MINUTES
Planning and Engineering Services Committee Meeting

Held on Monday 17 February 2014 at 4:00pm
City of Rockingham Boardroom
City of Rockingham  
Planning and Engineering Services Committee  
Meeting Minutes  
Monday 17 February 2014

CONTENTS

1. Declaration of Opening 4
2. Record of Attendance/Apologies/Approved Leave of Absence 4
3. Responses to Previous Public Questions Taken on Notice 4
4. Public Question Time 5
5. Confirmation of Minutes of the Previous Meeting 5
6. Matters Arising from the Previous Minutes 5
7. Announcement by the Presiding Person without Discussion 5
8. Declaration of Member’s and Officer’s Interest 5
9. Petitions/Deputations/Presentations/Submissions 5
10. Matters for which the Meeting may be Closed 6
11. Bulletin Items 6
   Planning and Development Services Information Bulletin – February 2014 6
   Engineering and Parks Services Information Bulletin – February 2014 6
12. Agenda Items – Planning and Engineering Services Committee 6

Planning and Development Services 12
PDS-008/14 Proposed East Baldivis District Structure Plan (Endorsement) 12
PDS-009/14 Proposed Integrated Development Guide Plan – ‘Spud Shed’
Neighbourhood Centre, Baldivis 55
PDS-010/14 Proposed Integrated Development Guide Plan – Westralia Gardens,
Rockingham City Centre 66
PDS-011/14 Proposed Street Naming Theme – The Vistas Estate – West Karnup
PDS-012/14 Heritage Reference Group Appointment 77
PDS-013/14 167 Multiple Dwellings (Metro South West Joint Development
Assessment Panel) 79
PDS-014/14 33 Grouped Dwellings (Metro South West Joint Development
Assessment Panel) 92
PDS-015/14 Reconsideration of Single House (State Administrative Tribunal) 105
PDS-016/14 Proposed Submission from Western Trade Coast Industries Committee
on Local Government Reform 114
PDS-017/14 Proposed Planning Policy, Planning Procedure and Engineering
Procedure – Preventing of Sand and Dust Drift 121
PDS-018/14 Proposed Planning Policy No.3.2.7 – Development Policy Plan: Northern
Smart Village Sector 126
PDS-019/14 Proposed Amendment No.137 to Town Planning Scheme No.2 – Primary
Centre Enterprise Zone & including additional land within the Primary
Centre Urban Village Zone 138
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>13.</td>
<td>Reports of Councillors</td>
</tr>
<tr>
<td>14.</td>
<td>Addendum Agenda</td>
</tr>
<tr>
<td>15.</td>
<td>Motions of which Previous Notice has been given</td>
</tr>
<tr>
<td>16.</td>
<td>Notices of Motion for Consideration at the Following Meeting</td>
</tr>
<tr>
<td>17.</td>
<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
</tr>
<tr>
<td>18.</td>
<td>Matters Behind Closed Doors</td>
</tr>
<tr>
<td>19.</td>
<td>Date and Time of Next Meeting</td>
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<td>20.</td>
<td>Closure</td>
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- **PDS-020/14** Proposed Planning Policy No.3.2.8 – Development Policy Plan: Campus Sector
- **PDS-021/14** Proposed Amendment No.140 to Town Planning Scheme No.2 – Primary Centre Campus Zone
- **PDS-022/14** Proposed Metropolitan Region Scheme Amendment - Rockingham Strategic Metropolitan Centre
- **PDS-023/14** Final Approval - Scheme Amendment No.136 - “Keralup Special Control Area”

**Engineering and Parks Services**
- **EP-002/14** Recommendation from the Disability Access Advisory Committee Meeting held on 22 January 2014
- **EP-003/14** T13/14-68 – Val Street Jetty – Inner Section and Jetty Head Replacement
- **EP-004/14** Proposed fee for the disposal of Alternate Waste Treatment (AWT) Residues at the Millar Road Landfill facility

**Date and Time of Next Meeting:**

**Closure**
<table>
<thead>
<tr>
<th>1. Declaration of Opening</th>
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</table>
The Chairperson declared the Planning and Engineering Services Committee Meeting open at **4.00pm**, welcomed all present, and recited the Acknowledgement of Country.

<table>
<thead>
<tr>
<th>2. Record of Attendance/Apologies/Approved Leave of Absence</th>
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<tbody>
<tr>
<td><strong>2.1 Councillors</strong></td>
</tr>
<tr>
<td>Cr Richard Smith (Deputy Mayor)</td>
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<tr>
<td>Cr Chris Elliott</td>
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<td>Cr Ron Pease JP</td>
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<td>Cr Deb Hamblin</td>
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<td>Cr Allan Hill OAM JP</td>
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<thead>
<tr>
<th><strong>2.2 Executive</strong></th>
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<tbody>
<tr>
<td>Mr Andrew Hammond</td>
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<td>Mr Bob Jeans</td>
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<tr>
<td>Mr John Woodhouse</td>
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<tr>
<td>Mr Chris Thompson</td>
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<tr>
<td>Mr Peter Ricci</td>
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<tr>
<td>Mr Brett Ashby</td>
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<tr>
<td>Mr James McKay</td>
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<tr>
<td>Mr Mike Ross</td>
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<tr>
<td>Mr Rod Fielding</td>
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<tr>
<td>Mr Allan Moles</td>
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<td>Ms Melinda Wellburn</td>
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<tr>
<th><strong>2.3 Members of the Gallery:</strong></th>
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<td>5</td>
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<thead>
<tr>
<th><strong>2.4 Apologies:</strong></th>
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<tbody>
<tr>
<td>Nil</td>
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<thead>
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<th><strong>2.5 Approved Leave of Absence:</strong></th>
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<tbody>
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<table>
<thead>
<tr>
<th>3. Responses to Previous Public Questions Taken on Notice</th>
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<tbody>
<tr>
<td>Nil</td>
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</table>
### 4. Public Question Time

**4.02pm** The Chairperson invited members of the Public Gallery to ask questions.

**4.1 Mr Ross Underwood, Development Planning Strategies - PDS-009/14**

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

1. Is the Committee aware that we support the officer’s recommendation to approve the IDGP with minor modifications to its provisions, because it will facilitate the conversion of The Spud Shed site into a retail street with a full-line Spud Shed supermarket?

2. Is the Committee aware that I am happy to answer any questions Committee members may have in respect to this proposal?

*The Chairperson advised that this is an item contained in the tonight’s Committee agenda and will be considered later in the meeting.*

**4.04pm** There being no further questions the Chairperson closed Public Question Time.

### 5. Confirmation of Minutes of the Previous Meeting

Moved Cr Hill, seconded Cr Elliott:

That Council **CONFIRM** the Minutes of the Planning and Engineering Services Committee Meeting held on 2 December 2013, as a true and accurate record.

Committee Voting – 5/0

### 6. Matters Arising from the Previous Minutes

Nil

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

**4.05pm** 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

**4.05pm** Cr Hamblin declared the following Declaration of Interest:

**8.1 Item PDS-020/14** Proposed Planning Policy No.3.2.8 - Development Policy Plan: Campus Sector

**Item PDS-021/14** Proposed Amendment No.140 to Town Planning Scheme No.2 - Primary Centre Campus Zone

Councillor/Officer: Cr Hamblin

Type of Interest: Impartiality

Nature of Interest: Murdoch University is my employer.

Extent of Interest (if applicable): Not applicable

### 9. Petitions/Deputations/Presentations/Submissions

Nil
<table>
<thead>
<tr>
<th>10.</th>
<th>Matters for which the Meeting may be Closed</th>
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<tbody>
<tr>
<td></td>
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<thead>
<tr>
<th>11.</th>
<th>Bulletin Items</th>
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<tbody>
<tr>
<td></td>
<td>Planning and Development Services Information Bulletin – February 2014</td>
</tr>
</tbody>
</table>

**Health Services**

1. Health Services Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 FoodSafe
   - 3.2 Industrial and Commercial Waste Monitoring
   - 3.3 Community Health and Wellbeing Plan
   - 3.4 Healthy Communities Initiative
   - 3.5 Health Promotion
   - 3.6 Mosquito Control Program
   - 3.7 Ocean Water and Storm Water Sampling
4. Information Items
   - 4.1 Mosquito-Borne Disease Notifications
   - 4.2 Food Recalls
   - 4.3 Food Premises Inspections
   - 4.4 Public Building Inspections
   - 4.5 Outdoor Public Event Approvals
   - 4.6 After Hours Noise and Smoke Nuisance Complaint Service
   - 4.7 Complaint - Information
   - 4.8 Building Plan Assessments
   - 4.9 Septic Tank Applications
   - 4.10 Demolitions
   - 4.11 Swimming Pool and Drinking Water Samples
   - 4.12 Rabbit Processing
   - 4.13 Hairdressing and Skin Penetration Premises
   - 4.14 Family Day Care
   - 4.15 Amendment to the Environmental Protection (Noise) Regulations
   - 4.16 Prosecutions
   - 4.17 Review of Liquor Control Act 1988

**Building Services**

1. Building Services Team Overview
2. Human Resource update
3. Project Status Reports
4. Information Items
   - 4.1 Swimming Pool Incident - Cooloongup
   - 4.2 Monthly Building Permit Approvals - (All Building Types)
   - 4.3 Private Swimming Pool and Spa Inspection Program
   - 4.4 Continued Service System – Where a Certificate of Design Compliance & Building Permit are Produced Individually
   - 4.5 Demolition Permit
   - 4.6 Permanent Sign Licence
   - 4.7 Community Sign Approval
   - 4.8 Temporary Sign Licence
   - 4.9 Street Verandah Approval
   - 4.10 Occupancy Permits
   - 4.11 Stratas
   - 4.12 Unauthorised Building Works
   - 4.13 Monthly Caravan Park Site Approvals
   - 4.14 R Code Variations
4.12pm - Mr Chris Thompson, Director Engineering and Parks Services joined the meeting

