Coastal Alliance – Vulnerability & Flexible Adaptation Pathways Project Stage 3 (EVM/149)

4. Information Items
4.1 Urban Growth Monitor

**Statutory Planning**
1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Planning Products via the Web formerly eDA
4. Information Items
   4.1 Land Use - Planning Enforcement
   4.2 Subdivision/Development Approval and Refusals by the WAPC
   4.3 Notifications and Gazettals
   4.4 Subdivision Clearances
   4.5 Subdivision Survey Approvals
   4.6 Subdivision Lot Production
   4.7 Delegated Development Approvals
   4.8 Delegated Development Refusals
   4.9 Delegated Building Envelope Variations
   4.10 Subdivision/Amalgamation Approved
   4.11 Strata Plans
   4.12 Subdivision/Amalgamation Refused
   4.13 Proposed NBN Wireless Telecommunications Infrastructure (Fixed Wireless Facility) - Lot 64 (No 301) Amarillo Drive, Karnup

**Planning and Development Directorate**
1. Planning and Development Directorate Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Primary Centre, Centre Plan Implementation (LUP/137-08)
   3.2 Northern Smart Village Sector – Masterplan, Development Policy Plan and Proposed Amendment No’s.161 and 162 to Town Planning Scheme No.2
   3.3 Eastern Sector - Masterplan, Development Policy Plan and Scheme Amendment
   3.4 Southern Gateway/Rockingham Station Sector – Masterplanning, Development Policy Plan and TPS (LUP/1846 and LUP/1847)
   3.5 ‘Mangles Bay Marina’
4. Information Items
   4.1 Proposed Amendment No.1278/57 to the Metropolitan Region Scheme – Rockingham Strategic Metropolitan Centre (Minor Amendment)
   4.2 Completion of East Rockingham Wastewater Treatment Plan
   4.3 Office of Bushfire Risk Management (OBRM) Map of Bush Fire Prone Areas
   4.4 Warnbro Dunes Pilot Project - Project Update

**Advisory Committee Minutes**

**Committee Recommendation**

Moved Cr Sammels, seconded Cr Hamblin:
That Councillors acknowledge having read the Planning Services Information Bulletin – March 2016 and the content be accepted.

Committee Voting – 4/0
### Engineering and Parks Services Information Bulletin – March 2016

#### Engineering Services

1. Engineering Services Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 Road Safety Strategy Review
   - 3.2 Integrated Transport Plan Review
   - 3.3 Stormwater Adaptation Plan
   - 3.4 Coastal Management Consultants (Sand Drift/Erosion Problems)
   - 3.5 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)
4. Information Items
   - 4.1 Delegated Authority for Temporary Thoroughfare Closure
   - 4.2 Delegated Authority for the payment of Crossover Subsidies
   - 4.3 Delegated Authority to approve the release of bonds for private subdivisional works
   - 4.4 Delegated Authority to approve Engineering Drawings – Subdivisions
   - 4.5 Delegated Authority for Notices given under s3.25(1)(a) LG Act 1995
   - 4.6 Delegated Authority for approval of Directional Signage
   - 4.7 Engineering Services Design Projects 2015/2016
   - 4.8 Handover of Subdivisional Roads
   - 4.9 Structure Plan Referrals
   - 4.10 Traffic Report Referrals
   - 4.11 Urban Water Management Referrals
   - 4.12 Subdivision Approval Referrals
   - 4.13 Subdivision Clearance Requests
   - 4.14 Development Application Referrals
   - 4.15 Authorised Traffic Management Plans for Works on City Controlled Roads
   - 4.16 Safety Bay Road – Principal Shared Path Stage 1
   - 4.17 Safety Bay Road – Principal Shared Path – Stage 2A
   - 4.18 Water Corporation - Significant works within the City
   - 4.19 Lot 3 Mandurah Road, Karnup
   - 4.20 Notice of Motion – Investigate Additional Traffic Signals along Warnbro Sound Avenue
   - 4.21 Bent Street Boat Ramp Rock Armour Protection and Boat Ramp Maintenance
   - 4.22 Waikiki Foreshore – Foreshore Protection Specification
   - 4.23 Donald Drive Boat Ramp Feasibility Study
   - 4.24 Bent Street Boat Ramp Navigation Channel Sand Bypassing
   - 4.25 Mersey Point Jetty Design
   - 4.26 Palm Beach West Boat Ramp Upgrade
   - 4.27 Recreational Boating Facilities Scheme – Round 21 Grant Applications – Planning Grant
   - 4.28 Rockingham Beach Foreshore Masterplan – Implementation

#### Engineering Operations

1. Engineering Operations Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   - 4.1 Road Construction Program Roads to Recovery 2015/2016
   - 4.2 Road Construction Program Main Roads Grant 2015/2016
   - 4.3 Road Construction Program Federal Black Spot 2015/2016
   - 4.4 Road Construction Program Municipal Works 2015/2016
4.5 Road Renewal Program Municipal Works 2015/2016
4.6 Road Resurfacing Program Municipal Works 2015/2016
4.7 Drainage Program Municipal Works 2015/2016
4.8 Footpath Construction Program Municipal Works 2015/2016
4.9 Footpath Renewal Program Municipal Works 2015/2016
4.10 Road Maintenance Program 2015/2016
4.11 Litter Team 2015/2016
4.12 LitterBusters and Sweeping 2015/2016
4.15 Heavy Plant Program 2015/2016

Parks Development
1. Parks Development Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Secret Harbour Emergency Access Path
   3.2 Rockingham Foreshore Management Plan
   3.3 Lewington Reserve Environmental Management Plan Review
   3.4 Tamworth Hill Swamp, Revegetation
   3.5 City Parks - Central Irrigation Management System
   3.6 Laurie Stanford Irrigation Upgrade
   3.7 Laurie Stanford Practice Cricket Net Replacement
4. Information Items
   4.1 Groundwater Monitoring
   4.2 Kulija Road Environmental Offsets
   4.3 Climate Change Mitigation
   4.4 Lake Richmond Heritage Listing
   4.5 Dixon Road Conservation Reserve AAG Funding
   4.6 Urban Water Management Referrals
   4.7 Structure Plan Approval Referrals
   4.8 Subdivision Approval Referrals
   4.9 Development Application Referrals
   4.10 Delegated Subdivision Public Open Space Practical Completion
   4.11 Delegated Subdivision Public Open Space Handovers
   4.12 Delegated Public Open Space Approvals
   4.13 Memorial Seat Approvals

Parks Operations
1. Parks Operation Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Beach Lookout Replacement - Secret Harbour Foreshore
   3.2 Baldivis Nature Reserve, Install Formal Limestone Access Path (Greening Plan)
   3.3 Stan Twight Reserve – Cricket Net Renewal
   3.4 Centenary Reserve – Garden Kerbing Renewal
   3.5 Play Equipment Replacements
4. Information Items
   4.1 Parks Maintenance Program 2015/2016

Asset Management
1. Asset Management Team Overview
2. Human Resource Update
3. Project Status Reports
3.1 Road Condition Inspection and Modelling
3.2 Lighting Consultants (Technical Planning/Design, Underground Power Program)
3.3 Major Project Property Development Planning (Design Modifications/Tender Planning/Structural Testing)

4. Information Items
4.1 Asset Management Improvement Strategy
4.2 Asset Systems Management
4.3 Solar Power Generation
4.4 2015/2016 Public Area Lighting and Arterial Lighting
4.5 Secret Harbour Surf Life Saving Club – Renovation
4.6 Lark Hill Sub Metering
4.7 Baldivis Reserve Toilet and Storeroom Replacement
4.8 Rockingham Day Care Fire Panel Replacement
4.9 Eighty Road Reserve Club Facility
4.10 Laurie Stanford Reserve Development
4.11 Rhonda Scarrott Reserve Development
4.12 Safety Bay Tennis Club – Reroofing and General Renovations
4.13 Administration Building Exterior Render Repairs
4.14 Aqua Jetty – Tiling of external 50m Pool

### Building Maintenance

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2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Building Renewals
   4.2 Parks Renewals
   4.3 Electrical/Lighting Renewals
   4.4 Building Maintenance
   4.5 Graffiti Removal Monthly Statistics
   4.6 Graffiti – New Product Evaluation
   4.7 Graffiti Removal Annual Statistics
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### Waste Services

1. Waste Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Introduction of 3 Bin Collection System Including Roll Out of 360 Litre Recycling Bins
4. Information Items
   4.1 Kerbside Collection
   4.2 Bulk Verge Collection
   4.3 Waste Diversion Percentage

### Millar Road Landfill and Recycling Facility

1. Millar Road Landfill and Recycling Facility's Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Landfill Access Road and Associated Internal Roads
   3.2 Cell Construction – Cell 16
   3.3 New Leachate Dams
4. Information Items
   4.1 Tip Passes
4.2 Landfill Statistics
4.3 Waste Education and Promotion

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:
That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – March 2016 and the content be accepted.

Committee Voting –4/0
## 12. Agenda Items

### Planning and Development Services

#### Strategic Planning and Environment Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-013/16 Proposed Structure Plan - Lots 460-463 Baldivis Road, Baldivis</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1874-04</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>RPS Australia East Pty Ltd (RPS) on behalf of Cedar Woods Properties Ltd</td>
</tr>
<tr>
<td>Owner:</td>
<td>Upside Property Pty Ltd (Lots 460-461 Baldivis Road) and Woodbrooke Property Pty Ltd (Lots 462-463 Baldivis Road) both wholly owned subsidiaries of Cedar Woods Properties Ltd.</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Tristan Fernandes, Senior Strategic Planning Officer</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>14 March 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive</td>
</tr>
<tr>
<td>Site:</td>
<td>Lots 460-463 Baldivis Road, Baldivis</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>59.54ha</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Development</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Urban, Urban Deferred</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Schedule of Submissions</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. East Baldivis District Structure Plan</td>
</tr>
<tr>
<td></td>
<td>3. Advertised Structure Plan Map</td>
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<tr>
<td></td>
<td>4. Location of Advertising</td>
</tr>
<tr>
<td></td>
<td>5. Recommended modifications to Structure Plan by Metropolitan Cemeteries Board</td>
</tr>
<tr>
<td></td>
<td>6. Indicative Design of Local Centre</td>
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</tbody>
</table>
Purpose of Report

To consider a proposed Structure Plan over Lots 460-463 Baldivis Road, Baldivis (known as the North East Baldivis Structure Plan), following the completion of public advertising.

Background

East Baldivis District Structure Plan

In October 2008, the City was approached by a group of planning consultants representing the majority of landowners in the 'East Baldivis' locality (referring to themselves as the East Baldivis Stakeholder Team or 'BEST' group) to prepare a District Structure Plan over the land to generally guide development of the urban cell, including the subject land. The City agreed to facilitate the preparation of the DSP with the 'BEST' group.

In February 2014, the Council endorsed the East Baldivis District Structure Plan (EBDSP) for the purpose of guiding and informing the City's consideration of Local Structure Plans and regional planning initiatives and proposals (see Figure 3).
2. East Baldivis District Structure Plan

The Structure Plan proposes a revised location for the co-located Primary School site and Public Open Space. The Structure Plan generally reflects the neighbourhood connector road network and accounts for the identified Resource Enhancement Wetland.
Metropolitan Region Scheme Zoning

On 27 December 2013, the Western Australian Planning Commission ('WAPC') advised that the Hon Minister for Planning had approved the rezoning of the majority of subject land from 'Urban Deferred' to 'Urban' under the Metropolitan Region Scheme.

On 5 September 2014, the WAPC advised that the Hon Minister for Planning had approved the lifting on Urban Deferment over portion of Lots 462 and 463 Baldivis Road. The lifting of Urban Deferment reflected an agreed outcome reached within a State Administrative Tribunal mediation between State Government agencies and the Applicant to accommodate the ultimate configuration for the Kwinana Freeway and Mundijong Road interchange.

Amendment No.145 to Town Planning Scheme No.2

Following the WAPC's decision to rezone numerous lots within the East Baldivis District Structure Plan area to 'Urban', the Council sought to amend Town Planning Scheme No.2 (TPS2) to be consistent with the MRS. Amendment No.145 was progressed to rezone the East Baldivis District Structure Plan area to 'Development' zone, consistent with the future intended use of the land for urban purposes.

Amendment No.145 was considered by the Council at its ordinary Meeting held on 26 August 2014 in light of submissions received during the advertising period, when it resolved to adopt the Amendment for Final Approval subject to modifications.

On 23 March 2015, the WAPC advised that Amendment No.145 had been approved subject to the Amendment being modified to exclude the land which had yet to be zoned 'Urban' in the MRS (the land affected by the High School site and regional road widening).

The City subsequently implemented the decision of the Minister for Planning and Amendment No.145 was gazetted on 31 March 2015.

Details

Description of the Proposal (As Advertised)

The proposed Structure Plan includes the following elements (refer to Figure 3):

- Residential densities ranging from R25 to R40 proposed to facilitate development of approximately 830 dwellings;
- A Primary School site;
- A Local Centre accommodating 1500m² retail floor space;
- Seven areas of Public Open Space (POS) totalling 8.5ha;
- An upgrade to Baldivis Road and Pug Roads; and
- A new neighbourhood connector road being provided to connect between Baldivis Road and Pug Road.
3. Advertised Structure Plan Map
Implications to Consider

a. Consultation with the Community

Advertising Methodology

The proposed Structure Plan was advertised for a period of 28 days, commencing on 15 January 2016 and concluding on 12 February 2016. Public advertising was carried out in the following manner:

- Three (3) nearby land owners located generally within 500 metres of the Structure Plan area north of Mundijong Road and west of the Kwinana Freeway, (as shown on properties within the yellow border on Figure 4), servicing agencies, the City of Kwinana and the Baldivis Residents Association were notified of the proposal in writing and invited to comment;

- The Applicant erected two (2) signs on site on Baldivis Road at the intersection of Kulija Road, and the entrance to the Rockingham Regional Memorial Park;

- A notice was placed in the Weekend Courier appearing in the newspaper on the 15th January 2016; and

- Copies of the proposed Structure Plan and relevant documents were made available for inspection at the City's Administrative Offices and placed on the City's website.

Advertising was undertaken in accordance with the requirements of Schedule 2, Part 4, clause 18 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).

4. Location of Advertising

Public Submissions: Following the close of the advertising period, the City did not receive any submissions from nearby residents.
b. Consultation with Government Agencies

As mentioned above, relevant government agencies and servicing authorities were notified of the proposal in writing and invited to comment, pursuant to Schedule 2, Part 4, clause 18 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).

In this regard, the City invited comments from the following agencies:
- Atco Gas Australia
- City of Kwinana
- Department of Aboriginal Affairs
- Department of Education
- Department of Environmental Regulation
- Department of Fire and Emergency Services
- Department of Health
- Department of Mines and Petroleum
- Department of Parks and Wildlife
- Department of Planning - Integrated Transport Section
- Department of Transport
- Department of Water
- Main Roads WA
- Metropolitan Cemeteries Board
- Public Transport Authority
- Telstra
- Water Corporation
- Western Power

Following the close of the advertising period, the City had received fifteen (15) submissions from Government Agencies. A full copy of all submissions received during the advertising period is set out in the Schedule of Submissions (Attachment No.1 to this Report). The issues raised in these submissions are summarised and addressed as follows:

<table>
<thead>
<tr>
<th>1. ATCO Gas Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>No objection. No ATCO Gas infrastructure is located in the immediate area.</td>
</tr>
<tr>
<td><strong>City's Comment:</strong></td>
</tr>
<tr>
<td>The submission is noted.</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>2. Telstra</th>
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</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>Outlined developer’s responsibility with respect to the delivery of telecommunications infrastructure.</td>
</tr>
<tr>
<td><strong>City's Comment:</strong></td>
</tr>
<tr>
<td>The submission is noted.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Department of Aboriginal Affairs (DAA)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>There are no Aboriginal heritage places known to DAA within the area of the proposed development. The DAA has released Guidelines to assist developers with planning and considering Aboriginal heritage during proposed works.</td>
</tr>
<tr>
<td><strong>City's Comment:</strong></td>
</tr>
<tr>
<td>---------------------</td>
</tr>
<tr>
<td>The advice of the DAA is noted.</td>
</tr>
</tbody>
</table>

### 4. Department of Education

**Submission:**

(i) Confirmation is sought that access to the primary school site from Pug Road is achievable for the Department.

(ii) The neighbourhood connectors A and B appear to be the most suitable access roads to provide entry to the school site.

(iii) There appears to be green space in the road reserve along Pug Road, can its use be clarified and will embayment parking be permissible along this road to access the school site.

**Applicant's Response:**

(i) Access to the primary school site will be available from all surrounding roads including Pug Road.

(ii) Noted.

(iii) This is an indicative central median. Car parking embayment's will be permissible along all roads surrounding the primary school site.

**City's Comment:**

(i) It is likely that access will be achievable to the Primary School, however, this will not be confirmed until detailed design stage.

(ii) The submission is noted.

(iii) The Structure Plan depicts a possible boulevard treatment along Pug Road. It is likely that on-street parking can be achieved in this location, however, this will be given further consideration at detailed design stage.

### 5. Department of Water

**Submission:**

The Department of Water has reviewed the Lot 460-463 Baldivis Road, Baldivis Local Water Management Strategy (RPS, 2015) and amendments are required. The issue of the southern drain crossing between or under private property boundaries is to be resolved with the City of Rockingham prior to the endorsement of the Local Water Management Strategy. This has the potential to alter the Structure Plan design, hence requires resolution.

**Applicant's Response:**

This matter has been subject to more recent discussions with DoW and it is understood that DoW is now satisfied with how this is being addressed.

**City's Comment:**

This matter is considered in detail against relevant policy and guidelines in the Policy section of this Report.

### 6. Western Power

**Submission:**

Western Power advised that the Structure Plan was being reviewed. No further advice was provided from the Agency.
### Applicant's Response:

*Engineering Infrastructure Report provided with the structure plan technical appendices indicates there is sufficient network capacity to service the subject land.*

### City's Comment:

The submission is noted.

### 7. Department of Mines and Petroleum

#### Submission:

The Geological Survey of Western Australia has consistently been concerned regarding the introduction of sensitive land uses that could be adversely affected by the neighbouring basic raw materials operations to the east and west. However we note that this area has been rezoned to 'urban' and acknowledge that a structure plan is necessary for this development to take place.

#### Applicant's Response:

*The EAR notes that the surrounding land uses comprising sand, clay and limestone quarrying activities are either:*

- Adequately separated from the subject site in accordance with the EPA Guidance Statement on Separation Distances Between Industrial and Sensitive Land Uses;
- Contain buffer within the boundaries of their site areas thereby mitigating off-site impacts; and/or
- The operational lifespan of these quarrying activities will cease prior to final build out of the North East Baldivis Structure Plan area.

#### City's Comment:

The City notes there are two current operations for the extraction of basic raw materials within proximity of the Structure Plan area. East of the site there is a Clay resource extraction at Lot 1 Mundijong Road and west of the site a sand quarry operation at Lot 1355 Baldivis Road.

Environmental Protection Guidance Statement No.3: *Separation Distances Between Industrial and Sensitive Land Uses* outlines a buffer requirement of 500m - 1000m to a Clay Resource Extraction Area and a 300m – 500m separation distance to sand extraction.

The Environmental Assessment Report accompanying the Structure Plan states that the Structure Plan area is located 149 metres from the site and is separated by the Kwinana Freeway, east of the site. The sand quarry operation is also located (at the closest point) 95 metres west of the Structure Plan area. The Structure Plan area is located within the recommended separation distances outlined within the EPA's Guidance Statement No.3 for both of these Extractive Industries.

The City has reviewed the clay resource extraction operation and has identified that this is rarely operated. The potential impacts from this resource extraction are noise and dust nuisance. The noise generated by the operation has been determined to be indistinguishable from the Freeway traffic noise, and any dust nuisance is unlikely to impact residential properties over the Kwinana Freeway. In this regard, the clay resource extraction is unlikely to impact on future urban land uses.

With respect to the sand mining operation, the Applicant has indicated that the sand extraction will finish within two years and the properties within the buffer will not be developed in this time. The Staging Plan provided within the Structure Plan Report shows early staging is intended to occur within proximity to the extractive industry operation. In the possible event that the extractive industry operation has not been completed prior to development of the site, future subdivision will be required to account for an appropriate separation distance to extractive industry operation.

It is noted that generic buffers to the extractive industry uses have not been shown on the Structure Plan Map as required by the WAPC Structure Plan Framework. It is also noted that the Structure Plan Report Implementation Section makes no reference to the potential impact that an operating sand mining activity could impose to the staging of future subdivision applications. It is recommended that the Structure Plan Report be modified to account for the two matters raised above.
Recommendation

(i) All generic buffers prescribed within EPA Guidance Statement No.3 to the nearby extractive industry uses outlined be overlayed on the Structure Plan Map consistent with the requirements of the Structure Plan Framework.

(ii) Update Part 1 Implementation Section to add an additional trigger to guide the subdivision of land within the sand mining extractive industry generic buffer area.

8. Department of Planning (Transport & Movement Division)

(i) Mundijong Road

The proposed Structure Plan (SP) abuts Mundijong Road, which is currently reserved as an Other Regional Road in the Metropolitan Region Scheme. However, Main Roads Western Australia (MRWA) is currently reviewing Mundijong Road's design concept and road reservation plans as part of the proposed Fremantle-Rockingham Controlled Access Highway. Mundijong Road may become a Primary Regional Road in the future.

Given the above, it is recommended that comments be sought from MRWA regarding Mundijong Road. Specifically, the exact road alignment has not been finalised and may not be accurately reflected in the SP. Furthermore, the future interchange configuration for Mundijong Road and Kwinana Freeway may not be accurately reflected in the SP.

(ii) Baldivis Road

The proposed SP abuts Baldivis Road, which is designated as a proposed regional road within the WAPC’s Draft South Metropolitan Peel Sub-regional Planning Framework. The framework indicates that Baldivis Road is likely to become an Other Regional Road in the future.

Given the above, the proposed location of the local centre (i.e. commercial zone) will likely be affected by access restrictions associated with future upgrades to Baldivis Road. Furthermore, future upgrades to the proposed intersection of Baldivis Road and Pug Road is also likely to affect any access to the centre from Pug Road. It is therefore recommended that the proposed centre be relocated away from Baldivis Road, in a more central, walkable location to the proposed incoming resident population.

(iii) Pug Road

The geometry of the proposed easternmost intersection of Pug Road with a local access street may require revision and does not appear to allow safe connectivity to future development north of the SP.

(iv) Street Network

In accordance with Requirement 13 within Element 2 of the WAPC’s operation policy Liveable Neighbourhoods (LN), street block lengths should be no more than 240 metres in length. Several street blocks within the proposed SP do not meet this requirement and should be amended accordingly.

Applicant's Response:
- The proponent (applicant) was involved in a protracted SAT mediation with the Department of Planning and Main Roads in respect to the potential future alignment and extent of works associated with the proposed future Mundijong Road Freeway Interchange (FRCAH). This mediation resulted in an area identified for future ‘road widening’ that the Department of Planning provided to the landowner and has been reflected in the current LSP. It is understood the extent of road widening identified by Main Roads is considered to be conservative and any detailed design would only reduce the extent of the land required.
Applicant's Response: cont…

- The Local Centre is located alongside Baldivis Road, which is intended to perform a distributor function running parallel to the Kwinana Freeway. The Centre has been located to provide effective access from residential lots within the Structure Plan, as well as development to the north of Pug Road. It is well located to take advantage both of local trips within the SP and pass-by trips along Baldivis Road. The proximity of this Centre to the balance of residential lots is impacted by the requirement to retain the Tramway Reserve.

- The intersection of Pug Road and the north-south spine road has been designed as a simple priority T-intersection. This intersection is not located in close proximity to other intersections and is not considered to have any significant intrinsic safety risks. The design of the internal street network supports access from Baldivis Road and should minimise internal traffic along the spine. It is expected that little traffic will transition from the SP area to the northern development, with the exception of school traffic. Pug Road will therefore function as a link to both developments but without forming a barrier between them.

- The orientation of the street network is designed such that primary pedestrian desire-lines are facilitated along the street system. While there are some residential street blocks which exceed the 240m advisory distance, there is no expectation that this will adversely impact pedestrian connectivity to primary destinations: the Primary School, Public Open Space or the Local Centre. Access paths through the POS will be provided to eliminate any appreciable pedestrian severance effect.

City's Comment:

(i) The City sought comment from Main Roads WA and received no submission during the advertising period. The City notes that the Structure Plan boundary reflects the Metropolitan Region Scheme boundary between land zoned ‘Urban’ and ‘Urban Deferred’. It is recommended that the Department of Planning in its consideration of the Structure Plan confirm the land requirements for the future Freeway Interchange on the southern boundary with Main Roads WA.

(ii) The Local Centre shown on the Structure Plan accounts for the land requirements required to accommodate a future ‘Integrator Arterial’ four lane road consistent with the draft South Metropolitan and Peel Sub-Regional Planning Framework. With respect to the location of the local centre, the City supports this aspect of the Structure Plan as it provides for a land use that can benefit from exposure to passing trade and is not a land use adversely impacted by the noise that will be generated by the future profile of Baldivis road. It is also noted that the irregular lot configuration impacts the ability to develop dwellings on this parcel of land. A Local Development Plan will be required to be prepared through a condition of Subdivision Approval to ensure an appropriate built form response and suitable locations are selected for access and egress to and from the Centre.

(iii) The submission is noted. The City has reviewed the road configuration and does not support the design in its current form. It is recommended that the road configuration be amended to be in accordance with the recommended road geometry requirements outlined within Liveable Neighbourhoods.

(iv) The submission is noted and it is recommended that the road configuration be amended to provide for street block lengths to be consistent with the requirements of Liveable Neighbourhoods.

Recommendation

(i) That the proposed road geometry in the easternmost intersection of Pug Road be revised to provide for an appropriate intersection treatment and stagger distances between proposed roads.

(ii) The Structure Plan be modified to provide for street block lengths consistent with the requirements of Liveable Neighbourhoods.
### 9. Department of Environment Regulation

**Submission:**
DER understands that bulk earthworks have been proposed in order to facilitate the development of the land for urban purposes. Earthworks will include cut and fill activities, and the importation of clean structural fill material. Earthworks are intended to commence prior to subdivision approval being issued by the Western Australian Planning Commission.

DER notes that acid sulfate soil risk mapping shows that Lots 462 and 463 lie within an area identified as having a moderate to low risk of acid sulfate soil occurring within 3 metres (m) of the natural soil surface, but high to moderate risk of acid sulfate soil beyond 3m below the natural soil surface.

A preliminary acid sulfate soils investigation completed for the site in 2008, identified acid sulfate soils present at depths ranging between 1 and 3 m below ground, typically in soils described as dark grey/grey-brown sands, cemented sand and clayey sand. Further, groundwater levels at the site are generally high with surface expressions of groundwater and ponding visible in some areas.

As bulk earthworks at Lots 462 and 463 on Plan 202741 are likely to disturb acid sulfate soils, DER recommends that acid sulfate soils condition EN8 and advice ENa1 should be applied to the approval, as published in 'Model Subdivision Conditions Schedule' (Department of Planning and WAPC, October 2012).

Lot 462 and 463 Baldivis Road have not been reported to DER, as a known or suspected contaminated site under the Contaminated Sites Act 2003, which commenced on 1 December 2006, and at the time of writing, DER does not hold any other information regarding known or suspected contamination at this site.

Based on available information DER has no objection to the bulk earthworks proposed for Lots 462 and 463 on Plan 202741, and recommends that a contamination condition is not required in this instance.

**City's Comment:**
The submission is noted. It is recommended that the City request that the Western Australian Planning Commission impose standard subdivision conditions EN8 and advice ENa1 to any future approval pertaining to the Structure Plan area.

### 10. Water Corporation

**Submission:**

(i) The Water Corporation has high level water and wastewater planning in place for the structure plan area. At a time closer to development of the land, the proponent should contact the Water Corporation regarding any staging or variation of the Corporation's planning.

(ii) The Corporation has prepared a preliminary scoping report for consultants regarding the construction of a wastewater pump station to serve this area. The structure plan should reflect the revised location of the pump station and its buffer to be situated in POS on the north-east boundary of the Structure Plan boundary (Pug Road).

**Applicant's Response:**

All comments noted. Figure 4 indicates location of WWPS in accordance with Corporation requirements. All other comments are noted.

**City's Comment:**

(i) The submission is noted.

(ii) The sewer pump station and buffer is shown to be wholly located on the northern adjoining landholding.
11. **City of Kwinana**

**Submission:**
The City has reviewed the structure plan and associated appendices. In this instance the City has no objection to the proposal.

**City's Comment:**
The submission is noted.

12. **Department of Parks and Wildlife**

**Submission:**
The Department has no comments on the proposed Structure Plan.

**City's Comment:**
The submission is noted.

13. **Metropolitan Cemeteries Board**

**Submission:**
Similar to the Pinnaroo Valley Memorial Park, the Metropolitan Cemeteries Board vision and intention for the RRMP is to incorporate a well-managed cemetery facility (burial and cremation), including:

- future chapels, café and administrative building;
- well-defined access and parking arrangements;
- open, accessible and inviting green community spaces which accentuate the land's undulating topography and provide tranquil landscaped gardens;
- a network of meandering paths for walking or jogging; and
- retained and regenerated natural bushland settings.

The Metropolitan Cemeteries Board has engaged the services of Slavin Architects to prepare a Masterplan to guide future development of RRMP. Mr Murray Slavin and his team are well advanced in their Masterplan visioning, planning and design of the facility, however it is prudent to note that the Board's intention is to extract the sand resource located centrally within Lot 1355 prior to commencing with the construction tasks required to implement the Masterplan. Extraction of the sand resource will also assist with contouring of the site in preparedness for implantation of the RRMP Masterplan.

Given the cemetery's location immediately west of Cedar Woods proposed new North Baldivis Estate, the Board has a keen interest in the estate's design and development for urban purposes and welcomes the opportunity to provide feedback and comment on this and any future proposals for the land and believes it could have provided more purposeful input had it been consulted during the 'Pre-Lodgement Consultation' process.

1. **Realigned Southern Entrance Road**

Having regard for future vehicle volumes likely to use Baldivis Road to access the surrounding planned urban areas and the RRMP, moving the southern entrance road into the structure plan area in a northerly direction (so as to align it with the existing cemetery entrance road and constructing a roundabout at that 4-way intersection) would arguably provide the most efficient and effective design for vehicle movements (refer to Point 1 on the attached Slavin Architects composite plan). The proposed southern entrance road alignment may contribute to future vehicle traffic conflict given its proximity to two (2) existing access roads connecting to Baldivis Road from the RRMP.

Realigning the southern entrance road will likely result in a more legible and co-ordinated approach to road planning and access between the RRMP and the Structure Plan area.
Submission: cont...

2. **New Central Entrance Boulevard**

   Having regard for the transport assessment appended to the structure plan reported and the RRMP Masterplan it is strongly desirable and appears to be highly beneficial for a central entrance boulevard into the estate to be provided. This Boulevard would align with the proposed main entrance road into the RRMP (refer to Point 2 and 9 on the attached Slavin Architects composite plan).

   Provision of a considerably wide (say 32m wide) tree lined boulevard (neighbourhood connector), sleeved by rear loaded medium density cottage lots with frontage to the boulevard, street parking and bookend roundabouts on either side of the boulevard will provide an attractive primary entrance into the estate as well as providing symmetry and consistency with the future planned one-way main entrance into the RRMP.

   A boulevard as suggested will also more equitably disperse vehicle traffic from roads around the primary school site and provide a tree lined east-west vista from Baldivis Road to the school and park.

   There are benefits to this approach from a road planning, urban design, community identity and estate marketing perspective. Furthermore, this approach will result in consistency and continuity in road access design and delivery between the Structure Plan area and the RRMP.

3. **New Pug Rd / Baldivis Road Roundabout**

   A roundabout at the intersection of Pug Road and Baldivis Road will facilitate a safer and more efficient vehicle movement environment, particularly during school drop off and pick up times, particularly having regard for the proposed access road on the opposite side of Baldivis Road which will provide for two-way vehicle traffic to and from the RRMP. Furthermore, a roundabout will provide an opportunity to define and demarcate the northern gateway of the structure plan area (refer to Point 3 on the attached Slavin Architects composite plan).

4. **Dual Use Path Linkages**

   It is the intention of the Metropolitan Cemeteries Board to ensure that the RRMP is designed and developed to include passive recreational spaces and park settings so as to encourage its public use by the community.

   Consistent with contemporary planning standards and urban design principles the structure plan should make provision for well-defined and direct pedestrian/cycle links from the structure plan area across the Tramway Reserve to Baldivis Road and beyond to the RRMP. This approach will provide for efficient community access to the Memorial Park’s proposed future gardens, bushland areas and walkways (refer to Point 4 on the attached Slavin Architects composite plan).

5. **Development Frontage**

   Consistent with CPTED principles future residential dwellings abutting the Tramway Reserve should overlook the reserve (refer to Point 5 on the attached Slavin Architects composite plan).

   Ensuring that residential development is appropriately orientated could be achieved with minor modification to the structure plan road layout and preparation of Local Development Plans.

6. **Local Centre**

   The rationale for the proposed 1,500m² local centre is not entirely clear. The approved District Structure Plan for the area does not indicate a local centre at that location. Furthermore, it may be that there will not be sufficient residential catchment to sustain a local centre as proposed, without a substantial increase in nearby, proposed residential densities.

   Nevertheless, if the local centre location is approved it is requested that:
   - vehicle access to the centre only be provided via Pug Road to the north:
Submission: cont…
- any service are be appropriately screened from view of surrounding public
  land; and
- that suitable landscaping be planted along the Baldivis Road frontage (refer
to Point 6 on the attached Slavin Architects composite plan).

7. Landscape Strategy
The Tramway Reserve is considered to be an important element and accordingly
should be a pivotal consideration in the planning and urban design of the area for
the benefit of the future community. To ensure that the Tramway Reserve becomes
a long-term strength for the proposed North-East Baldivis community it is contended
that the structure plan documentation should contain a landscape strategy for that
portion of the Tramway Reserve which abuts the structure plan area (refer to Point 7
on the attached Slavin Architects composite plan).

The landscape strategy should include:
- preferred species for vegetation planting (which should complement those
  proposed within the Memorial Park grounds);
- pedestrian and cyclist linkages;
- densities and staging of planting, reticulation design; and
- maintenance and management regime.

8. Increase Residential Density
It is contended that there is substantial scope to broadly increase the residential
densities across the structure plan area and thereby providing a greater diversity
and affordability of residential land and housing product. At the very least increasing
the residential densities in the north-western portion of the structure plan area,
between the proposed local centre and the primary school should be required (refer
to Point 8 on the attached Slavin Architects composite plan). It is suggested that
densities within this area should be a minimum of R30 and up to R60.

9. Other Considerations
(i) It may be appropriate to require the registration on the title of proposed residential
lots within the structure plan area of a Section 70A Notification under the Transfer of
Land Act advising of the proximity of a cemetery.
(ii) In the event of the construction of an estate wall along the western edge of the
structure plan area it should be designed so as to retain and encourage
surveillance of the adjoining Tramway Reserve (i.e. visually permeable).
(iii) The earthworks required to implement the structure plan should be kept to a
minimum to ensure the natural topographical "flow" of the land is not unduly
disturbed, acknowledging that some earthworks will be required to create lots that
meet certain soil classification criteria.
(iv) Baldivis Road between the structure plan area and the RRMP should be limited, and
appropriately sign posted, to a maximum speed of 50 km/h speed limit is considered
suitable given the proposed structure plan area comprises predominantly residential
uses, there are slower moving vehicles and processions entering the RRMP and
pedestrian/cycle linkages between the structure plan are and the RRMP will be safer
to use with the requested lower speed limit.
5. Recommended modifications to Structure Plan by Metropolitan Cemeteries Board
Applicant's Response:

1. **Realignment is not supported.** Adequate and safe intersection spacing between the entry road servicing the SP area and the driveway servicing the cemetery has been provided.

2. **Provision of a new central access road is not supported.** The movement network within the Structure Plan area is fit for purpose, and satisfies Liveable Neighbourhoods and Austroads criteria for permeability, legibility and road safety.

   The suggestion that the SP should more closely interface with the cemetery site is not supported by current planning policy and serves no planning or broader community purpose. It is noted that the road reserve in Baldivis Road inclusive of the tramway reserve is 90 metres wide and opportunities to establish connections from the structure plan area through the tramway reserve should be minimised.

3. **A roundabout in this location which forms a 3-way intersection is not supported by the Traffic Assessment and is considered unnecessary.**

4. **The provision of dual use paths within the Tramway Reserve is regulated by the City of Rockingham.** The proponent has no objection to the provision of dual use paths where a direct benefit can be established, and where a nexus exists between the structure plan area and the dual use path network.

5. **Noted.**

6. **The provision of the local centre including access is supported by the Economic and Employment Assessment and Transport Assessment provided with the SP supporting technical appendices.**

7. **The City’s Tramway Reserve Management Plan regulates the provision of landscaping.** The duplication of the tramway reserve management plan provisions with respect to landscaping within the SP documentation is considered unnecessary.

8. **Densities provided within the SP area are in line with Liveable Neighbourhoods policy.**

9. (i) **A requirement for a Section 70A Notification regarding the existence of the cemetery is not supported by current planning policy.**

   (ii) **No estate wall is proposed.**

   (iii) **Earthworks will be undertaken in accordance with approved engineering drawings, and will be responsive to hydrological and geotechnical conditions.**

   (iv) **The consideration of speed limits along Baldivis Road falls outside the ambit of the matters to be considered with respect to the SP.**

City's Comment:

The Structure Plan Framework encourages pre-lodgement discussions with state agencies. Unfortunately this recommended action did not occur with the Metropolitan Cemeteries Board.

The Structure Plan design process should consider the integration of surround land uses, which is consistent with the intent of the Structure Plan Framework and design principles of Liveable Neighbourhoods.

From the City’s assessment of the submission and further discussion with representatives of the Metropolitan Cemeteries Board, it is understood that the Master Plan has been prepared in draft for the Rockingham Region Memorial Park to inform decision making. In this regard, it is recommended that the stakeholders meet and discuss the integration of these two land uses with Department of Planning staff.

1. **Realigned Southern Entrance Road**

   The Structure Plan proposes a 70 metre right/left intersection stagger between the existing entrance into the Rockingham Regional Memorial Park and the southern entrance to the Structure Plan area.
City's Comment: cont...

This section of Baldivis Road is classified as an 'Integrator A' profile road under *Liveable Neighbourhoods*. In this regard, the minimum intersection spacing requires a minimum spacing of 110 metres for the proposed Right/Left intersection stagger with a 60km/h design speed. In light of the above, the City does not support the intersection spacing as proposed as they do not meet *Liveable Neighbourhoods* and AustRoads Guidelines.

It is recommended that the southern entrance be relocated to provide for a formalised four way intersection with the Rockingham Regional Memorial Park.

2. **New Central Entrance Boulevard**

   The City has reviewed the intersection spacing proposed within the submission and confirms the concept of an additional connection could be favourably considered.

   The intersection spacing is sufficient to Pug Road to provide an additional connection. The addition of this intersection would also serve to assist traffic accessing Baldivis Road, limiting the need traffic exiting the estate, in a northern direction, travelling past the primary school.

   The boulevard and lot interface design shown in the attachment is not supported in its current form, as the lot configuration requires future dwellings to face both the street and open space. This is a design not encouraged by Liveable Neighbourhoods.

   The East Baldivis District Structure Plan outlines intended road connections to Baldivis Road. The Structure Plan reflects the District Structure Plan in this regard. Notwithstanding this point, an additional connection could be provided in the location shown on the submission. Discussion with the Metropolitan Cemeteries Board could confirm if a link could be provided to integrate into the broader development with road access.

3. **New Pug Rd / Baldivis Road Roundabout**

   The City's assessment of the Traffic Report has determined that it is unclear if the turning traffic movements from Pug Road into Baldivis Road are those generated from the Structure Plan area only or if they include some traffic likely distributed from the future subdivision north of the Structure Plan area.

   It is recommended that the intersection be re-modelled to include anticipated traffic generated by Urban zoned land north of the Structure Plan area, to determine true intersection performance. The intersection at Pug and Baldivis Road is the only identified access for the 'Urban' zoned land north of the Structure Plan as well as main access point to the Primary School site.

   The City assessment also identified that the modelling for the intersection in some instances, outlined a poor level of service based on the traffic generated by the Structure Plan area not accounting for the land to the north.

   As Pug Road is the only east west intersection contemplated to service the northern 'Urban' zoned land (which is also owned by the Landowner) and is the main access point to the school, the Structure Plan is recommended to be modified to provide a roundabout in this location.

4. **Dual Use Path Linkages**

   The comment is supported in principle. The City will consider the dual use path network linking into the Rockingham Region Memorial Park as part of future improvements to the Tramway Reserve.

5. **Development Frontage**

   The submission is noted. The City agrees that lots proposed within a future subdivision application must interface with adjoining or adjacent areas of Public Open Space (including the Baldivis Tramway Reserve), in order to provide surveillance onto those spaces.
6. **Local Centre**
   The City's Local Commercial Strategy provides for a Local Centre within the East Baldivis catchment. The location of the centres provides for the opportunity to capture passing trade and be served by its surrounding residential catchment.

7. **Landscape Strategy**
   The Baldivis Tramway Reserve is located outside the Structure Plan area, noting that access and egress does traverse the Tramway to Baldivis Road. As such, the Applicant is not required to provide a Landscape Strategy as part of the Structure Plan.

   It is, however, unclear whether any earthworks will be proposed to enter the Tramway Reserve from the proposed development. Further commentary on that matter is provided within the Policy Section of this Report.

8. **Increase Residential Density**
   The Structure Plan achieves the density target of 15 dwellings per gross urban zoned hectare prescribed by *Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon* ("Directions 2031").

   The site is not located within the walkable catchment of a designated high frequency public transport route or activity centre which would be required to mandate higher residential densities greater than the target.

   The proposal meets principles established by the City relating to the application of density in that:

   - Medium density is proposed in some instances adjacent to Public Open Space; and
   - Low density or base R25 density is used as a base R-Code.

   The City acknowledges that the densities proposed provide for limited opportunities for housing diversity within the Structure Plan area. It is recommended that the WAPC consider seeking to include additional variety in densities, appropriate to its immediate context, throughout the Structure Plan area.

9. **Other Considerations**
   (i) **Notifications on Certificate of Titles**
       Notification on the Certificate of Title are not required to be imposed under the Planning Framework for land located in proximity to a cemetery.

   (ii) **Estate Wall Interface with Baldivis Tramway Reserve**
       The City does not support direct lot interface with the Baldivis Tramway Reserve. The reasons for this are outlined within the Policy section of this Report.

   (iii) **Extent of Earthworks**
       The Structure Plan area will require fill and earthworks to support urban development and the design of the comprehensive drainage network.

   (iv) **Speed Limit and profile of Baldivis Road**
       Baldivis Road north of Kulija Road is identified to ultimately be developed as an 'Integrator Arterial' road, accommodating a dual carriageway to meet anticipated traffic demands. In light of the regional traffic function intended for this road, consideration will be required at detailed design stage to ensure access and egress to the Rockingham Regional Memorial Park is appropriately accommodated for.

       Given the intended function of Baldivis Road, it is unlikely that a 50 kilometre per hour speed limit would be considered appropriate by Main Roads WA to support the intended function of the road. It is also considered inappropriate by the City that such a speed limit be imposed in this context.
Recommendation:

(i) A meeting be arranged between the Department of Planning, Metropolitan Cemeteries Board and the City of Rockingham to resolve the integration between the Structure Plan area and the Rockingham Regional Memorial Park.

(ii) The southern entrance be relocated to provide for a formalised four way intersection with the Rockingham Regional Memorial Park as the proposed intersection provides for an inadequate stagger distance between the proposed entrance and the entrance to the Rockingham Region Memorial Park.

(iii) The Structure Plan be modified to provide a roundabout at the intersection of Pug Road and Baldivis Road.

13. Department of Health

Submission:

(i) The development is required to connect to scheme water and reticulated sewerage.

(ii) The DOH notes that there does not appear to be any assessment of potential odour issues from the Millar Road Landfill site and adjacent operations. Although the landfill is more than 500m from the development, clarification should be sought regarding what assessment of potential negative impacts of odour on future residents has been undertaken.

(iii) The clay quarry appears is within the buffer distance, however, is dismissed as not adding to overall noise impact. Is sufficient evidence presented to justify that assumption?

(iv) The subject land is in a region that regularly experiences significant problems with nuisance and disease carrying mosquitoes. These mosquitoes can disperse several kilometres from breeding sites and are known carriers of Ross River (RRV) and Barmah Forest (BFV) viruses. Human cases of RRV and BFV diseases occur annually in this general locality.

The subject land is also with 3km of mosquito dispersal distance from potential breeding sites near the Tamworth Wetlands, the upper reaches of the Serpentine River and Folly Pool. Mosquitoes will disperse from these sites to the subject land under favourable environmental conditions.

In order to protect the health and lifestyle of communities, all land use planning disease risks, as well as the lifestyle impacts of nuisance mosquitoes, will inevitably result in demands for the application of chemicals to control larval and/or adult mosquitoes.

Environmental agencies may not automatically approve the use of such measures in and around environmentally significant wetlands. Therefore, it will be important that in-principle approval for effective mosquito control measures in and around these wetlands is obtained from the relevant environmental agencies before planning decisions are finalised.

Recommendations:

- The City of Rockingham ensures they have sufficient resources to continue mosquito management to protect future residents housed within the proposed Structure Plan;

- The proponent should ensure proposed infrastructure and site works do not create additional mosquito breeding habitat as follows;

- Changes to topography resulting from earthworks (e.g., the installation of pipelines, footpaths, roads etc) must prevent run-off from creating surface ponding as it may become mosquito breeding habitat;

- Design of roadside stormwater runoff pits to prevent ponding in silt/debris traps; and

- The Chironomid midge and mosquito risk assessment guide for constructed water bodies (Midge Research Group, 2011) should be referred to during the early stage of planning to ensure that the potential for on-site mosquito breeding is minimised. This document is available at: www.public.health.wa.gov.au/2/654/2/mosquitoes.pm
Applicant's Response:

(i) The structure plan complies with the relevant EPA separation guidance from a landfill site, which is inclusive of noise and odour impacts.

(ii) As previously confirmed by the City of Rockingham, the clay quarry is operational intermittently during the summer period only. The excavation does not involve blasting. The clay is removed primarily through a long arm excavator and loaded onto trucks. The Kwinana Freeway separates the structure plan site from the clay quarry. An Acoustic Assessment for the NEBSP was undertaken due to the project area’s proximity to the Kwinana Freeway and local arterial routes of Mundijong and Baldivis Roads. The results of the acoustic assessment indicate that noise received at residences located adjacent to the Kwinana Freeway and Baldivis Road in the year 2025 will exceed the “Noise Limits” as outlined in State Planning Policy 5.4: Road and Rail Transport Noise and Freight Considerations in Land Use Planning (WAPC 2009). However, the level of exceedance would only be minor i.e. up to 2 dB (A). The Acoustic Assessment confirms that compliance with the WAPC (2009) “Noise Limits” can be achieved through a combination of construction of noise walls, building design and notification on titles. There will be effective management of noise impacts and these management measures will be implemented at subdivision stage.

(iii) These additional amenity measures can be considered at subdivision and built form design stage.

(iv) A Mosquito Management Plan will be prepared to the satisfaction of the City of Rockingham and implemented as part of the subdivision conditions.

City's Comment:

(i) The submission is noted.

(ii) No odour assessment has been undertaken by the Applicant in relation to this matter.

As the Structure Plan area is located outside the 500m separation distance to the landfill facility, the City does not consider any further assessment is necessary to be undertaken in relation to potential odour issues from the Millar Road Landfill Facility.

(iii) Previous noise measurements obtained in this locality have shown that noise generated by the Kwinana Freeway is greater than the noise generated from other land uses. An Acoustic Report will be required at subdivision stage to demonstrate compliance with State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning (SPP5.4). It is expected that the additional requirements imposed under SPP5.4 will attenuate the other surrounding land uses.

(iv) Part One (Implementation Section) of the Structure Plan Report does not contain a requirement for a Mosquito Management Plan to be prepared at Subdivision stage. It is recommended that the Structure Plan be modified in this regard.

14. Department of Fire & Emergency Services

Submission:
DFES have the following comments with regard to State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines).

General observations
- The proposed development is on a site designated as bushfire prone on the Map of Bush Fire Prone Areas, and therefore SPP 3.7 applies to the proposal.
- It should be noted that the BMP has been prepared in accordance with the Planning for Bush Fire Protection Guidelines (May 2010) which were in effect at the time the assessment was prepared. However, there has been a requirement to apply due regard for SPP3.7 and the new Guidelines since May 2014.
Submission: cont…
- The proposal is required to demonstrate to the fullest extent possible how the bushfire protection criteria have been addressed.
- The proposed development appears to be bounded by Kulija Road not Mundijong Road.

Bushfire Hazard Level (BHL) assessment
- The BHL assessment at Figure 3A is post development.
- Under SPP 3.7 - 5.3.1 Subdivision in Bushfire Prone Areas: “Lots should either include a 100 metre buffer to bushfire prone vegetation or comply with the bushfire construction requirements appropriate to the current BAL rating. This applies regardless of whether there are any stages to be constructed in the future that would result in a reduction to the current BAL rating. As long as the hazard exists the bushfire construction requirements of the current BAL apply.”
- The BHL should include the bushfire prone vegetation ‘as is’ for all stages of development.
- The development proposal outlines that “Plot 6 will be cleared as part of Stage 1 development works and will be maintained in a low threat state.” There is no detail of the planned staged development within the BMP and Plot 6 has not been classified ‘as is’.
- A significant portion of Plot 6 is outside the proposed development boundary. It has not been demonstrated how it will be managed to low threat and what the future use of this land will be. It appears likely it will be predominately unmanaged grassland post development.
- The vegetation to the north of the development has also not been classified.
- Plot 3: Class A Forest, Plot 4: Class B Woodland and Plot 5: Class C Shrub are determined to be a moderate bushfire hazard. Justification for the reduced bushfire hazard from extreme to moderate has not been provided.
- There are no geo-referenced photographs of the vegetation or other supporting documentation to validate the vegetation classifications.
- Separation distances should be included to help with assessment of the bushfire hazard. There is a requirement for a 100 metre buffer to be applied to extreme and moderate hazard vegetation types.
- The boundaries between plots are not adequately defined.
- DFES advice is to seek a revised BHL for the development in line with the above points, including application of SPP 3.7 and the current Guidelines.

BAL Contour Map
- The BAL Contour Map includes BAL ratings post development.
- The BAL contours for Plot 7: Class C Shrub and Plot 6 ‘as is’ have not been included.
- The vegetation to the north of the development has also not been included on the BAL Contour Map.
- DFES advice is to seek a BAL Contour Map that shows the BAL ratings as the hazard exists, regardless of whether there are any stages to be constructed in the future that would result in a reduction to the current BAL rating, either through clearing of vegetation or the construction of an appropriate boundary wall.

Proposed alternative solution
- There are no construction drawings of the noise cancelling boundary wall at Figure (i) and no detail of its materials.
- BAL contours for Plot 7: Class C Shrub and Plot 6 ‘as is’ adjacent to the boundary wall have not been included in Figure 3B.
- Lots should comply with the bushfire construction requirements of the current BAL rating.
- It is noted that the ongoing maintenance of the boundary wall has been allocated to the Local Government within the BMP.
Submission: cont…

Bushfire Management Plan (BMP)

- The fire scenario at Appendix 1 Figure 1A is not accepted as it is associated with a continuous area of bushfire prone vegetation to the west.
- The BMP does not align with best practice due to the lack of evidence to support the determination of the BHL and BAL ratings.
- DFES are unable to consider the BMP in detail until the matters outlined above are addressed.

RECOMMENDATION

DFES advice is that the current BMP, which includes determinations of hazard levels, BAL ratings and construction standards, that are not sufficiently supported by evidence and existing standards, is not endorsed.

Applicant's Response:

NOTE: Points raised by the Applicant are shown in italics below the submission comments from the Department of Fire and Emergency Services.

General observations

- The proposed development is on a site designated as bushfire prone on the Map of Bush Fire Prone Areas, and therefore SPP 3.7 applies to the proposal.
  It should be noted that the BMP has been prepared in accordance with the Planning for Bush Fire Protection Guidelines (May 2010) which were in effect at the time the assessment was prepared. However, there has been a requirement to apply due regard for SPP3.7 and the new Guidelines since May 2014.
  Applicant's Response: The Fire Management Plan was prepared in accordance with specific advice from the City of Rockingham that SPP3.4 and PfBPG 2nd Edition was to be adhered to without reference to the draft SPP3.7 which was still in draft form and open for public comment.
- The proposal is required to demonstrate to the fullest extent possible how the bushfire protection criteria have been addressed.
  Applicant's Response: Section 4 of the FMP specifically addresses the specific Bushfire Protection Criteria and acceptable solutions as detailed in Appendix 2 of Planning for Bushfire Protection Guidelines 2nd edition (2010) which were the endorsed guidelines of the day.
- The proposed development appears to be bounded by Kulija Road not Mundijong Road.
  Applicant's Response: All street directories, intramaps and Google maps indicates that Kulija Rd commences to the west of the Intersection of Mundijong Rd and Baldivis Rd. Therefore BMP stated address is correct.

Bushfire Hazard Level (BHL) assessment

- The BHL assessment at Figure 3A is post development.
  Applicant's Response: Correct. There is absolutely no point in preparing a planning document that does not consider the proposed development inclusive of any vegetation modification. The Fire Management Plan is a planning document, not a document that is used for the issue of the building licence for any future building in the subject lots’ current state. This approach is consistent with all advice provided by the Department of Planning.
- Under SPP 3.7 - 5.3.1 Subdivision in Bushfire Prone Areas: “Lots should either include a 100 metre buffer to bushfire prone vegetation or comply with the bushfire construction requirements appropriate to the current BAL rating. This applies regardless of whether there are any stages to be constructed in the future that would result in a reduction to the current BAL rating. As long as the hazard exists the bushfire construction recruitments of the current BAL apply.”
  Applicant's Response: Figure 3A is a Bushfire Hazard Level Assessment, NOT a BAL Contour Map, therefore the above comments do not apply as they relate to a BAL Contour Map.
**Submission:** cont…

- Additionally, Acceptable Solution 5 states; All new dwellings within 100m of bushfire prone vegetation will be constructed in accordance with AS3959:2009 to facilitate the reduced separation distance, therefore complying with A4.1.

- The BHL should include the bushfire prone vegetation ‘as is’ for all stages of development.

**Applicant’s Response:** Guidelines of Planning in Bushfire Prone Areas 4.1 states: ‘When the design of the strategic planning proposal contains sufficient detail to determine the future lot layout, A BAL Contour map will be more appropriate, as this is more useful in demonstrating the potential site risk.’ A BAL Contour map is provided in Figure 3B for the proposed site, thereby negating the need for reference to the BHLA assessment under SPP3.7.

- The development proposal outlines that “Plot 6 will be cleared as part of Stage 1 development works and will be maintained in a low threat state.” There is no detail of the planned staged development within the BMP and Plot 6 has not been classified ‘as is’.

**Applicant’s Response:** Refer to BAL Contour map and Performance Based Solution 2.

- A significant portion of Plot 6 is outside the proposed development boundary. It has not been demonstrated how it will be managed to low threat and what the future use of this land will be. It appears likely it will be predominately unmanaged grassland post development.

**Applicant’s Response:** The proponent has advised the land will be retained by the developer and managed accordingly. As the land is part of the same land holding it is requested that DFES advise what evidence they would need to satisfy that the land will be low threat. The comment that “it appears likely it will be predominantly unmanaged grassland post development” is subjective and unsupported.

- The vegetation to the north of the development has also not been classified.

**Applicant’s Response:** It is classified as Low Threat Grassland as an extension of that within the site boundaries, additional labelling will be inserted.

- Plot 3: Class A Forest, Plot 4: Class B Woodland and Plot 5: Class C Shrub are determined to be a moderate bushfire hazard. Justification for the reduced bushfire hazard from extreme to moderate has not been provided.

**Applicant’s Response:** No longer relevant due to provision of BAL Contour Map due to preliminary lot layout available.

- There are no geo-referenced photographs of the vegetation or other supporting documentation to validate the vegetation classifications.

**Applicant’s Response:** Photos will be inserted into the updated BMP.

- Separation distances should be included to help with assessment of the bushfire hazard. There is a requirement for a 100 metre buffer to be applied to extreme and moderate hazard vegetation types. No longer relevant due to provision of BAL Contour Map with separation distances.

**Applicant’s Response:** The plots are clearly identified in the BAL Contour Map where the BAL Contours emanate from. The plot borders will be increased in size for the revised BMP.

- The boundaries between plots are not adequately defined.

**Applicant’s Response:** The plots are clearly identified in the BAL Contour Map where the BAL Contours emanate from. The plot borders will be increased in size for the revised BMP.

- DFES advice is to seek a revised BHL for the development in line with the above points, including application of SPP 3.7 and the current Guidelines.
Submission: cont…

Applicant's Response: Guidelines for Planning in Bushfire Prone Areas 4.1 states: 'When the design of the strategic planning proposal contains sufficient detail to determine the future lot layout, a BAL Contour map will be more appropriate, as this is more useful in demonstrating the potential site risk.' A BAL Contour map is provided in Figure 3B for the proposed site, thereby negating the need for reference to the BHLA assessment.

**BAL Contour Map**

- The BAL Contour Map includes BAL ratings post development.

Applicant's Response: Guidelines for Planning in Bushfire Prone Areas 4.2 states: 'A BAL Contour Map is a scale map of the subject lot/s illustrating the potential radiant heat impacts and associated indicative BAL ratings in reference to any vegetation remaining within 100m of the assessment area after subdivision works are complete.' The BAL Contour map addresses this exactly. There is a 100m boundary indicated, and all remaining threats are identified and BAL Contours provided. It is pointless showing the BAL Contour for the 'as is' as the whole land would be classified as BAL-FZ and is not indicative of the final development of land.

- The BAL contours for Plot 7: Class C Shrub and Plot 6 'as is' have not been included.

Applicant's Response: Shielding wall included as part of development, thereby BAL contours are not relevant from these threats as identified in the Technical Appendix.

- The vegetation to the north of the development has also not been included on the BAL Contour Map.

Applicant's Response: It is low threat managed grassland as indicated within the BAL Contour Map and as such is excluded in accordance with AS3959:2009 2.2.3.2. (f).

- DFES advice is to seek a BAL Contour Map that shows the BAL ratings as the hazard exists, regardless of whether there are any stages to be constructed in the future that would result in a reduction to the current BAL rating, either through clearing of vegetation or the construction of an appropriate boundary wall.

Applicant's Response: Refer to dot point one above. It is of no sense to have a BAL Contour Map for vegetation 'as is', as the BAL ratings would more than likely be BAL-FZ across the lot. The purpose of the BAL Contour map is to determine the applicable BAL contours from each vegetation threat across post development, and determine the AS3959 construction standard applicable to any new dwellings within 100m of classified vegetation.

**Proposed alternative solution**

- There are no construction drawings of the noise cancelling boundary wall at Figure (i) and no detail of its materials.

Applicant's Response: Specifications can be provided by the proponent if required, however DFES has not made it clear what relevance this has to the decision as the wall will be required to be non-combustible and there are strict requirements for noise attenuation walls.

- BAL contours for Plot 7: Class C Shrub and Plot 6 'as is' adjacent to the boundary wall have not been included in Figure 3B.

Applicant's Response: The report clearly identifies that all vegetation in Plot 6 between the wall and the roads will be landscaped to a low threat state. The BAL Contours for Plot 7 are shown – the radiant heat flux from fires in vegetation of such restricted geometry dissipate rapidly as demonstrated in the fire engineering in the technical appendix provided.

- Lots should comply with the bushfire construction requirements of the current BAL rating.
Submission: cont…

Applicant's Response: Lots do not comply with any construction standard as a lot is a piece of land. Only Class 1,2,3 and associated Class 10a buildings and decks can be constructed to higher bushfire resistant standards in accordance with the BCA. As there are no buildings currently being proposed in this stage of the development there are no building licence applications and therefore no BAL ratings “as is.” Buildings will only be constructed or even applied for post development of the site, including any and all landscaping. The comment is nonsensical and contradicts all advice provided by DoP and the definition of the BAL Contour Map in Appendix 1 of Guidelines for Planning in Bushfire Prone Areas (which was actually provided by RUIC Fire to the DoP at the request of DoP).

- It is noted that the ongoing maintenance of the boundary wall has been allocated to the Local Government within the BMP.

Applicant's Response: Will remove

Bushfire Management Plan (BMP)

- The fire scenario at Appendix 1 Figure 1A is not accepted as it is associated with a continuous area of bushfire prone vegetation to the west.

Applicant's Response: There appears to be some confusion as the Design Bushfires are not associated with continuous classifiable vegetation that would facilitate propagation of a continuous landscape scale bushfire front, but rather separated by a substantial major road whilst the vegetation to the west is of limited geometry and predominantly managed in a manner that is consistent with the low threat exclusions of AS3959s2.2.3.2(f)) being cultivated gardens and carparks (AS3959s2.2.3.2(e)).

- The BMP does not align with best practice due to the lack of evidence to support the determination of the BHL and BAL ratings.

Applicant's Response: DFES have advised they do not have the technical capacity to complete the required fire engineering to dispute the alternative modelling proposed. No technical justification for any rejection has been provided.

- DFES are unable to consider the BMP in detail until the matters outlined above are addressed.

Applicant's Response: DFES have assessed the BMP against SPP3.7 which was not current at the time of submission. Compliance should be against Planning for Bushfire Protection Guidelines, 2nd Edition (2010) as submitted. The matters highlighted have had SPP3.7 retrospectively applied to previous Planning Guidelines and they are not immediately transferrable. Additionally, the information sought by DFES is contradictory to the requirements of SPP3.7 Planning in Bushfire Prone Areas. Minor amendments as acknowledged will be corrected in the revised BMP after DFES consideration of the above matters.

City's Comment:
This matter is considered in detail against relevant policy and guidelines in the Policy section of this Report.

c. Strategic

Community Plan

This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:

Aspiration D: Sustainable Environment

Strategic Objective: Land Use and Development Control - Planning for population growth and guiding development and land use to ensure that future generations enjoy a sustainable city and a genuinely desirable lifestyle.

d. Policy

State Planning Policies
**Directions 2031**

**Comment:**

*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.

The Structure Plan Report states that the density target of 15 dwellings per gross urban zoned hectare will be achieved.

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**Liveable Neighbourhoods**

**Comment:**

*Liveable Neighbourhoods* (LN) 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.

LN 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.

The City has assessed the proposal in accordance with the Objectives' and 'Requirements' of *Liveable Neighbourhoods*. The assessment outcomes are summarised as follows:

**Element 1 - Community Design**

The Structure Plan has not appropriately considered all aspects of its surroundings. Particularly, the Structure Plan does not provide for formalised access point on Baldivis Road with the existing access to the southern existing access to the Rockingham Region Memorial Park. As this section of Baldivis Road will be a future 'Integrator Arterial' profile road, connection points must be rationalised with existing land uses.

It is also considered that given the ultimate intent for the development of the Rockingham Region Memorial Park, the Structure Plan should not be considered in isolation to this adjacent land use. In this regard, it is recommended that further consideration be given to the integration between the 'Urban' land uses and that of the Rockingham Region Memorial Park.

The Structure Plan also does not outline the manner in which the future subdivision of land north of Pug Road will occur.
Comment: cont…
In addition to the requirement of Liveable Neighbourhoods requires that the urban structure of new areas take into account existing land uses, Clause 4.2.5(e) of Town Planning Scheme No.2 also applies in addition to the requirements of the Planning Regulations. In this regard, the Structure Plan has not demonstrated how planning for the subject land may be integrated with planning for the balance of the Development Area. In this regard, it is appropriate to understand the manner in which the Structure Plan interfaces to its context for land immediately north of Pug Road.

The Structure Plan is prepared generally consistent with the land use configuration provided for within the District Structure Plan. The most notable variation is the amended location of the co-located primary school and open space. It is recommended that conceptual planning be provided for ‘Urban’ zoned land north of the Structure Plan area to demonstrate the revised location will not adversely impact access to the school from the north.

All lots are within a walkable catchment to public open space from within the Structure Plan area.

The overall densities proposed across the Structure Plan is considered appropriate as it meets Liveable Neighbourhoods and Directions 2031 and Beyond targets.

Element 2 - Movement Network
The Structure Plan design generally provides a permeable and efficient movement network. It is noted that the length of a number street block cells are greater than recommended maximum under Liveable Neighbourhoods of 240m. It is recommended that additional access streets be provided to improve overall permeability.

Road Upgrade contributions will be required from the developer at subdivision stage for the upgrade of Baldivis Road and Pug Road.

The City’s assessment of the Transport Assessment identified some minor modifications, points of clarification and corrections required to be made to the document, the details of which will be forwarded to the WAPC for its consideration.

Element 3 - Lot Layout
An indicative lot layout was provided in accordance with clause 4.2.5 (d) (v) of Town Planning Scheme No.2 prior to the introduction of the Planning and Development (Local Planning Schemes) Regulations (2015). The indicative lot layout generally demonstrates that the Structure Plan layout can effectively accommodate the siting and construction of dwellings on generally rectangular shaped lots.

The City does not support the lot layout abutting the Baldivis Tramway Reserve. This matter is outlined in further detail within the ‘Bushfire Section’ section of this Report.

Part 2 of the Structure Plan Report outlines a range of lot sizes that are intended to be implemented. This will, however, require further consideration at subdivision stage to ensure a varied range of lot sizes to accommodate housing diversity throughout the Structure Plan area.

Element 4 - Public Parkland
The allocation of Public Open Space satisfies the requirements of Liveable Neighbourhoods and is generally supported.