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<thead>
<tr>
<th>Strategic Planning and Environment</th>
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<tbody>
<tr>
<td>1. Strategic Planning and Environment Team Overview</td>
</tr>
<tr>
<td>2. Human Resource Update</td>
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<tr>
<td>3. Project Status Reports</td>
</tr>
<tr>
<td>3.1 Local Planning Strategy (LUP/1352)</td>
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<tr>
<td>3.2 Karnup District Water Management Strategy (EVM/136)</td>
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<tr>
<td>3.3 Water Campaign (EVM/56-02)</td>
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<tr>
<td>3.4 Karnup District Structure Plan (LUP/1546)</td>
</tr>
<tr>
<td>4. Information Items</td>
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<tr>
<td>4.1 Review of the State Environmental (Cockburn Sound) Policy 2005</td>
</tr>
<tr>
<td>4.2 Termination of the James Point Port and Stakeholder Reference Group</td>
</tr>
<tr>
<td>4.3 East Rockingham Waste to Energy and Materials Recovery Facility Public Environmental Review</td>
</tr>
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<td>4.4 Delegated Minor Change to Structure Plan</td>
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<td>4.5 Discussion Paper – Planning Provisions for Affordable Housing</td>
</tr>
<tr>
<td>4.6 City of Mandurah – Proposed New Town Planning Scheme</td>
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<tr>
<td>4.7 Notice of Lifting of Urban Deferment – Portion of Lot 294 Kerosene Lane and Lot 1210 Baldivis Road, Baldivis (LUP/1607)</td>
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<tr>
<td>4.8 Proposed Amendment to Metropolitan Region Scheme – Karnup ‘KA5’ area</td>
</tr>
<tr>
<td>4.9 Notice of Lifting of Urban Deferment – Lots 635, 739 and 740 Baldivis Road, Baldivis (LUP/1430-03)</td>
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<td>4.10 Notice of Lifting of Urban Deferment – Lots 459-461, Pt Lots 462 and 463 Baldivis Road and Portion of Pug Road, Baldivis</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Statutory Planning</th>
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<tbody>
<tr>
<td>1. Statutory Planning Team Overview</td>
</tr>
<tr>
<td>2. Human Resource Update</td>
</tr>
<tr>
<td>3. Project Status Reports</td>
</tr>
<tr>
<td>3.1 CouncilsOnline (Planning Products via the Web) formerly eDA</td>
</tr>
<tr>
<td>4. Information Items</td>
</tr>
<tr>
<td>4.1 Land Use – Planning Enforcement</td>
</tr>
<tr>
<td>4.2 Subdivision/Development Approvals and Refusals by the WAPC</td>
</tr>
<tr>
<td>4.3 Notifications and Gazettals</td>
</tr>
<tr>
<td>4.4 Subdivision Clearances</td>
</tr>
<tr>
<td>4.5 Subdivision Survey Approvals</td>
</tr>
<tr>
<td>4.6 Subdivision Lot Production</td>
</tr>
<tr>
<td>4.7 Delegated Development Approvals</td>
</tr>
<tr>
<td>4.8 Delegated Development Refusals</td>
</tr>
<tr>
<td>4.9 Delegated Building Envelope Variations</td>
</tr>
<tr>
<td>4.10 Subdivision/Amalgamation Approved</td>
</tr>
<tr>
<td>4.11 Subdivision/Amalgamation Refused</td>
</tr>
<tr>
<td>4.12 Proposed Extension to Extractive Industry – Lot 800 Kerosene Lane, Baldivis</td>
</tr>
<tr>
<td>4.13 Commencement of Amended State Planning Policy 2.5 – Land Use Planning in Rural Areas</td>
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<thead>
<tr>
<th>Planning and Development Directorate</th>
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<tbody>
<tr>
<td>1. Planning and Development Directorate Team Overview</td>
</tr>
<tr>
<td>2. Human Resource Update</td>
</tr>
<tr>
<td>3. Project Status Reports</td>
</tr>
<tr>
<td>3.1 Rockingham Primary Centre Centre Plan Implementation (LUP/137-08)</td>
</tr>
<tr>
<td>3.2 Northern Waterfront Sector - Development Policy Plan and Masterplan (LUP/1617)</td>
</tr>
</tbody>
</table>
3.3 Northern Smart Village Sector - Development Policy Plan and Masterplan (LUP/1595)
3.4 Campus Sector - Development Policy Plan and Masterplan (LUP/1618)
3.5 Eastern Sector - Development Policy Plan and Masterplan (LUP/1619)
3.6 Keralup
3.7 Karnup Station Transit Oriented Development

4. Information Items
   4.1 Subdivision and Amalgamation – Lot 404 Civic Boulevard and Lot 55 Central Promenade, Rockingham City Centre
   4.2 Rockingham Shopping Centre – Subdivision

**Committee Recommendation**

That Councillors acknowledge having read the Planning Services Information Bulletin – February 2014 and the content be accepted.

Committee Voting – 5/0
### Engineering and Parks Services Information Bulletin – February 2014

#### Engineering Services

1. Engineering Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   - 4.1 Delegated Authority for approval of Directional Signage
   - 4.2 Delegated Authority for Thoroughfare Closures
   - 4.3 Local Area Traffic Management and Road Safety Design Projects 2013/2014
   - 4.4 State Government Cuts to Local Government Road Funding
   - 4.5 Delegated Authority for approval of Engineering Drawings - Subdivisions
   - 4.6 Delegated Authority for acceptance of As-Constructed Engineering Drawings - Subdivisions
   - 4.7 Delegated Authority to approve the release of Bonds for private subdivisional works
   - 4.8 Handover of Subdivisional Roads
   - 4.9 Delegated Authority for the payment of Crossover Subsidies
   - 4.10 Mundijong Road Extension Project

#### Engineering Operations

1. Engineering Operations Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   - 4.1 Road Construction Program Main Roads Grant 2013/2014
   - 4.2 Road Construction Program Municipal Works 2013/2014
   - 4.3 Road Renewal Program Municipal Works 2013/2014
   - 4.4 Road Resurfacing Program Municipal Works 2013/2014
   - 4.5 Drainage Program Municipal Works 2013/2014
   - 4.6 Footpath Construction Program Municipal Works 2013/2014
   - 4.7 Road Maintenance Program 2013/2014
   - 4.8 Passenger Vehicle Fleet Program 2013/2014
   - 4.9 Light Commercial Vehicles Program 2013/2014
   - 4.10 Heavy Plant Program 2013/2014

#### Parks Development

1. Parks Development Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 Golden Bay Shared Use Oval
   - 3.2 Mornington Reserve Development
   - 3.3 Lake Richmond Boardwalk
   - 3.4 Warnbro Sound Avenue - Bakewell to Port Kennedy Drive Irrigation Project
   - 3.5 Warnbro Recreation Ground Irrigation Upgrade
   - 3.6 Rae Road Streetscape Project- Read to Seabrooke Avenue
   - 3.7 Dixon Road Management Plan Review
   - 3.8 Tramway Management Plan Review
4. Information Items
   - 4.1 Groundwater Monitoring
   - 4.2 Mundijong Road Environmental Offsets
   - 4.3 Climate Change Mitigation
4.4 Lake Richmond Heritage Listing
4.5 Delegated Subdivision Public Open Space Practical Completion
4.6 Delegated Subdivision Public Open Space Handovers
4.7 Delegated Public Open Space Approvals
4.8 Memorial Seat Approvals

**Parks Operations**
1. Parks Operation Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Hourglass Reserve replacement of long jump running track
   3.2 Stan Twight Reserve replacement of netting to turf cricket practice nets
   3.3 Waterfront Village porous paving to tree surrounds
   3.4 Play Equipment Replacement
   3.5 Anniversary Park AFL Boundary Fence Replacement
4. Information Items
   4.1 Parks Maintenance Program 2013/2014

**Asset Management**
1. Asset Management Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Road condition inspection and modelling
   3.2 Footpath Condition Audit
   3.3 ROMAN Traffic Count Update
4. Information Items
   4.1 Asset Management Improvement Strategy
   4.2 Asset Systems Management

**Building Maintenance**
1. Building Maintenance Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Asbestos condition audit
4. Information Items
   4.1 Building Maintenance
   4.2 Graffiti Removal