The City’s assessment of the Structure Plan has identified minor modifications, points of clarification and corrections required to be made to the document relating to Public Open Space, the details of which will be forwarded to the WAPC for its consideration.

Element 5 - Urban Water Management
The City’s assessment of the Local Water Management Strategy has identified minor modifications, points of clarification and corrections required to be made to the document, the details of which will be forwarded to the WAPC for its consideration.

It is recommended that a proposed drainage easement required in the south-eastern corner of the Structure Plan area be amended to provide a pedestrian access way for a future connection to the Principal Shared Path and to enable maintenance of the drainage infrastructure.

Element 6 - Utilities
The Structure Plan Report provides appropriate documentation of the utilities requirements to be implemented at subdivision stage.
**Comment:** cont...

*Element 7 - Activity Centres and Employment*

A Neighbourhood Centre is proposed abutting Baldivis Road to service the Structure Plan area.

As previously stated within the report, the City supports the location and intent of the local Centre. A Local Development Plan will be required at Subdivision Stage to address the design criteria and statutory planning requirements for a future development application.

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*Element 8 - Schools*

Access to schools meets the requirements of *Liveable Neighbourhoods* in that:
- All streets abutting the school a through streets;
- The school is proposed to be surrounded on three sides by a public road;
- The school does not abut residential land uses; and
- The school is located outside the walkable catchment of a neighbourhood centre.
State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning

Comment:
This Policy seeks to minimise the adverse impact of transport noise, without placing 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 acoustic assessment undertaken for the broader East Baldivis District Structure Plan area (Herring Storer Acoustics 2009) indicates that, without any form of noise amelioration, future noise emissions from the Kwinana Freeway would exceed the ‘Noise Limit’ criteria (as outlined in State Planning Policy No.5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning) anywhere within the site.

The Structure Plan includes a comprehensive Transportation Noise Assessment which addresses the requirements of State Planning Policy 5.4. The assessment of the noise level identifies that future residential lots are likely to be exposed to noise levels above the specified ‘Noise Target’ specified by the State Planning Policy. The Applicant is proposing to mitigate these impacts through the construction of an Acoustic Wall abutting the Kwinana Freeway and treatments accommodated in housing construction.

A quite house design construction standard will be mandated at subdivision stage through the requirement to prepare a Local Development Plan. A notification on title will also be implemented on lots determined to be impacted by noise generated from the Kwinana Freeway and Mundijong Road.

State Planning Policy No.3.7 - Planning in Bushfire Prone Areas (December 2015) and Guidelines for Planning in Bushfire Prone Areas (December 2015)

Comment:
On 7 December 2015, the following documents were gazetted:
- Fire and Emergency Services (Bush Fire Prone Areas) Order 2015;
- Planning and Development (Local Planning Schemes) Amendment Regulations 2015;
- State Planning Policy No.3.7 - Planning in Bushfire Prone Areas; and
- Building Amendment Regulations (No.3) 2015.

The Department of Fire and Emergency Services (DFES) and the Western Australian Planning Commission (WAPC) concurrently released the:
- Map of Bush Fire Prone Areas (State Map); and
- Guidelines for Planning in Bushfire Prone Areas.

The Fire and Emergency Services Commissioner made an order under the Fire and Emergency Services Act 1998, which means the areas shown as bush fire prone on the state map are now designated under a power in legislation.

State Planning Policy No.3.7 - Planning in Bushfire Prone Areas (SPP3.7) applies immediately to all planning applications in designated bushfire prone areas identified on the Map of Bush Fire Prone Areas (State Map). It sets out policy measures applicable to the consideration of development in bushfire prone areas. SPP3.7 provides a general presumption against the introduction or intensification of land use in areas subject to extreme bushfire hazard (including BAL-40 and BAL-FZ) unless it is minor development or unavoidable development. The level of information required at each stage of the planning process is clearly articulated, including additional requirements for vulnerable and high risk land uses.
Comment: cont...


The State Map is based on the Office of Bushfire Risk Management's Bushfire Prone Area Mapping Standard Western Australia (May 2014). It essentially includes any bush fire prone vegetation with a 100m buffer around the vegetation. It is a binary system, i.e. it is either bush fire prone or not. The mapping does not indicate any level of hazard; it is simply a tool to trigger further assessment.

The State Map will be reviewed initially within six months (May 2016) and annually thereafter.

For all planning applications (Structure Plans, Scheme Amendments, Subdivision Applications, Development Applications), SPP3.7 and the Guidelines applies immediately to all applications in designated bushfire prone areas identified on the State Map. The Guidelines recommend that the following issues be addressed for Structure Plans:

- Location of bushfire prone areas within and adjacent to the structure plan area and the need for further assessment of the risk in such areas;
- Avoidance of land use and development intensification in any areas likely to maintain or generate a hazard level of extreme;
- Existing firefighting infrastructure such as response or suppression capacity, water tanks, brigades etc.;
- Existing and proposed road network, its’ likely effectiveness in a bushfire emergency, and any gaps in the local access network from a bushfire safety perspective;
- Biodiversity issues and their interrelationships with bushfire prone areas;
- Means of protection for areas with high conservation values to accommodate biodiversity objectives such as, adequate separation from existing or proposed buffers for wetlands and foreshores;
- Accommodation of biodiversity objectives such as, adequate separation from existing or proposed buffers for wetlands and foreshores; and
- Location of any vulnerable or high-risk land uses within identified bushfire prone areas and whether such uses may require management strategies to be prepared.

It should be noted that this structure plan application was submitted the day that SPP3.7 and the Guidelines came into effect and as such, the Structure Plan and associated Bush Fire Management Plan were prepared under the now superseded Guidelines. In this regard, it is not considered reasonable for the Applicant to have prepared the Structure Plan accordance with the revised documentation.

The City and the Department of Fire and Emergency Services have assessed the Bushfire Management Plan. The Applicant has provided comments in response to the assessment provided by the Department of Fire and Emergency Services. The following key issues raised in relation to the Bushfire Management Plan:

(i) Classified Vegetation

The Bushfire Management Plan does not classify all vegetation in and within 100 metres of the site as required. The City and DFES have also identified that some of the areas of mapped vegetation are not classified correctly classified under the Guidelines.

As a result, the Bushfire Management Plan does not identify all the existing hazards, which has resulted in an incomplete BAL Contour Map being prepared for the Structure Plan area.

(ii) Development interface to bushfire hazards

As a result of an incomplete hazard assessment and BAL Contour being prepared within the Bushfire Management Plan, the Structure Plan design does not appropriately address the interface to all hazards present in the Structure Plan area.
Comment: cont…

This includes:
- Residential lots proposed to abut the Baldivis Tramway Reserve;
- Residential lots proposed to abut the Kwinana Freeway and future expansion of the Freeway interchange; and
- Lots impacted by hazards during the staging of construction for the Structure Plan area.

The Applicant contends that vegetation within the Tramway and within the future Freeway interchange should be considered to be managed as a 'low threat vegetation. There is no evidence provided to support this assumption.

The City's Tramway Master Plan states that vegetation abutting the Structure Plan area will be preserved and rehabilitated in this location. As such, it should be considered that the Tramway will have a bushfire threat in perpetuity.

The Structure Plan design provides limited opportunity for emergency access to residential properties to defend homes in the event of a fire. A perimeter road is required between the hazard and the bushfire prone vegetation. The interface is also inconsistent with the intent of the Baldivis Tramway Reserve Master Plan and should provide a perimeter road interface.

The Bushfire Management Plan does not provide sufficient information to determine if the interface to the bushfire prone vegetation can be supported. The Guidelines specifies that "the presence of a wall between the bushfire hazard and the site does not alone preclude the need for an Asset Protection Zone" and "that it is recommended minimum of 20 metres from each external wall of a dwelling is sufficient to provide adequate protection".

It is also noted that there is insufficient information provided to support the alternative solution proposed acoustic wall for the Kwinana Freeway. At this stage in the planning process, the required certainty to support the proposed design response cannot be achieved. As such, the City supports DFES position to take precautionary approach in considered the design interface to bushfire hazards.

Conclusion

The Bushfire Management Plan does not provide all the information required to determine the full extent of potential impact to future residential lots. The Report outlines assumptions to support the proposed design of the Structure Plan. These are assumptions that cannot be required through statutory provisions, and as such considered inappropriate.

Notwithstanding the incomplete information presented, it can be determined that the Structure Plan requires changes to provide a perimeter road to the Baldivis Tramway Reserve and make provision for a 20m asset protection zone for lots abutting the Kwinana Freeway.

In addition to the matters raised above, the City's assessment of the Bush Fire Management Plan did identify some minor modifications, points of clarification and corrections required to be made to the document, the details of which will be forwarded to the WAPC for its consideration.

Recommendation:

(i) Modify Structure Plan layout within the south west corner of the Structure Plan area to provide a perimeter road between the bushfire hazard within the Baldivis Tramway Reserve and proposed residential development.

(ii) Modify Structure Plan to accommodate a 20 metre asset protection zone for residential land abutting the Kwinana Freeway.
Planning Policy 3.1.2 - Local Commercial Strategy

Comment:
Planning Policy 3.1.2 - Local Commercial Strategy provides guidance for the distribution and hierarchy of employment centres within the District. The subject land is located within Precinct 4 - Baldivis, which extends from Millar Road West in the north to Sixty Eight Road in the South and between the Kwinana Freeway and Mandurah Road.

Part 2.4.4 of the Strategy identifies two Neighbourhood Centres, two Local Centres and a Freeway Service Centre for the Northern Baldivis component of the precinct. Figure 2.4.2 of the Local Commercial Strategy illustrates the distribution of centres within North Baldivis:

6. Activity Centre Hierarchy for Baldivis

The Local Commercial Strategy does identify a potential Local Centre within the East Baldivis catchment. Given the lack of retail services available to service the residential cell north of Mundijong Road, it is considered that a local centre is appropriately located.
**Recommendation:**
(i) Modify Structure Plan layout within the south west corner of the Structure Plan area to provide a perimeter road between the bushfire hazard within the Baldivis Tramway Reserve and proposed residential development.
(ii) Modify Structure Plan to accommodate a 20 metre asset protection zone for residential land abutting the Kwinana Freeway.

**Planning Policy 3.4.1 - Public Open Space**

**Comment:**
*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.

The location and distribution of POS on the proposed Structure Plan generally satisfies the objectives of the Planning Policy.

The City’s assessment of the Structure Plan has identified minor modifications, points of clarification and corrections required to be made to the document relating to Public Open Space, the details of which will be forwarded to the WAPC for its consideration.

**Baldivis Tramway Reserve Master Plan (2014)**

**Comment:**
The purpose of the Plan is to establish key directions for the use, development and management of the Tramway reserve over a ten year period. The vision and purpose of the Plan are to be driven by the following overarching objectives:
- Conserve and enhance the natural environment;
- Encourage community use and participation in the reserve;
- Coordinate management practices and responsibilities within the reserve;
- Improve sense of place through landscaping, infrastructure and interpretive opportunities; and
- Ensure equity and safety of reserve users.

The Plan has also been prepared to guide the development and improvement of the Tramway Reserve by both the City and developers of adjoining residential developments making improvements to the Tramway Reserve on behalf of the City.

It outlines the parameters for the treatment and enhancement of the Tramway, particularly, by enabling the development of a contiguous dual use path network, low fuel zone area and access points for bushfire risk management, revegetation, access provisions and interface treatments to urban areas.

The Structure Plan proposes residential development abutting the Tramway Reserve in the southern western corner, for approximately 700 metres. The Structure Plan has not addressed the goals of the Tramway Reserve Master Plan in the following manner:
- Goal 4 “Managing the interface between the Tramway and neighbouring residential development” of the Master Plan, which states “It is also expected that the developer include appropriate areas of road reserve and grassed POS abutting the Tramway with due consideration for the fire safety requirements...”; and
- “Ensure adequate fire safety throughout the Reserve) which states “It is expected that future residential development abutting the eastern side of the Tramway will include a minimum of 20m wide Building Protection Zone. This may consist of a road reserve, open grassed areas of POS and /or street parking”.

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 APRIL 2016

PRESIDING MEMBER
Comment: cont…
The information provided within the Structure Plan Report also does not appropriately address the City's detailed interface requirements between the Tramway Reserve and the urban edge. In particular, the information provided does not account for the protection of remnant vegetation located on the boundary between the Structure Plan area and the Baldivis Tramway Reserve.
It is also unclear whether the earthworks required for development is intended to batter into the Tramway Reserve.
The City will require detailed engineering and landscape drawings at subdivision stage to ensure the development interface to the Tramway is developed in accordance with the Baldivis Tramway Reserve Master Plan. This should be referenced within Part One of the Structure Plan Report.

Recommendation:
That the Structure Plan be modified to explain how the interface between urban development and the Baldivis Tramway Reserve will be managed and outline matters that will need to be addressed within the Implementation Section of the Structure Plan Report.

e. Financial
Nil
f. Legal and Statutory
Planning and Development (Local Planning Schemes) Regulations (2015)
In accordance Clause 19(1) of the Planning and Development (Local Planning Schemes) Regulations (2015), Schedule 2 - Deemed Provisions for Local Planning Schemes (Planning Regulations), the local government:
(a) must consider all submissions made to the local government within the period specified in a notice advertising the structure plan;
(b) may consider submissions made to the local government after that time;
(c) may request further information from a person who prepared the structure plan; and
(d) may advertise any modifications proposed to the structure plan to address issues raised in submissions.

Determination of a Structure Plan ultimately rests with the WAPC. In accordance with Clause 20 of the Planning Regulations, the local government must perform the following actions:

(1) The local government must prepare a report on the proposed structure plan and provide it to the WAPC no later than 60 days after the day that is the latest of:
   (a) the last day for making submissions specified in a notice given or published under clause 18(2); or
   (b) the last day for making submissions after a proposed modification of the structure plan is advertised under clause 19(2); or
   (c) a day agreed by the Commission.

(2) The report on the proposed structure plan must include the following:
   (a) a list of the submissions considered by the local government, including, if relevant, any submissions received on a proposed modification to the structure plan advertised under clause 19(2);
   (b) any comments by the local government in respect of those submissions;
   (c) a schedule of any proposed modifications to address issues raised in the submissions;
   (d) the local government’s assessment of the proposal based on appropriate planning principles;
(e) a recommendation by the local government on whether the proposed structure plan should be approved by the WAPC, including a recommendation on any proposed modifications.

g. Risk (High/Extreme)
Nil

Comments

The proposed structure plan has been assessed by City Officers and the following additional comments are provided:

Additional Information to be contained within Technical Appendices

The City has previously requested the following documentation to be provided to inform and assist with the implementation of the Structure Plan which is currently omitted:

(i) The 2010 Preliminary Contaminated site Investigation is referenced within Part Two of the Structure Plan and is recommended to be provided as an appendix to the Environmental Assessment Report.

(ii) The City notes that the Structure Plan captures significant numbers of the remnant vegetation in areas of Public Open Space. Notwithstanding this design feature, the Environmental Assessment Report does not identify which trees are intended to be maintained onsite and would require protection as a condition of Subdivision Approval. It is recommended that this be represented within a Figure contained in the Environmental Assessment Report and shown on the Public Open Space Design concepts.

Conclusion

The Structure Plan Framework encourages pre-lodgement discussions with state agencies. Unfortunately this recommended action did not occur with the Metropolitan Cemeteries Board.

As such it is recommended that a meeting be arranged between the Department of Planning, Metropolitan Cemeteries Board and the City of Rockingham to resolve the integration between the Structure Plan area and the Rockingham Regional Memorial Park.

Following the consideration of the submissions received and the City's assessment of the Structure Plan proposal, it is recommended that the Council advise the WAPC that the Structure Plan be approved on the basis that the following key modifications are made to the Structure Plan and its supporting documentation:

(i) Redesign the south-west corner of the Structure Plan area to provide a perimeter road interface between the bushfire hazard within the Baldivis Tramway Reserve and proposed residential development.

(ii) Modify the Structure Plan to accommodate a 20 metre asset protection zone for residential land abutting the Kwinana Freeway.

(iii) Relocate the southern entrance to provide for a formalised four way intersection with the Rockingham Regional Memorial Park as the proposed intersection provides for an inadequate stagger distance between the proposed entrance and the entrance to the Rockingham Region Memorial Park.

(iv) Update Part 1 Implementation Section to ensure the following matters are addressed at subdivision stage:

(a) Provide an additional trigger to guide the staging of subdivision within the sand mining extractive industry generic buffer area.

(b) Outline the manner in which the interface with the Baldivis Tramway Reserve matters that will be addressed at subdivision stage.

(c) Outline the requirement for a Mosquito Management Plan to be prepared at Subdivision stage.

(v) Require the provision of a roundabout at the intersection of Pug Road and Baldivis Road.
(vi) That the proposed road geometry in the easternmost intersection of Pug Road be revised to provide for an appropriate intersection treatment and stagger distances between proposed roads.

(vii) Modify the movement network to limit street block lengths to be consistent with the requirements of Liveable Neighbourhoods.

(viii) Provide additional information within the Structure Plan Report explaining the manner in which the Structure Plan is and will integrate with surrounding land uses.

(ix) All generic buffers prescribed within EPA Guidance Statement No.3 to the nearby extractive industry uses outlined be overlayed on the Structure Plan Map consistent with the requirements of the Structure Plan Framework.

(x) Modify the Structure Plan Report to explain how the interface between urban development and the Baldivis Tramway Reserve will be managed.

It is further recommended that the Council request that the WAPC consider the advice and recommendations outlined in this Report in its determination of the proposed Structure Plan.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **APPROVES** the following recommendation to the Western Australian Planning Commission, with respect to the proposed Structure Plan (North East Baldivis) prepared over Lots 460-463 Baldivis Road, Karnup:

1. A meeting be arranged between the Department of Planning, Metropolitan Cemeteries Board and the City of Rockingham to resolve the integration between the Structure Plan area and the Rockingham Regional Memorial Park. The City is open to discussing the implementation of a third access point to link with the proposed entrance to the Rockingham Region Memorial Park.

2. The proposed Structure Plan be approved subject to the following:
   
   (i) Redesign the south-west corner of the Structure Plan area to provide a perimeter road interface between the bushfire hazard within the Baldivis Tramway Reserve and proposed residential development.
   
   (ii) Modify the Structure Plan to accommodate a 20 metre asset protection zone for residential land abutting the Kwinana Freeway.
   
   (iii) Relocate the southern entrance to provide for a formalised four way intersection with the Rockingham Regional Memorial Park as the proposed intersection provides for an inadequate stagger distance between the proposed entrance and the entrance to the Rockingham Region Memorial Park.
   
   (iv) Update Part 1 Implementation Section to ensure the following matters are addressed at subdivision stage:
       
       (a) Provide an additional trigger to guide the staging of subdivision within the sand mining extractive industry generic buffer area.
       
       (b) Outline the manner in which the interface with the Baldivis Tramway Reserve matters that will be addressed at subdivision stage.
       
       (c) Outline the requirement for a Mosquito Management Plan to be prepared at Subdivision stage.
   
   (v) Require the provision of a roundabout at the intersection of Pug Road and Baldivis Road.
   
   (vi) That the proposed road geometry in the easternmost intersection of Pug Road be revised to provide for an appropriate intersection treatment and stagger distances between proposed roads.
   
   (vii) Modify the movement network to limit street block lengths to be consistent with the requirements of Liveable Neighbourhoods.
(viii) Provide additional information within the Structure Plan Report explaining the manner in which the Structure Plan is and will integrate with surrounding land uses.

(ix) All generic buffers prescribed within EPA Guidance Statement No.3 to the nearby extractive industry uses outlined be overlayed on the Structure Plan Map consistent with the requirements of the Structure Plan Framework.

(x) Modify the Structure Plan Report to explain how the interface between urban development and the Baldivis Tramway Reserve will be managed.

3. The advice and recommendations as outlined in the City's Report be considered by the Western Australian Planning Commission in its determination.

**Committee Recommendation**

Moved Cr Sammels, seconded Cr Hamblin:

That Council **APPROVES** the following recommendation to the Western Australian Planning Commission, with respect to the proposed Structure Plan (North East Baldivis) prepared over Lots 460-463 Baldivis Road, Karnup:

1. A meeting be arranged between the Department of Planning, Metropolitan Cemeteries Board and the City of Rockingham to resolve the integration between the Structure Plan area and the Rockingham Regional Memorial Park. The City is open to discussing the implementation of a third access point to link with the proposed entrance to the Rockingham Region Memorial Park.

2. The proposed Structure Plan be approved subject to the following:

   (i) Redesign the south-west corner of the Structure Plan area to provide a perimeter road interface between the bushfire hazard within the Baldivis Tramway Reserve and proposed residential development.

   (ii) Modify the Structure Plan to accommodate a 20 metre asset protection zone for residential land abutting the Kwinana Freeway.

   (iii) Relocate the southern entrance to provide for a formalised four way intersection with the Rockingham Regional Memorial Park as the proposed intersection provides for an inadequate stagger distance between the proposed entrance and the entrance to the Rockingham Region Memorial Park.

   (iv) Update Part 1 Implementation Section to ensure the following matters are addressed at subdivision stage:

      (a) Provide an additional trigger to guide the staging of subdivision within the sand mining extractive industry generic buffer area.

      (b) Outline the manner in which the interface with the Baldivis Tramway Reserve matters that will be addressed at subdivision stage.

      (c) Outline the requirement for a Mosquito Management Plan to be prepared at Subdivision stage.

   (v) Require the provision of a roundabout at the intersection of Pug Road and Baldivis Road.

   (vi) That the proposed road geometry in the easternmost intersection of Pug Road be revised to provide for an appropriate intersection treatment and stagger distances between proposed roads.

   (vii) Modify the movement network to limit street block lengths to be consistent with the requirements of Liveable Neighbourhoods.

   (viii) Provide additional information within the Structure Plan Report explaining the manner in which the Structure Plan is and will integrate with surrounding land uses.

   (ix) All generic buffers prescribed within EPA Guidance Statement No.3 to the nearby extractive industry uses outlined be overlayed on the Structure Plan Map consistent with the requirements of the Structure Plan Framework.

   (x) Modify the Structure Plan Report to explain how the interface between urban development and the Baldivis Tramway Reserve will be managed.
3. The advice and recommendations as outlined in the City's Report be considered by the Western Australian Planning Commission in its determination.

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

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
Purpose of Report

To consider an invitation from the Water Corporation and Department of Water to participate in the Waterwise Council Program.

Background

In June 2006, the Council approved the involvement of the City in the International Council for Local Environmental Initiatives (ICLEI) Water Campaign Program (‘Water Campaign’).

The ICLEI Campaign progressed through five Milestones that would guide participating Local Governments through a process of local research, policy making, action planning, implementation and evaluation. The completion of all five Milestones would result in recognition as a Waterwise Council.

The City has completed the first four Milestones and was working towards the completion of Milestone 5 when the Water Campaign was concluded in June 2015.

Key actions undertaken in achieving the first four Milestones included:
Milestone 1: Complete an inventory of water consumption data and current practices impacting on water quality.

Milestone 2: Set goals to reduce water consumption and improve practices impacting on water quality.


Milestone 4: Implement the Water Action Plan and quantify actions to demonstrate that Council is moving towards its goals.

Details

The Waterwise Council Program (‘the Program’) is a joint venture between the Water Corporation and the Department of Water aimed at delivering water efficiency outcomes for Local Governments and their communities.

The Program was developed following conclusion of the ICLEI Water Campaign in June 2015 and, through consultation with program partners and participating local governments, the program criteria was updated to streamline the approval process.

To be approved as a Waterwise Council, the City must fulfil the following four actions:

1. Council Commitment (sign an MoU by 31 March 2016 and establish a Water Management team);
2. Review the City’s water consumption and create a Water Efficiency Action Plan for potable and non-potable water sources for all council operations and the community. All approved local governments will be required to submit the Water Efficiency Action Plan by 31 October 2016;
3. Ensure that appropriate staff members complete free Waterwise training; and
4. Ensure that there are no breaches of groundwater license terms or conditions set by the Department of Water, and no breaches of scheme water usage issued by the Water Corporation in the past 12 months. This includes permanent water efficiency measures.

Following the completion of the above actions, the City will be required to submit annual progress reports on water usage within the City to retain its status as a Waterwise Council. Further information on what is required under each action is available in the Waterwise Council Information Sheet (attached). There will be no costs borne to the City from failing to fulfil any of the abovementioned actions.

The Council must sign a Memorandum of Understanding (attached) with the Water Corporation and Department of Water by 31 March 2016 if it seeks to participate in the new program. The achieved Milestones from the old Water Campaign will no longer apply under the new framework.

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 and Strategic Objectives contained in the Community Plan 2015-2025:
   Aspiration D: Sustainable Environment
   Strategic Objective: Climate Change – Planning systems, infrastructure standards and community awareness programs that acknowledge, mitigate and adapt to the impacts of climate change.
d. Policy
   Nil

e. Financial
   There is no cost to joining Waterwise Council Program.
   Costs associated with implementing water efficiency measures will be considered in the development of a Water Efficiency Action Plan and normal budgeting processes. Participation in the Program does not obligate the City to the expenditure of funds.

f. Legal and Statutory
   Nil

g. Risk (High/Extreme)
   Nil

Comments

The updated framework will provide effective and practical measures to manage water resources used by the Council and the community in a sustainable manner. Participation in the Program will ensure that priority water conservation actions will be implemented across the City. Improved water efficiency has the potential to provide the City with financial savings.

The key benefits of becoming a Waterwise Council are:
- A better understanding of water use in City operations and in the community;
- Potential water and financial savings through improved efficiency;
- Access to free Waterwise training for staff;
- Access to free Waterwise materials to promote water conservation within the community;
- Access to free Waterwise Council branding to promote the City as a sustainable water manager;
- Opportunities to participate in funded and co-funded water efficiency initiatives;
- Staff access to free services such as data logging; and
- Following completion of the Program, the City’s status as a Waterwise Council will be recognised by the Department of Water and the Water Corporation in any relevant advertising campaigns and on both their websites.

The City will also become eligible for recognition as a Gold Waterwise Council and/or the Waterwise Council of the Year, following the completion of the Program.

In light of the above, it is recommended that the Council approve the City’s participation in the Waterwise Council Program.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVES the City’s participation in the Waterwise Council Program.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Sammels:
That Council APPROVES the City’s participation in the Waterwise Council Program.

Committee Voting – 4/0
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Planning and Development Services
Strategic Planning and Environment Services

Reference No & Subject: PDS-015/16 Preliminary Plans – Fremantle Rockingham Controlled Access Highway

File No: LUP/1373
Risk Register No:
Applicant: Main Roads Western Australia
Owner:
Author: Mr Brett Ashby, Manager Strategic Planning and Environment
Other Contributors: Mr Ian Daniels, Manager Engineering Development

Date of Committee Meeting: Previously before Council:
Disclosure of Interest: June 2011 (SP-031/11), April 2011 (SP-017/11)
Nature of Council’s Role in this Matter: Advocacy

Site:
Lot Area:
LA Zoning:
MRS Zoning:
Attachments:
Maps/Diagrams:
1. Location Plan
2. Existing MRS Reservations
3. FRCAH Options A & Option B (2011)
4. Proposed FRCAH Alignment
5. Gilmore Avenue Interchange Options
6. Gilmore Avenue / Mandurah Road / and FRCAH Interchange
7. Kwinana Freeway / Kulija Road Interchange
8. Nairn Drive / Kulija Road Interchange

Purpose of Report
To consider preliminary plans for the future Fremantle Rockingham Controlled Access Highway (‘FRCAH’) prepared by Main Roads Western Australia (‘MRWA’).
1. Location Plan

Background

The FRCAH is a planned ‘Primary Regional Road’ reservation connecting Fremantle and Rockingham.
In 2002, the State Government’s Sustainable Transport Committee (‘STC’) endorsed a proposal to realign the future FRCAH to follow the Dixon Road alignment as part of a major road network. The original intention was for the FRCAH to continue westward to Rockingham, however, the construction of the Perth to Mandurah Railway in the original reservation has meant that this option is no longer viable.

The Department of Planning considered the construction of Mundijong Road between Dixon Road and the Kwinana Freeway as a high priority, and a good opportunity to review how the FRCAH might join Mandurah Road/Mundijong Road to enable access to the Kwinana Freeway.

In June 2009, the Department of Planning sought comments from the City on the alignment proposals prepared by the Department for the FRCAH, for the section between Anketell Road and Mundijong Road in the Kwinana and Rockingham area. The Department of Planning considers that the FRCAH should join Mandurah Road/Mundijong Road.

In August 2009, the City advised the Department of Planning that upon review of the eight alignment options for the FRCAH, the City’s preference was for two options that realign the FRCAH Primary Regional Reservation west towards the existing railway, as these would protect Leda Nature Reserve. This would also place the FRCAH further west of residents living within the Kwinana locality of Leda and form a formal edge to the East Rockingham Industrial Area.

The City also expressed support to the FRCAH providing a direct route through to the Mandurah/Mundijong Road extension and then linking the Kwinana Freeway. The City also advised the FRCAH must allow a suitable grade separated interchange with Dixon Road, to ensure a convenient and direct access from motorists travelling in both directions of the future FRCAH and Dixon Road (to link with the Rockingham Strategic Metropolitan Centre).

The existing FRCAH road reservation has been reserved through the northern part of Bush Forever Protection Area 349, south of Thomas Road, as shown by the ‘green colour’ on the Metropolitan Region Scheme Map below.

2. Existing MRS Reservations
In April 2011, the Council considered Water Corporation’s request for a 30m wide service corridor easement within Reserve 18542 managed by the City of Rockingham, for the laying of future infrastructure to service the proposed ERWWTP.

In June 2011, the Council considered the Department of Planning's report titled 'Mandurah Road Infrastructure Corridor – Planning Report', which considered alignment options for the FRCAH in light of the requirements for a servicing corridor and identified two options as follows:

**Option A (Existing & Extended):**

Retain Mandurah Road as a 4 lane road with FRCAH as a 6 lane road within the existing FRCAH MRS road reservation and extend through the Leda Nature Reserve to connect directly to Mundijong Road and therefore by-passing Mandurah Road.

**Option B (Realignment):**

FRCAH as a 6 lane road and relocate westwards from the existing MRS road reservation alignment to connect to Mandurah Road north of Dixon Road / Gilmore Avenue.

3. FRCAH Options A & Option B (2011)
The Council resolved to:

1. **SUPPORT** Option B alignment for the following reasons:
   (i) Option B provides a more convenient and direct access from motorists travelling in both directions of the future Fremantle Rockingham Highway to access the Rockingham Primary Regional Centre via Dixon Road.
   (ii) The corridor alignment proposed as part of Option A will involve clearing directly through a portion of the Leda Nature Reserve. Conversely, Scenario B is proposed to avoid this reserve. Option A also fragments the Leda Nature Reserve and the Bush Forever Sites the greatest and therefore represents a more significant impact than Option B.

2. **OBJECT** to the Option A alignment, as it will involve clearing directly through a portion of the Leda Nature Reserve. Conversely, Scenario B is proposed to avoid this reserve. Option A also fragments the Leda Nature Reserve and the Bush Forever Sites the greatest and therefore represents a more significant impact than Option B.

3. **EXPRESS** its disappointment that the WAPC did not allow the City the opportunity to comment on the draft Final Report titled 'Mandurah Road Infrastructure Corridor Planning Report' before it was considered by the Infrastructure Coordinating Committee of the Western Australian Planning Commission.

4. **DIRECT** the Chief Executive Officer to write to the WAPC explaining the Council’s position.

### Details

Main Roads has advised that, following the Council’s consideration of the matter in 2011, it undertook further assessment through the **'Fremantle Rockingham Controlled Access Highway – Alignment Selection Study'** which further considered preferred alignment and network configurations for the FRCAH between Thomas Road and Kulija Road, including the possible co-location of the proposed ERWWTP Infrastructure Corridor.

It is understood that the Study found that separating the FRCAH and infrastructure corridor poses the least operational risk and will be the most cost effective option. It further found that an alignment similar the Option A alignment (as referred to above), provided significant benefits, including lower overall environmental impact, improved connectivity and road safety, lower construction cost and less impact on existing infrastructure, including the Mandurah passenger railway. This alignment was endorsed by the WAPC in 2013.

Main Roads is now seeking preliminary comment on the planned FRCAH alignment prior to lodging an application with the WAPC to amend the MRS.

Key elements are:

- Extended alignment through the Leda Nature Reserve to connect directly to Kuluja Road and therefore by-passing Mandurah Road;
- Split interchanges to provide access to Mandurah Road/Dixon Road and Gilmore Avenue, comprising ramps to and from Mandurah Road, and a half-diamond interchange at Gilmore Avenue;
- A conventional diamond interchange at Nairn Drive, facilitating the northern extension of Nairn Drive;
- A ‘systems interchange’ at the junction of the Kwinana Freeway and Kulija Road;
- Removal of Baldivis Road connections to Kulija Road, in place of Baldivis Road passing under Kulija Road; and
- Potential removal of connections from Wellard Road to Mandurah Road.

The above elements are explained in further detail in the Comments section of this report.

The overall proposed alignment is shown on Plan 4 over page.

It is noted that the FRCAH is not proposed to be constructed in the short term, and the City considers that it may be 30 to 50 years or more before construction of the FRCAH is realised.
4. Proposed FRCAH Alignment
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 and Strategic Objective(s) contained in the Community Plan 2015-2025:
   
   Aspiration D: Sustainable Environment
   
   Strategic Objective: Land Use and Development Control – Planning for population
   growth and guiding development and land use to ensure that future
   generations enjoy a sustainable city and a genuinely desirable
   lifestyle.

d. Policy
   South Metropolitan Peel Sub-Regional Planning Framework (Draft)
   The draft South Metropolitan Peel Sub-Regional Planning Framework identifies the
   proposed alignment of the FRCAH as Proposed Regional Road. Implementation of the draft
   Framework, once finalised, will be progressed through amendments to the MRS.
   
   Perth and Peel Green Growth Plan for 3.5 million (Draft)
   The proposed FRCAH is identified as a Primary Distributor Proposed under ‘Action Plan C –
   Infrastructure’ in the Perth and Peel Green Growth Plan, albeit as infrastructure that requires
   further investigation. As such, the final local and alignment will require further environmental
   assessment prior to implementation.

e. Financial
   Nil

f. Legal and Statutory
   Nil

g. Risk (High/Extreme)
   Nil

Comments

Overall Alignment
As noted previously, the Council’s decision in 2011 did not support the proposed alignment on the
basis it would impact upon the Leda Nature Reserve and Bush Forever Sites the greatest,
representing a more significant impact on the environment, and would provide for a less convenient
and direct access to the Rockingham Strategic Regional Centre via Dixon Road.

Main Roads contends that the proposed alignment will have a lower overall impact on the
environment compared to other options. As noted above, the proposed alignment of the FRCAH is
contained within the Perth and Peel Urban Growth Plan, however, it will further environmental
assessment prior before the reservation is established under the Metropolitan Region Scheme.

It is therefore recommended that the Council reiterate its previous concerns with respect to the
impact of the proposed alignment on the Leda Nature Reserve, and advise that the Council will give
further consideration to the matter when the matter proceeds to formal environmental assessment.
Dixon Road/Gilmore Avenue/Mandurah Road Interchange

Main Roads has considered two interchange treatments to service the entry and exit of vehicles from the FRCAH to Mandurah Road/Dixon Road and Gilmore Avenue.

Option 1 provides full connectivity at Gilmore Avenue, albeit requiring vehicles to turn onto Gilmore Avenue at a roundabout or signalised intersection in order to access the Rockingham Strategic Metropolitan Centre via Dixon Road.

Option 2 proposes a half diamond interchange at Gilmore Avenue to provide for movement to and from the north of the City, with free flow ramps providing for direct connections to and from Kulijia Road to the Strategic Metropolitan Centre via Mandurah Road and Dixon Road. This Option will also require the termination of Millar Road West at a cul-de-sac, with access to Millar Road provided via a northern extension of Nairn Drive. A more detailed view of Option 2 is set out in Plan 6 over page.

5. Gilmore Avenue Interchange Options

Main Roads contends that Option 1 has a more significant environmental impact because the land north of the passenger railway line has higher conservation values, and that this Option requires additional footprints at this location. It further notes, however, that either Option 1 or Option 2 are acceptable to Main Roads.

Given Rockingham’s role as a Strategic Metropolitan Centre, it is considered that access to Rockingham, via Dixon Road, must be given priority in consideration of the above Options. In this regard, it is considered that Option 2 is the superior option given it provides for unrestricted movement from Kulijia Road to Mandurah Road/Dixon Road, and therefore improved access for vehicles from both the Kwinana Freeway, and the Baldivis urban precinct via Nairn Drive. It is considered that Option 2 could be further improved, however, by providing free flow ramps allowing more convenient access to the Strategic Metropolitan Centre.

Option 1 would provide a less direct connection to the Strategic Metropolitan Centre, requiring vehicles to negotiate roundabouts or traffic lights at the Gilmore Avenue interchange.

Planning for the FRCAH also needs to consider the ultimate configuration of the existing Dixon Road/Gilmore Avenue/Mandurah Road intersection, as it is essential to the movement of vehicles to the Rockingham Strategic Metropolitan Centre, and consider land requirements for the construction of this intersection in conjunction with the FRCAH.
It is recommended that Main Roads be advised as follows:

1. The Council does not support Option 1 as it does not provide for a convenient and direct access to the Rockingham Strategic Metropolitan Centre;

2. The Council prefers Option 2, given it affords superior access to the Rockingham Strategic Metropolitan Centre for vehicles travelling east from the Kwinana Freeway and the Baldivis urban precinct.

3. Planning for the FRCAH should include the intersection of Dixon Road/Gilmore Avenue/Mandurah Road, including consideration of the ultimate configuration of that intersection and land requirements for its upgrade.
6. Gilmore Avenue/Mandurah Road and FRCAH Interchange

Kwinana Freeway Interchange

Whilst Main Roads considers that the existing diamond interchange can, with upgrades, accommodate interim traffic demands, it proposes the ultimate development of a ‘systems interchange’ which provides free flow for all traffic movements for both major roads.
7. Kwinana Freeway Interchange

Land requirements for the interchange to the west of the Kwinana Freeway have been provided for in proposed Structure Plans to the north and south of Kulijia Road. Land to the east of the Kwinana Freeway will need to be reserved through an amendment to the MRS.

Baldivis Road

The ultimate development of the FRCAH as a Primary Regional Road, to an effective freeway standard, will require the removal of existing connections to the FRCAH (Kulijia Road), with Baldivis Road to pass underneath the FRCAH. This is a result of Austroads Guide to Traffic Management which recommends a minimum spacing of 1.5-2.0km between interchanges within an urban environment. For reference, the planned Nairn Drive interchange is located 1.99km from the Kwinana Freeway.

The City's Engineering Service has confirmed that the ultimate development of FRCAH will require connections from Baldivis Road due to proximity to the Kwinana Freeway interchange, and that there is no scope for the provision of a Baldivis Road interchange.

The ultimate closure of Baldivis Road will have implications on access to the Baldivis Regional Cemetery, and it is recommended that Main Roads liaise with Metropolitan Cemeteries Board with respect to the proposal before taking further action.

Nairn Drive Interchange

In light of the required closure of access at Baldivis Road, alternative access routes will need to be identified for vehicles travelling from north of Kulijia Road.

The draft South Metropolitan Peel Sub-Regional Framework identifies Kerosene Lane, east of Nairn Drive, as a regional road in order to provide access to the FRCAH. The City has previously raised concern with Main Roads that Kerosene Lane may not be able to provide a significant level of service alone, given the anticipate traffic volumes in the future, and would not provide for a desirable level of access to Millar Road, the northern section of Baldivis (including the Baldivis Regional Cemetery) and Wellard. Accordingly, the City has advocated that planning by Main Roads consider a northern extension of Nairn Drive, linking to Millar Road, providing eastern access from both the north and south of the FRCAH.

In response, Main Roads has advised that a diamond interchange is required given anticipated traffic volumes at this location and constraints imposed by the Dampier to Bunbury High Pressure Gas Pipeline to the north.
8. Nairn Drive/Kulija Road Interchange

It is recommended that Main Roads be advised that the provision of a full interchange and northern extension of Nairn Drive be supported.

Wellard Road Connection

Main Roads has advised that full connectivity of Wellard Road to the FRCAH and Patterson Road (via Office Road) may be difficult to achieve due to the location of the existing freight railway line and Mandurah Road. In this regard, no provision in terms of road reservations have been made under the MRS to accommodate the required grade separation over the freight line and Mandurah Road. Main Roads proposes the termination of Wellard Road to the east of the FRCAH, as it considers that the surrounding network, principally Thomas Road and Gilmore Avenue, can accommodate an increase in traffic that would result from the removal of access to Wellard Road from the west.

Notwithstanding the traffic modelling undertaken by Main Roads, it is considered undesirable to terminate access to the Kwinana Rockingham Industrial Area from Wellard Road, which would impact on connectivity to a major employment node and place greater pressure on access points to the north and south. It is recommended that Main Roads be advised that the termination of Wellard Road to the east of the FRCAH is not supported, and that land requirements to provide for a grade separated crossing of the freight line and Mandurah Road be investigated.

Conclusion

In light of the above, it is recommended that Main Roads be advised as follows:

1. The provision of direct and convenient access to the Rockingham Strategic Metropolitan Centre should be a primary consideration in planning for the Fremantle Rockingham Controlled Access Highway.
2. The environmental implications of routing the Fremantle Rockingham Controlled Access Highway through the Leda Nature Reserve remains of concern to the City and will be further considered during the relevant environmental impact assessment processes.
3. Option 1, providing a full interchange at Gilmore Avenue, is not supported as it does not provide for direct and convenient access to the Rockingham Strategic Metropolitan Centre.
4. Option 2, providing a split interchange with free flow ramps connecting to Mandurah Road, is preferred as it affords superior access to the Rockingham Strategic Metropolitan Centre for vehicles travelling east from the Kwinana Freeway and the Baldivis urban precinct.

5. Option 2 should be reviewed to consider the provision of free flow ramps connecting Gilmore Avenue onto the northern section of the FRCAH to improve access to the Rockingham Strategic Metropolitan Centre.

6. Planning for the FRCAH should include the intersection of Dixon Road/Gilmore Avenue/Mandurah Road, including consideration of the ultimate configuration of that intersection and land requirements for its upgrade.

7. The northern extension of Nairn Drive, and the provision of a full interchange at its junction with the FRCAH, is supported to improve connectivity to the north of the FRCAH, in light of the future removal of access to the FRCAH at Baldivis Road.

8. The termination of Wellard Road to the east of the FRCAH is not supported as it will impact on connectivity to the Kwinana Rockingham Industrial Area, and land requirements to provide for a grade separated crossing of the freight line and Mandurah Road should be investigated.

9. Main Roads should liaise with affected Stakeholders, including the Metropolitan Cemeteries Board, prior to proceeding further.

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**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council APPROVES the following preliminary comments to Main Roads WA on the draft Fremantle Rockingham Controlled Access Highway:

1. The provision of direct and convenient access to the Rockingham Strategic Metropolitan Centre should be a primary consideration in planning for the Fremantle Rockingham Controlled Access Highway.

2. The environmental implications of routing the Fremantle Rockingham Controlled Access Highway through the Leda Nature Reserve remains of concern to the City and will be further considered during the relevant environmental impact assessment processes.

3. Option 1, providing a full interchange at Gilmore Avenue, is not supported as it does not provide for direct and convenient access to the Rockingham Strategic Metropolitan Centre.

4. Option 2, providing a split interchange with free flow ramps connecting to Mandurah Road, is preferred as it affords superior access to the Rockingham Strategic Metropolitan Centre for vehicles travelling east from the Kwinana Freeway and the Baldivis urban precinct.

5. Option 2 should be reviewed to consider the provision of free flow ramps connecting Gilmore Avenue onto the northern section of the FRCAH to improve access to the Rockingham Strategic Metropolitan Centre.

6. Planning for the FRCAH should include the intersection of Dixon Road/Gilmore Avenue/Mandurah Road, including consideration of the ultimate configuration of that intersection and land requirements for its upgrade.

7. The northern extension of Nairn Drive, and the provision of a full interchange at its junction with the FRCAH, is supported to improve connectivity to the north of the FRCAH, in light of the future removal of access to the FRCAH at Baldivis Road.

8. The termination of Wellard Road to the east of the FRCAH is not supported as it will impact on connectivity to the Kwinana Rockingham Industrial Area, and land requirements to provide for a grade separated crossing of the freight line and Mandurah Road should be investigated.

9. Main Roads should liaise with affected Stakeholders, including the Metropolitan Cemeteries Board, prior to proceeding further.
Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council APPROVES the following preliminary comments to Main Roads WA on the draft Fremantle Rockingham Controlled Access Highway:

1. The provision of direct and convenient access to the Rockingham Strategic Metropolitan Centre should be a primary consideration in planning for the Fremantle Rockingham Controlled Access Highway.

2. The environmental implications of routing the Fremantle Rockingham Controlled Access Highway through the Leda Nature Reserve remains of concern to the City and will be further considered during the relevant environmental impact assessment processes.

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5. Option 2 should be reviewed to consider the provision of free flow ramps connecting Gilmore Avenue onto the northern section of the FRCAH to improve access to the Rockingham Strategic Metropolitan Centre.

6. Planning for the FRCAH should include the intersection of Dixon Road/Gilmore Avenue/Mandurah Road, including consideration of the ultimate configuration of that intersection and land requirements for its upgrade.

7. The northern extension of Nairn Drive, and the provision of a full interchange at its junction with the FRCAH, is supported to improve connectivity to the north of the FRCAH, in light of the future removal of access to the FRCAH at Baldivis Road.

8. The termination of Wellard Road to the east of the FRCAH is not supported as it will impact on connectivity to the Kwinana Rockingham Industrial Area, and land requirements to provide for a grade separated crossing of the freight line and Mandurah Road should be investigated.

9. Main Roads should liaise with affected Stakeholders, including the Metropolitan Cemeteries Board, prior to proceeding further.

Committee Voting – 4/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
**Planning and Development Services**  
**Statutory Planning Services**

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<tr>
<td>Author:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
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<td>Other Contributors:</td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
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<td>3. Overall Site Plan(Original Location)</td>
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<tr>
<td></td>
<td>4. West Elevation</td>
</tr>
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<td>5. Fixed wireless network links in the City of Rockingham</td>
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<td></td>
<td>6. Bearfoot Road Photo Montage</td>
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<td></td>
<td>7. Makin Road Photo Montage</td>
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<tr>
<td></td>
<td>8. Proposed new site</td>
</tr>
<tr>
<td></td>
<td>9. Consultation Map</td>
</tr>
<tr>
<td></td>
<td>10. Submissioners</td>
</tr>
</tbody>
</table>
1. Location Plan

2. Aerial Photo

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 APRIL 2016

PRESIDING MEMBER
Purpose of Report

To consider an application seeking Development Approval for Telecommunications Infrastructure (Fixed Wireless Facility) at Lot 819 (No.59) Makin Road, Baldivis.

Background

The applicant has advised that NBN is the organisation responsible for overseeing the upgrade of Australia's existing telecommunications network and for providing wholesale services to retail service providers. The NBN is designed to provide Australians with access to fast, affordable and reliable internet services.

NBN plans to upgrade the existing telecommunications network in the most cost-efficient way using best-fit technology and taking into consideration existing infrastructure. As part of the upgrading process it is necessary to construct new telecommunication towers to fit in to the National Broadband Network.

Details

Approval is sought for Telecommunications Infrastructure, comprising of a 40 metre monopole and ancillary components including two outdoor cabinets within a secure compound which measures approximately 80m$^2$ in area. The original proposal was for the tower to be erected 13m from the western boundary of the property. After the public consultation period the proponent has now amended the application and the tower will now be erected 50m away from the western boundary of the property. The applicant has submitted the following documents in support of the application:

- Site Plan
- Elevation
- Planning Report
- EME Report
3. Overall Site Plan (Original Location)
4. Elevation

5. Proposed fixed wireless NBN network links in the City of Rockingham
6. Bearfoot Road Photo Montage

7. Makin Road Photo Montage
8. Proposed New Site

Implications to Consider

a. Consultation with the Community
The application was referred to 41 property owners and occupants within 500m of the proposed Telecommunications Infrastructure. At the close of the advertising period eight submissions were received.

<table>
<thead>
<tr>
<th>Amenity</th>
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<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) Safety issues with regard to major ongoing health issues</td>
</tr>
<tr>
<td><strong>Proponent’s Response:</strong></td>
</tr>
<tr>
<td>The proposed facility will be in compliance with the standards set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and licensed accordingly.</td>
</tr>
<tr>
<td>The maximum Electro-magnetic Energy (EME) level has been calculated at 0.078% of the maximum permissible level (1/1282 of the permissible level).</td>
</tr>
<tr>
<td><strong>City’s Comment:</strong></td>
</tr>
<tr>
<td>In terms of State Planning Policy No.5.2 (SPP 5.2) setback distances for telecommunications infrastructure are not to be set out in local planning schemes or local planning policies to address health or safety standards for human exposure to electromagnetic emissions because standards set by ARPANSA incorporate substantial safety margins to address human health and safety matters.</td>
</tr>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(ii) Why was this site selected there should be alternative sites further from the mainstream population</td>
</tr>
<tr>
<td><strong>Proponent’s Response:</strong></td>
</tr>
<tr>
<td>---------------------------</td>
</tr>
<tr>
<td>The search area was required to concentrate on elevated land close to customers in order to satisfy coverage objectives. A summary of these candidate sites and the reasons for not pursuing other options are contained in the development application.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Submission:</strong></th>
<th><strong>Proponent’s Response:</strong></th>
<th><strong>City’s Comment:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(ii) The proposed tower will have a negative impact on property values and will be an eyesore</td>
<td>Impacts on property values are not a planning consideration. Nonetheless to our knowledge there is no documented evidence of land values being affected by telecommunications infrastructure.</td>
<td>The impact of the proposed development on property values is not a relevant planning consideration.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Proponent’s Response:</strong></th>
<th><strong>City’s Comment:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(iii) The proposed tower will be unsightly and an eyesore</td>
<td>The NBN have selected the least visually impactful structure necessary to achieve the required height to meet coverage objectives. The propose location is such that ground level equipment will be screened by existing vegetation and additionally be colour matched. The monopole itself will naturally fade. Unpainted structures are deemed by State visual landscape policy to blend better against lighter backgrounds such as the sky.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Submission:</strong></th>
<th><strong>Proponent’s Response:</strong></th>
<th><strong>City’s Comment:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(iv) The proposed tower will be in very close proximity to neighbouring residential properties</td>
<td>The State Planning Policy does not prescribe separation distances from dwellings. Indeed many such facilities are located on multiple dwellings.</td>
<td>Assessment of the visual impact of development proposals for telecommunications infrastructure should be made on a case by case basis. The two photo montages submitted show that the visibility of the proposed Telecommunications Infrastructure will be limited to the top of the tower that will be visible from a distance above the tree line. The bottom part of the Telecommunications Infrastructure will be adequately screened from view from the adjoining properties. Given the distance (more than 130m to the closest dwelling) of the Telecommunications Infrastructure from nearby dwellings the visual impact is considered to be acceptable. The proposed site will also be located where it will not be visible from significant viewing locations, lookouts, scenic routes or recreational sites.</td>
</tr>
</tbody>
</table>
**City's Comment:**
Agree, the original proposal was close but the Telecommunications Infrastructure will now be 50m away from the rear property boundary of the closest adjoining 'Special Rural' site and approximately 140m away from the adjoining dwelling. The applicant has advised that the proposed Telecommunications Infrastructure will comply with all Commonwealth requirements regarding safety and possible health impacts.

**Submission:**

(v) **NBN is looking for the highest point in the area to reduce the tower cost**

**Proponent’s Response:**
NBN has sought to establish the facility in an elevated position, thus reducing the height of the structure necessary to achieve coverage objectives. This approach is consistent with visual planning best practice which encourages carriers to "Minimise the height of the tower by assessing the local topography or height of buildings for the proposed area. Choose the site that minimises the height of the tower most effectively." (Visual Landscape Planning in Western Australia WAPC, 2007 p.138)

**City's Comment:**
High points are essential to ensure effective infrastructure. The selected site is a natural high point which reduces the height of the tower.

**Submission:**

(vi) **Lack of community consultation by NBN and the Council**

**Proponent’s Response:**
None

**City's Comment:**
Lot 477 St Albans Road is located approximately 570m from the proposed tower. All owners within 500m of the proposed tower were notified in writing of the proposed Telecommunications Infrastructure and were invited to review the application and provide comments. Information about the tower was also available to view on the City's website. Given the number and detail of submissions that were received from effected land owners, it is considered that appropriate community consultation was undertaken.

**Submission:**

(vii) **Lightning Strikes**

**Proponent’s Response:**
From a risk perspective the State Planning Policy or EPA risk-based separation policy for prescribed premises is silent on telecommunications towers. Any NBN structure will be certified by a structural engineer and fully satisfy the **BCA** requirements or a Class 10b structure (mast, antenna or the like). The tower has an earthing ring installed around the whole compound. It consists of copper strap and electrodes buried around 600mm in the ground. When lightning strikes the structure it travels down the pole, into the earthing system and down onto the electrodes in the ground. The system is designed in such a way that anyone nearby the structure is protected by having the current travel down the path of least resistance to the ground.

**City's Comment:**
The applicant's comments are noted.

**Submission:**

(viii) **Impact on Television, Radio and Other equipment**
Proponent's Response:
Ericsson's Network Engineer has confirmed that there will be no impact on your TV reception stating *Baldivis site will be using 3.4GHz Spectrum therefore there won't be signal interference with his TV reception*. Digital Terrestrial Television is confined to the frequencies between approximately 170MHz and 700MHz, whereas the NBN Fixed Wireless program runs in the 2300MHz and 3400MHz bands – the bands are very far apart in a radio sense and interference is unlikely on that front alone. NBN also meet or exceed our licence conditions for these two bands – which means that we cannot interfere with any radio services outside our allocated spectrum.

City's Comment:
The applicants comments are noted and if there are any concerns these should be raised with the telecommunications service provider (NBN) and if it is unresolved it should be lodged as a complaint with the telecommunications industry ombudsman.

Submission:

(iv) Impact on Fauna and Flora

Proponent’s Response:
The new selected compound site seeks to minimise vegetation loss or soil disturbance. There is no moving parts/equipment on a telecommunications tower such that bird strike is not a factor. As such, a flora and fauna survey was not undertaken. The Development Application does not state a flora and fauna survey has or will be undertaken for this site. However, it is noted that for all sites GIS environmental constraints mapping as well as desktop searches for environmental constraints referenced in the planning policy framework is undertaken. The constraints mapping identifies as a minimum heritage, conservation areas, acid sulphate soils, contamination and sensitive land uses. Should inundation or other particular constraints be identified when inspecting the site further assessment is undertaken.

City's Comment:
There is no evidence that suggest that the proposed development will impact on Flora and Fauna. The proposed Telecommunications Infrastructure will require the minimal removal of any trees.

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 and Strategic Objective contained in the Community Plan 2015-2025:

**Aspiration D:** Sustainable Environment

**Strategic Objective:** Land Use and Development Control – Planning for population growth and guiding development and land use to ensure that future generations enjoy a sustainable city and a genuinely desirable lifestyle.

d. Policy
Local Planning Policy 3.3.16 - Telecommunications Infrastructure
The objectives for LPP 3.3.16 are:

(a) To promote the orderly and proper development of land by making suitable provisions relating to the location and design of Telecommunications Infrastructure that cannot be classified as low-impact facilities; and

(b) To secure the amenity, health and convenience of the locality through appropriate provisions intended to minimise any potential adverse impacts from such Telecommunications Infrastructure.
### Policy Requirement

<table>
<thead>
<tr>
<th></th>
<th>Provided</th>
<th>Compliant</th>
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</thead>
<tbody>
<tr>
<td>In terms of LPP 3.3.16 Telecommunications Infrastructure the preferred location for telecommunications Infrastructure that cannot be classified as low impact facilities is in the Industrial, Commercial and Rural Zones.</td>
<td>The proposed facility will be located in the Special Rural Zone and can therefore be considered for approval if it complies with the policy statement regarding its location.</td>
<td>Yes</td>
</tr>
<tr>
<td>Telecommunications Infrastructure should be sited to minimise adverse impacts on the visual character and amenity of residential areas. In this regard, such facilities should not be located within 200 metres of land zoned Urban or Urban Deferred in the Metropolitan Region Scheme (or Residential, Special Residential or Development Zone in Town Planning Scheme No.2), unless the infrastructure is attached to an existing structure and does not adversely impact the visual amenity of an area.</td>
<td>The proposed telecommunications tower will be located further than 200m from land zoned Urban or Urban Deferred.</td>
<td>Yes</td>
</tr>
<tr>
<td>Telecommunications Infrastructure should be sited to minimise any potential adverse visual impact on the character and amenity of the local environment, in particular, impacts upon areas of natural conservation value, places of heritage significance, prominent landscape features, general views in the locality and individual significant views.</td>
<td>The proposed site will be located where it will not be visible from significant viewing locations, a scenic route, lookout or recreational site.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

#### State Planning Policy 5.2 - Telecommunications Infrastructure (SPP 5.2)

The benefit of improved telecommunications services should be balanced with the visual impact on the surrounding area. Assessment of the visual impact of development proposals for telecommunications infrastructure should be made on a case by case basis. Telecommunications infrastructure should be sited and designed to minimise visual impact. An assessment of the application against the matters to be considered listed in SPP 5.2 is as follows:

<table>
<thead>
<tr>
<th>Policy Requirement</th>
<th>Provided</th>
<th>Compliant</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;</td>
<td>The proposed tower will not be located where it is visible from significant viewing locations such as scenic routes, lookouts and recreational sites.</td>
<td>Yes</td>
</tr>
<tr>
<td>Policy Requirement</td>
<td>Provided</td>
<td>Compliant</td>
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<tr>
<td>------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------</td>
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<tr>
<td>b) be located to avoid detracting from a significant view of a heritage item or</td>
<td>No properties in the vicinity are listed on the Municipal Heritage Inventory. The existing vegetation will also help to reduce the visual impact of the tower.</td>
<td>Yes</td>
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<tr>
<td>place, a landmark, a streetscape, vista or a panorama, whether viewed from public</td>
<td></td>
<td></td>
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<tr>
<td>or private land;</td>
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<tr>
<td>c) not be located on sites where environmental, cultural heritage, social and visual</td>
<td>The developer will need to adhere to the provisions of the Aboriginal Heritage Act 1972 during construction. The other trees on site will provide screening for the tower.</td>
<td>Yes</td>
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<tr>
<td>landscape values maybe compromised;</td>
<td></td>
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<tr>
<td>d) display design features, including scale, materials, external colours and</td>
<td>The facility is a 40m high monopole which is the lowest height structure capable of providing the required coverage. The monopole structure is the slimmest profile tower design which aids in reducing the bulk of the tower. The tower is left unpainted (galvanised steel), which over time has demonstrated that the grey appearance best blends into the sky and background. The existing vegetation on-site and on adjoining properties will aid in providing screening of the facility but the upper part of the monopole will still be visible from a distance.</td>
<td>Yes</td>
</tr>
<tr>
<td>finishes that are sympathetic to the surrounding landscape;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telecommunications infrastructure should be located where it will facilitate</td>
<td>The proposed tower will be located on the metropolitan fringe on a high point within a Special Rural property. SPP 5.2 emphasises that Western Australia is a vast state with complex geography and fixed wireless technology enables access to NBN services in locations that are difficult or not cost effective to reach with fixed line technology.</td>
<td>Yes</td>
</tr>
<tr>
<td>continuous network coverage and/or improved telecommunications services to the</td>
<td></td>
<td></td>
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<tr>
<td>community;</td>
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</tbody>
</table>
e. Financial
Nil

f. Legal and Statutory
Nil

g. Risk (High/Extreme)
Nil

Comments
The proposed alternative location is considered to be appropriate for the proposed Telecommunications Infrastructure as it addresses the concerns received from the public. The existing trees will reduce the impact of the proposal on visual amenity. Given this, the application is considered to be in the public interest and in accordance with the Guiding Principles as stated in section 5 of SPP 5.2.

The proposed facility is proposed in a location that complies with LPP3.3.16 while still ensuring a proper NBN service can be provided. It is recommended that the application be approved.

Voting Requirements
Simple Majority

Officer Recommendation
That Council APPROVES the application for a Telecommunications Infrastructure (Fixed Wireless Facility) on Lot 819 (No.59) Makin Road Baldivis subject to the following condition:

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
   - Site Plan, dated 29.02.2016; and
   - Site elevations details dated 29.10.2015.

Committee Recommendation
Moved Cr Hamblin, seconded Cr Whitfield:
That Council APPROVES the application for a Telecommunications Infrastructure (Fixed Wireless Facility) on Lot 819 (No.59) Makin Road Baldivis subject to the following condition:

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
   - Site Plan, dated 29.02.2016; and
   - Site elevations details dated 29.10.2015.

Committee Voting – 4/0

The Committee’s Reason for Varying the Officer’s Recommendation
Not Applicable

Implications of the Changes to the Officer’s Recommendation
Not Applicable
## Planning and Development Services

### Statutory Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-017/16</th>
<th>Retrospective Approval</th>
<th>Restricted Premises (Adult Temptations)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2015.00000513.001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>Mr S and Mrs D Pitman</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Harvey and Ms Mander</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>14 March 2016</td>
<td></td>
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<tr>
<td>Previously before Council:</td>
<td></td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td></td>
<td></td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Tribunal</td>
<td></td>
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<tr>
<td>Site:</td>
<td>Lot 1 (No.1/5) Leach Crescent, Rockingham</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td>1,256m²</td>
<td></td>
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<tr>
<td>LA Zoning:</td>
<td>Primary Centre City Centre</td>
<td></td>
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<tr>
<td>MRS Zoning:</td>
<td>Central City Area</td>
<td></td>
<td></td>
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<tr>
<td>Attachments:</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
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<tr>
<td></td>
<td>2. Aerial Photo</td>
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<tr>
<td></td>
<td>3. Unit Configuration</td>
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<td></td>
<td>4. Consultation Plan</td>
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<td></td>
<td>5. Window Frontage</td>
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<tr>
<td></td>
<td>6. Shop Elevation</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1. Location

2. Aerial Photo

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 APRIL 2016

__________________________
PRESIDING MEMBER
Purpose of Report

To consider an application for retrospective approval for a Restricted Premises (Adult Temptations) at Lot 1 (No.1/5) Leach Crescent, Rockingham.

Background

In March 2006, Council resolved to grant Planning Approval to a Restricted Premises (Adult Shop) at Lot 1 (No.2/5) Leach Crescent, Rockingham. The business the subject of this report has been operating for approximately 10 years.

The applicant has applied for retrospective Development Approval to occupy part of Strata Lot 1 (No.1/5) Leach Crescent, Rockingham. The Adult Temptations store is believed to have relocated within the past month from the former Strata Lot 2.

Details

The applicant seeks retrospective approval for a Restricted Premises (Adult Shop) at Lot 1 (No.1/5) Leach Crescent, Rockingham.

Minors (under the age of 18) are prohibited from entering an adult shop which essentially retails in products for adult entertainment. The applicant has advised the business operates in the same manner as the previously approved business at No.2/5 Leach Crescent, Rockingham, which sells adult books, magazines and specialised adult intimate items, similar to other adult shops.

The applicant is the sole operator of the business.

The applicant has already relocated to part of the adjacent tenancy at Strata Lot 1 to downsize the business.

Implications to Consider

a. Consultation with the Community

The application was referred to nine nearby and adjacent property owners for a period of 14 days as shown on the Consultation Plan below. At the close of the advertising period, no submissions had been received.
EXTERNAL FACES OF BUILDING ARE BOUNDARIES OF PART LOTS EXCEPT FOR DIVIDING WALL WHERE CENTRE LINE OF WALL IS BOUNDARY.

As at 20th July 1997 unless a notice of resolution under section 21H or an objection under 210 has been recorded on the strata plan:

The boundaries of the lots or parts of the lots which are buildings shown on the strata plan are the external surfaces of those buildings, as provided by section 3AB of the Strata Titles Act 1960;

The scheme may not be a single for scheme, as defined in section 3(1) of the Strata Titles Act 1960;

The areas of the lots shown on the strata plan may have changed;

Where 2 lots have a common or party wall, or have buildings on them which are joined, the centre plane of that wall or the plane at which they are joined, is the boundary;

The horizontal boundaries of the lots or parts of the lots which are not buildings shown on the plan (if any) remain as provided on this strata plan.
4. Consultation Plan

b. Consultation with Government Agencies
Not Applicable

c. Strategic
Community Plan
This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:

**Aspiration D:** Sustainable Environment

**Strategic Objective:** Land Use and Development Control - Planning for population growth and guiding development and land use to ensure that future generations enjoy a sustainable city and a genuinely desirable lifestyle.

d. Policy
Planning Policy No.3.2.1 - Development Policy Plan City Centre Sector (PP3.2.1)
The subject site is located in the Read Precinct of PP3.2.1, which is characterised by low density, single storey service commercial businesses.