**Procurement and Capital Projects**
1. Procurement and Capital Projects Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Coastal Management Consultants (Sand Drift/Erosion Problems)
   3.2 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)
   3.3 Lighting Consultants (Technical Planning/Design, Underground Power Program)
   3.4 Major Project Property Development Planning (Design Modifications/Tender Planning/Structural Testing)
4. Information Items
   4.1 Delegated Written Notification of Successful Tenders
<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>4.2</td>
<td>Delegated Approval of Tenders by CEO</td>
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<td>4.3</td>
<td>Delegated Release of Retention/Bank Guarantees</td>
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<td>4.4</td>
<td>Proposed Shoalwater North Underground Power Project</td>
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<td>4.5</td>
<td>2014 Public Area Lighting and Arterial Lighting</td>
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<td>4.6</td>
<td>Lark Hill Wind Turbine</td>
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<td>4.7</td>
<td>Bent Street Boat Launching Facility – Proposed Navigation Channel</td>
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<td>4.8</td>
<td>Aqua Jetty – Replace/Upgrade HVAC Services</td>
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<td>4.9</td>
<td>Bell Park Toilet – Replacement including Curfew Lockout System</td>
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<td>4.10</td>
<td>Baldivis Library and Community Centre - Design</td>
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<td>Challenger Court Electrical System Upgrade</td>
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<td>Secret Harbour Surf Life Saving Club - Renovation</td>
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<td>Val Street Jetty Design</td>
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<td>Point Peron Geotextile Sand Container Construction (C12/13-74)</td>
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<td>Administration Building Fire System Upgrade</td>
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<td>Settlers Hill Toilet Installation (Grice Reserve)</td>
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<td>4.17</td>
<td>Mike Barnett Sporting Complex Roof Replacement</td>
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<td>4.18</td>
<td>Administration Building Upgrade of BMS</td>
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<td>Currie Street Reserve Sports Floodlighting</td>
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<td>City Centre Infrastructure Works Car Park Design and Construction</td>
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<td>Administration Building Foyer Acoustic Panelling</td>
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<td>Aquatic Centre – Renovation Works</td>
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<td>4.23</td>
<td>Anniversary Park Change Rooms</td>
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<td>4.24</td>
<td>Lark Hill Sub Metering</td>
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<td>4.25</td>
<td>Barbecue Replacement</td>
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<td>4.26</td>
<td>Challenger Court Eaves</td>
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<td>4.27</td>
<td>Port Kennedy Community Centre Acoustic Ceiling</td>
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<td>4.28</td>
<td>Watts Road Toilet Rust Treatment</td>
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<td>Arcadia Drive Toilet Rust Treatment</td>
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<td>4.30</td>
<td>Waikiki Toilet Rust Treatment</td>
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<td>4.31</td>
<td>Administration Building Solar System</td>
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<td>4.32</td>
<td>Autumn Centre Solar System</td>
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<td>4.33</td>
<td>Churchill Park Toilet System Solar System</td>
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<td>4.34</td>
<td>Aqua Jetty Roof Replacement</td>
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<td>4.35</td>
<td>Aqua Jetty Condensation Issue</td>
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### Waste and Landfill Services

1. Waste and Landfill Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Waste kerbside collection
   4.2 240 litre recycling bin service
   4.3 240 litre bin recycling participation statistics
   4.4 Destroyed and stolen refuse bins
   4.5 Landfill statistics
   4.6 Education and promotion

### Committee Recommendation

That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – February 2014 and the content be accepted.

Committee Voting – 5/0

4.21pm - Mr Rod Fielding, Manager Health Services and Mr James McKay, A/Manager Building Services departed the meeting
### Planning and Development Services

#### Strategic Planning and Environment Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-008/14 Proposed East Baldivis District Structure Plan (Endorsement)</th>
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<tbody>
<tr>
<td>File No:</td>
<td>LUP/827-07</td>
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<tr>
<td>Applicant:</td>
<td>Chappell Lambert Everett on behalf of Perron Group</td>
</tr>
<tr>
<td>Owner:</td>
<td>Development Planning Strategies on behalf of Australand Holding Ltd and Bonvest Pty Ltd Co-Venture</td>
</tr>
<tr>
<td></td>
<td>Greg Rowe &amp; Associates on behalf of BGC</td>
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<td></td>
<td>RPS on behalf of Cedar Woods Pty Ltd</td>
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<tr>
<td></td>
<td>Taylor Burrell Barnett on behalf of Peet Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Tristan Fernandes, Senior Strategic Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Jeff Bradbury, Coordinator Strategic Planning</td>
</tr>
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<td></td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 February 2014</td>
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<tr>
<td>Previously before Council:</td>
<td>February 2013 (SPE-002/13)</td>
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<td>Disclosure of Interest:</td>
<td>Executive</td>
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<td>Nature of Council's Role in this Matter:</td>
<td>Executive</td>
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<td>Site:</td>
<td>Various</td>
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<tr>
<td>Lot Area:</td>
<td>376.5ha</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>'Development', 'Rural', 'Special Rural' and 'Special Use' (No.12)</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>'Parks and Recreation', 'Urban' and 'Urban Deferred'</td>
</tr>
<tr>
<td>Attachments:</td>
<td>1. Advertised Structure Plan</td>
</tr>
<tr>
<td></td>
<td>2. Schedule of Submissions - Public Submissions</td>
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<td></td>
<td>3. Schedule of Submissions - Service Authorities</td>
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<td></td>
<td>4. Location Plan</td>
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<td></td>
<td>5. Land Rezoned Urban land within the East Baldivis District Structure Plan area as of January 2014</td>
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<tr>
<td></td>
<td>6. Location of Advertising</td>
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<td></td>
<td>7. Location of Retail Centres in North Baldivis</td>
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<td></td>
<td>8. Activity Centre Hierarchy for Baldivis</td>
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<td></td>
<td>9. High School / District Open Space - Option 1</td>
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<td></td>
<td>10. High School / District Open Space - Option 2</td>
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<tr>
<td></td>
<td>11. High School / District Open Space - Option 3</td>
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<tr>
<td></td>
<td>12. Proposed Reconfiguration of Northern Primary School site</td>
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<tr>
<td></td>
<td>13. Proposed Reconfiguration of Southern Primary School site</td>
</tr>
</tbody>
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**CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 MARCH 2014**

**PRESIDING MEMBER**
Purpose of Report

To consider a proposed District Structure Plan (DSP) over the 'East Baldivis' land generally bounded by Millar Road, Kwinana Freeway, Safety Bay Road and Baldivis Road (refer to Figure 1) ('East Baldivis') following the completion of public advertising.

Figure 1 – Location Plan

Background

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 DSP over the land to generally guide the future development of the precinct for urban development. The City agreed to facilitate the preparation of the DSP with the 'BEST' group, however, advised the group that the preparation of the DSP should not be dictated by land ownership and at the expense of orderly and proper planning of the locality.

Rezoning of the East Baldivis Precinct under the Metropolitan Region Scheme

In July 2009, the City received correspondence from the Western Australian Planning Commission (WAPC) advising that the East Baldivis locality had been rezoned from 'Rural' to 'Urban Deferred' in the Metropolitan Region Scheme (MRS). It was originally intended that the precinct be rezoned to 'Urban' in the MRS, however, the WAPC required that the following matters were required to be addressed prior to the transfer of the land to the 'Urban' zone:-

- Insufficient wastewater treatment capacity;
- Drainage requirements/drainage planning;
- Location of a High School; and
- Freeway Service Centre buffer requirements.
In February 2012 and December 2013, the WAPC rezoned portions of the District Structure Plan area from 'Urban Deferred' to 'Urban' zone under the MRS (as shown in Figure 2). The City did not support the rezoning because the proposals did not demonstrate that planning was sufficiently advanced as required in Part 5 of the Lifting of Urban Deferment Guidelines.

The City has maintained the view that the District Structure Plan should be completed prior to the land being rezoned to 'Urban' under the Metropolitan Region Scheme.

Figure 2: Land Rezoned to Urban (dark brown) within the East Baldivis District Structure Plan area as of January 2014

Due to the decision of the WAPC to rezone portions of the District Structure Plan area to 'Urban', the City is obligated to rezone urban land to 'Development' under Town Planning Scheme No.2 and consider Local Structure Plans, notwithstanding the absence of an approved District Structure Plan.

Assessment of the District Structure Plan

2011 Report

In July 2011, following extensive discussions with the BEST group and State agencies, the East Baldivis DSP was lodged for the City's consideration.

In September 2011, the City assessed the submitted DSP and determined that the submission did not adequately address a number of issues and concerns from previous discussions. In this regard, the City requested further information to address the following matters with the submitted documentation:-

(i) Provision of a revised Traffic Management Plan and revised road layout that addresses potential future traffic impacts introduced as a result of development on the district road network and more specifically at the intersection of Baldivis Road and Mundijong Road;
(ii) Commitment for the location of a Senior High School and District Open Space;

(iii) Appropriate land use treatments to known land use constraints such as the Freeway Service Centre, Kwinana Freeway, Poultry Farm and Resource Enhancement Wetlands;

(iv) Provision of further information regarding how proposed land uses are treated to identify extreme and moderate bushfire hazards; and

(v) Identification of a Neighbourhood Centre within the DSP area.

2012 Revised Report

In October 2012, the City received a revised DSP addressing the matters outlined by the City in September 2011.

Traffic and Transport Management Plan

With respect to point (i) above, the Traffic and Transport Management Plan was revised to better account for traffic generated within the DSP area on the existing road network. The Report concluded that an emphasis should be placed on the creation of linkages to existing east-west connections into the DSP area. The City’s assessment of the Traffic and Transport Management Plan supported the key findings of the report, however, noted a number of discrepancies with the traffic modelling that needed to be addressed by the Proponent prior to advertising as follows:

- The future long term total traffic estimates do not include all traffic generated from external sources, particularly when compared to preliminary traffic volume modelling for the DSP.

The preliminary modelling report suggested up to 3000vpd to use Amazon Drive, 4000vpd to use Tamworth Blvd and 7000 to use Fifty Road, whereas the updated Traffic Report suggests 860vpd, 1470vpd and 2960vpd respectively. It should also be considered that Amazon Drive is classified as a Neighbourhood Connector “B” under Liveable Neighbourhoods which would suggest that the developer anticipated future volumes of around 3000vpd, rather than the 860vpd mentioned in the report.