The following is an assessment against the relevant required elements of the Read Precinct. It should be noted that a number of the required elements pertain to new development, which are not applicable in this instance as the application is for a change of use at an existing premises and there were no external modifications to the building, with the exception of signage.
<table>
<thead>
<tr>
<th>Required Element</th>
<th>Provided</th>
<th>Compliant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within the Read Precinct the preferred uses are:</td>
<td>The development is a Restricted Premises (retail) land use. Retail land uses are preferred uses within the Precinct.</td>
<td>Yes</td>
</tr>
<tr>
<td>- office and commercial</td>
<td></td>
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<tr>
<td>- professional consulting rooms</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- showrooms</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- residential</td>
<td></td>
<td></td>
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<tr>
<td>- serviced accommodation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- eating and drinking places</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- retail</td>
<td></td>
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<tr>
<td>- leisure</td>
<td></td>
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<tr>
<td>- education</td>
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<tr>
<td>- other permissible uses are not preferred.</td>
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<tr>
<td>The Precinct is to be developed as a mixed use area conforming to an urban</td>
<td>The development is one of two business of its type within the City Centre, and therefore contributes to providing a mixed land use.</td>
<td>Yes</td>
</tr>
<tr>
<td>townscape discipline</td>
<td></td>
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<tr>
<td>Buildings are to be located, configured and activated to frame and address street</td>
<td>The entire window frontage is clear, however, the applicant has erected screening material inside the premises to restrict views into the tenancy (see figure 5).</td>
<td>No, however, the variation is considered acceptable given the restricted nature of the content available for purchase and the need to ensure that the display of indecent or obscene articles are not visible in a public place to comply with the requirements of the Classification (Publications, Films and Computer Games) Enforcement Act 1996. This has been further discussed in the Legislation section of this report. It should also be noted that the total area of windows required to be obscured by the use of screening material inside the tenancy is less than the total area of windows at the adjacent tenancy where the business was previously trading. The relocation of the business to this tenancy enables the building to be closer to complying with the frontage requirements of PP3.2.1.</td>
</tr>
<tr>
<td>frontages and laneways in a way that is consistent with the Precinct Concept Plan,</td>
<td></td>
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<tr>
<td>relevant ‘Frontage Types’ as indicated in Section 4.4.</td>
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<tr>
<td>The subject site requires Type 3 Setback - Moderate Level of Activation, 2 Metre</td>
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<tr>
<td>Setback. Type 3 Frontage requires the following: A moderate level of frontage</td>
<td></td>
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<tr>
<td>activation with a mix of inner-city commercial tenancies and residential</td>
<td></td>
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<tr>
<td>apartments at ground level and a two to three storey façade positioned behind a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>two metre, green landscaped setback. At the ground level, the facades of mixed</td>
<td></td>
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</tr>
<tr>
<td>use buildings would address the street with a commercial storefront, primary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>business entrance and/or residential entry lobby that is transparent over at</td>
<td></td>
<td></td>
</tr>
<tr>
<td>least 60% of the area of the façade. The ground level of inner-city</td>
<td></td>
<td></td>
</tr>
<tr>
<td>residential units would address the street with a façade that is transparent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>over at least 30% of its area.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Planning and Engineering Services Committee Minutes**  
Monday 14 March 2016  
PDS-017/16

**CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 APRIL 2016**  
PRESIDING MEMBER

<table>
<thead>
<tr>
<th>Required Element</th>
<th>Provided</th>
<th>Compliant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car parking is to be provided in accordance with Table 3 of Town Planning Scheme No.2 a copy of which is set out in Appendix 1.</td>
<td>The applicant is proposing to utilise the existing carparking bays on site. An assessment of the carparking requirements is contained in the Legislation Section of this report.</td>
<td>No. This has been further discussed in the Legislation Section of this report.</td>
</tr>
</tbody>
</table>

5. Window Frontage

6. Shop Elevation
e. Financial
Nil

f. Legal and Statutory

Town Planning Scheme No.2 (TPS2)

Use Class Interpretation

"Restricted Premises: means any premises, part or parts thereof, used or designed to be used primarily for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of:

(a) Publications that are classified as restricted under the Classification (Publications, Films and Computer Games) Enforcement Act 1996; and

(b) Materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity."

Clause 3.2 - Zoning Table

The development is interpreted as a 'Restricted Premises', which is an 'A' use in the Primary Centre City Centre zone, which means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with Clause 6.3 of TPS2.

Clause 4.3A.1 - Objectives of the Zone

The objectives of the Primary Centre City Centre Zone are:

"(a) to provide an identifiable 'City Centre' which provides for major CBD functions in a predominately 'Main Street' development configuration;

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

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

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

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

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

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

(h) to encourage vibrant and diverse uses which promote the Primary Centre City Centre Zone as a destination;

(i) to provide a high amenity, street based transit route through the core of the Primary Centre City Centre Zone;

(j) to encourage development that will provide a high calibre model of sustainable, transit oriented development; and

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

Clause 4.3A4 Restricted Premises

TPS2 prohibits Restricted Premises on land having a street frontage to any of the following streets:

(a) Civic Boulevard;

(b) Council Avenue;

(c) Central Promenade;

(d) Syren Street;
(e) Contest Parade; and
(d) Read Street.

City Centre zone locations where ‘Restricted Premises’ may be considered on planning merit include Leach Crescent, which is consistent with the location of the application the subject of this report. Applications for ‘Restricted Premises’ are an (‘A’) use which is not permitted unless the Council has exercised its discretion by granting Development Approval after it has advertised the proposal for public comment.

The development is considered to comply with the objectives of the Primary Centre City Centre Zone as it contributes to the development of integrated retail facilities and promotes an active day retail environment.

Clause 4.15 - Carparking

The following is an assessment of the development against the minimum and maximum carparking requirements within the Primary Centre City Centre Zone:

<table>
<thead>
<tr>
<th>Unit No.</th>
<th>Land Use</th>
<th>Area</th>
<th>TPS2 Requirement</th>
<th>Bays Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Proposed Restricted Premises</td>
<td>77m²</td>
<td>1 bay per 22 (17)m² net leasable area</td>
<td>4 (5)</td>
</tr>
<tr>
<td>2</td>
<td>Pet Shop</td>
<td>84m²</td>
<td>1 bay per 22 (17)m² net leasable area</td>
<td>4 (5)</td>
</tr>
<tr>
<td>3</td>
<td>Vacant</td>
<td>177m²</td>
<td>1 bay per 22 (17)m² net leasable area</td>
<td>8 (11)</td>
</tr>
<tr>
<td>4</td>
<td>Cloud Nine Smoke Shop</td>
<td>153m²</td>
<td>1 bay per 22 (17)m² net leasable area</td>
<td>7 (9)</td>
</tr>
<tr>
<td></td>
<td><strong>Total Bays Required</strong></td>
<td></td>
<td></td>
<td><strong>23 (30)</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Total Bays Provided</strong></td>
<td></td>
<td></td>
<td><strong>12</strong></td>
</tr>
</tbody>
</table>

There is an historical shortfall in on-site carparking as an outcome of previous planning approvals granted for shop land uses occupying the site.

An analysis of the available carparking bays during a site inspection demonstrated that there were sufficient parking bays on-site to service the existing businesses. The City will also require Development Approval for the vacant tenancy which will ensure there is sufficient on-site parking for the development.

Given the relocation of Adult Temptations to part of the tenancy previously occupied by Seaside Pets which is also a shop land use, there is no net increase in carparking required. The downsizing of the Restricted Premises to a shop that is less than half the size of the tenancy it has vacated is also a relevant consideration. It is considered appropriate to vary the parking requirements on the above basis.

Classification (Publications, Films and Computer Games) Enforcement Act 1996 (CE Act)

Clause 65(1) of the CE Act prohibits a person from displaying, selling or supplying a publication that is classified Category 2 restricted except in registered premises. A Category 2 restricted item are publications commonly showing images of actual sexual activity between consenting adults and may only be displayed in premises that are restricted to adults.

To ensure compliance with the requirements of the CE Act, it is recommended that the requirements of PP3.2.1 with respect to signage are not imposed on this development so the windows and entries to the tenancy are obscured to members of the public. The external roller shutter installed on the external door and windows, however, is inconsistent with PP3.2.1 and must be removed.

g. **Risk (High/Extreme)**

Nil
Comments

The application is to grant retrospective approval for the business to operate from a smaller adjacent tenancy. The City has received no complaints on the operation of the business from the site since it commenced in 2006.

TPS2 and the PP3.2.1 encourage a mix of land uses within the City Centre. This mix of uses extends to a range of commercial activities, which would include the development. It is considered reasonable that this type of activity locate in a commercial precinct such as the 'City Centre' zone. Accordingly, it is recommended that the application be approved unconditionally.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVES the application for a Restricted Premises (Adult Shop) on a 77m² portion of Strata Lot 1 (No.1/5) Leach Crescent, Rockingham, subject to the following conditions:

1. The door facing the Leach Crescent frontage of the building must be kept unlocked during all hours when the subject premise is trading.
2. Public and customer access must be from Leach Crescent.
3. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
4. The external roller shutter must be removed from the front windows and front door for the duration of the development.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Sammels:

That Council APPROVES the application for a Restricted Premises (Adult Shop) on a 77m² portion of Strata Lot 1 (No.1/5) Leach Crescent, Rockingham, subject to the following conditions:

1. The door facing the Leach Crescent frontage of the building must be kept unlocked during all hours when the subject premise is trading.
2. Public and customer access must be from Leach Crescent.
3. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
4. The external roller shutter must be removed from the front windows and front door for the duration of the development.

Committee Voting – 4/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable
# Planning and Engineering Services Committee Minutes

**Monday 14 March 2016**

## Reference No & Subject:

### PDS-018/16

**Amendment No.150 to Town Planning Scheme No.2 – Rezoning Land within the Southern Gateway Sector to ‘Primary Centre Urban Living Zone’ and ‘Primary Centre City Centre Zone’**

### File No:

LUP/1847

### Risk Register No:

### Applicant:

Mrs S Peacock, Projects Research Officer

### Owner:

Mr R M Jeans, Director, Planning and Development Services

### Author:

Mrs S Peacock, Projects Research Officer

### Other Contributors:

Mr R M Jeans, Director, Planning and Development Services

### Date of Committee Meeting:

14 March 2016

### Previously before Council:

### Disclosure of Interest:

Legislative

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

### Site:

### Lot Area:

### LA Zoning:

Residential R20, Residential R50, Residential R80, Special Commercial, Community Purposes, Civic and Cultural and Public Open Space Reserves

### MRS Zoning:

Central City Area Zone

### Attachments:

Amendment No.150 Scheme Amendment Report

### Maps/Diagrams:

1. Current Zoning
2. Proposed Zoning
3. Council Avenue Sub-Precinct Area

## Purpose of Report

To consider initiating Scheme Amendment No.150 to Town Planning Scheme No.2 (TPS2) to rezone certain land located within the Southern Gateway Sector and include that land within the provisions for the ‘Primary Centre City Centre’ Zone and the ‘Primary Centre Urban Living’ Zone, as part of the ongoing implementation of the endorsed Centre Plan for the Rockingham Strategic Metropolitan Centre.

**Note:** This Report should be read in conjunction with PDS-019/16 for draft Planning Policy No.3.2.12 – Development Policy Plan – Southern Gateway and Rockingham Station Sectors.
Background

Statutory Implementation – Approved Centre Plan

As part of its September 2009 decision to endorse the Activity Centre Plan, Council directed that City Officers prepare any necessary changes to the Policy framework, Town Planning Scheme and Metropolitan Region Scheme.

In this regard, the following has occurred:

• Amendment No.91 to Town Planning Scheme No.2 was initiated in February 2010 and Final Approval was gazetted in February 2011. This Amendment introduced new provisions into the Scheme to create the ‘Primary Centre’ and the ‘Primary Centre - City Centre Zone’.

• The Amendment set up the Scheme to define the entire Strategic Metropolitan Centre as the ‘Primary Centre’, not as a single zone, but comprising up to eight (8) ‘Primary Centre’ zones.

• ‘Planning Policy 3.2.1: Development Policy Plan - City Centre Sector’. The draft DPP was endorsed for public consultation in February 2010, and adopted (without modification) in August 2010. It came into effect in February 2011, upon gazettal of Amendment No.91.

• Amendment No.113 to Town Planning Scheme No.2 was initiated October 2011 and Final Approval was gazetted in September 2012. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre – Urban Village Zone’ (a new zone for the Smart Village Sector) and the ‘Primary Centre – Waterfront Village Zone’ (existing Waterfront Village Zone updated), together with enabling provisions to give effect to associated DPP's.

• ‘Planning Policy 3.2.2: Development Policy Plan - Smart Village Sector’. The draft DPP was endorsed for public consultation in October 2011, and adopted (with minor modifications) in April 2012. It came into effect in September 2012, upon gazettal of Amendment No.113.

• ‘Planning Policy No.3.2.5: Development Policy Plan – Waterfront Village Sector’. The draft DPP was adopted (with minor modifications) in April 2012. It came into effect in September 2012, upon gazettal of Amendment No.113.

• Amendment No.129 to Town Planning Scheme No.2 was initiated in March 2013 and was Gazetted in June 2014. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre – City Living Zone’ and updated the provisions for the Primary Centre area to include reference to the ‘Primary Centre – City Living Zone’.

• ‘Planning Policy No.3.2.6: Development Policy Plan – Northern Waterfront Sector’. The DPP was adopted (with minor modifications) in September 2013. It came into effect upon gazettal of Amendment No.129 in June 2014.

• Amendment No.137 to Town Planning Scheme No.2 was initiated in February 2014 and will be advertised concurrently with Planning Policy No.3.2.7: Development Policy Plan – Northern Smart Village Sector. The Amendment sought to introduce new provisions into the Scheme to create the ‘Primary Centre Enterprise Zone’ and, include additional land within the existing ‘Primary Centre Urban Village Zone’.

• ‘Planning Policy No.3.2.7: Development Policy Plan – Northern Smart Village Sector’. The draft DPP was endorsed for public consultation in February 2014 and will be advertised with a supporting Scheme Amendment to Town Planning Scheme No.2. As this Sector is located within the Western Trade Coast Protection Area (WTCPA), any Scheme Amendments will not be progressed until such time as the specific land uses which will be permitted within the WTCPA are determined.

• Amendment No.140 to Town Planning Scheme No.2 was initiated in July 2014 and was gazetted in September 2015. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre Campus Sector’.

• ‘Planning Policy No.3.2.8: Development Policy Plan – Campus Sector’. The DPP was adopted in November 2014. It came into effect on gazettal of Amendment No.140 in September 2015.
• Amendment No.141 to Town Planning Scheme No.2 was initiated in September 2014 and was gazetted in February 2016. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre Urban Living Zone’ and updated the Scheme Map to include the ‘Primary Centre Urban Living Zone’.

• ‘Planning Policy No.3.2.9: Development Policy Plan – Eastern Sector’. The DPP was adopted in April 2015. It came into effect on gazettal of Amendment No.141 in February 2016.

Details

Scheme Amendment No.150 proposes to rezone certain land located within the Southern Gateway Sector and include it within the provisions for the ‘Primary Centre City Centre’ Zone and the ‘Primary Centre Urban Living’ Zone.

To ensure connectivity, co-ordinated public transport infrastructure and integrated transit oriented development, a decision was made to consolidate the Southern Gateway Sector and the Rockingham Station Sectors into one Development Policy Plan. The City acknowledges the State Governments responsibility for development within the Rockingham Train Station area which therefore does not form part of this rezoning proposal.

Summary of Proposed Scheme Changes

Clause 4.3.3
The above clause sets out special considerations applicable to planning applications and is amended to include reference to the Southern Gateway and Rockingham Station Sectors.

Clause 4.3.4
The above clause sets out special considerations applicable to planning applications and is amended to include reference to the Southern Gateway and Rockingham Station Sectors.

Clause 4.3
Clauses 4.3A.1 and 4.3F.1 set out the ‘Objectives of the Zone’ and are amended to include reference to the Southern Gateway and Rockingham Station Sectors.

Schedule No.1
Schedules, ‘Schedule No. 1 Interpretations’ is amended by inserting a new definition “Development Policy Plan (Southern Gateway and Rockingham Station Sectors)”.

Schedule No.2
Schedules, ‘Schedule No.2 – Additional Uses’ is amended by deleting Additional Use No’s.9 and 10.

Scheme Map
The Scheme Map will be updated to include certain land within the ‘Primary Centre Urban Living’ Zone and the ‘Primary Centre City Centre’ Zone. It will also redefine the boundary of the ‘Primary Centre’.
1. Current Zoning

2. Proposed Zoning

3. Council Avenue Sub-Precinct Area
Implications to Consider

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

b. Consultation with Government Agencies
   Scheme Amendments are required to be referred to the Environmental Protection Authority to determine if an environmental assessment is required, prior to advertising.

c. Strategic Community Plan
   This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
   
   **Aspiration C:** Quality Leadership

   **Objective:** Infrastructure - Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis and implemented in line with informed population growth analysis.

d. Policy
   A draft Development Policy Plan has been prepared for the Southern Gateway and Rockingham Station Sectors which details the planning objectives and requirements to guide development in this area. The draft Development Policy Plan will be advertised in conjunction with the Scheme Amendment.

e. Financial
   Nil

f. Legal and Statutory
   Planning and Development (Local Planning Schemes) Regulations 2015
   Regulation 35 (2) (a) and (b) of the 2015 Regulations states as follows:
   
   "A resolution must —
   
   (a) specify whether, in the opinion of the local government, the amendment is a complex amendment, a standard amendment or a basic amendment; and
   
   (b) include an explanation of the reason for the local government forming that opinion.
   
   The procedures for dealing with proposals to amend a local planning scheme, as per the Planning and Development Act 2005, are set out in the Town Planning Regulations 1967. Regulation 13(1) provides that the City shall:
   
   (a) if it resolves to proceed with a Scheme Amendment, adopt the proposed Amendment in accordance with the Act; or
   
   (b) if it resolves not to proceed with the Scheme Amendment, notify the Western Australian Planning Commission, in writing, of that resolution.

g. Risk (High/Extreme)
   Nil

Comments

The Scheme Amendment and associated Planning Policy No.3.2.12 sets out the planning framework to guide future planning and development within the Southern Gateway and Rockingham Station Sectors.
The framework presents options for landowners to upgrade and redevelop at a higher density or to remain with no changes to existing situations.

The proposed Scheme Amendment has been assessed against the criteria set out in Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015. The amendment has been assessed as satisfying the ‘standard’ Town Planning Scheme Amendment criteria.

It is recommended that the Council initiate Amendment No.150 to Town Planning Scheme No.2 as a ‘standard’ Amendment.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **ADOPTS** (initiate) Amendment No.150 to Town Planning Scheme No.2 in pursuance of Section 75 of the Planning and Development Act 2005 as follows:

   **PLANNING AND DEVELOPMENT ACT 2005**

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

   **CITY OF ROCKINGHAM**

   **TOWN PLANNING SCHEME No.2**

   **AMENDMENT No.150**

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

   1. Clause 4.3.3 sub-paragraphs (d) and (i) are to be replaced with the following text:

      (a) "(d) in the case of the Primary Centre City Centre Zone – the provisions of the Development Policy Plan (City Centre Sector and Southern Gateway and Rockingham Station Sectors) and any other Policy adopted under clause 8.9 which applies to the Primary Centre City Centre Zone; and"

      (b) "(i) in the case of the Primary Centre Urban Living Zone – the provisions of the Development Policy Plan (Eastern Sector and Southern Gateway Rockingham Station Sectors) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Urban Living Zone; and"

   2. Clause 4.3.4 sub-paragraphs (d) and (i) are to be replaced with the following text:

      (a) "(d) in the case of the Primary Centre City Centre Zone – the provisions of the Development Policy Plan (City Centre Sector and Southern Gateway and Rockingham Station Sectors) and any other Policy adopted under clause 8.9 which applies to the Primary Centre City Centre Zone; and"

      (b) "(i) in the case of the Primary Centre Urban Living Zone – the provisions of the Development Policy Plan (Eastern Sector and Southern Gateway Rockingham Station Sectors) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Urban Living Zone; and"

   3. Clause 4.3A.1 - Objectives of the Zone - sub-paragraph (b) is to be replaced with the following text:

      "(b) to contribute to the development of integrated retail, office, commercial, residential, civic and community facilities generally in accordance with the requirements of the Development Policy Plan for the City Centre Sector and the Council Avenue Sub-Precinct forming part of the Southern Gateway Sector;"
4. Clause 4.3F.1 - Objectives of the Zone - sub-paragraphs (a) and (d) are to be replaced with the following text:

“(a) encourage contemporary residential development generally in accordance with the requirements of the Development Policy Plan for the Eastern Sector and Southern Gateway and Rockingham Station Sectors;”

“(d) encourage innovative and diverse built form which promotes the Eastern Sector and Southern Gateway and Rockingham Station Sectors as a desirable place to live; and”

5. Schedules, ‘Schedule No.1 – Interpretations’ is amended by inserting a new definition immediately after the definition of Development Policy Plan (Smart Village South Sector) and before the definition of Development Policy Plan (Northern Waterfront Sector) in 1. General Interpretations, as follows:

“Development Policy Plan (Southern Gateway and Rockingham Station Sectors): means the Policy entitled ‘Development Policy Plan (Southern Gateway and Rockingham Station Sectors)’ as amended from time to time.”

6. Schedules, ‘Schedule No.2 – Additional Uses’ is amended by:

(a) deleting row 8 ‘No.9.’ together with relevant Site Description, Additional Use and Special Conditions; and

(b) deleting row 9 ‘No.10.’ together with relevant Site Description, Additional Use and Special Conditions.

7. The Scheme Map is amended by:

(a) Rezoning certain land within the Residential R20 Zone, the Residential R50 Zone, the Residential R80 Zone and Public Open Space Reserves generally bounded by Read Street, Rae Road, Ennis Avenue and Council Avenue, Rockingham to “Primary Centre Urban Living” Zone, as shown on the Scheme Amendment Map.

(b) Rezoning Lots 301, 35, 10 and 801 Council Avenue, Lot 393 Hefron Street and Lot 800 Baralda Court, Rockingham from ‘Special Commercial’, ‘Community Purposes’ and ‘Civic and Cultural’ to ‘Primary Centre City Centre’ Zone, as shown on the Scheme Amendment Map.

(c) Deleting Additional Use No.A9 – Offices and Restaurants - Lot 301 Council Avenue, Rockingham, and Additional Use No.A10 – Squash Courts - Lot 10 Hefron Street, Rockingham, as shown on the Scheme Amendment Map.

(d) Amending the broken black line around the ‘Primary Centre’ in accordance with the amended Scheme Amendment Map.
2. **CONSIDERS** the proposed Scheme Amendment No.150 as a ‘Standard Amendment’ in accordance with Regulation 34 (c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Sammels:

That Council:

1. **ADOPTS** (initiate) Amendment No.150 to Town Planning Scheme No.2 in pursuance of Section 75 of the *Planning and Development Act 2005* as follows:
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
CITY OF ROCKINGHAM
TOWN PLANNING SCHEME No.2
AMENDMENT No.150

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   (b) "(i) in the case of the Primary Centre Urban Living Zone – the provisions of the Development Policy Plan (Eastern Sector and Southern Gateway and Rockingham Station Sectors) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Urban Living Zone; and"

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   (a) "(d) in the case of the Primary Centre City Centre Zone – the provisions of the Development Policy Plan (City Centre Sector and Southern Gateway and Rockingham Station Sectors) and any other Policy adopted under clause 8.9 which applies to the Primary Centre City Centre Zone; and"
   (b) "(i) in the case of the Primary Centre Urban Living Zone – the provisions of the Development Policy Plan (Eastern Sector and Southern Gateway and Rockingham Station Sectors) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Urban Living Zone; and"

3. Clause 4.3A.1 - Objectives of the Zone - sub-paragraph (b) is to be replaced with the following text:
   "(b) to contribute to the development of integrated retail, office, commercial, residential, civic and community facilities generally in accordance with the requirements of the Development Policy Plan for the City Centre Sector and the Council Avenue Sub-Precinct forming part of the Southern Gateway Sector;"

4. Clause 4.3F.1 - Objectives of the Zone - sub-paragraphs (a) and (d) are to be replaced with the following text:
   "(a) encourage contemporary residential development generally in accordance with the requirements of the Development Policy Plan for the Eastern Sector and Southern Gateway and Rockingham Station Sectors:"
   "(d) encourage innovative and diverse built form which promotes the Eastern Sector and Southern Gateway and Rockingham Station Sectors as a desirable place to live; and"

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   (d) Amending the broken black line around the ‘Primary Centre’ in accordance with the amended Scheme Amendment Map.

![Current Zoning Map]
2. **CONSIDERS** the proposed Scheme Amendment No.150 as a ‘Standard Amendment’ in accordance with Regulation 34 (c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Committee Voting – 4/0

<table>
<thead>
<tr>
<th>The Committee’s Reason for Varying the Officer’s Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Implications of the Changes to the Officer’s Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
**Purpose of Report**

To consider a new Planning Policy for the Southern Gateway and Rockingham Station Sectors of the Rockingham Strategic Metropolitan Centre for advertising purposes.
Note: This Report should be read in conjunction with Agenda Report PDS-018/16 for Amendment No.150 to Town Planning Scheme No.2, which proposes to include the Southern Gateway and Rockingham Station Sectors within the ‘Primary Centre Urban Living Zone’ and the ‘Primary Centre City Centre Zone’. The Scheme Amendment will provide the statutory framework to the Development Policy Plan (DPP) for the Southern Gateway Sector.

Background

Under ‘Statement of Planning Policy 4.2 - Activity Centres for Perth and Peel’ (August 2010), the Western Australian Planning Commission (WAPC) requires the City of Rockingham to prepare and maintain an endorsed Activity Centre Structure Plan (Centre Plan) to guide the development of public and private property within the boundary of the Rockingham Strategic Metropolitan Centre.

In 2006, the City commissioned a review of its 1995 Development Policy Plan with the goal of producing a new Centre Plan that would cover the full extent of the area to be serviced by the Rockingham City Centre Transit System (RCCTS).

The scope of the project covers an area of almost 600 hectares between the Rockingham Train Station and Rockingham Beach and includes the area covered by the existing Central City Area zone in the Metropolitan Region Scheme. The location of the Centre Plan planning boundary is shown in Figure 1.

1. Rockingham Strategic Metropolitan Centre Boundary

Stage 1 of the review laid down an overall Concept Plan that addressed the priority issues of a better connected access and movement network and a land use pattern based on contemporary ‘Main Street’ and ‘Transit Oriented Development’ (TOD) principles which would essentially provide for a combination of mixed use development within the walkable catchment of a transit place, blending housing, shopping, employment and public uses with the convenience for residents and employees to travel by public transport instead of by private car.

A Framework Plan translated the Concept Plan into a general arrangement of legible street blocks, built form and public space.
The overall Centre Plan area was divided into 11 Sectors (refer to Figure 2) as follows:

- City Centre
- Waterfront Village
- Smart Village (South)
- Smart Village (North)
- Northern Gateway
- Campus
- Eastern
- Leeuwin
- Northern Waterfront
- Southern Gateway
- Rockingham Station

2. Sector Plan

In February 2008, following an extensive consultation process, the City of Rockingham endorsed the long term planning framework and transport network recommendations for the Strategic Metropolitan Centre, as proposed in the Stage 1 Report.

Stage 2 of the Centre Plan Review updated the 1995 Development Policy Plan (DPP) for the City Centre Sector, with a revised Indicative Development Plan and related Precinct Policies and Guidelines. The Council endorsed the Stage 2 Final Reports in September 2009.

In November 2009, the WAPC Statutory Planning Committee considered the Stage 2 Final Reports on the Review of the Rockingham Strategic Metropolitan Centre and resolved to endorse the documents as an appropriate Centre Plan to guide future planning and development.

**Planning Context – Approved Centre Plan**

The 2009 Centre Plan sets out the broader planning framework for the Strategic Metropolitan Centre and provides general direction for the detailed planning investigations to follow, i.e. the preparation of Development Policy Plans (DPP’s) for each Sector.

The Centre Plan also developed a ‘Vision’ to guide planning and development of the Centre:

"The vision is for a modern, distinctly coastal centre offering a wide range of mixed uses including retail, commercial, office, civic, residential, education and recreation within an accessible and highly inter-connected, urban-scaled townscape, comprising a major activity centre and related urban villages based on ‘Main Street’ principles.”
In addition, the Centre Plan laid out a series of guiding ‘planning and development’ principles covering:

- Built Form and Urban Design
- Access and Parking
- Public Domain
- Land Uses
- Safety and Security
- Sustainability

Regional Centre Concept Plan

An overall Concept Plan (refer to Figure 3) was developed in conjunction with the preparation of Access and Movement Network options. The Concept Plan sets out generalised land uses, with the local public transit system (i.e. the Rockingham City Centre Transit System) the focus of an intensified corridor of mixed-use development between the City Centre, education campuses and the beachfront.

The Concept Plan envisages the:

- ongoing development of commercial and retail land in the core of the City Centre.
- development of two new Smart Villages (north and south of Dixon Road).
- creation of a ‘main street’ mixed use activity corridor along the route of the transit system.
- intensification of residential development (densities and built form) along the coastal route of the transit system.
Transit Oriented Development Potential

The Activity Centre Plan applied sustainable development principles to land development and redevelopment options, with particular emphasis on TOD potential.

The Centre Plan committed to achieving the vision of a fixed route, streetcar transit system as the focus of a corridor of high intensity, mixed-use development between the rail station and the beachfront.

The Activity Centre planning envelope was divided into eleven sectors (refer to Figure 2), to enable the TOD potential of each Sector to be assessed.

With respect to TOD potential of the Southern Gateway and Rockingham Station Sectors, the Centre Plan states:

“Sector 10 – Southern Gateway Sector

An existing residential area bounded by Council Avenue, Read Street, Ennis Avenue and Rae Road that is situated at the southern end of the transit route, with the majority of properties falling within its walkable catchment. The area presents an opportunity to progressively upgrade residential capacity and introduce an urban built form consistent with proximity to transit and central uses. Existing areas of single storey group housing to the west of the transit route are unlikely to change in the near term.

Sector 11 – Rockingham Station Sector

The rail station will be serviced by park and ride car parks located on either side of Ennis Avenue. The station is relatively removed from the activity focus of the City Centre and does not present any obvious TOD opportunities. The western-most car park has not been constructed at this time and presents a possible opportunity to locate multiple residential apartments over a future park and ride facility. However, priority should be given to TOD consolidation along the activated route of the transit system before any consideration is given to development over the more isolated park and ride car park.”

Regional Centre Framework Plan

The approved Centre Plan presented a Framework Plan (refer to Figure 4), covering the 600 hectare Strategic Centre planning envelope, to illustrate a generalised arrangement of built form, movement networks, public and private spaces, which was consistent with the strategic arrangement of generalised land use functions, as shown on the Concept Plan.

The Framework Plan:
- recognises the potential for transit oriented development in each Sector.
- builds on the adopted Access and Movement Network.
- illustrates a long term (greater than 10 years) view of development and redevelopment.
- provides a platform for detailed master planning (ie. DPPs) of each Sector.
4. Framework Plan

Residential Density and Height

A ‘Residential Density and Height’ overlay plan was prepared in conjunction with the Framework Plan (refer to Figure 5). In respect of Residential Density, the overlay plan is designed to:

- guide the density of development, generally in accordance with the ‘Planning and Development Principles’ and the TOD framework.
- distribute residential density in response to the land use functions, amenity and levels of mixed-use anticipated in each Sector.
- locate high density residential development within 250 metres of the transit route, concentrated in the core of the City Centre, and along the central spine of the Smart Village, Northern Waterfront and Waterfront Village Sectors.

Building Height is proposed to increase as development gets closer to the central transit route and activity generators such as the core of the City Centre, the Smart Village ‘main street’, the coast and the beachfront. The Centre Plan provided further guidance with respect to the profile of building bulk and scale, in relation to public streets and spaces.
5. Height and Density Overlay

**Frontage Type**

In accordance with consolidated ‘main street’ principles, a ‘Frontage Type’ plan was prepared over the Framework Plan, to generally require buildings to frame, address and activate the street network.

The Frontage Plan illustrates an orderly arrangement of frontage types in ‘main street’ and mixed-use areas, based on the common principle that buildings to all streets, major laneways and public spaces should be activated.

At least four Frontage Types are envisaged, with building frontages positioned (from the street boundary) and managed (level of required activation) according to the required streetscape character.

**Sector Planning Guidelines**

The Centre Plan recommended that more detailed master planning should be undertaken in each Sector, in accordance the adopted required planning framework. The Centre Plan contains ‘Guidelines for each Sector’, to facilitate the preparation of DPPs.

In respect of ‘Sectors 10 and 11 – Southern Gateway and Rockingham Station’, the following planning guidelines are specified:

**Southern Gateway**

<table>
<thead>
<tr>
<th>Desired Future Character:</th>
<th>This Sector presents an opportunity to progressively upgrade residential capacity and introduce an urban townscape and built form more consistent with proximity to transit and central area uses. Existing areas of single storey group housing to the west of the transit route would be unlikely to change in the near term.</th>
</tr>
</thead>
</table>

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 APRIL 2016

PRESIDING MEMBER
**Preferred Uses:** Appropriate TOD uses lining the Transit Route
Medium and high density residential

**Elements:**
- Prepare a Sector Development Plan with relevant changes to residential density codings to guide the progressive urban consolidation and transformation of this area consistent with its TOD planning context.
- Upgrade the landscape at all levels to convey a more distinctly urban townscape character.
- Give particular attention to the landscape treatment of Ennis Avenue and the Council Avenue and Simpson Avenue entry points where planting, lighting and signage should convey a clear sense of arrival at the edge of a major urban centre.
- Ensure that all new development is planned in accordance with the sustainability principles listed in Section 3.1.6 and designed in detail to meet any applicable sustainability Key Performance Indicators endorsed by the City of Rockingham.

**Rockingham Station**

**Desired Future Character:** The rail station will be serviced by park and ride car parks located on either side of Ennis Avenue. The station is relatively removed from the activity focus of the City Centre and does not present any obvious TOD opportunities. The western-most car park has not been constructed at this time and presents a possible opportunity to locate multiple residential apartments over a future park and ride facility. Priority should be given to TOD consolidation along the activated route of the transit system in the heart of the centre before any consideration is given to development over the isolated park and ride car park.

**Preferred Uses:** TOD related uses

**Elements:**
- Maintain and enhance the landscape at all levels to convey a distinctly urban townscape character.
- Give particular attention to the landscape treatment of Ennis Avenue and related entry points to the Centre where planting, lighting and signage should convey a clear sense of arrival at the edge of a major urban centre.
- Ensure that all new development is planned in accordance with the sustainability principles listed in Section 3.1.6 and designed in detail to meet any applicable sustainability Key Performance Indicators endorsed by the City of Rockingham.

**Statutory Implementation – Approved Centre Plan**

As part of its September 2009 decision to endorse the Activity Centre Plan, Council directed that City Officers prepare any necessary changes to the Policy framework, Town Planning Scheme and Metropolitan Region Scheme.

In this regard, the following has occurred:

- Amendment No.91 to Town Planning Scheme No.2 was initiated in February 2010 and Final Approval was gazetted in February 2011. This Amendment introduced new provisions into the Scheme to create the ‘Primary Centre’ and the ‘Primary Centre - City Centre Zone’.
- The Amendment set up the Scheme to define the entire Strategic Metropolitan Centre as the ‘Primary Centre’, not as a single zone, but comprising up to eight (8) ‘Primary Centre’ zones.
Planning and Engineering Services Committee Minutes
Monday 14 March 2016
PDS-019/16

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 APRIL 2016

PRESIDING MEMBER

- ‘Planning Policy 3.2.1: Development Policy Plan - City Centre Sector’. The draft DPP was endorsed for public consultation in February 2010, and adopted (without modification) in August 2010. It came into effect in February 2011, upon gazettal of Amendment No.91.

- Amendment No.113 to Town Planning Scheme No.2 was initiated October 2011 and Final Approval was gazetted in September 2012. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre – Urban Village Zone’ (a new zone for the Smart Village Sector) and the ‘Primary Centre – Waterfront Village Zone’ (existing Waterfront Village Zone updated), together with enabling provisions to give effect to associated DPPs.

- ‘Planning Policy 3.2.2: Development Policy Plan - Smart Village Sector’. The draft DPP was endorsed for public consultation in October 2011, and adopted (with minor modifications) in April 2012. It came into effect in September 2012, upon gazettal of Amendment No.113.

- ‘Planning Policy No.3.2.5: Development Policy Plan - Waterfront Village Sector’. The draft DPP was endorsed for public consultation in October 2011, and adopted (with minor modifications) in April 2012. It came into effect in September 2012, upon gazettal of Amendment No.113.

- Amendment No.129 to Town Planning Scheme No.2 was initiated in March 2013 and was Gazetted in June 2014. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre – City Living Zone’ and updated the provisions for the Primary Centre area to include reference to the ‘Primary Centre – City Living Zone’.

- ‘Planning Policy No.3.2.6: Development Policy Plan – Northern Waterfront Sector’. The DPP was adopted (with minor modifications) in September 2013. It came into effect upon gazettal of Amendment No.129 in June 2014.

- Amendment No.137 to Town Planning Scheme No.2 was initiated in February 2014 and will be advertised concurrently with Planning Policy No.3.2.7: Development Policy Plan – Northern Smart Village Sector. The Amendment sought to introduce new provisions into the Scheme to create the ‘Primary Centre Enterprise Zone’ and, include additional land within the existing ‘Primary Centre Urban Village Zone’.

- ‘Planning Policy No.3.2.7: Development Policy Plan – Northern Smart Village Sector’. The draft DPP was endorsed for public consultation in February 2014 and will be advertised with a supporting Scheme Amendment to Town Planning Scheme No.2. As this Sector is located within the Western Trade Coast Protection Area (WTCPA), any Scheme Amendments will not be progressed until such time as the specific land uses which will be permitted within the WTCPA are determined.

- Amendment No.140 to Town Planning Scheme No.2 was initiated in July 2014 and was gazetted in September 2015. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre Campus Sector’.

- ‘Planning Policy No.3.2.8: Development Policy Plan – Campus Sector’. The DPP was adopted in November 2014. It came into effect on gazettal of Amendment No.140 in September 2015.

- Amendment No.141 to Town Planning Scheme No.2 was initiated in September 2014 and was gazetted in February 2016. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre Urban Living Zone’ and updated the Scheme Map to include the ‘Primary Centre Urban Living Zone’.

- ‘Planning Policy No.3.2.9: Development Policy Plan – Eastern Sector’. The DPP was adopted in April 2015. It came into effect on gazettal of Amendment No.141 in February 2016.

**Sector Planning and Approved Centre Plan - Alignment**

The preparation of detailed masterplans for each Sector (i.e. the DPPs), are required to be consistent with the endorsed regional planning framework, which is contained within the 2009 Centre Plan. As such, each DPP which is prepared for each individual Sector, is required to demonstrate consistency with Centre Plan in the following disciplines:

- the ‘Planning and Development Principles’.
- the TOD development framework model.
- the ‘Residential Density, Height and Frontage Type’ requirements of the Framework Plan.
- the ‘Sector Planning Guidelines’.

**Details**

In accordance with the programme set out in the approved Specific Purpose Strategy for the Activity Centre Plan, draft Development Policy Plan No.3.2.12 has now been prepared for Sectors 10 and 11 – Southern Gateway and Rockingham Station Sectors.

The intent of 2009 Centre Plan, was to prepare two separate DPPs for Southern Gateway Sector and Rockingham Station Sectors however, the decision to combine the two Sectors into one DPP ensured the integrity of the planning framework was maintained between the two Sectors whilst still acknowledging the State Governments responsibilities for development within the Rockingham Train Station Sector.

**Southern Gateway and Rockingham Station Sector Indicative Development Plan (IDP)**

The Southern Gateway and Rockingham Station Sectors Indicative Development Plan (IDP) illustrates a more detailed interpretation of the planning framework. The IDP also depicts the existing development pattern of Rockingham train station and its adjoining car parks, where little change is anticipated in the near to medium term.

The IDP follows a similar urban consolidation approach to that adopted for the Northern Waterfront Sector, parts of the Waterfront Village Sector and particularly the Eastern Sector.

![Diagram of Council Avenue Sub Precinct](image)

6. Indicative Development Plan - Southern Gateway and Rockingham Station Sectors

It has been assumed that those parts of the Sector that have already been developed for strata titled group housing and aged care accommodation between Read Street and Kitson Street are unlikely to be redeveloped within the timeframe covered by the Policy.

Most of the redevelopment activity in the Sector is likely to occur to the east of Kitson Street where there is extensive scope for incremental site consolidation and urban renewal to higher residential densities.
Residential Densities

The route of the RCCTS connects the train station with the City Centre and through to Rockingham Beach and the Waterfront Village via Rae Road and Kitson Street. Higher residential densities are warranted within walking distance of the high frequency public transport route whilst scale of development and density is generally lower for properties around Haselmere Reserve and towards the eastern or Ennis Avenue end of the Sector.

The IDP illustrates a general arrangement of how existing single residential sites could be amalgamated and redeveloped into urban scaled residential dwellings between Anniversary Park and Careeba Reserve. A range of development options are envisaged within a high quality townscape setting. New buildings would be a minimum of 2 storeys, with built form similar to that which is progressively being implemented in the Rockingham City Centre and in comparable situations at other centres such as Cockburn Central, Midland and Joondalup.

Proximity to the train station means there is still a case for redevelopment of existing single residential properties to medium densities that will complement investment in transit infrastructure and services. The IDP illustrates how the type of redevelopment might range from more comprehensive apartment style buildings to less sophisticated group housing models to the east of Henry Street.

**Precinct Boundaries**

The Southern Gateway and Rockingham Station Sector is divided into four Precincts comprising of:

- Hefron
- Anniversary
- Haselmere
- Careeba

The Precincts are based on areas where a particular geographic identity, density, scale and/or townscape character is envisaged. Preferred uses and required elements of development for each Precinct are identified in greater detail in the Policy.

**Council Avenue Sub-Precinct**

There is scope for further mixed use development along the northern Council Avenue edge between Read Street and Hefron Street (Council Avenue Sub-Precinct).
The Town Planning Scheme is proposed to be amended to include properties located within the Council Avenue Sub-Precinct within the ‘Primary Centre City Centre’ zone. The ‘Preferred Uses’ and ‘Objectives of the Zone’ proposed in the Policy are consistent with the existing ‘Special Commercial’ Zoning and the development requirements of the Southern Gateway and Rockingham Station Sectors DPP will apply.

A Supplementary Policy entitled ‘Prominent Corner and Landmark Sites’ has also been included to address the design and height of buildings and structures at specified Prominent Corner and Landmark Sites within the Council Avenue Sub-Precinct.

Additional infill development on vacant land would help to better integrate and connect the existing isolated pocket of offices and community facilities, including the youth centre, Anglican Church and child care centre.

Safety and Security

Safety and security concerns over the current lack of passive surveillance over the largely hidden Haselmere Reserve (refer to Section 3.1.3 of the Policy) can be addressed through the proposed redevelopment of adjoining properties to higher residential densities, with an elevated built form to facilitate greater levels of passive surveillance over the park and its users. It is also assumed that the design of apartment style buildings will allow for improved pedestrian access to the park, with less fencing than currently exists.

Road Networks

Section 4.3 of the Policy details the proposed long term street network allows for three connecting streets between Rae Road and Council Avenue as follows:

- Connection of Kitson Street from Rae Road into Contest Parade north of Council Avenue.
- Connection of Henry Street between Rae Road and Council Avenue. This local street connection could be extended to the west in the longer term, to cross the transit street and link to Civic Boulevard via the proposed retail main street adjacent to the shopping centre (while the plan shows possible new road links over privately owned property, it is acknowledged that such improvements would be subject to the agreement and co-operation of affected property owners).
- Connection of Hefron Street from Rae Road to Council Avenue.

The IDP illustrates how each of these road connections to Rae Road could be implemented, subject to more detailed traffic engineering, and related urban design being undertaken along with the agreement and co-operation of landowners. As indicated in the Centre Plan, while it is desirable that all three of these road connections are completed to evenly distribute the traffic load, it is likely that they will be completed one at a time.

Landscape Treatment

At a broad level, the IDP illustrates significant changes to the landscape treatment of the perimeter traffic arteries through which most users enter the Activity Centre. More formal tree planting and landscaping with recognisably urban characteristics is proposed around the gateway intersections as an aid to place-making and to flag the existence and sense of arrival at a major Activity Centre.

Implications to Consider

a. Consultation with the Community

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

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

The Council may also publish notice of the proposed Policy in such other manner, and carry out such other consultation, as the Council considers appropriate.
b. Consultation with Government Agencies

Consultation with relevant State Government agencies will occur during the formal consultation phase.

c. Strategic Community Plan

This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:

Aspiration C: Quality Leadership

Objective: Infrastructure - Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis and implemented in line with informed population growth analysis.

d. Policy

The draft Planning Policy No.3.2.12 for the Southern Gateway and Rockingham Station Sectors will be advertised in accordance with Clause 8.9 (Planning Policies) of Town Planning Scheme No.2.

Draft Planning Policy No.3.2.12 has also been prepared in accordance with the approved Centre Plan framework, in accordance with the ‘State Planning Policy 4.2 - Activity Centres for Perth and Peel’ (August 2010).

e. Financial

Nil

f. Legal and Statutory

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

g. Risk (High/Extreme)

Nil

Comments

The preparation of the Policy has been undertaken in consultation with the City Centre Consultant and follows the same format as the completed Development Policy Plans for the City Centre, Waterfront Village, Southern Smart Village, Northern Waterfront, Campus and Eastern Sectors.

A copy of the draft Policy is attached to this Agenda Report.

The proposed Policy is to be considered in conjunction with the proposed Scheme Amendment No.150 to Town Planning Scheme No.2 and will be advertised with the Amendment. In this regard, the Policy will be advertised for a minimum period of 42 days.

The Town Planning Regulations 1967 (as amended), includes a requirement to advertise proposed Scheme Amendment proposals for public comment over a period of 42 days, prior to Council considering Final Adoption. Both the proposed Policy and Scheme Amendment will be advertised concurrently. Refer to Report PDS-018/16.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVES the publishing of a notice that it has prepared draft ‘Planning Policy No.3.2.12: Development Policy Plan – Southern Gateway and Rockingham Station Sectors’ for public comment.
Committee Recommendation

Moved Cr Hamblin, seconded Cr Whitfield:
That Council APPROVES the publishing of a notice that it has prepared draft ‘Planning Policy No.3.2.12: Development Policy Plan – Southern Gateway and Rockingham Station Sectors’ for public comment.

Committee Voting – 4/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-020/16 Perth and Peel Green Growth Plan for 3.5 Million</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1991</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>Department of Premier and Cabinet</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Peter Ricci, Manager Major Planning Projects</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Peter Ricci, Manager Major Planning Projects</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>14 March 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Advocacy</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
</tbody>
</table>

| Site:                  |                                                          |
| Lot Area:              |                                                          |
| LA Zoning:             |                                                          |
| MRS Zoning:            |                                                          |
| Attachments:           | 1. City’s Submission - *South Metropolitan and Peel Sub-Regional Planning Framework*  
                        | 2. Urban and Industrial ‘Class of Action’  
                        | 3. Rural Residential ‘Class of Action’  
                        | 4. Infrastructure ‘Class of Action’  
                        | 5. Basic Raw Materials ‘Class of Action’ |
| Maps/Diagrams:        | 1. Extract from *South Metropolitan Peel Sub-Regional Planning Framework*  
                        | 2. *Green Growth Plan Structure*  
                        | 3. South Baldivis - Urban ‘Class of Action’  
                        | 4. South Baldivis - Rural Residential ‘Class of Action’  
                        | 5. South Baldivis - Proposed Conservation Reserves |

**Purpose of Report**

To consider the draft *Perth and Peel Green Growth Plan for 3.5 Million* and the content of the City’s submission to the Department of Premier and Cabinet on same.
Background

Over recent years, the State Government has been seeking to establish the strategic land use planning framework for Perth and Peel. Since the adoption of Directions 2031 and Beyond in 2010, the Western Australian Planning Commission (WAPC) has developed a number of draft sub-regional plans to provide long-term development guidance with the Southern Metropolitan Peel Structure Plan (2012) being one of the more recent iterations.

In 2012, the State Government released the Southern Metropolitan Peel Structure Plan for comment but decided not to proceed to adoption. Rather, it chose to embark on a process that integrates environmental management with land use planning in the form of a Strategic Environmental Assessment.

In essence, the process seeks to identify significant environmental assets in the Perth and Peel Region, as listed under the Commonwealth and State environmental legislation, and manage their future in an integrated manner against the strategic land use proposals. A major incentive for undertaking the process is to secure consent from the Commonwealth Minister for the Environment and the State Environmental Protection Authority which will result in reduced approval timeframes under the environmental legislation.

When it embarked on this process, the State Government indicated that the spatial planning document (or the sub-regional plan) would be released concurrently with the Strategic Environmental Assessment to enable a clearer understanding of the basis to the land use recommendations.

In May 2015, however, the WAPC released the draft Perth and Peel @ 3.5 Million and South Metropolitan Peel Sub-Regional Planning Framework in advance of the Strategic Environmental Assessment.

It was apparent that many of the proposals within the draft South Metropolitan Peel Sub-Regional Planning Framework had been influenced by the unreleased findings from the Strategic Environmental Assessment, particularly the proposed urban footprint in the City’s growth corridors.

The City’s submission on the South Metropolitan Peel Sub-Regional Planning Framework was lodged with the WAPC on the 28 August 2015 and reported to Council in the Information Bulletin to the Planning and Engineering Services Committee in September 2015; a copy of that submission is attached.

Within the submission, the City raised concern about the relationship between the Strategic Environmental Assessment and the South Metropolitan Peel Sub-Regional Planning Framework. The City also questioned the ability for the process to entertain significant departures from what was advertised, given the seemingly resolved nature of the recommendations, along with the lack of certainty surrounding the expectations of local government in implementing the commitments that the Strategic Environmental Assessment will contain.

Urban Potential – South Baldivis

In December 2015, the Council considered the urban potential of land in the south Baldivis precinct generally bounded by Sixty Eight Road, Kwinana Freeway, Stakehill Road and Eighty Road. In this regard, various landowners within the precinct (referred to as the ‘Baldivis Landowners Group’) were concerned that the urban potential of the land, as contained in pervious draft sub-regional planning initiatives, had been reduced in the draft South Metropolitan Peel Sub-Regional Planning Framework.

In its consideration of the South Metropolitan Peel Sub-Regional Planning Framework, the City assumed that the findings of the unreleased Strategic Environmental Assessment had contributed to the extent of ‘Urban Expansion’ within the precinct. Without being privy to the content of the Strategic Environmental Assessment, the City was not in a position to determine whether the provision of ‘Urban Expansion’ was appropriate.

Based on what was presented, however, the City’s submission recommended that ‘Area 2’ and ‘Area 3’, depicted in Figure 1 below, be removed from ‘Urban Expansion’ for various reasons including the limited size of the urban cells and the restrictions presented by bushfire risk.
1. Extract from South Metropolitan Peel Sub-Regional Planning Framework

The Council resolved to re-affirm the content of the City’s submission on the draft South Metropolitan Peel Sub-Regional Planning Framework, as it relates to the subject precinct, subject to consideration of the findings of the Strategic Assessment of Perth and Peel Region, following its release in 2016.

Also, in January 2016 a petition was tabled before Council from various landowners within the subject precinct objecting to the potential for the land being urbanised, contrary to the view expressed by the ‘Baldivis Landowners Group’.

Details

In December 2015, the State Government, through the Department of Premier and Cabinet, released the draft Perth and Peel Green Growth Plan for 3.5 Million (or the ‘re-badged’ Strategic Environmental Assessment or ‘SAPPR’) for public comment until 8 April 2016.

Legislative Framework

The Environmental Protection and Biodiversity Conservation Act 1999 allows for the strategic assessment of ‘actions’ (in this case the proposals under the South Metropolitan Peel Sub-Regional Planning Framework) affecting ‘matters of national environmental significance’ (MNES). Such assessments must be agreed to by both parties (ie. the Commonwealth and the agency responsible for the ‘actions’) and are carried out collaboratively. The relevant agency in this case is the State Government which reached agreement with the Commonwealth Government in 2012 to carry out the Strategic Environmental Assessment.

The next step is for the relevant agency to produce two key documents; a ‘MNES Plan’ and an ‘Impact Assessment Report’.

The ‘MNES Plan’ sets out the proposed ‘actions’ and details how the affected MNES are to be addressed, protected and managed. The ‘Impact Assessment Report’ provides the details of the assessment of impacts as well as an analysis of how impacts are managed against the mitigation hierarchy – avoid, reduce, offset and adaptive management measures.

The draft Green Growth Plan and associated documents comprise both the ‘MNES Plan’ and the ‘Impact Assessment Report’. Following public input, both the ‘MNES Plan’ and ‘Impact Assessment Report’ can be modified and then submitted to the Commonwealth Minister for the Environment for approval.
In July 2015, the Environmental Protection Authority issued *Perth and Peel @ 3.5 million Environmental Impacts, Risks and Remedies* which contains 36 recommendations that it expects the *Green Growth Plan* and the final *Sub-Regional Planning Frameworks* to address.

The EPA Report is an interim environmental assessment of the *Perth and Peel @ 3.5 Million* suite of documents. It sets out the key environmental values of the region, provides advice on the likely impacts of implementation and makes key recommendations on how these impacts can be reduced to acceptable levels.

The EPA Report is not a ‘formal assessment’ under the *Environmental Protection Act 1986* although the process followed is similar. As a result, whilst the assessment will not lead to any approvals or the setting of environmental conditions, the EPA has advised that should this advice be accepted and adopted, there is opportunity to limit the need to formally assess proposals under the *Environmental Protection Act 1986*.

**Green Growth Plan**

The *Green Growth Plan* was prepared in collaboration with the WAPC against the evolving *Perth and Peel @ 3.5 Million* sub-regional planning frameworks. In doing so, the extent of future development and associated infrastructure, and areas set aside for environmental protection, were established.

The fundamental outcomes within the *Green Growth Plan* are contained within a number of ‘Classes of Action’ for which approval under the *Environmental Protection and Biodiversity Conservation Act 1999* is being sought, comprising:

- Urban and Industrial
- Rural Residential
- Infrastructure
- Basic Raw Materials
- Harvesting of Pine Plantations

The primary document which seeks to establish the long-term certainty for conservation outcomes is the ‘Strategic Conservation Plan’ (or the ‘MNES Plan’) which is supported by nine Action Plans that detail the implementation processes for how development will proceed, how conservation actions will occur and how it will be monitored.

The ‘Classes of Action’ detailed above are complimented by the following Action Plans:

- Commonwealth Conservation Commitments
- State Environmental Objectives and Commitments
- Conservation Program
- Assurance Plan

Figure 2 below illustrates the documentation that comprise the *Green Growth Plan*. 
2. Urban and Industrial ‘Class of Action’

Supplementary to the ‘Strategic Conservation Plan’ is the ‘Impact Assessment Report’ addressing environmental matters relevant to the Commonwealth and State.

The ‘Impact Assessment Report’ presents an environmental review and impact assessment of the planned future development of the Perth and Peel. Management measures for key environmental factors have been identified and included in the assessment.

Summary

Put simply, the Green Growth Plan seeks to demonstrate to the Commonwealth Government and Environmental Protection Authority that the strategic plan for Perth and Peel has established a development footprint which has avoided significant environment assets. Where impacts on these assets is unavoidable in the growth of Perth and Peel, ongoing commitments to environmental protection have been proposed as an off-set.

It is effectively a package of commitments that are designed to ensure better and coordinated management of the environment as Perth and Peel develops over the next 30 years.

To quote from the Department of Premier and Cabinet:

“The Green Growth Plan delivers a comprehensive environmental program for the protection of both Commonwealth matters of national environmental significance and State environmental values. This includes:
• 170,000 ha of new and expanded conservation reserves in Perth and Peel regions and immediate surrounds, including improved protection and management of Bush Forever sites and establishment of Peel Regional Park;

• implementation of critical steps to cut nutrient run-off into the Swan Canning and Peel Harvey estuaries and ensure the health of these systems over the long-term; and

• Implementation of a program of on-ground management to improve protection and management of threatened species, wetlands of international significance and threatened ecological communities."

A summary of the content within the Action Plans is provided below:

<table>
<thead>
<tr>
<th>‘Action Plan A - Urban and Industrial Development’</th>
</tr>
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‘Action Plan A’ provides guidance on the Urban and Industrial ‘Classes of Action’ and describes the enabling mechanisms to implement the outcomes.

It is stated that the proposed urban development footprint has avoided 4,000ha of land with environmental values from previous versions of the sub-regional plans. It is also anticipated that a further 2,300ha will be avoided through the structure planning, subdivision and conservation planning process.

In an overall sense, the program provides for 47% of new dwellings to be created in established areas (as per Directions 2031 and Beyond) with the balance being provided in ‘Urban Expansion’ areas (17%) and existing ‘Undeveloped Urban Areas’ (36%).

The industrial development footprint is said to avoid 1,000ha of land with environmental values and a further 744ha will require avoidance, mitigation or offsetting through the structure planning, subdivision and conservation planning processes. In addition, almost 1,000ha of wetland and waterway buffers are expected to be avoided.

The proposed ‘Classes of Action’ includes existing and proposed urban/industrial areas, as well as associated local infrastructure and services.

The implementation of the Urban and Industrial ‘Classes of Action’ will be based on the ‘Strategic Conservation Plan’ outcomes and objectives and undertaken through the planning process using existing legislation such as the Planning and Development Act 2005, Local Planning Schemes, Environmental Protection Act 1986 and other laws.

In a Rockingham context, the proposed extent of Urban and Industrial development reflects the footprints within the draft South Metropolitan Peel Sub-Regional Planning Framework. In this regard, the Baldivis and Karnup growth corridors are included in the Urban ‘Class of Action’, excluding portions of the south Baldivis cell (between Sixty Eight Road and Stakehill Road) and an area of around 100ha in the north-west corner of the Paganoni Special Rural Zone in Karnup.

The Industrial ‘Class of Action’ includes one additional precinct south of Mundijong Road and portion of the Port Kennedy Business Park.

Extracts from the relevant plan are attached.

| ‘Action Plan B – Rural Residential’ |

There is a general objective to reduce the prevalence of Rural Residential development which, in this exercise, relates to ‘Special Rural’ lots between 1ha – 4ha.

This position is being driven by the pressure these land uses place on infrastructure and services and the desire to preserve rural land in proximity to population centres. Also, recent modelling has identified that Rural Residential development is a major contributor to nutrient input into the Peel Harvey Estuary.

As such, future Rural Residential development is proposed by exception taking into account the protection of biodiversity values and the minimisation of environmental and water management impacts.

The Rural Residential ‘Class of Action’ applies to both expansion areas and undeveloped zoned areas.

The implementation considerations reflect that listed for the Urban and Industrial ‘Class of Action’.
In a **Rockingham context**, the Rural Residential ‘Class of Action’ includes the undeveloped portions of the ‘Rural Wedge’ between Mandurah Road and Eighty Road, portions within the south Baldivis cell and land within the ‘Doghill Precinct’, east of the Kwinana Freeway.

Extracts from the relevant plan are attached.

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<th><strong>‘Action Plan C – Infrastructure’</strong></th>
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‘Action Plan C’ addresses the future construction and upgrade of transport (including heavy, freight and light rail and Primary Regional Roads and Other Regional Roads), electricity and water infrastructure. Other services such as gas and telecommunications infrastructure have been excluded with further engagement to occur outside of this process.

An ‘Infrastructure Agencies Working Group’ was convened to undertake the assessment.

At the outset, the Working Group examined the potential for co-location or shared infrastructure corridors/sites. The process also sought to ensure that the alignment of new infrastructure avoided areas of Commonwealth and State environmental value.

The ‘Class of Action’ shows indicative alignments and location of new infrastructure which will be subject to a future process of refinement following detailed planning, design and ongoing review to further avoid and minimise impacts on environmental values.

Infrastructure projects have either been coloured green, which are ‘able to proceed’, or amber which ‘require further investigation’.

The draft Action Plan does not categorise any of the listed infrastructure which in effect allocates amber, meaning that the ‘final location and alignment of infrastructure will generally be subject to a future assessment.

In a **Rockingham context**, the ‘Class of Action’ includes the following:
- Bus depots at Baldivis, Port Kennedy and Karnup (at the Karnup Station site);
- Upgrades to Kwinana Freeway/Forest Highway and Patterson Road;
- New alignment of the Fremantle/Rockingham Controlled Access Highway;
- New electrical sub-stations at Baldivis and Golden Bay and new/upgraded electrical line routes within Baldivis and Karnup; and
- New wastewater sewer and pressure mains in Baldivis and Rockingham along with a water ‘tank’ and distributions mains in Karnup.

Extracts from the relevant plan are attached.

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<th><strong>‘Action Plan D – Basic Raw Materials’</strong></th>
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The Basic Raw Materials (BRM) ‘Action Plan’ seeks to coordinate the protection and access to the key materials of sand, limestone, clay and rock aggregate against environmental values.

The ‘Action Plan’ aims to facilitate the protection of significant areas planned for future resource extraction through avoidance (exclusion areas) of biodiversity rich locations and negotiated outcomes for areas where insufficient information currently exists (further investigation areas).

Areas with minimal biodiversity constraints where future extraction is permitted have also been identified.

Three categories of BRM are proposed:
(i) **Exclusion (Red)** – areas excluded and resource extraction not permitted;

(ii) **Future Resource Extraction Area (Green)** – areas where clearing of vegetation will be approved subject to:
- normal conditions and other approval processes, including rehabilitation, with Part V of the *Environmental Protection Act 1986*;
- offsetting as set in the ‘Strategic Conservation Plan’; and

(iii) **Further Investigation Area (Amber)** – sites where MNES and/or State environmental values could be impacted, although the nature and extent is not known.

The Future Resource Extraction Areas will result in the removal of about 2,500ha of native vegetation and impact up to 60ha of wetlands.
The approvals and ongoing management process for future BRM resource extraction and further investigation areas are varied according those undertaken on private land, where Department of Environment Regulation (DER) is the regulating authority, or Crown land reserves where Department of Minerals and Petroleum (DMP) is the regulating authority.

In a Rockingham context, future resource extraction areas all sit within the ‘Green’ category. They include the existing sand and limestone extraction at Millar Road, Stakehill Road and Paganoni Road and clay extraction within Baldivis, south of Mundijong Road.

An extract from the relevant plan are attached.

### ‘Action Plan E – Pine Harvesting’

The Pine Harvesting ‘Action Plan’ relates to the Gnangara, Pinjar and Yanchep pine plantations situated over the Gnangara Mound.

Some of the pine plantations will be harvested with the land used for other purposes such as urban and industrial, whilst others will be replaced with low water use vegetation to maximise groundwater recharge.

It is proposed that future pine plantings may not follow traditional plantation methods and be established over a wider area or in different arrangements to maximise Carnaby’s Cockatoo food sources.

It is stated in ‘Action Plan E’ that no specific funding mechanisms are required as the harvesting of pines will be subject to contractual arrangements under State Agreements.

### ‘Action Plan F – MNES Conservation Commitments’

The Commonwealth Conservation Commitments are implemented through the preparation of ‘Action Plans A to E’ (where commitments relate to avoidance and mitigation in a development area) and the ‘Action Plan H – Conservation Program’, where commitments relate to the protection and management of land.

The conservation outcomes for MNES will be achieved through the implementation of the ‘Strategic Conservation Plan’ with particular reference to:

- Listed threatened species and ecological communities;
- Listed migratory species;
- Wetlands of international importance; and
- World and National Heritage places.

In all instances, a ‘Conservation Objective’ is listed for each individual element under the above categories, along with a ‘Conservation Commitment’ and ‘Implementation Mechanism’.

For example, each ‘Threatened Ecological Community’ within the study area is listed followed by an objective which essentially seeks to maintain the long-term viability and increase the extent of the asset. The commitments for each TEC are predominantly associated with protection, management and retention. Where there are known TEC’s, the occurrences are also listed.

Carnaby’s Cockatoo is the species that gets the most attention. The assessment notes that around 24,000ha of pines (pine harvesting and BRM) will be lost along with 12,644ha of other feeding habitat within the Swan Coastal Plain. This amounts to 52% of all known roosting sites for Carnaby’s.

Various commitments are identified to off-set the above through avoiding clearing of known roosting and confirmed/potential breeding sites, replacing habitat (ie. 5,000ha of pine harvest area and BRM extraction areas), creation of new conservation areas, artificial breeding hollows and improving habitat of breeding sites in the Wheatbelt. Other commitments are associated with increasing knowledge of the species and education programs.

In a Rockingham context, there are various management commitments to assets within the municipality. In this regard, the City contains the following TEC’s which have objectives and commitments:

- ‘Sedgelands in Holecene Dune Swales’; and
- ‘Thrombolites (microbial)’ – at Lake Richmond.
With regard to ‘Wetlands of International Importance’, the Becher Point Wetlands are listed along with the Peel - Yalgorup System. An important Conservation Commitment for the Peel-Yalgorup System is the creation of the Peel Regional Park and a new management regime involving the following:

(i) Acquisition of land to include with the existing Regional Open Space reservations;
(ii) A number of conservation projects, in partnership with existing stakeholders;
(iii) Measures to reduce prosperous levels flowing into the Estuary through mandatory soil testing for agricultural properties greater than 40ha and long term drainage intervention to improve nutrient stripping capabilities;
(iv) Review of the prevailing State Planning Policy and Environmental Protection Policy along with amending the Planning and Development Act 2005 to prevent high nutrient export land uses; and
(v) A new Taskforce to oversee water quality improvements.

The commitments seek to meet a phosphorous inflow target of less than 75 tonnes per annum; a reduction of 50% on current levels.

‘Action Plan G - State Environmental Objectives and Commitments’

Similar to the Commonwealth Conservation Commitments, the State Environmental objectives and commitments are implemented through the development ‘Action Plans A to E’ (where commitments relate to avoidance, mitigation in a development area) and the ‘Action Plan H – Conservation Program’, where commitments relate to the protection and management of land.

The State environmental objectives and commitments are categorised under the EPA’s Factors, as follows:
- Flora and vegetation;
- Terrestrial and subterranean;
- Hydrological processes and inland water environmental quality;
- Air quality;
- Human health and amenity (including heat island effects, climate change and role of green network and urban tree canopy); and
- Marine environmental quality.

In some cases the State commitments mirror that of the Commonwealth, but generally they are not as targeted. There are common themes for example, around the creation of additional conservation reserves, water quality improvements (ie. Peel Regional Park) and wetland protection.