It is also noted Amazon Drive will provide a direct link to Nairn Drive and a future Neighbourhood Shopping Centre which is currently being considered for relocation from Fifty Road.

Given the east-west connections are emphasised to carry traffic to Nairn Drive, the current modelling is not considered to accurately account for these east-west movements.

- As a result of the emphasis on the east-west connections, which is supported by the City, an intersection analysis is needed (as previously requested) of the major intersections. This is to ensure the connections can function appropriately or provide a basis for additional main connections to Baldivis Road, if required.

- Insufficient internal traffic distribution analysis has been included within the Report to test the robustness of the internal major road network. The traffic counts used within the Report are old for base traffic distribution data (up to 6 years old). It is considered by the City that these counts have not been factored up to account for growth.

- The City requires clarification regarding a link noted in the Traffic Report between Kerosene and Mundijong Road. The City needs to understand if this connection is required to ensure an appropriate distribution of traffic resulting from the development of the East Baldivis DSP area. This potential link is uncertain, as no forward planning has been conducted for this land. The City also cannot comment at this stage if a connection into Mundijong Road can be supported, as suggested.

School and District Open Space Precinct

With respect to point (ii) above, the ‘BEST’ Group members could not reach agreement on a preferred location for the District Open Space and High School. In this regard, the following options were provided to the City for its assessment and determination. The options are summarised as follows:

Option 1 - Peet

This option provides for a High School site north of Zig Zag Road and District Open Space on the southern side of Zig Zag Road. Under this option, the High School is entirely within the Perron landholding, and the District Open Space entirely within the Peet landholding.
Option 2 - Perron

Option 2 provides the High School equally distributed to the north and south of Zig Zag Road and the District Open Space to the south of the High School, and would require a portion of Zig Zag Road to be closed and services relocated. Under this option, the High School is equally shared between Perron and Peet, with the District Open Space entirely within the Peet landholding.

Option 3 - Perron Alternate

Option 3 presents a variation of Option 2, by relocating the District Open Space to the north of the High School, which moves further south. This option contains the High School and District Open Space entirely within the Peet Ltd landholding.

All the options were considered consistent with the principles outlined in *Liveable Neighbourhoods* and suitable for the purposes of advertising. Diagrams and the assessment of the three options are contained within the 'Comments' Section of this Report under the heading of 'Schools'.

Consent to Advertise District Structure Plan

In February 2013, the Council resolved to approve advertising of the East Baldivis District Structure Plan, subject an amended Traffic and Transport Management Plan being submitted.

In order to properly consider the merits for the configuration of the school and district open space precinct, the Council resolved to advertise all three options for public comment.

In September 2013, the Proponent submitted a revised Traffic and Transport Management Plan to address the matters raised by the City above which determined to be suitable for the purposes of advertising.

Details

The East Baldivis DSP comprises an area for 376.5 hectares. Key elements of the proposed DSP include:-

Residential Density and Population
- Provision of residential land to accommodate approximately 4,600 lots.

Education Institutions
- A Senior High School site and three Primary School sites.

Public Open Space
- Public Open Space identified to be co-located with the Primary School sites.
- 4ha of District Open Space for active sporting and recreation uses co-located with the combined High School and Primary School site.
- Linear public open space over the Perth to Bunbury Gas Pipeline easement.
- Open space linkages to the Baldivis Tramway Reserve.

Road Network
- Neighbourhood connector roads that provide connections into the main east/west road network comprising Kerosene Lane, Fifty Road, Amazon Drive and Tamworth Boulevard.
- Neighbourhood connector roads through the centre of the site to provide a north/south alternative road connection to Baldivis Road.

Implications to Consider

a. Consultation with the Community

The Proposed District Structure Plan was advertised for a period of 43 days, commencing on 16 October 2013 and concluding on the 27 November 2013. Public advertising was carried out in the following manner:-

- 1909 nearby owners and occupiers (referrals as shown on Figure 3), servicing agencies and the Baldivis Residents Association were notified of the proposal in writing and invited to comment;
- The Proponent erected four (4) signs on site in prominent locations advertising the Proposed District Structure Plan;
- A notice was placed in the Sound Telegraph for three consecutive weeks, appearing in the newspaper on the 16 October 2013, 23 October 2013 and 30 October 2013; 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 provisions of Clause 6.3.3 of TPS2.

Following the close of the advertising period, the City had received thirty eight (38) submissions from nearby and affected landowners and six (6) submissions from the Proponents of the District Structure Plan. A full copy of all submissions received during the advertising period is set out in the Schedule of Submissions (Attachment No.2 to this Report).

**Figure 3 - Location of Advertising**

Following the close of the advertising period, the City had received thirty eight (38) submissions from nearby and affected landowners and six (6) submissions from the Proponents of the District Structure Plan. A full copy of all submissions received during the advertising period is set out in the Schedule of Submissions (Attachment No.2 to this Report).
With respect to the submissions received from the Proponents of the Structure Plan and those provided in relation to the school and district open space precinct, these matters are addressed within the ‘Comments’ section of this Report.

The District Structure Plan was advertised with three design options for the High School and District Open Space Precinct. An assessment of all submissions from the public and State agencies is provided within the ‘Comments’ section of this Report.

The content of submissions is summarised below.

1. Traffic
   - Additional traffic impact to Baldivis Road will require an additional carriageway to support the traffic;
   - Request for Baldivis Road to be upgraded from rural standard to urban standard;
   - Traffic generated from the District Structure Plan area will adversely impact Tamworth Boulevard;
   - Request for additional Public Transport to service the area;
   - Additional traffic impact to Kwinana Freeway;
   - Request a 'T' junction in lieu of a 4-way intersection at the corner of Monument Boulevard and Baldivis Road; and
   - Request to include an additional road link to Pemberton Boulevard.

2. Insufficient Retail Centres
   - No retail facilities proposed to support the development;

3. Amenity
   - Rural Character of the locality will be impacted by development of the District Structure Plan area;
   - Land values adversely impacted by development of the District Structure Plan area;
   - Increased noise; and
   - Increased pollution.

The matters outlined within the submissions are addressed as follows:

<table>
<thead>
<tr>
<th>Traffic</th>
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<tbody>
<tr>
<td>Submission:</td>
</tr>
<tr>
<td>(i) Additional traffic impact to Baldivis Road will require additional carriageway to support the traffic.</td>
</tr>
<tr>
<td>City's comment:</td>
</tr>
<tr>
<td>Baldivis Road is a designated 'Integrator B' road and will ultimately be upgraded to a single lane boulevard design that can accommodate up to 15,000 vehicles per day. Further discussion regarding the major road network is provided within the 'Comments' section of this Report.</td>
</tr>
</tbody>
</table>

| Submission: |
| (ii) Request for Baldivis Road to be upgraded from rural standard to urban standard. |
| City's comment: |
| Baldivis Road will be progressively upgraded to a single lane boulevard design consistent with the upgrade already undertaken near Safety Bay Road. The upgrade will occur when development adjacent to the non-upgraded portion of Baldivis Road commences. A condition of Subdivision Approval will be requested by the City for the upgrade of Baldivis Road to all future development areas within the East Baldivis locality. |
### Traffic

**Submission:**

(iii) Traffic generated from the District Structure Plan area will adversely impact Tamworth Boulevard.

**City's comment:**

Tamworth Boulevard is a ‘Neighbourhood Connector B’ road pursuant to the North Baldivis District Structure Plan and subsequent Local Structure Plans; this road provides a strategic link between Baldivis Road and Nairn Drive.

This road has been suitably designed (7.4m single carriageway) to accommodate both local traffic, and low volume of external traffic generated by the East Baldivis cell. A road of this profile can accommodate in excess of 3,000 vehicle movements per day. The Traffic Report accompanying the District Structure Plan provides for a total of 2,632 movements per day.

**Submission:**

(iv) Request for additional Public Transport to service the area.

**City's comment:**

The City acknowledges the concerns of the community with respect to the lack of State Government facilities and public transport services within the area and will advocate wherever possible for increased services to residents.

**Submission:**

(v) Development of the District Structure Plan area will contribute to additional traffic impact to the Kwinana Freeway.

**City's comment:**

The District Structure Plan area is zoned 'Urban Deferred' and 'Urban' under the Metropolitan Region Scheme. As such, the purpose of the District Structure Plan is to guide planning for the subject land for urban purposes established by the State Government.

It is acknowledged that the development of the East Baldivis District Structure Plan area will contribute to additional traffic using the Kwinana Freeway. The WAPC considers the traffic impact to the Kwinana Freeway when land is rezoned under the Metropolitan Region Scheme for 'Urban' purposes. As such, this is not a relevant matter for the City's consideration of the District Structure Plan.

It is also noted that the State Government through Main Roads WA is responsible for the maintenance and upgrade of the regional road network to cater for the additional traffic.

### Retail Centres

**Submission:**

(i) No retail facilities are proposed to support the District Structure Plan area.

**City's Comment**

The Local Commercial Strategy does identify a potential Local Centre within the East Baldivis catchment.

The Proponent group has reviewed the need for a Local Centre within the District Structure Plan area and provided the following comment:

“A further analysis of the commercial activity plan prepared by Taktics 4 which has been undertaken by RPS Economics has determined that the development of a Local Centre will not economically viable, and the commercial needs for the EBDSP area will be adequately met by the adjacent Baldivis District Centre.”
The catchment of the East Baldivis District Structure Plan area south of Mundijong Road will be inclined to utilise the Baldivis District Town Centre given its close proximity and its high level of accessibility through the logical local road network, whilst the catchment to the north of Mundijong Road will not yield a sufficient critical mass to deliver a viable Local Centre. To this end, the City’s Local Commercial Strategy will not require modification. This issue is discussed in further detail in the enclosed report.”

The City reviewed the findings of the assessment, specifically with respect to the economic viability of the centre, and supports the Report's assessment.

As such, the East Baldivis District Structure Plan area will be served by planned centres to the west on Kerosene Lane, Amazon Drive and the Baldivis Town Centre, as shown in Figure 4.

Should a Local Centre be determined to be commercially viable in the future, the City can still consider a proposal which is consistent with the provisions of the Local Commercial Strategy.

Figure 4 - Location of Retail Centres in North Baldivis

<table>
<thead>
<tr>
<th>Amenity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submission:</td>
</tr>
<tr>
<td>(i) Rural Character of the locality will be impacted by development of the District Structure Plan area.</td>
</tr>
</tbody>
</table>
City's comment:
The subject landholding is zoned for urban and future urban purposes and as such the proposed District Structure Plan provides for land uses consistent with the zone classification of the land.

As such, it is intended that the existing semi-rural character of in this location will progressively change to urban in the future. This is consistent with the zoning of the land.

| Submission: |
| (ii) Land values adversely impacted by development of the District Structure Plan area. |

City's comment:
The potential impact to property values is not a valid planning consideration in the City's assessment of a proposed District Structure Plan.

| Submission: |
| (iii) Noise and Pollution from Increased Traffic. |

City's comment:
State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Consideration in Land Use Planning provides guidance for the placement of noise sensitive land uses within close proximity to major road and rail infrastructure. The criterion outlined by this Policy will apply to future urban development within proximity of the Kwinana Freeway and potentially near Mundijong Road.

The broad movement network will support a modified grid street network to disperse traffic within local streets consistent with the requirements of Liveable Neighbourhoods. An assessment of traffic volumes proposed contained within the Traffic Impact Report has been assessed by the City's Engineering Services and is considered appropriate.

Given predicted traffic volumes meet the requirements of Liveable Neighbourhoods, the potential impact of noise and pollution is not likely to adversely impact the locality.

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 the provisions of Clause 6.3 of TPS2. In this regard, the City invited comments from the following agencies:

- Alinta Gas
- Bunbury to Dampier Gas Pipeline Operator
- City of Kwinana
- Department of Aboriginal Affairs (DAA)
- Department of Education
- Department of Environmental Regulation
- Department of Health
- Department of Mines and Petroleum
- Department of Parks and Wildlife
- Department of Planning
- Department of Sport and Recreation
- Department of Transport
- Department of Water
- Department of Fire and Emergency Services
- Public Transport Authority
- Main Roads WA
Following the close of the advertising period, the City had received fourteen (14) submissions from State agencies. A full copy of all submissions received during the advertising period is set out in the Schedule of Submissions (Attachment No.2 to this Report).

The following matters were raised in these submissions:-

1. **City of Kwinana**

Submission:
Please be advised that previous advice from the City in the context of the Urban Deferred lifting over the proposed ‘East Baldivis’ District Structure Plan area highlighted concerns with any future proposed industrial zoning within the applicable land. Given however that the proposed Structure Plan does not indicate any future industrial land (with the exception of the localised Freeway Service Centre along the Kwinana Freeway), the City's previous advice has been satisfied in this regard.

Please find below the City's comments in relation to the proposed Structure Plan:

a) 7.3 (Pedestrians and Cyclists) - The City supports the proposal for district pedestrian and cyclist networks within the Tramway Reserve;

b) Appendix 6 (Commercial and Community Facilities Report) - 1.1 (regarding DDS and the Kwinana Town Centre) - Kwinana City Centre incorporates a DDS (Big W) and as such this section of the Commercial and Community Facilities Report will need revising accordingly; and

c) The City requests that any future proposed Local Structure Plan across the area adjacent to Millar Road West/Baldivis Road (south of the City's municipal boundary) be referred to the City for its consideration and comment.

City's comment:

a) The submission is noted.
b) The submission is noted. The City will request the report be modified accordingly.
c) The submission is noted.

**Recommendation**

The Commercial and Community Facilities Report be modified to incorporate the correct information regarding the Kwinana Town Centre.

2. **Dampier to Bunbury Gas Pipeline Operator**

Submission:
I refer to your letter of 16th October 2013 seeking comments on the three options for the combined District Open Space, High School site and Primary School that is a component of the proposed East Baldivis District Structure Plan.

The land in general is encumbered by the original 500mm Dampier to Bunbury Natural Gas Pipeline (DBNGP) and since 2008 the Stage 5b Loop line being a 660mm pipeline. Both are high pressure gas transmission pipelines. The DBNGP corridor is 30 metre wide and the State is now in the process of widening the corridor to 50 metres through the subject land.

DBP as owners and operators of the Dampier to Bunbury Natural Gas Pipeline (DBNGP) wish to formally lodge an objection to the proposed East Baldivis Structure Plan as indicated on the plan supplied.

Our objection is based on the proposals proximately to the DBNGP and the inherent risks associated with development adjacent to high pressure gas transmission pipeline. The basis of this decision is made on the following issues:
- The plan proposed sensitive use type development within the consequence zone of the DBNGP. The consequence zone being the measurement length as defined under AS2885.
- There is no accompanying Qualitative Risk Assessment (QRA) or Pipeline Risk Management Plan or risk mitigation strategy other than a general acknowledgement that special consideration required.
- There is no commitment to the meeting costs incurred by DBP in assessing the proposal or to the future implementing of mitigation measures to ensure the continued compliance of the pipelines with AS2885.

City's comment:

WAPC Planning Bulletin No.87 provides guidance for development and ensures orderly and proper planning within the vicinity of regional gas pipelines, including the Dampier to Bunbury Gas Pipeline.

Table 1 of the Bulletin provides for a 75m setback between residential development and the gas pipeline easement and 110m between sensitive uses and the gas pipeline easement 'as of right'. Sensitive school land uses are proposed outside the minimum buffer area required by the bulletin.

The District Structure Plan does show residential land uses within the minimum buffer and on the easement. At Local Structure Plan stage, the City will require the easement be provided as a linear Public Open Space. The same treatment used for the Parmelia Gas Pipeline within the developed portion of Baldivis.

For proposals within the specified setback distance, Proponents are required to demonstrate that the risk from the pipeline is within acceptable risk levels, with agreement to be reached with the pipeline owner on the need for a Risk Assessment.

In order for a Local Structure Plan proposal to proceed over the affected land, the Proponent must submit a Qualitative Risk Assessment and a Pipeline Risk Management Plan in accordance with the requirements of Bulletin No.87, or otherwise provide documented evidence that agreement has been reached with the pipeline owner on the mitigation measures to be proposed, responsibility for the implementation of those mitigation measures, and the need for risk assessment.

Given the nature of the land use constraint, provisions requiring the preparation of a Pipeline Protection Plan are recommended to be implemented in Schedule No.9 of TPS2 when the land is rezoned to 'Development' zone. This will ensure the matter is appropriately addressed within a Structure Plan application.

Recommendation

Provide a provision within Schedule No.9 of Town Planning Scheme No.2 for the preparation of a Qualitative Risk Assessment and Pipeline Risk Management Plan over the affected land when it is required to be rezoned to 'Development' pursuant to s124 of the Planning and Development Act (2005).

3. Department of Aboriginal Affairs

Submission:

I have had an opportunity to review the information provided in your letter and also available on the Register of Aboriginal Sites. The northern portion of the proposed development intersects with DAA 3568 (Wally’s Camp), a camp site reported as being occupied from the 1930s through to the 1950s. Historical photography available indicates the location of this site has been significantly altered and it is likely that any cultural material associated with the camp at this location is no longer present.

There are two further locations within a small portion of the proposed development area, DAA 4348 (Baldivis Road South) and DAA 4349 (Baldivis Road North). All visible cultural material was collected during initial recordings in 1974 and the places have been previously assessed by the Aboriginal Cultural Material Committee as not being places to which section 5 of the Aboriginal Heritage Act (1972) applies.
Where proposals for development of land are occurring we would like to suggest that developers use the Aboriginal Heritage Due Diligence Guidelines for assistance in identifying the risk that proposed activities may have on adversely impacting Aboriginal heritage values. The Guidelines can be located online through the following link:


Please be aware that all persons employed or engaged in future development of the area should be aware of their obligations under the Aboriginal Heritage Act 1972 (AHA). Should cultural material or new sites be discovered there is an obligation under section 15 of the AHA to record and lodge site information with the DAA so that we can update our information and place these sites on the Register. Further information about site recording and the AHA generally can be found at the DAA website through the following links:


City's comment:
The submission is noted.

4. Department of Education

The Department of Education submission is addressed within the 'Comments' Section of this Report under the heading of 'School and District Open Space Precinct'.

5. Department of Fire and Emergency Services

Submission:
Department of Fire & Emergency Services strongly supports the proposal in the "plan" to have a "Bush Fire Strategy prepared as part of the preparation of Local Structure Plans":
The significant areas (70.25ha) as specified in AS 3959 will require homes to be enhanced to ensure potential bush fire attack resilience. It may be appropriate to declare the area as bushfire prone.