One matter that has contributed to shaping the extent of proposed development is the commitment to avoid viable patches of vegetation complexes that are less than 10% of pre-European settlement within urban, industrial and rural-residential footprints.

Further, there is a commitment to protect areas of remnant vegetation complexes that are below 30% by:
- identifying opportunities for retention within already zoned undeveloped urban, industrial and rural residential land; and
- producing a spatial layer showing these areas of vegetation to be given due regard for retention through the planning process.

‘Action Plan H – Conservation Program’

The ‘Conservation Program’ seeks to bring together the commitments contained in ‘Action Plans F and G’ and confirm the activities which will lead to conservation gains.

At the forefront of the ‘Conservation Program’ is ‘Expanding the Conservation Reserve System’ through the creation of an additional 170,000ha of conservation reserves which will contain a minimum of 116,000ha of Carnaby’s Cockatoo habitat.

Of this 170,000ha, 150,000ha is already Crown land, however, its purpose or designation will be changed to include ‘conservation’. The remaining 20,000ha is proposed acquisitions of private land including Bush Forever sites.
These additions will occur as two phases:
- 80,000ha immediately following Commonwealth approval - being land already controlled by the State Government; and
- 18,000ha of new conservation reserves over every subsequent five years to a total of 90,000ha.

Also, ‘Management of New Conservation Reserves’ is identified which involves the preparation of Management Plans for the new conservation reserves and a funding commitment for implementation. The management actions will generally focus on improving habitat value and other biodiversity values.

The ‘Actions to Improve Water Quality and Protect Wetlands’ includes the commitment to the creation of the Peel Regional Park and a similar approach to the Swan Canning estuary. In addition, other actions are proposed to improve the protection of wetlands more generally through the region by introducing a new wetland buffer policy, a review of all ‘Resource Enhancement Wetlands’ (with a goal to improving their condition) and a monitoring program.

The ‘Conservation Program’ also includes ‘Measures to Support Carnaby’s Cockatoo’ which are described above under ‘Action Plan F’.

Finally, the ‘Conservation Program’ involves ‘Improving Knowledge of State and Commonwealth Environmental Matters' which includes research and monitoring to improve knowledge of environmental values. The ‘Assurance Framework’, as described in ‘Action Plan I’ below also forms part of this package.

A ‘Coordinating Group’ will be established to oversee the implementation of the ‘Conservation Program’ and will report to the ‘Executive Body’ responsible for the implementation, review and revision of the action plans of the Strategic Conservation Plan. The ‘Executive Body’ will report to an over-arching group of State Government Ministers and be coordinated by the Department of Premier and Cabinet.

To meet the costs of implementing the ‘Strategic Conservation Plan’, including the ‘Conservation Program’, funding measures are likely to include contributions from proponents applied through the approval processes that apply to each ‘Class of Action’.

In a Rockingham context, the new Conservation Reserves include the majority of Regional Reservations that comprise the Rockingham Lakes Regional Park, Tamworth Hill, Stakehill Swamp, Anstey Swamp and Paganoni Swamp. In all cases, these reserves are currently dedicated as ‘Parks and Recreation’, and under the ‘Conservation Program’, a ‘conservation’ designation will apply.

It is also proposed to create a ‘Conservation Reserve’ over the upper reaches of the Serpentine River in Keralup and acquire Bush Forever sites in Baldivis.

The other implications on the City, with respect to the ‘Peel Regional Park’ and Carnaby’s Cockatoo outcomes, are detailed above.

‘Action Plan I – Assurance Plan’

The Environmental Protection and Biodiversity Conservation Act 1999 requires that a clear indication of success or failure of the conservation outcomes be established which is the purpose of the ‘Assurance Plan’.

The assurance framework comprises the following elements:
- monitoring and compliance program;
- annual reporting;
- five yearly review; and
- dispute resolution.

The monitoring and reporting program includes performance monitoring against the ‘Strategic Conservation Plan’ and environmental condition monitoring across a range of factors regarding the MNES and State environmental values.

Compliance assurance reporting will be the responsibility of the State Government and based on a report to be developed within 12 months of Commonwealth endorsement of the ‘Strategic Conservation Plan’.
The ‘Assurance Plan’ will also provide guidance on the way in which substantial amendments to the ‘Action Plans’ will be progressed.

The ability to deliver the commitments within the ‘Strategic Conservation Plan’ will require resources, both in financial and administrative terms.

The ‘Action Plans’ state that funding mechanisms are being developed and will likely require contribution from proponents applied through approval processes for each ‘Class of Action’ under ‘Action Plans A – D’. It is also suggested that details on the proposed funding mechanisms, in the form of a ‘Funding Options Paper’, will be released for comment ‘over the coming months’.

The proposed commitments also require amendments to legislation and other planning instruments to achieve outcomes. The Green Growth Plan provides no insight into the timing of these changes, or the responsible party.

The full suite of documents that constitute the Green Growth Plan can be downloaded from the Department of Premier and Cabinet website, under the ‘Consultation’ tab.

### Implications to Consider

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| a. | **Consultation with the Community**  
The Department of Premier and Cabinet is coordinating the consultation process. The Green Growth Plan was released in mid-December 2015 and comments are invited until 8 April 2016.  
The Department of Premier and Cabinet, along with WALGA, has conducted a number of information sessions and workshops which City Officers have attended. |
| b. | **Consultation with Government Agencies**  
The Department of Premier and Cabinet involved government agencies in the preparation of the Green Growth Plan, notably the Department of Planning, Environmental Protection Authority the agencies responsible for infrastructure provision. |
| c. | **Strategic Community Plan**  
This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:  
**Aspiration D:** Sustainable Environment  
**Strategic Objective:** Land Use and Development Control - Planning for population growth and guiding development and land use to ensure that future generations enjoy a sustainable city and a genuinely desirable lifestyle. |
| d. | **Policy**  
Nil |
| e. | **Financial**  
The ‘Funding Options Paper’, which will set out the manner in which the implementation of the Green Growth Plan will be funded, has not been released and the financial implications on the City are unable to be determined. This matter is further discussed in the ‘Comments’ section below. |
| f. | **Legal and Statutory**  
The Department of Premier and Cabinet is seeking approval of the ‘Strategic Conservation Plan’ under the Commonwealth’s Environmental Protection and Biodiversity Conservation Act 1999 so as to remove the need for individual project assessment. The process also seeks to deliver ‘Strategic Advice’ under the Environmental Protection Act 1986 to enable streamlined approval processes. |
| g. | **Risk (High/Extreme)**  
Nil |
Comments

The ideology of an integrated approach to environmental management and land use planning across the growing Perth and Peel Regions is supported. It could not only lead to improved environmental outcomes but assist with reducing approval timeframes.

The *Green Growth Plan* initiatives is clearly a substantial undertaking that has presented many challenges to the Department of Premier and Cabinet. The original intention to prepare and release the *Strategic Environmental Assessment* with the strategic land use plans (ie. *South Metropolitan Peel Sub-Regional Planning Framework*) was logical and would have enabled the outcomes to be reconciled.

The decision to follow the release of the *South Metropolitan Peel Sub-Regional Planning Framework* with the *Green Growth Plan* has eroded the credibility and transparency of the process and raised questions about whether there is an ability or preparedness to entertain departures from the advertised material.

It is also evident that, despite its release for public consultation, the *Green Growth Plan* is incomplete. For example, the mapping is currently unrefined (GIS mapping layers are still to be released), many of the Conservation Commitments contain vague implementation actions and the details on the funding model are yet to be circulated.

The City's assessment of the *Green Growth Plan* has focussed on the impacts it presents to the City's planning framework and the implications attached to its implementation.

The City has examined the methodology undertaken by the Department of Premier and Cabinet in arriving at the *Green Growth Plan* and the commitments proposed to off-set the loss of listed Commonwealth and State environmental assets. Ultimately, the State Government is seeking to demonstrate to the Commonwealth and the Environmental Protection Authority that its environmental management response is appropriate and the suitability of the package of commitments are therefore for these agencies to determine.

It is recommended that the Council's submission address the following:

(i) **‘Classes of Action’**

As detailed above, the proposed ‘Classes of Action’, which contain those proposals for which approval from the Commonwealth and Environmental Protection Authority is being sought, are consistent with the land use proposals within the draft *South Metropolitan Peel Sub-Regional Planning Framework*. As a result, the majority of the City's comments on the draft *South Metropolitan Peel Sub-Regional Planning Framework* remain valid and it is not clear if and when they will be addressed.

It was anticipated that the *Green Growth Plan* would clarify the basis to various proposals within the draft *South Metropolitan Peel Sub-Regional Planning Framework*, however, this is not immediately evident. In most cases, the *Green Growth Plan* identifies conservation objectives and commitments which are seemingly translated into the growth footprints within the ‘Classes of Action’

It is therefore recommended that the Council's submission on the *Green Growth Plan* reiterate the land use matters raised in the City’s submission on draft *South Metropolitan Peel Sub-Regional Planning Framework* (copy attached). In doing so, where the *Green Growth Plan* does not provide sufficient rationale, clarification will be requested.

(ii) **Urban Potential - South Baldivis**

The subject precinct is affected by two ‘Classes of Action’; Urban and Rural Residential, as shown below noting that the Rural Residential ‘Class of Action’ does not include existing ‘Special Rural’ precincts. A number of proposed Conservation Reserves are also identified which includes the Bush Forever sites on Ukich Place and Churcher Road along with an existing Crown Reserve between Stakehill Road and Churcher Road.
3. Urban ‘Class of Action’

4. Rural Residential ‘Class of Action’

5. Proposed Conservation Reserves

The extent of the Urban ‘Class of Action’ is consistent with the ‘Urban Expansion’ designation shown in the draft South Metropolitan Peel Sub-Regional Planning Framework.

As detailed in the ‘Background’ section, in its submission on the draft South Metropolitan Peel Sub-Regional Planning Framework, the City did not request that the provision of ‘Urban Expansion’ be increased.

In December 2015, the Council resolved to re-affirm the content of the City’s submission subject to consideration of the findings of the Green Growth Plan, following its release in 2016.

The City has now assessed the Green Growth Plan in an attempt to arrive at the basis to the recommendations for the subject precinct. To assist in its consideration, the City commissioned independent advice.

The assessment has established that the subject precinct was not specifically referenced in the Green Growth Plan but the over-riding objective applied in preparing the Urban ‘Class of Action’ involved the avoidance of vegetation clearing where possible. The preference for inclusion in the urban footprint was given to existing cleared areas.

1 Correction of typographical error

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 APRIL 2016

PRESIDING MEMBER
It was also confirmed that the predominant vegetation complex on the site is Karakatta Central and South which is between 10% - 30% of pre-European settlement. The ‘State Impact Assessment Report’ identifies that the complex has 16.8% remaining which is below the 23.19% identified in WALGA’s Local Biodiversity Program (2013).

As mentioned above, a specific State Conservation Commitment is to protect vegetation complexes between 10% - 30% by:

- identifying opportunities for retention within already zoned undeveloped urban, industrial and rural residential land; and
- producing a spatial layer showing these areas of vegetation to be given due regard for retention through the planning process.

The ‘Commonwealth Impact Assessment Report’ identifies the precinct as containing high and medium feeding habitat for Carnaby’s Cockatoo and habitat that may support roosting.

The independent advice concluded that it would be highly unlikely that any of the land would be reserved and purchased to be part of the Conservation Reserve network and that it meets the outcomes in the South Metropolitan Peel Sub-Regional Planning Framework in forming part of an ecological link.

In summary, it is apparent that the limit to the Urban footprint within the subject precinct results from it meeting multiple objectives within the Green Growth Plan.

Conclusion

It is disappointing that the Green Growth Plan does not explain the basis to the recommendations for the subject precinct which was a similar criticism levelled at the draft South Metropolitan Peel Sub-Regional Planning Framework.

It is apparent, however, that the extent of urban potential is linked to limiting native vegetation clearing, the under-presented nature of the vegetation complexes, maintaining habitat for Carnaby’s Cockatoo and the possibility of the land forming part of a broader ecological link. These issues were essentially recognised as being influencing factors when the matter was tabled before Council in December 2015.

The decision to exclude much of the precinct from the Urban ‘Class of Action’ has not been rationalised on a number of levels.

The State Government has committed to protect vegetation complexes between 10% - 30% by producing a spatial layer showing these areas of vegetation to be given due regard for retention through the planning process. This commitment suggests that there may be an opportunity to provide for vegetation retention in a range of land use proposals, possibly including urban.

It is also relevant that the ‘State Impact Assessment Report’ notes that:

... for the purpose of the impact assessment, all vegetation and habitat within this (‘Rural Residential’) footprint is indicated as potentially being affected but this land use is sympathetic to on-site retention of environmental values and in practice a good portion of rural residential lot areas should not be cleared.

This implies that the State Government views the vegetation retained in ‘Special Rural’ zones as not ‘protected’ and that it does not form part of the conservation commitment.

With this in mind, there are questions over the level of protection afforded to the land and whether the desired environmental outcomes for the subject precinct can be achieved within an expanded urban setting. Additional rigor should be applied before the extent of urban within the precinct is established which will confirm the level of vegetation retention required to meet the objectives which apply to the precinct. This process will also determine whether ‘Areas 2 and 3’, as identified in the City’s submission on the South Metropolitan Peel Sub-Regional Planning Framework, should support urban development.

These questions should be answered prior to the ‘Classes of Action’ being finalised.

When this has been established, the land containing the environmental assets should be protected either through acquisition or adequate planning controls which are currently not in place. Also, should the land remain in private ownership, landowners should be provided with the necessary assistance to ensure that the environmental objectives are met.
(iii) Peel Regional Park

The proposal to establish the Peel Regional Park is generally supported as, although the current statutory and governance arrangements are well intentioned, they have not resulted in improved water quality within the Estuarine system.

The various actions should lead to a coordinated management approach that have the potential to deliver benefits, although some of the detail within the Conservation Commitments has not been established which will be the function of a yet to be established Peel Harvey Water Quality Taskforce.

The upper reaches of the Serpentine River within Keralup will be reserved for conservation and included in the Peel Region Park. It is also expected that management actions will apply to all land within the Peel-Harvey Catchment where land use control and soil monitoring is proposed.

The Council’s submission should raise a number of questions that impact upon the City’s functions, as follows:

(i) Will the City be represented on the Peel Harvey Water Quality Taskforce?
(ii) Will the City have the management authority for any land within the Peel Regional Park, and if so, will there be resource assistance?
(iii) Is the City expected to perform a role in monitoring the activities of the targeted agricultural uses within the Peel-Harvey Catchment and undertake compliance actions?

(iv) Rural Residential

The approach to Rural Residential also requires clarification. There has been a general reluctance to allocate land for Rural Residential (or ‘Special Rural’ lots between 1ha – 4ha) given the pressure placed on services and water quality implications.

As mentioned above, the ‘Strategic Conservation Plan’ seems to treat Rural Residential land in the same way as Urban and Industrial in that much of the land will be deemed to be developed and have no significant conservation value.

It is not apparent whether it is assumed that the environmental value will be lost or if the land will have some residual environmental value such as habitat for Carnaby’s Cockatoo. The exclusion of existing Rural Residential land from the ‘Class of Action’ suggests that values may be assumed to be lost.

It is recommended that the Council’s submission seeks to clarify this matter so as to understand the status of Rural Residential land and the appropriateness of the existing planning controls under the Town Planning Scheme.

(v) Funding

The decision to not release the ‘Funding Options Paper’ has resulted in the key implementation mechanism being suppressed and assumptions being made about how the program will be funded, the level of responsibility attributed to each party and the mechanism to collect funds. The Green Growth Plan suggests that the ‘Funding Options Paper’ will be ‘released for public comment over the coming months’ but previous dialogue with representatives from the Department of Premier and Cabinet has suggested that this may not be the case.

A proportion of the funding needed to deliver the commitments will be collected from subdividers as a levy through the subdivision process. The Green Growth Plan states that the levy will apply to each class of action under ‘Action Plans A – D’.

The lack of detail raises many questions, some of which are as follows:

(i) How will the rate applied to subdivided land be established across the various ‘Classes of Action’?
(ii) How will infrastructure proposals within ‘Action Plan C’ be subjected to the levy?
(iii) Given that the Urban and Industrial ‘Classes of Action’ also relate to established areas, will infill development be subject to the levy?
(iv) What are the mechanisms to ensure that the ‘Strategic Conservation Plan’ can be implemented in the event that growth forecasts are not realised?
(v) Who will be responsible for collecting the levy?

It is therefore recommended that the ‘Funding Options Paper’ be released without delay and that local government be given the opportunity to provide meaningful input into the process.

Also, given that the collection of the levy requires a consolidated approach that transcends local government boundaries, it is the City's view that it should be regulated and administered by the WAPC through the subdivision process.

(vi) Conservation Reserve Management

The conversion of existing Regional Open Space to conservation purposes is a key commitment within the ‘Strategic Conservation Plan’. The documents suggest that the management responsibility for these reserves will rest with the Department of Parks and Wildlife along with local government.

It is a commonly held view that resource constraints have resulted in the Department of Parks and Wildlife not effectively managing numerous reserves under its jurisdiction. The creation of additional conservation reserves, combined with the additional and often onerous requirements associated with managing conservation reserves, needs to be resolved in a resourcing sense.

The Green Growth Plan should provide insight into the likely management responsibilities for the new (and existing) conservation reserves and the resources that are necessary to achieve the outcomes, bearing in mind that the preparation of Management Plans will follow.

Local government should not be expected to manage conservation reserves unless the State Government can guarantee that sufficient resources are allocated for this purpose. Consideration also needs to be given to the party responsible for implementing the Management Plan for the new conservation reserves.

It is in the best interests of the State Government to do so, as ineffectively managed conservation reserves will likely be identified in the proposed monitoring and compliance reporting regime (i.e. ‘Action Plan I – Assurance Plan’) which can carry a ‘response’ from the Commonwealth Government.

To put the resourcing issue into context, at present the City manages approximately 200ha of reserves for conservation purposes at a cost of about $350,000 per annum plus the employment of seven officers trained in conservation land management. These costs are separate to the funds required to rehabilitate conservation reserves.

It is also the case that by transferring existing Regional Open Space from ‘Parks and Recreation’ to ‘Conservation’, the use of the reserve potentially alters. In this regard, it is possible that public access to ‘Conservation Reserves’ will be limited and areas which have traditionally been used for recreational pursuits could no longer be available.

This outcome results in the loss of community assets that have not been contemplated. It also places additional pressure on other local reserves to meet the displaced recreational demand. Rather than allocate a blanket conservation designation to all Regional Open Space, the program should be tempered to recognise the recreational attributes of the various reserves and remove the relevant areas from conservation.

(vii) Conservation Reserves in Urban Areas

‘Action Plan A’ claims that ‘4,000ha of land with environmental values was avoided during the preparation of the (urban) footprint’. It is also suggests that ‘approximately 2,300ha of land containing environmental values within existing urban and urban expansion sites require further avoidance, mitigation or off-setting through structure planning, subdivision and conservation planning processes’. The Department of Premier and Cabinet will also publish ‘Commitments Mapping’ which will identify the assets in question.

This above statement, which seems to be broken down in the MNES and State Conservation Commitments, raises a number of implementation issues.

The distribution and extent of the 2,300ha in the Urban ‘Class of Action’ requires clarification. Also, the reserves to accommodate these assets will be created as ‘local reserves’ that will be managed by local government which raises the resourcing issues detailed above.
Further, the creation of conservation reserves in the urban environment will form part of the public open space allocation which already has numerous ‘competing interests’ from local biodiversity conservation to urban water management. The broader implications of this outcome on the provision of useable recreation space has not been contemplated.

Finally, it is not clear whether subdividers that accommodate land containing ‘environment value’ are required to contribute to the levy and to what extent.

(viii) Implementation - Approval Processes

In terms of implementing the Green Growth Plan, there is an expectation that, where appropriate, statutory planning approvals will contain requirements relating to the Conservation Commitments relevant to the land. The rezoning, structure plan, development and subdivision approval processes have been mentioned as the mechanisms which could be used.

The detail associated with this implementation element is also yet to be confirmed.

The Council’s submission should raise a number of issues that require resolution such as the need to ensure the consistent application of requirements across the determination authorities, the ability to impose requirements on structure plans given their new non-statutory status and the responsibility for compliance.

(ix) Transitional Arrangements

In order to embed the outcomes of the ‘Strategic Conservation Plan’ into the planning system, it is intended to implement process modifications and improvements including:

- Pre-lodgement assistance to clarify and respond to issues to ensure environmental considerations can be clarified prior to preparation of plans;
- GIS database – to aggregate and spatially identify environmental attributes of Commonwealth and State importance; and
- Standardised and streamlined referral process under the Environmental Protection Act 1986 to fast track approvals under both planning and environmental legislation.

Transitional arrangements will be required prior to the ‘Strategic Conservation Plan’ being operational and it is recommended that the State Government establish the arrangements in consultation with Local Government.

It is therefore recommended that the Council’s submission on the Green Growth Plan be based on the matters raised above. The full submission will be contained within the Information Bulletin to the April 2016 Planning and Engineering Services Committee.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. APPROVES that the submission to the Department of Premier and Cabinet on the draft on the Perth and Peel Green Growth Plan for 3.5 Million address the matters raised in the Officer Report under the following headings:

   (i) ‘Classes of Action’;
   (ii) Urban Potential – South Baldivis;
   (iii) Peel Regional Park;
   (iv) Rural Residential;
   (v) Funding;
   (vi) Conservation Reserve Management;
   (vii) Conservation Reserves in Urban Areas;
   (viii) Implementation – Approval Processes; and
(ix) Transitional Arrangements.

**Committee Recommendation**

Moved Cr Elliott, seconded Cr Sammels:
That Council APPROVES that the submission to the Department of Premier and Cabinet on the draft on the *Perth and Peel Green Growth Plan for 3.5 Million* address the matters raised in the Officer Report under the following headings:

(i) ‘Classes of Action’;
(ii) Urban Potential – South Baldivis;
(iii) Peel Regional Park;
(iv) Rural Residential;
(v) Funding;
(vi) Conservation Reserve Management;
(vii) Conservation Reserves in Urban Areas;
(viii) Implementation – Approval Processes; and
(ix) Transitional Arrangements.

With particular emphasis being given to the content of the ‘State Assessment Report’ which implies that vegetation in ‘Special Rural’ zones are not protected and are not part of the conservation commitment, as it relates to South Baldivis.

Further, that the State develop and implement clear strategies for the specific State Conservation Commitment to protect remnant vegetation complexes and the Threatened Ecological Community of Carnaby's Cockatoo.

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

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

To ensure that the Council’s submission on the draft *Perth and Peel Green Growth Plan for 3.5 Million* emphasises the matters identified.

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

Not Applicable
**Engineering and Parks Services**

5:20pm - Cr Hamblin departed the Planning and Engineering Services Committee meeting.

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-005/16 State Underground Power Program – Round 6 Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>EST/15</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td></td>
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<tr>
<td>Proponent/s:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr John Spearing, Project Engineer</td>
</tr>
<tr>
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<td>14 March 2016</td>
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<td>Previously before Council:</td>
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<td>Executive</td>
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<tr>
<td>Site:</td>
<td>Western Power Round 6 Underground Power Project Selection and Development Process</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>1. Aerial view of Shoalwater South and Safety Bay area</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>2. Aerial View of Rockingham Beach area</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
</tr>
</tbody>
</table>
1. Shoalwater South and Safety Bay Area
Purpose of Report

That Council submits an application to the Public Utilities Office for Round 6 State Underground Power Program for the areas of Rockingham Beach, Shoalwater South and Safety Bay with a contribution of 50% of the total project cost.
Background

The City has participated in the State Government Underground Power Program (SUPP) in Round 1 through to Round 5 on a number of projects. The most recent projects were completed in the Palm Beach area (Round 4) and Shoalwater North (Round 5).

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Round</th>
<th>Successful</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Palm Beach</td>
<td>4</td>
<td>Yes</td>
<td>$9,722,039</td>
</tr>
<tr>
<td>Rockingham Beach</td>
<td>5</td>
<td>No</td>
<td>n/a</td>
</tr>
<tr>
<td>Shoalwater North</td>
<td>5</td>
<td>Yes</td>
<td>$9,690,671</td>
</tr>
</tbody>
</table>

The total cost of these projects was split into three separate sources of funding and was consistent across all Local Governments. The contribution rates have been as follows:

- 25% Public Utilities Office
- 25% Western Power
- 50% Local Government Authority (LGA)

The City has participated in this program in the past as it brings many benefits to property owners and residents, which include:

- More reliable power supplies due to removal of exposed overhead power lines.
- Improved road safety and security.
- A revitalisation of the area with enhanced local amenity.
- No clearance pruning required under power lines.

Consultation with the community for previous rounds was conducted to determine the level of support. A preliminary survey for the Round 5 application was issued to property owners within the Rockingham Beach and Shoalwater areas to determine the level of support for retrospective undergrounding of power in their neighbourhood in February 2010. Feedback received indicated 86.7% of respondents were favourable to the question "do you support an underground power project in your area?"

A subsequent survey was carried out by the SUPP Steering Committee in August/September 2010 for the Shoalwater North area that resulted in 76.8% of respondents indicating they were in favour of underground power and prepared to contribute financially.

During December 2015 a Survey Form was issued to the property owners within the recently completed Shoalwater North project area (Round 5) asking for their feedback relating to the project, a summary of the responses received so far indicate the following “favourable” rates:

- How do you rate the impact the project has had on the streetscape? 97% Favourable
- How do you rate the new street lighting system? 93% Favourable
- How did you rate the overall success of the project? 97% Favourable

Details

The Government of Western Australia has a long term goal to expand the supply of underground power to WA properties. One of these ways is for older residential areas to be converted to underground power as part of the SUPP.

The SUPP is a State Government initiative administered by the Public Utilities Office. LGA’s have been invited to nominate areas to be converted to underground power as part of Round 6 of the program. The Public Utilities Office has changed the assessment criteria for Round 6 applications and each nomination will be assessed against:

- Western Power’s network priorities
- Local Government funding contribution

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 APRIL 2016

PRESIDING MEMBER
- Demonstrated community support for the project

The Public Utilities Office suggests that:

“The new selection process will better reflect community preferences and allow local governments to make a larger contribution to project costs with a view to influencing project selection. With a larger share contribution from local governments, more projects will be able to be implemented with the funding approved for Western Power and the Public Utilities Office.

The new funding arrangements are considered by the Public Utilities Office to better align funding contribution shares with the proportionate benefits received by program participants. In September 2011, the Economic Regulation Authority’s Inquiry into State Underground Power Program Cost Benefit, found that most of the program benefits accrue to rate payers through higher property values.”

For Round 6 funding, contributions and funding requirements for each project will be determined by the following sequence:-

- Local Governments will contribute between 50% and 100% of the project cost as specified in their proposal. Project proposals that offer a greater contribution share will receive a higher funding contribution score in the selection process.
- Western Power’s project funding contributions will vary according to the project costs that meet the New Facilities Investment Test, which will be likely to be between 15% and 35%.
- The remaining balance (if any) will be provided by the Public Utilities Office.

Each project proposal submitted is to contain a minimum of 500 but not more than 800 properties.

Advice from the Department of Finance is that for the Round Five projects (to date); the costs were minimum ($9,500), maximum ($13,000) and average ($11,000) per allotment. After allowing for cost increases/inflation it is expected the estimated average to be $12,500 per allotment for Round 6.

The areas that are recommended by the City for this round of applications contain the following allotments:

- Rockingham Beach Area = 611 (920 Living Units).
- Shoalwater South and Safety Bay Area = 783 (1,187 living Units).

The process for project selection and development of major residential projects under Round 6 of the Program, is as shown in the attachment.

Expressions of Interest, for inclusion in Round 6 of the SUPP, must be submitted to the Public Utilities Office by 5pm Friday, 29 April 2016. The overall timetable for the program is:-

- Deadline for lodgement of project proposals 29 April 2016
- Evaluation of project proposals and creation of short list August 2016
- Detailed proposal stage for the first short-listed projects commences September 2016
- Commencement of first major residential project March 2017
- Completion of first major residential project March 2018

**Implications to Consider**

a. Consultation with the Community

Due to the short timeframe and the unexpected development of the Round 6 program, the City did not have an opportunity to conduct any public consultation prior to the round opening. The Public Utilities Office will conduct consultation during the application period to determine level of community support for an underground power project in their area during August 2016. Projects will be targeted to areas that have a higher level of community support.

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 and Strategic Objective contained in the Community Plan 2015-2025:

- **Aspiration C:** Quality Leadership
- **Strategic Objective:** Infrastructure – Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis.

d. **Policy**

Nil

e. **Financial**

This will be dependent on the area chosen, the number of dwellings to be converted to underground power and the contribution percentage to the project cost adopted by Council. In previous projects the City has contributed towards the street lighting component around $500,000 to each project, with all other costs recovered from property owners within the project area. Once all details are known direct financial implications for the City will then be able to be determined. The ratepayer contribution and the $500,000 are currently not in the City’s Business plan.

The cost to each individual resident will vary but is expected to average $6,250 per allotment.

f. **Legal and Statutory**

Nil

g. **Risk (High/Extreme)**

Nil

### Comments

As part of the 2015-2016 State Budget, the government announced that from the rating year commencing 1 July 2016, the 50% concession allowed to eligible pensioners on local government rates and water rates would be restricted to capped limits. The amount of this capping has not yet been advised. This change may impact on Pensioners claiming a rates concession on their Underground Power Contribution.

To qualify for funding in Round 6, the project must demonstrate community support for the project. It will therefore be necessary to seek confirmation from rate payers in the submitted areas that they support the undergrounding of their power supply and also confirm their willingness to contribute to the cost. This will be sourced by the Public Utilities Office conducting a survey of property owners during the evaluation phase in August 2016 for the proposed projects submitted. Projects will be targeted to areas that have a higher level of community support.

In addition, Western Power assesses the proposal for the improvement to the infrastructure that it will provide. Those projects that provide improvements to the power supply network where it is most needed will receive a higher score. Areas within the City, where the network capacity is being reduced by redevelopment may therefore score highly.

Although the Public Utilities Office has changed the assessment criteria to score areas that include a higher percentage contribution rate from Local Governments, it is recommended that the City continues to contribute 50% of the total project cost for this application.

If the City is successful with its application to Round 6, the results of the community survey, Western Power and Public Utilities Office contribution rates will be tabled for Council to make its final decision on whether to agree and to fund the project.
Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVES Project Proposals for the State Underground Power Program Round 6, for the areas of Rockingham Beach, Shoalwater and Safety Bay on the basis of a 50% Local Government contribution.

Committee Recommendation

Moved Cr Sammels, seconded Cr Whitfield:

That Council APPROVES Project Proposals for the State Underground Power Program Round 6, for the areas of Rockingham Beach, Shoalwater and Safety Bay on the basis of a 50% Local Government contribution.

Committee Voting – 3/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable

5:21pm - Cr Hamblin rejoined the Planning and Engineering Services Committee meeting.
### Engineering and Parks Services
#### Engineering Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-006/16 Surf Drive, Secret Harbour – Pedestrian Access Upgrade</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>SUR1</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>Cr Justin Smith</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Ian Daniels, Manager Engineering Services</td>
</tr>
<tr>
<td>Author:</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
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<tr>
<td>Date of Committee Meeting:</td>
<td>14 March 2016</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Surf Drive Secret Harbour</td>
</tr>
</tbody>
</table>

**Site:** Surf Drive Secret Harbour

**Lot Area:**

**Attachments:**

1. Locality Plan
2. Aerial photograph of Surf Drive showing location of future footpaths.

---

1. Locality Plan
2. Location of future footpaths

Purpose of Report

For Council to consider options to upgrade the temporary pedestrian access along Surf Drive from Warnbro Sound Avenue, including the provision of street lighting.

Background

In August 2014 the following Notice of Motion was considered by Council:

“That Council DIRECT the Chief Executive Officer to write to the Developers responsible and to request that they complete the footpath along Surf Drive between D’Arcole Turn and Warnbro Sound Avenue.”

Lost – 4/6

To allow a temporary pedestrian access along this portion of road the City subsequently installed a relatively inexpensive temporary path on the northern verge made from roadbase materials.

In February 2016 the following Notice of Motion was supported by Council:

“That Council DIRECTS the Chief Executive Officer to prepare a report to Council on options to upgrade the temporary pedestrian access along Surf Drive from Warnbro Sound Avenue, including the provision of street lighting.”

Carried - 10/0

Details

Surf Drive is a local distributor road that links Warnbro Sound Avenue with Mandurah Road over a length of 1.1km. It has a posted speed limit of 50km/h and is predominately residential to the north and south, with an Early Childhood Annex located centrally along its southern alignment.

The land adjacent to Surf Drive has been subject to urbanised residential development for the past 12 years. The sections of Surf Drive that do not have pathways linkages are still undeveloped and any future land development will be required to upgrade the adjacent portion of road which will include footpaths and streetlighting.