City's comment:
The submission is noted.
The requirement to prepare a Bushfire Hazard Assessment is outlined within the Structure Plan Preparation Guidelines.
There is also an opportunity to implement a provision within Schedule No.9 of the Scheme when the land is rezoned to 'Development' zone to ensure the matter is appropriately addressed within a Structure Plan application.

Recommendation
Provide a provision within Schedule No.9 of Town Planning Scheme No.2 for a Bushfire Hazard Assessment when the land is required to be rezoned to 'Development' pursuant to s124 of the Planning and Development Act (2005).

6. Department of Health

Submission:
(i) Water and Wastewater Disposal
All developments are required to connect to scheme water and reticulated sewerage as required by the Government Sewerage Policy- Perth Metropolitan Region.
City's comment:
The submission is noted.

<table>
<thead>
<tr>
<th>Submission:</th>
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<tbody>
<tr>
<td>(ii) <strong>Specific School Siting Considerations</strong></td>
</tr>
<tr>
<td>a) <strong>Diverse, Walkable Schools Policies:</strong></td>
</tr>
<tr>
<td>Work toward adopting policies and strategies that allow students and staff to walk and bicycle. Ensure that the school location and layout support walkability and diversity.</td>
</tr>
<tr>
<td>b) <strong>Co-Location and Shared Use:</strong></td>
</tr>
<tr>
<td>Consider making it feasible for students and the larger community to share resources (e.g. libraries, gymnasiums, parks, fields) by locating facilities near each other and, where desired, through joint use agreements spelling out how use and responsibility will be shared. Consider facility and transportation equity for students and families with disabilities.</td>
</tr>
<tr>
<td>c) <strong>Health Impacts:</strong></td>
</tr>
<tr>
<td>Take all health impacts of proposed sites into account (through a health impact assessment or another methodical analysis of health impacts), including the location’s supportiveness and safety for physical activity; air pollution and asthma levels; past or present contamination of site or nearby areas; and nearby sources of pollution or contaminants, such as highways, industrial facilities, or spray drift from pesticide/herbicide applications and potential conflicting land use such as for fast food locations.</td>
</tr>
<tr>
<td>d) <strong>Safe Routes to School:</strong></td>
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<tr>
<td>Support a 'Safe Routes to School' program to maximize opportunities for walking and biking to school. Integrate with public transport.</td>
</tr>
<tr>
<td>e) <strong>Safe Infrastructure for Walking, Bicycling, and Public Transportation in School Vicinity:</strong></td>
</tr>
<tr>
<td>Improve the safety and convenience of travel by foot, bike, and public transportation near schools and on school property by providing safe infrastructure. For example, ensure that the areas surrounding schools have footpaths, bicycle lanes, or whatever infrastructure is necessary to allow students to safely travel to school through different modes of transportation. Ensure that site design safely accommodates students arriving and departing by all modes of transportation, including walking, bicycling, public transportation, school bus, and private vehicles; prioritise safe access for children who are bicycling or walking (including those walking after drop-offs from cars or buses). Consider facility and transportation equity for students and families with disabilities.</td>
</tr>
</tbody>
</table>

City's comment:

| a) In April 2009, the City adopted a Planning Policy to facilitate the appropriate provision of secure, well designed and effective on site bicycle parking and end-of-trip facilities to encourage the use of bicycles as a means of transport and access to and within the City. Any future development would be required to appropriately address this Policy. |
| b) The school and district open space precinct will facilitate an opportunity for shared use community infrastructure. |
| c) The District Structure Plan achieves the design criteria requirements of Liveable Neighbourhoods with respect to the siting of land uses such as open space. In this regard, the plan is considered to appropriately address potential health impacts. It is also noted that there is no requirement for a health impact assessment under any relevant planning policy. |
| d) The District Structure Plan provides an opportunity for integration with future public transport routes. |
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 MARCH 2014

Planning and Engineering Services Committee Minutes
Monday 17 February 2014

Page 26

e) Further consideration will be given to the pedestrian network to the school sites as part of the consideration of Local Structure Plan proposals.

7. Department of Mines and Petroleum

Submission:
The Geological Survey of Western Australia has assessed this proposal on behalf of the Department of Mines and Petroleum (DMP) with respect to access to mineral and petroleum resources, geothermal energy and basic raw materials, and has no comment to make in this regard.

City's comment:
The submission is noted.

8. Department of Parks and Wildlife (DPaW)

Submission:
(i) Wetlands
The Geomorphic Wetlands (Swan Coastal Plain) dataset has recently been updated and additional resource enhancement wetland areas have been identified within the District Structure Plan Area. The Geomorphic Wetland mapping presented in the Environmental Report is now outdated.

DPaW notes that the Environmental Report proposes that the resource enhancement wetland areas be retained within the proposed urban area and be protected by 30 metre wide buffers. The Environmental Protection Authority's Guidance Statement 33: 'Environmental Guidance for Planning and Development' outlines that wetlands that are to be protected should have a minimum 50 metre buffer. DPaW recommends that the resource enhancement wetlands be protected with a 50 metre buffer.

DPaW supports the commitment outlined in the Environmental Report that wetland management plans will be prepared for the resource enhancement wetlands. The wetland management plans should be consistent with DPaW's guidelines.

City's comment:
The submission is noted.

Submission:
(ii) Native Vegetation
It is noted that while the area is predominately either cleared or parkland cleared, there is some remaining native vegetation. It is also noted that the Environmental Report outlines that there may be some impact on threatened black cockatoo species.

Carnaby's black cockatoo, Baudin's black cockatoo, and the Redtailed black cockatoo are listed as 'Endangered' and 'Vulnerable' respectively under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act 1999). These species are also listed as 'Specially Protected' under the Western Australian Wildlife Conservation Act 1950.

Planning for the area should firstly make provision to retain as much of the cockatoo habitat as possible, identify and quantify habitat which will be lost, and consider if offsets may be required to mitigate any residual impact on habitat of this species.

Proposals should be discussed with the Federal Department of Environment as there may be a requirement to refer the proposal under the EPBC Act 1999.

City's comment:
The District Structure Plan provides for an area of open space of 1.35Ha of good quality remnant vegetation located near the school and district open space precinct.
It is intended that scattered pockets of vegetation located throughout the District Structure Plan area will be accounted for within the preparation of Local Structure Plans. The City will continue to remind Proponents of Local Structure Plans of their obligations under the Federal EPBC Act 1999 with respect to foraging, roosting or nesting habitats by Black Carnaby Cockatoos.

9. **Department of Planning**

The Department of Planning submission is addressed within the 'Comments' Section of this Report under the heading of 'Traffic'.

10. **Department of Water**

**Submission:**
Thank you for your correspondence dated 16 October 2013. The Department of Water (DoW) has reviewed the proposal and has no objections. The structure plan area has two previously approved District Water Management Strategies (North East Baldivis – 11 May 2009 and East Baldivis – 13 November 2007, both by Parsons Brinkerhoff) that satisfies the requirements of Better Urban Water Management (WAPC 2008).

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

11. **Main Roads WA**

Main Roads submission is addressed within the 'Comments' Section of this Report under the heading of 'Traffic'.

12. **Telstra**

**Submission:**
Thank you for the above advice. At present, Telstra Corporation Limited has no objection. I have recorded it and look forward to further documentation as the development progresses.

Any network extension that may be required for any development within the area concerned, the owner/developer will have to submit an application before construction is due to start to NBN Co. or the Telstra Smart Community website: http://www.telstra.com.au/smart-community/developers/.

More information regarding NBN Co. can be found on their website http://www.nbnco.com.au/. I add this information about NBN Co. as it is not known when services will be available from NBNCo. Telstra may provide services if NBNCo.

**City's comment:**
The submission is noted.
13. Water Corporation

Submission:
(i) Wastewater Planning
The subject land is situated in the Corporation's Baldivis North Sewer District, which is planned to ultimately discharge its wastewater to the proposed East Rockingham Wastewater Treatment Plant.

The adopted wastewater conveyance planning for this area divides the East Baldivis urban land into four distinct pump station catchments. One of the pump stations the Baldivis Road North Waste Water Pump Station (WWPS) already exists and has some capacity to accept flows from new development in its gravity catchment. The other three pump stations have not yet been constructed. The delivery of these new pump stations is dependent on funding being available on the Corporation's Capital Investment Program and on the orderly and frontal development of land in the area. Development that leap-frogs the logical development front, or requires wastewater headworks infrastructure ahead of the Corporation's ability to deliver this infrastructure through its 5 year Capital Investment Program (CIP), may need to be fully funded by the land developer.

The option to pre-fund this infrastructure is also subject to the funding being committed on the Corporation's 5 year CIP. Developers in this area are therefore encouraged to liaise with the Corporation's Headworks Delivery Team as early as possible and to provide reliable information on development timing, staging, dwelling yields and development rates in order to assist the Corporation in scheduling funding for wastewater infrastructure.

City's comment:
The submission is noted.

Submission:
(ii) Wastewater Pump Station Sites and Buffers
The sites and odour buffers around the existing and future waste water pumping stations will need to be identified and accommodated on Local Structure Plans across the East Baldivis urban area. The high-level resolution of the DSP does not lend itself to identifying these sites at this stage of the structure planning process.

City's comment:
The submission is noted. Further consideration will be given to the prescribed buffers and land use interface to sewer pump stations when the City considers Local Structure Plan proposals.

Submission:
(iii) Water Planning
The subject land is situated within the Corporation's Tamworth Reservoir Gravity Water Supply area. Water supply to the proposed East Baldivis developments will need to be undertaken via developer funded reticulation extensions off the nearby water distribution system, subject to available capacity. The existing 250mm diameter reticulation water main along Eighty Road and Fifty Road that presently serves "The Chase" and "The Chimes" does not have the capacity to serve the urban land to the east of Baldivis Road.

The Corporation has recently revised its water distribution planning for the Tamworth gravity scheme and has scheduled some major water distribution main projects to the east of the Tamworth Reservoir in order to provide for the anticipated development in north and east Baldivis. These works include a 720m section of 600mm diameter water distribution main along Baldivis Road between Ingram Road and Fifty Road (to be constructed 2014-15), and a further major 1400mm diameter reservoir outlet main along Eighty Road/ and Fifty Road to the intersection with Baldivis Road (to be constructed beyond 2015).

Once completed, this distribution system will provide a robust network from which developers will be able to extend smaller reticulation mains to service their developments.
It should be noted that the 900mm diameter trunk main that extends from the Tamworth Reservoir northwards along Eighty Road, Fifty Road and Baldivis Road is a transfer main between water schemes and is not available for direct services or mains extensions. An associated 1000mm diameter trunk main runs along the southern frontage of Bodman Place. This main and its associated manholes and valves must be adequately accommodated in its current position in the Local Structure Plan and subdivisions covering this part of East Baldivis.

City's comment:
The submission is noted.

Submission:

(iv) **Southern Sources Integration Assets (SSIA) trunk main route planning**

Since 2007, the Corporation has conducted long-term water trunk main planning covering the southern parts of the metropolitan area. The purpose of the SSIA planning is to secure corridors for the future installation of large water trunk mains and/or wastewater transfer pipelines for the south metropolitan area. The SSIA project is an important component of the Corporation's drought response strategy "Security through Diversity", which is a long-term initiative to ensure sustainable water sources are developed to meet projected future demands to 2050.

The SSIA is the result of detailed technical and environmental investigations. The proposal has been the subject of a Strategic Environmental Assessment by the Environmental Protection Agency (EPA) under Section 398 of the Environmental Protection Act 1986 (EPA Report 1367, September 2010).

The SSIA planning for this area includes duplication of the reservoir at Tamworth Hill, upgrading of chlorination and pumping facilities and construction of a new booster pumping station. Several potential trunk pipe corridors have been identified and will be utilised for new mains depending on need, technical and environmental constraints and timing.

Many of the proposed trunk main routes follow existing or proposed road reserves. The corporation is progressively acquiring those sections of the pipe corridors that traverse privately owned land. One of the most important SSIA trunk main routes traverses the East Baldivis DSP area along the current alignment of Zig Zag Road. This trunk main route (referred to as 'Route A') is planned to ultimately accommodate up to two large water trunk mains (>1,200mm diameter). The accommodation of these trunk mains through the 'School Sites/Open Space Precinct' in the DSP has been the subject of ongoing negotiations between affected land developers and the Water Corporation. It is understood that the location, configuration and land requirements associated with the future high school, primary school and district open space facilities has also been a major consideration.

At a recent meeting between the Water Corporation and consultants representing Peet Ltd and the Perron Group, the Corporation has agreed to support a joint proposal by these landowners to alter the alignment for the trunk main route to fit with their agreed configuration of school sites and District Open Space (DOS). The proposed modified trunk main route alignment follows Zig Zag Road, deviates southwards using the existing drain reserve alongside Paparone, Road (Reserve 49555) plus additional easements, and then heads west along an easement within the southern edge of the proposed DOS, as generally dedicated on the attached sketch.

The Corporation's support for this part of the DSP and for the modified trunk route alignment is contingent on the City's support and importantly agreement from the City and the Department of Education and Training to grant the following reserves and easements to the Corporation to accommodate the staged installation of the future trunk mains:

- The City agreeing to transfer the 15m wide drain reserve (Reserve 49555) running alongside Paparone Road currently vested with the City, to the Water Corporation;
- The City and the Department of Education and Training agreeing to grant the Water Corporation a 5m wide easement within the school sports grounds area and the adjacent DOS to create a total trunk main corridor of 20m wide alongside Paparone Road.

- The City agreeing to grant the Water Corporation a 20m wide easement along the southern edge of the proposed DOS area.

City's comment:
This submission is addressed within the 'Comments' Section of this Report under the heading of 'School and District Open Space Precinct'.

Submission:
(v) Drainage
Peel Rural Sub-Drains "H" and "F" traverse some parts of the East Baldivis urban area. These sub-drains have historically provided a rural level of service to upstream and downstream rural customers. Under the conditions of the Rural Drainage Operating Licence, rural drains may flood adjacent rural land for up to 72 hours.

The East Baldivis land is now zoned "Urban" and "Urban Deferred" and district and local structure planning for this area has substantially advanced. Peel Sub-Drains "H" and "F" no longer have a rural drainage function. As these drains become modified through developer site works, the Corporation will discontinue its management and maintenance of these sub drains. Sub Drains "H" and "F" are at the head of the drainage system and will serve an entirely urban catchment. It is therefore appropriate and necessary that the drains be incorporated into the future local urban drainage system.

Some sections of these drains traverse private property while a long section immediately west of Paparone Road runs along a local reserve vested with the City of Rockingham. The Corporation requests the City to formally agree in writing on a process and timeframe to take over Sub-Drain "H" and "F". The Corporation will then take steps to remove these sections of the Peel rural drainage network from its Drainage Operating Licence area and will delete these sections of the drains from its asset register.

The culverts under the Kwinana Freeway at the outlets of Sub-Drains "H" and "F" are the control points for runoff from the East Baldivis land. These culverts will remain as is under the control of Main Roads WA. The remaining sections of Sub Drains "H" and "F" on the eastern side of the freeway up to their confluence with the Peel Main Drain will remain as rural sub drains under the control and maintenance of the Water Corporation.

Runoff from the East Baldivis urban land must be contained on site to pre-development levels and the urban drainage system must accord with the East Baldivis DWMP. The finished development site levels must be determined by the City's engineers in consultation with the Department of Water having regard to the 100 year ARI flood levels recommended in the Serpentine River Floodplain Management Study.

City's comment:
The submission is noted. The City will assume responsibility of the sub drains within the District Structure Plan area when the land is subdivided.

It is also noted that the City has informed Proponents operating within the District Structure Plan area of the Water Corporation's requirement that water is to be contained on-site to pre-development levels and the urban drainage system must accord with the East Baldivis District Water Management Plan.

14. Western Power

Submission:
The planning advice you have provided has been noted in our planning database in advance of our next review of network capacity requirements. During this time, one of our planning officers may contact you to clarify development details.
A key planning consideration is to determine whether forecast demand for network capacity, which is comprised mainly of firm network connection applications, is in line with long-term trends or represents a significant change to trend. Relatively large changes in forecast demand will receive close attention. Western Power strives to continually improve the accuracy and timeliness of its planning information. Toward this objective, Western Power presents its plans via the Annual Planning Report (APR) and the Network Capacity Mapping Tool (NCMT).

In addition Western Power supplies its NCMT data to the Department of Planning for integration into cross-agency publications and planning tools.

I invite you to review the information provided via the APR and the NCMT for your area. Once again, thank you for assisting us in delivering quality information to our customers and the broader community.

City's comment:
The submission is noted.

c. **Strategic**

Community Plan

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

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

d. **Policy**

Directions 2031

*Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon (‘Directions 2031’)* was released by the WAPC in August 2010 as the plan to provide a vision for the future growth of the Metropolitan and Peel regions. 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.

At Local Structure Plan stage, the City will encourage densities that achieve the density target outlined by the Directions 2031 strategic document where the capability of the land permits.

Liveable Neighbourhoods

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

The District Structure Plan has been designed in accordance with the objectives and requirements of Liveable Neighbourhoods.

Planning for Bushfire Protection Guidelines Edition 2

The WAPC Planning Bush Fire Protection Guidelines (Edition 2) notes in Section 2.3 – Guidance Statements for Strategic Plans, Planning Strategies, Planning Schemes, Planning Scheme Amendments and Structure Plans – that unless it is clear to the decision-making authority that the land in question is not in an area that has a moderate or extreme bush fire hazard level, any new proposals or proposals which will effect a change of land use or design resulting in the introduction of, or an intensification of development should: -
- Include a bush fire hazard assessment based on the fire hazard assessment methodology and classifications set out in Appendix 1 of the Guidelines;
- Identify any bush fire hazard issues arising from that assessment; and
- Address those issues, in accordance with the general principles that underpin these guidelines, in a statement or report which demonstrates that all fire protection requirements can be achieved to the satisfaction of the WAPC.

The bushfire hazard assessment has been prepared for the District Structure Plan area and is considered appropriate.

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

This Policy seeks to minimise the adverse impact of transport noise, without 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 Proponent has submitted an Acoustic Consultant Report which is deemed acceptable at District Structure Planning stage. As part of the future consideration of Local Structure Plans, a detailed Acoustic Consultant's Report will be required to demonstrate compliance.

Recommendation

Provide a provision within Schedule No.9 of Town Planning Scheme No.2 to require the provision of an Acoustic Consultant's Report for land affected by the Kwinana Freeway and Mundijong Road, when the land is required to be rezoned to 'Development' pursuant to s124 of the Planning and Development Act (2005).

Environmental Protection Guidance Statement No.3: Separation Distances Between Industrial and Sensitive Land Uses

A poultry (broiler) farm is operating from Lot 3 Baldivis Road, which is not part of the subject site but forms part of the overall concept Structure Plan site. The EPA’s Guidance Statement No. 3 identifies a buffer distance of 300-1000m depending on the size, to protect future residents from the potential impacts of the poultry farm operation.