Currently, the City has not received applications to subdivide the undeveloped lots on the southern side adjacent to Surf Drive. A subdivision approval has been issued for the western most lot to the north, however no engineering drawings have been received and therefore no subdivision works can commence. This approval will lapse in December 2016 if the works are not completed by that date. A 70m wide section of land, located between the already developed land to the east and the western area under subdivision approval, exists with no applications or approvals pending. At this stage there are no indications that these land parcels will be developed in the foreseeable future.
At present the northern verge has a 220m long temporary and unsealed pedestrian link with existing power poles which streetlights could be attached. This is shown in the following two photographs:

Looking west along northern verge

Looking east along northern verge
At present the southern verge is 420m long and has no pedestrian linkages as shown in the following two photographs:

Looking east along southern verge

Looking west along southern verge
### 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 Aspirations and Strategic Objectives contained in the Community Plan 2015-2025: |
|     | **Aspiration B**: Strong Community |
|     | **Strategic Objective**: Services and Facilities – Community facilities and services that accommodate contemporary community expectation and are justified, well used, cost effective and, where appropriate, multi-functional. |
|     | **Strategic Objective**: Safety and Support – A community that feels safe and secure in home, work and leisure environments, and has access to a range of effective support services and partnerships when encountering challenging or difficult times. |
|     | **Aspiration C**: Quality Leadership |
|     | **Strategic Objective**: Infrastructure – Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis. |
| d.  | Policy | Nil |
| e.  | Financial | The most cost effective method of installing a pedestrian link along Surf Drive from Warnbro Sound Avenue to the existing path network is to provide an asphalt surface onto the existing 220m long unsealed path on the northern verge. This location is also directly underneath the existing power poles and therefore could include a number of streetlights attached to these poles. |
|     | The cost estimate for this option is $33,000 for the path upgrade and $5,000 to install two streetlights. |
|     | An alternative treatment would be to install a concrete path along the northern verge and this is estimated to cost $47,000. |
|     | At present there is no allocation for these works within the City’s Business Plan. |
| f.  | Legal and Statutory | Nil |
| g.  | Risk (High/Extreme) | Nil |

### Comments

Once the land is developed adjacent to this portion of Surf Drive the Developer will be required to install a pathway and streetlighting along this portion of road.
The temporary, unsealed pedestrian link that exists allows for safe access along this portion of the road and is deemed to be an appropriate temporary treatment until the land developers subdivide the adjacent land and install permanent pedestrian links and streetlights.

Once the adjacent land is developed in the future all infrastructure along this portion of Surf Drive would be demolished and rebuilt to match the new development levels and standards of the time. This would include the pedestrian link and streetlights if they were to be installed.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **REJECTS** an upgrade to the temporary pedestrian access including the installation of streetlights along Surf Drive.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Hamblin:

That the Committee not support the Officer’s recommendation.

Committee Voting – 4/0

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

To enable an Alternate Motion to be presented to Council on Tuesday, 22 March 2016.

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

Not Applicable
**Engineering and Parks Services**

**Engineering Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-007/16 Recommendations from the Disability Access and Inclusion Advisory Committee Meeting held on 17 February 2016</th>
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<tr>
<td>File No:</td>
<td>CSV/763</td>
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<tr>
<td>Risk Register No:</td>
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<tr>
<td>Author:</td>
<td>Mr Ian Daniels, Manager Engineering Services</td>
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<td>Other Contributors:</td>
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<tr>
<td>Date of Committee Meeting:</td>
<td>14 March 2016</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
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<tr>
<td>Attachments:</td>
<td>Minutes of the Disability Access and Inclusion Advisory Committee Meeting held on 17 February 2016</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
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</table>

**Purpose of Report**

To seek Council approval to amend the terms of reference and composition of the Disability Access and Inclusion Advisory Committee (DAIAC).

**Recommendations to the Planning and Engineering Services Committee**

**Advisory Committee Recommendation 1 of 2**

**Revised Terms or Reference for the Disability Access and Inclusion Advisory Committee**

That Council **AMENDS** the Terms of Reference for the Disability Access and Inclusion Advisory Committee to:

“To represent the Community by providing advice/support to Council with regard to the implementation of the Disability Access and Inclusion Plan/Strategy and to address disability access and inclusion issues within the boundaries of Rockingham.”

**Officer Recommendation if Different to Advisory Committee Recommendation**

That Council **APPROVES** the amendment of the Terms of Reference for the Disability Access and Inclusion Advisory Committee to:

“To represent the Community by providing advice/support to Council with regard to the implementation of the Disability Access and Inclusion Plan/Strategy and to address city controlled disability access and inclusion issues within the boundaries of Rockingham.”

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 APRIL 2016

PRESIDING MEMBER
The Officer’s Reason for Varying the Advisory Committee Recommendation

The Officer supports the general direction of the Committee Recommendation, however upon reflection after the meeting, proposes a minor change to add the words “city controlled” as, it is believed that, these are the only issues that the committee can influence, and for resolution of clarity.

Background

The current Terms of Reference for the DAIAC does not represent the new Strategy format being considered for adoption by the City as it only refers to the Disability Access and Inclusion Plan. The new Terms of Reference also adds the reference to the Disability Access and Inclusion Strategy which is the current document being drafted and will be submitted for Council approval in the coming months.

Implications to Consider

a. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Community Plan 2015-2025:
   - **Aspiration B**: Strong Community
     - **Strategic Objective**: Capacity Building and Wellbeing – A healthy community that volunteers, embraces lifelong learning and cultural awareness, and is involved with a diverse range of vibrant and sustainable community sporting, cultural and artistic organisations and pursuits.
   - **Aspiration D**: Quality Leadership
     - **Strategic Objective**: Community engagement and advocacy – An engaged and informed community that participate in local decision making and can rely upon the Council to advocate on its behalf when important issues challenge the best interests of the City and its residents.

b. Policy
   The Governance and Meeting Framework Policy states ‘each advisory committee is to review its terms of reference and membership composition within three months of the ordinary local government election. Any proposals for change are to be referred to Council for consideration prior to 31 March the following year (for implementation in conjunction with the review of community membership). This does not preclude an advisory committee from proposing changes to its terms of reference or membership composition as and when the need arises. The Chief Executive Officer is to ensure that committee executive support officers initiate the review process and make committee members aware of the review through appropriately timed agenda papers.’

c. Financial
   Nil

d. Legal and Statutory
   Nil

e. Voting Requirements
   Simple Majority

f. Risk (High/Extreme)
   Nil
Advisory Committee Recommendation 2 of 2
Revised Composition of the Disability Access and Inclusion Advisory Committee

That Council AMENDS the Composition of the Disability Access and Inclusion Advisory Committee to two Councillors and eight community representatives.

Officer Recommendation if Different to Advisory Committee Recommendation

That Council APPROVES the amendment of the composition of the Disability Access and Inclusion Advisory Committee to two Councillors and eight community representatives.

The Officer’s Reason for Varying the Advisory Committee Recommendation

For resolution of clarity.

Background

The current DAIAC composition has two Councillors and nine community members. A background check through the committee minutes shows that the full nine community members very rarely attend the meeting.

Implications to Consider

a. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Community Plan 2015-2025:
   
   **Aspiration B:** Strong Community
   
   **Strategic Objective:** Capacity Building and Wellbeing – A healthy community that volunteers, embraces lifelong learning and cultural awareness, and is involved with a diverse range of vibrant and sustainable community sporting, cultural and artistic organisations and pursuits.

   **Aspiration D:** Quality Leadership
   
   **Strategic Objective:** Community engagement and advocacy – An engaged and informed community that participate in local decision making and can rely upon the Council to advocate on its behalf when important issues challenge the best interests of the City and its residents.

b. Policy
   The Governance and Meeting Framework Policy states ‘each advisory committee is to review its terms of reference and membership composition within three months of the ordinary local government election. Any proposals for change are to be referred to Council for consideration prior to 31 March the following year (for implementation in conjunction with the review of community membership). This does not preclude an advisory committee from proposing changes to its terms of reference or membership composition as and when the need arises. The Chief Executive Officer is to ensure that committee executive support officers initiate the review process and make committee members aware of the review through appropriately timed agenda papers.’

c. Financial
   Nil

d. Legal and Statutory
   Nil

e. Voting Requirements
   Simple Majority
f. Risk (High/Extreme)
   Nil

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council:

1. APPROVES the amendment of the Terms of Reference for the Disability Access and Inclusion Advisory Committee to:
   “To represent the Community by providing advice/support to Council with regard to the implementation of the Disability Access and Inclusion Plan/Strategy and to address city controlled disability access and inclusion issues within the boundaries of Rockingham.”

2. APPROVES the amendment of the composition of the Disability Access and Inclusion Advisory Committee to two Councillors and eight community representatives.

Committee Voting – 4/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
Purpose of Report

To seek Council approval to revise the approach towards road safety through increased community engagement and education.

Recommendations to the Engineering and Parks Service Committee

Advisory Committee Recommendation 1 of 1:
Road Safety Strategy

That Council:
1. **NOT SUPPORT** the continuation of a City of Rockingham Road Safety Strategy; and
2. **SUPPORT** the continuation of the City working under the State’s “Towards Zero Road Safety Strategy” and continue to use a Safe Systems Approach with regards to road designs and speeds.

Officer Recommendation if Different to Advisory Committee Recommendation

That Council:
1. **APPROVES** the cessation of a City of Rockingham Road Safety Strategy; and
2. **APPROVES** the continuation of the City working under the State’s “Towards Zero Road Safety Strategy” and the use of a Safe Systems Approach with regards to road designs and speeds.
The Officer’s Reason for Varying the Advisory Committee Recommendation

For resolution clarity.

Background

The Towards Zero Road Safety Strategy 2008 – 2020 was officially endorsed by the WA State Parliament in March 2009 and provides a long-term vision of a road transport system where crashes resulting in death or serious injury are virtually eliminated. The target of the Towards Zero Strategy is to have 11,000 fewer people killed or seriously injured by 2020.

The key initiatives under the four Safe System cornerstones are:

- **Safe Road Use** – integrating behaviour change programs with improved enforcement to make them more powerful and addressing impaired driving (alcohol, drugs, fatigue and distraction), restraint use, graduated licensing and speed choice.
- **Safe Roads and Roadsides** – investing in Safe System infrastructure improvements.
- **Safe Speeds** – enhancing speed enforcement and further reflecting on the appropriateness of WA’s speed limits.
- **Safe Vehicles** – promoting the uptake of safer vehicles and key safety features, particularly by government and corporate fleets.

In addition, the four cornerstones are anchored in a series of supporting initiatives (such as data collection, research, monitoring and reporting) that will help us to implement the countermeasures recommended by evidence. We refer to these supporting initiatives as the Safe System Foundation.

Towards Zero – Road Safety Strategy, March 2009

The City, showing its commitment to road safety, first adopted a Road Safety Strategy in December 2009. The timing of the strategy adoption matched well with the State Government’s Road Safety Strategy (Towards Zero). Through the adoption of a road safety strategy, the City aimed to promote a better understanding of the issues involved with road safety within the community as a whole.

It is now believed that the city can work under the State’s Road Safety Strategy effectively without adopting its own stand-alone document.

Implications to Consider

a. **Strategic**

   **Community Plan**

   This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:

   - **Aspiration D:** Quality Leadership
   - **Strategic Objective:** Community engagement and advocacy – An engaged and informed community that participate in local decision making and can rely upon the Council to advocate on its behalf when important issues challenge the best interests of the City and its residents.

b. **Policy**

   The Governance and Meeting Framework Policy states each advisory committee is to provide recommendations to Council in line with their terms of reference.

c. **Financial**

   Nil

d. **Legal and Statutory**

   Nil

e. **Voting Requirements**

   Simple Majority
f. Risk (High/Extreme)

Nil

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council:

1. **APPROVES** the cessation of a City of Rockingham Road Safety Strategy; and

2. **APPROVES** the continuation of the City working under the State’s “Towards Zero Road Safety Strategy” and the use of a Safe Systems Approach with regards to road designs and speeds.

Committee Voting – 3/1

(Cr Whitfield voted against)

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
## Reference No & Subject:

<table>
<thead>
<tr>
<th>EP-009/16</th>
<th>Extractive Industry Licensing for Lot 1 (No.142) and Lot 2 (No.148) Baldivis Road, Baldivis</th>
</tr>
</thead>
</table>

### File No:

ECD/110

### Risk Register No:

Aigle Royal Developments Pty Ltd

### Proponent/s:

Mr Paul Devcic, Compliance and Administration Officer

### Author:

Mr Paul Devcic, Compliance and Administration Officer

### Other Contributors:

Mr Paul Devcic, Compliance and Administration Officer

### Date of Committee Meeting:

14 March 2016

### Previously before Council:

27 January 2016 (PDS-003/16)

### Disclosure of Interest:

Executive

### Site:

Lot 1 (No.142) and Lot 2 (No.148) Baldivis Road, Baldivis

### Lot Area:

- Lot 1 - 4ha
- Lot 2 - 4.3ha

### LA Zoning:

### MRS Zoning:

### Attachments:

1. Locality Plan
2. Aerial Photo
3. Aerial Photo (1974)

### Maps/Diagrams:

1. Locality Plan
2. Aerial Photo
3. Aerial Photo (1974)
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 18 APRIL 2016

PRESIDING MEMBER
3. Aerial Photo (1974)

**Purpose of Report**

To approve an Extractive Industries Licence (Sand extraction) for Aigle Royal Developments Pty Ltd, holder for commercial operations on Lots 1 (No.142) and 2 (No.148) Baldivis Road, Baldivis.

**Background**

All Extractive Industries require development approvals to be granted by the Western Australian Planning Commission (WAPC) as well as the City of Rockingham (CoR) prior to an Extractive Industry Licence being issued by the CoR in accordance with the Extractive Industries Local Law 2000.

Between 1965 and 1974 approximately half of Lot 142 was cleared and excavated for sand. The depth of excavation is approximately 10m. During this period Lot 148 was largely cleared with a few scattered trees remaining (Figure 3).

The City received an application on 25 September 2015 seeking development approval for an extractive industry. The matter was considered by Council at its ordinary Meeting held on 27 January 2016, where it resolved to grant conditional Planning Approval under clause 68(2)(b) of the Planning and Development Local Planning Schemes Regulations 2015, in accordance with the conditions specified in the Approval to Commence Development. It is a requirement for the applicant to obtain approval from WAPC under the provisions of the Metropolitan Regional Scheme, prior to commencing development. Subject to obtaining this approval, granting the Extractive Industry Licence by the City is the last requirement before operations can commence.

**Details**

The City has received an Extractive Industries Licence application from the following licensee:

<table>
<thead>
<tr>
<th>Licensee</th>
<th>Site Location</th>
<th>Licensee Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aigle Royal Developments Pty Ltd</td>
<td>Lots 1 (No.142) and 2 (No.148) Baldivis Road, Baldivis</td>
<td>Aigle Royal Developments PO Box 7897 Cloisters Square WA 6850</td>
</tr>
</tbody>
</table>

The development will be staged into five stages, with works commencing from the eastern portion of the site, and extending towards the western portion of the site, without the use of explosives or blasting. The applicant intends to extract 600,000 cubic metres of sand from the site.

Sand will be carted via trucks for use in nearby residential developments. To accommodate access and egress to the site via Baldivis Road, the applicant intends to widen the existing crossover to Lot 1 to a width of 8m, upgrade the trafficable surface of the crossover and install 1m wide shoulders on either side of Baldivis Road to allow for the safe passing of trucks traveling in opposite directions.
Topsoil will be stockpiled on the site for future remediation works on the site, and existing dwelling, shed and hardstand area on Lot 1 will be retained for use as a site office, workshop and staff car-parking for the duration of the operation.

The proposed hours of operation are Mondays to Saturdays, 7:00am to 5:00pm, and not at all on Sundays or Public Holidays. The applicant intends to commence works in 2016, with total extraction over the site lasting a five year period.

The applicant has provided the following documents in support of the application:
- Acoustic Report;
- Environmental Management Plan;
- Excavation Management Plan;
- Dust Management Plan; and
- Decommissioning and Rehabilitation Plan.

The City’s Extractive Industries Local Law 2000 allows for extractive industry licences to be issued for up to 21 years, with a recommended period of five years being the usual, the City is requesting in this instance that a licence period of only 15 months be issued so as to align the site with the City’s Extractive Industry uniform licencing regime. This regime has all other current Extractive Industry licences expiring on 30 June 2017.

**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 and Strategic Objective contained in the Community Plan 2015-2025:

   **Aspiration D:** Sustainable Environment

   **Strategic Objective:** Land-Use and Development control – Planning for population growth and guiding development and land use to ensure that future generations enjoy a sustainable city and a genuinely desirable lifestyle.

d. **Policy**
   Nil

e. **Financial**
   The Extractive Industries Amendment Local Law 2011 requires the payment of the Annual Licence Fee by 30 June each year.

   The Fees and Charges set for the 2015/2016 Budget in relation to Licence Fees are determined by the anticipated tonnage of material to be extracted from each site for the period of 1 July 2015 to 30 June 2016:

   - Renewals - Less than 50,000 m³ $2,000 (excl. of GST)
   - Renewals - Greater than 50,000 m³ $3,000 (excl. of GST)

f. **Legal and Statutory**
   Extractive Industries Licences are administered in accordance with the City of Rockingham Extractive Industries Local Law 2000.

g. **Risk (High/Extreme)**
   Nil
Comments

The proposal is compliant with the requirements of TPS2 and Policy, and the applicant has adequately demonstrated that impacts associated with the development can be managed to mitigate any potential adverse impacts on existing and future residential properties. Subject to the applicant obtaining all relevant statutory approvals, it is recommended that the Extractive Industry Licence be issued for approval with an expiry date of 30 June 2017.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVES the issuing of an Extractive Industries Licence to Aigle Royal Developments Pty Ltd for Lot 1 (No.142) and Lot 2 (No.148) Baldivis Road, Baldivis in accordance with the City of Rockingham Extractive Industries Local Law 2000 under the conditions listed below:

1. Approval Period
   This approval is valid until the 30 June 2017.

2. Development prohibited after Expiry of Approval Period or Lapse of Approval
   After the expiry of this approval period no development, including any works the subject of this approval are to be undertaken except for any rehabilitation works in accordance with Condition 8.

3. Submission of an Excavation Management Plan
   (i) Prior to the commencement of any development, a management plan prepared by a suitably qualified person must be submitted to the City for its approval which plan addresses:
      (a) all site operations;
      (b) site supervision arrangements;
      (c) truck movements and access and driver supervision arrangements;
      (d) prevention and management of spill material on the site and on roads; and
      (e) maintenance of plant and equipment to prevent spillage of lubricants and fuel.
   (ii) Except to the extent of inconsistency with any other of these conditions, the undertaking of the excavation operations on the site is to comply in all respects and at all times with the approved management plan and any subsequent amendments to that management plan as may be directed in writing to the owner(s) of the land by the City.
      (iii) Crushing is only to occur in the area within the bunds on the site.
      (iv) No blasting is permitted at any time.

4. Requirements Prior to the Commencement of Excavation
   (i) Approval to Commence Development must be separately obtained from the Western Australian Planning Commission under the provisions of the Metropolitan Region Scheme prior to the commencement of any development.
   (ii) The preparation of a Traffic Management Plan to the satisfaction of the City.

5. On-going requirements
   (i) Haulage Requirements
      (a) Haulage of material on public roads is only permitted between the hours of 7:00am to 5:00pm Monday to Saturday, and not at all on Sunday or Public Holidays. No operation of haulage vehicles on site is permitted on any Sunday or Public Holiday.
(b) Haulage vehicles are not permitted to park along Baldivis Road or Kulija Road at any time.

(c) Truck or machinery movements must not obstruct or impede the movement of funeral or mourner’s vehicles entering and exiting the Rockingham Regional Memorial Park at any time.

(ii) Excavation Setbacks
A 40m setback to Baldivis Road and a 20m setback to the northern and southern boundaries must be maintained at all times. No removal of existing remnant vegetation from these setback areas is permitted.

(iii) Groundwater
A minimum vertical separation distance of 2 metres to the highest-known water table level, for the duration of the development.

(iv) Noise Management

(a) Prior to the commencement of development, a Noise Management Plan prepared by a suitably qualified acoustic expert and be submitted to and approved by the City which plan addresses the measures required to be taken to ensure that the requirements of the Environmental Protection (Noise) Regulations 1997 are met.

(b) The operator must at all times, carry out the operations including crusher, in accordance with, and must implement the noise management, suppression and mitigation measures contained in the approved noise management plan.

(c) All vehicles, equipment and machinery used on the site must not use reversing beepers unless those beepers are required for the safe conduct of operations on the site (in accordance with the provisions of the Occupational Safety and Health Regulations 1996 (WA) and the Environmental Protection (Noise) Regulations 1997 or it is demonstrated to the written satisfaction of the City that no acceptable alternative exists. Any reversing alarm on any vehicle, piece of equipment or machinery shall be broad-band reversing alarms, for example, ‘croakers’.

(d) In addition to any other condition, if an officer of the City inspects the site and is satisfied that any of the excavation operations on the site are generating an unreasonable amount of noise, or that any of those operations are not compliant with any of the conditions relating to noise emissions (including non-compliance with the noise management measures contained in the noise management plan), the City may direct in writing that:

(i) an amended noise management plan is submitted and approved; or

(ii) the activities on the site are brought into compliance with this approval, as the case may be.

In this condition 'an unreasonable amount of noise' means noise which exceeds the levels assigned by the Environmental Protection (Noise) Regulations 1997.

(v) Dust Management Plan

(a) The dust management measures outlined in the Excavation Management Plan prepared by Ochre West and dated September 2015 must be complied with at all times.

(b) At all times:

(i) all stockpiles of materials on the site;

(ii) the access road to and all trafficable areas on the site, must be watered down or treated and maintained in a manner which prevents or minimises the generation of airborne dust;
(iii) The extraction operations must be carried out in accordance with the dust management, suppression and mitigation measures contained in the approved Excavation Management Plan;

(iv) No visible dust is permitted to leave the site;

(v) At all times sufficient water must be accessible on-site to enable dust suppression and if necessary by means of water transported by tanker onto the site;

(vi) When winds are sufficiently strong to negate the effects of the dust management, suppression and mitigation measures contained in the dust management plan, all excavation operations on the site must cease until conditions improve and compliance can be achieved, and

(vii) In addition to any other condition, if an officer of the City inspects the site and is satisfied that any of the extraction operations on the site are generating an unreasonable amount of dust, or that any of those operations are not compliant with any of the conditions relating to dust emissions (including non-compliance with the dust management measures contained in the Extraction Management Plan), the City may direct in writing that:

(a) an amended Dust Management Plan is submitted and approved; or

(b) the activities on the site are brought into compliance with this approval, as the case may be.

In this condition 'an unreasonable amount of dust' means visible dust crossing the site's boundary and visibly excessive dust on the site.

(vi) Landscaping Plan

(a) A 40m vegetation buffer from Baldivis Road to the extraction area and a 20m vegetation buffer from the northern and southern boundaries must be maintained at all times. No removal of vegetation within the buffer areas is permitted.

(b) A landscaping plan must be:

(i) prepared by a suitably qualified and experienced consultant which plan addresses measures to screen the extractive industry from Baldivis and Kulija Roads.

(ii) Submitted to the City for the City's approval;

(iii) Approved in writing by the City; and

(iv) Implemented to the satisfaction of the City.

(v) Site Operations

All excavation works must only be carried out between the hours of 7:00am to 5:00pm Mondays to Saturdays and not at all on Sundays or Public Holidays. Processing and compacting must not occur prior to 7:00am and must not be carried out on Sundays and Public Holidays.

6. Annual Reporting Requirements

By 31 January each year an annual report must be submitted to the City which includes:

(i) the progress of the extraction activities;

(ii) the progress of rehabilitation undertaken and completed;

(iii) the measures taken to suppress and minimise dust;

(iv) the measures taken to suppress and minimise noise; and

(v) the number and type of community complaints and responses.
7. Complaints Procedure
   (i) A telephone number or numbers and an email address or addresses must be maintained through which complaints concerning the development may be made at any time.
   (ii) The owners and occupiers of properties within 500 metres of any boundary of the land must be advised not less than once every calendar year in writing of the telephone number or numbers and the email address or addresses.
   (iii) A complaints log must be kept in which the following is to be recorded:
         (a) The date and time of each complaint made and received;
         (b) The means (telephone or email) by which the complaint was made;
         (c) Any personal details of the complainant that were provided or, if no details were provided a note to that effect;
         (d) The nature of the complaint;
         (e) The steps or actions taken in, and the time of, the response of each complaint, including any follow up contact with the complainant; and
         (f) If no actions or steps were taken in relation to the complaint or enquiry, then the reasons why no action or steps were taken.
   (iv) A response must be made to every complaint received as soon as possible but in any event within 3 working days after receipt of the complaint.
   (v) The complaints log must be provided to the City on demand.
   (vi) A copy of any report prepared and submitted to the Department of Environment Regulation (as required by and forming part of the operator's monitoring and reporting requirements contained in any licence or approved issued by the Department must be provided to the City concurrently with the report being provided to the Department.

8. Commencement of Stages and Rehabilitation
   (i) A revised Rehabilitation Plan must be prepared and submitted to the City for its approval, which includes local endemic species and overstorey vegetation, prior to the commencement of any works.
   (ii) This Condition applies where the land or part of the land is shown on the approved plans as being divided into stages in numerical sequence.
   (iii) No excavation work is to be commenced on the second or any subsequent stage unless:
         (a) All excavation work on the previous stage has ceased; and
         (b) Rehabilitation work on the previous stage has commenced.
   (iv) Notwithstanding Conditions 8(ii) and 8(iii), where stages overlap the previous stage, the areas of affected land shall be rehabilitated at the earliest opportunity following the completion of excavation works or at the end of all excavation works whichever is the sooner.
   (v) All rehabilitation work specified in the approved rehabilitation plan must be completed no later than 6 months after the earlier of:
         (a) The expiry of the approval period; and
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9. General
   (i) The City may provide to the operator its comments and any recommendations as to how the operation of the site or the use should be changed in order to address any matter identified in the report.
(ii) The operator must alter the operation of the site or the manner in which the use is carried out as directed in writing by the City, in response to any comments and recommendations agreed between the operator and the City of Rockingham, and the operation of the site or the use shall thereafter be carried out in accordance with any such direction.

(iii) The operator is to enter into an agreement with the City in accordance with Section 132(4) of the Road Traffic (Administration) Act 2008 to cover the anticipated extraordinary expenses in repairing the existing road network due to the heavy traffic generated by the haulage of materials from the site. The agreement will include a calculation of a non-returnable fee to be paid by the operator to the City which is calculated using WALGA’s “User Guide – Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks”.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Hamblin:

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   (a) All excavation work on the previous stage has ceased; and
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(iv) Notwithstanding Conditions 8(ii) and 8(iii), where stages overlap the previous stage, the areas of affected land shall be rehabilitated at the earliest opportunity following the completion of excavation works or at the end of all excavation works whichever is the sooner.

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9. General

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Committee Voting – 4/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
## 13. Reports of Councillors

**Nil**

## 14. Addendum Agenda

**Nil**

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

### Engineering Services

### Engineering and Parks Services

**Parks Development**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP010/16 Notice of Motion - Investigation into the installation of a shower and drinking fountain at Weld Street car park, Rockingham</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>R/22568</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>Cr Kelly McManus</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr James Henson, Manager Parks Development</td>
</tr>
<tr>
<td>Author:</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>14 March 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>11 August 2004 (CES 328/8/04);13 March 2007 (CES89/3/07)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Rockingham Beach Foreshore</td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
</tbody>
</table>
| Maps/Diagrams:         | 1. Location Map  
                         2. Typical Installation Image                                                                                                     |
Purpose of Report

To provide officer comment and advice on Cr Kelly McManus’ Notice of Motion.

Background

As a consequence of the notice of motion submitted by Councillor Kelly McManus at the February 2016 meeting of Council it was resolved that Council:

DIRECTS the Chief Executive Officer to investigate the installation of a shower and drinking fountain to be located at the foreshore car park at Weld Street, Rockingham.

Details

An audit was carried out in 2004 identifying a total of 33 shower facilities along the length of the entire City of Rockingham foreshore.

A breakdown of the distribution is itemised below:

<table>
<thead>
<tr>
<th>Location</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Singleton</td>
<td>1</td>
</tr>
<tr>
<td>Secret Harbour</td>
<td>8</td>
</tr>
<tr>
<td>Warnbro Foreshore</td>
<td>6</td>
</tr>
<tr>
<td>Safety Bay Foreshore</td>
<td>3</td>
</tr>
<tr>
<td>Shoalwater Foreshore</td>
<td>2</td>
</tr>
<tr>
<td>Rockingham Foreshore</td>
<td>13</td>
</tr>
</tbody>
</table>

At the request of Council a review was again undertaken in 2007 which recommended three additional sites worthy of consideration as it was believed that these sites would increase the present coverage without further extending the maintenance regimes or compromise the responsible and sustainable use of potable water.

As a result of this review and the detail being presented to Council it was resolved to:

Allocate a total amount of $35,000 in the Five Year Asset Creation Program for the installation of stand-alone shower facilities at the following foreshore locations.

1. Corner of Boundary Road and Arcadia Drive, Safety Bay
2. Bayeux Gardens beach car park, Warnbro
3. St Malo Cove beach car park, Warnbro
Shower facilities have now been installed at the respective locations further adding to the overall coverage now totalling 36 facilities.

2. Typical Installation

## 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 and Strategic Objectives contained in the Community Plan 2015-2025:

**Aspiration C**  
Quality Leadership

**Strategic Objective:** Infrastructure - Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis.

**Aspiration D**  
A Sustainable Environment

**Strategic Objective:** Coastal and Bushland Reserves - Coastal and bushland reserves that are well used and sustainably managed preserving them for future generations to enjoy.

### d. Policy
Nil

### e. Financial

A preliminary assessment of costs for the supply and installation of a shower and drinking fountain at Weld Street is estimated to be $25,000.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Corporation service connection</td>
<td>$8,000</td>
</tr>
<tr>
<td>Shower and Drinking fountain infrastructure</td>
<td>$4,500</td>
</tr>
<tr>
<td>Construction / Labour</td>
<td>$11,000</td>
</tr>
<tr>
<td>Ancillaries and Landscaping</td>
<td>$1,500</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$25,000</strong></td>
</tr>
</tbody>
</table>
An adjustment of priority in the City Business Plan will be required to fund the installation of the shower infrastructure.

Funds currently listed in the Business Plan for an upgrade to the Wanliss Street beach fencing are likely to be postponed due to the detailed design component planned for the Rockingham Beach Foreshore Master Plan project; thereby allowing redistribution of funding without altering the overall capital allocation for that financial year.

f. **Legal and Statutory**
Nil

g. **Risk (High/Extreme)**
Nil

**Comments**

While it may be considered beneficial to provide drinking fountains within all recreation areas, the practice has generally been met with a cautious response due to the necessary use of potable water.

In addition, the City’s Local Water Action Plan objectives identify continued review of all internal and external potable water installations as part of the City’s general maintenance activities. This has meant that water features such as showers, drinking fountains and toilets could potentially be removed in the future, should items not identify a reasonable demand or be prone to vandalism. For this reason, scheme water outlets are only recommended in areas that demonstrate a very high demand.

While accepting this premise the City is also cognisant of the continued urban growth and the need to provide adequate and well-catered public open space areas that meet the needs of the broader community.

In terms of the Weld Street foreshore area, the Rockingham Beach Foreshore Master Plan identifies this location as a beach amenity node which is also earmarked as an exercise area.

Together with acknowledging the increased patronage along the length of Rockingham foreshore it is therefore reasonable to recognise the future need for a potable water source at this location.

In relation to funding the new infrastructure, an opportunity exists to make an adjustment in the current Business Plan to allow for the installation of the infrastructure in the 2016/2017 financial year which would only delay the delivery of the project by four months.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council SUPPORTS the allocation of funds in 2016/2017 Business Plan for the installation of a stand-alone shower and drinking fountain at the Weld Street car park on the Rockingham foreshore.

**Notice of Motion from Cr Kelly McManus**

That Council DIRECTS the Chief Executive Officer to investigate the installation of a shower and drinking fountain to be located at the foreshore car park at Weld Street, Rockingham.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Sammels:

That Council SUPPORTS the allocation of funds in 2016/2017 Business Plan for the installation of a stand-alone shower and drinking fountain at the Weld Street car park on the Rockingham foreshore.

Committee Voting – 4/0
<table>
<thead>
<tr>
<th><strong>The Committee’s Reason for Varying the Officer’s Recommendation</strong></th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Implications of the Changes to the Officer’s Recommendation</strong></td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
**16. Notices of Motion for Consideration at the Following Meeting**

Nil

**17. Urgent Business Approved by the Person Presiding or by Decision of the Committee**

Nil

**18. Matters Behind Closed Doors**

Nil

**19. Date and Time of Next Meeting**

The next Planning and Engineering Services Committee Meeting will be held on **Monday 18 April 2016** in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.

**20. Closure**

There being no further business, the Chairperson thanked those persons present for attending the Planning and Engineering Services Committee meeting, and declared the meeting closed at **5:29pm**.