An Odour Report has been submitted as part of the Structure Plan report which satisfies the requirements of Environmental Protection Guidance Statement No.3: Separation Distances Between Industrial and Sensitive Land Uses.

The odour modelling contained within the report identified the operation on site was not intensive, and odours were unlikely to impact sensitive land uses beyond the Layertech boundary. In this regard, the City has assessed the report and supports the reduced buffer distance required.

Planning Policy 6.3 - Local Commercial Strategy

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:
The Local Commercial Strategy does identify a potential Local Centre within the East Baldivis catchment.

The Proponent has reviewed the need for a Local Centre within the District Structure Plan area and provided the following comment:

“A further analysis of the commercial activity plan prepared by Taktics 4 which has been undertaken by RPS Economics has determined that the development of a Local Centre will not economically viable, and the commercial needs for the EBDSP area will be adequately met by the adjacent Baldivis District Centre. The catchment of the East Baldivis District Structure Plan area south of Mundijong Road will be inclined to utilise the Baldivis District Town Centre given its close proximity and its high level of accessibility through the logical local road network, whilst the catchment to the north of Mundijong Road will not yield a sufficient critical mass to deliver a viable Local Centre. To this end, the City’s Local Commercial Strategy will not require modification. This issue is discussed in further detail in the enclosed report.”

The City reviewed the findings of the assessment, specifically with respect to the economic viability of the centre, and supports the Report’s assessment.

As such, the East Baldivis District Structure Plan area will be served by planned centres to the west on Kerosene Lane, Amazon Drive and the Baldivis Town Centre, as shown in Figure 5.

Should a Local Centre be determined to be commercially viable in the future, the City can still consider a proposal which is consistent with the provisions of the Local Commercial Strategy.
e. Financial

There are no financial implications for the endorsement of the District Structure Plan.

f. Legal and Statutory

Nil. DSP's are non-statutory planning tools intended to guide the preparation of Structure Plans pursuant to Clause 4.2 of the Scheme.

### Comments

a. Traffic

**Regional Road Network**

The City received submissions from the Department of Planning and a combined submission from Main Roads WA and Department of Transport providing advice with respect to current regional road planning initiatives being prepared to guide the future regional road network.

The submissions from the state agencies with respect to the regional road network are provided below.

#### Main Roads and Department of Transport Advice

**Submission:**

Main Roads is currently preparing a study which examines the impact on the Kwinana Freeway and Mundijong Road once the Fremantle - Rockingham Control of Access Highway (FRCAH) is linked to the Freeway via the existing Mundijong Road.

The WAPC recently endorsed the connection of the FRCAH to Kwinana Freeway and this connection will have significant impacts on the DSP, impacts relate to level of accessibility and land required for the upgrade. As this study is still in its preliminary stages no further detail is currently available, but this eventuality must be considered by the development of the DSP and any LSP in the vicinity of Mundijong Road.

Note: Main Roads WA has advised there is no timeframe for completion of this study.

As a consequence of the above Main Roads cannot provide support for the DSP, especially in the area surrounding Mundijong Road and it would be inappropriate to progress with the DSP until this major piece of transport planning has been finalised.

In addition to the advice received from Main Roads and Department of Transport, the Department of Planning also provided a submission with respect to the regional road planning.

#### Department of Planning Advice

**Submission:**

Please note that the following advice only takes into account matters relating to strategic planning currently being undertaken by the Department.

Current planning indicates the need for a north-south four-lane 'Integrator A' road, connecting Baldivis and Kwinana/Wellard. This regional road connection - proposed to be located between the freeway and future Fremantle-Rockingham Controlled Access Highway - is necessary to provide for north-south trips on the western side of the freeway and to moderate use of the freeway for 'local' trips.

The need for this transport connection is supported by preliminary traffic modelling. While this planning is yet to be formally considered by the WAPC, more-recent investigations independent of the Department of Planning confirm the need for this transport connection. Furthermore, its provision is consistent with Liveable Neighbourhoods principles, such as providing a permeable movement network.

At the same time, the Department of Transport advises that the existing at-grade crossing of the freight railway (Wellard Road crossing) needs to be modified to accommodate a grade-separated crossing in the longer-term (road over existing rail).
Nairn Drive and Wellard Road are the key north-south integrator roads in Baldivis and Wellard, respectively. The most feasible option to connect Nairn Drive and Wellard Road is from Nairn Drive along the future western extension of Mundijong Road, then northwards along the general alignment of Baldivis Road.

For completion of this linkage with Wellard Road, a grade-separated crossing over the freight railway is necessary, together with realignment and upgrading of the northern end of Baldivis Road, to provide a suitably direct and legible connection to Wellard Road (Department of Planning Submission Figure 1 & 2 - see next page).

The proposed realignment is likely to affect land subject to the proposed EBDSP. In this respect, it is proposed that the portion of Baldivis Road to be realigned should be aligned generally along the boundary between the land zoned Urban and the land reserved for Parks and Recreation (a particularly wide portion of former tramway reserve where no vegetation remains), with 50 percent of the road on either side of this approximate centreline.

Representatives of the landowners likely to be affected by any realignment or redesign of Baldivis Road have been consulted. In August 2013, they advised of their intention to prepare a concept for their preferred option for connection of Baldivis and Wellard Roads, as generally shown in the Department of Planning Submission Figure 2 (see next page), however, these plans are yet to be received. Also, that alignment appears less feasible and adversely affects Bush Forever reserves and has therefore been discounted.

Due to the height of the bridge required to clear the freight railway, it is not possible to connect the proposed new north-south integrator road to Baldivis Road/Telephone Lane local road on its current east-west alignment.

While it is unlikely that such a connection is required, the east-west road should be retained, with a northward deviation passing under the new integrator road, as generally shown in the Department of Planning Figure 3 (see next page).

However, this position is yet to be confirmed. More-detailed investigations are required before the option of providing the full road connection, which would necessitate a southward realignment of the local road alignment as generally shown in the Department of Planning Figure 3, can be excluded.

Also, Main Roads is investigating options to provide grade-separation with loop ramps at the intersection of Mundijong Road and Baldivis Road. The provision of these ramps is supported by the Department as these are necessary to achieve the above-mentioned connection between Nairn Drive and Wellard Road and to provide a more permeable and adaptable transport network. Further consultation with Main Roads is recommended to confirm specific requirements for this infrastructure.

In light of the above, it is recommended the East Baldivis District Structure Plan be modified to satisfactorily integrate the north-south integrator road and loop ramps at the intersection of Mundijong Road and Baldivis Road into the East Baldivis District Structure Plan.

A number of inter-related matters have been raised in these comments, and if it would be of assistance a meeting can be arranged between Departmental and City of Rockingham officers to discuss these issues in the near future.
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 MARCH 2014

Department of Planning Submission Figure 1
Proposed Road Alignment

Department of Planning Submission Figure 2
Officer Comment: The advice received from the State agencies introduces new regional transport considerations that have not previously been identified.

Following an assessment of the submissions and meetings with the relevant agencies, it is considered that the regional road planning imperatives have the potential to significantly impact the District Structure Plan design; particularly for land in the vicinity of Mundijong Road north to Millar Road.

With these constraints acknowledged, the City is also mindful of continuing decisions by the WAPC to rezone land to 'Urban' under the Metropolitan Region Scheme within the District Structure Plan area.

The WAPC's decision to rezone land to 'Urban' under the Metropolitan Region Scheme means the City is required to rezone land under its Scheme and subsequently consider Local Structure Plans. In order to appropriately consider Local Structure Plans in this locality, the City requires a District Structure Plan to guide and inform the City's consideration of Local Structure Plan proposals.
The impacts of the regional road planning initiatives outlined within the submissions to the
District Structure Plan are explained as follows:

**Baldivis Road Realignment**

The realignment of Baldivis Road to connect into Wellard Road is intended to achieve the
following outcomes:

1. The Department of Transport advises that the existing at-grade crossing of the
   freight railway (Wellard Road crossing) needs to be modified to accommodate a
   grade-separated crossing in the longer-term.
   
   To accommodate the grade-separated crossing over the freight rail line, Main Roads
   advises that the land requirements for the road design require a straight road
   connection which cannot be accommodated in the current road configuration.

2. Main Roads states it is necessary to provide an alternate parallel north-south route
   to the Kwinana Freeway to moderate use of the regional road network for ‘local’
   trips.
   
   Baldivis Road's location parallel to the Kwinana Freeway supports this thinking.
   
   The direct connection with Wellard Road improves access to the Wellard Train
   Station and the Kwinana Town Centre for prospective residents of the northern part
   of the District Structure Plan area.

   The future traffic modelling for Baldivis Road north of Mundijong Road suggests that a four
   (4) lane divided road is required to accommodate future traffic if Wellard Road is grade
   separated to the freight rail line. The Shawmac Traffic Report provided with the District
   Structure Plan also confirms the need for Baldivis Road to be upgraded to a dual carriage
   way road north of Mundijong Road if Wellard Road is grade separated to the freight rail line.

   The realignment of Baldivis Road to abut the Tramway Reserve is proposed to traverse two
   resource enhancement wetlands. The City has been advised by the Department of
   Planning that the matter is being investigated with the Department of Parks and Wildlife.

Given the lack of certainty for the State agencies regarding the ultimate alignment of
Baldivis Road, it is recommended that a notification being placed on the District Structure Plan
advising of the areas subject to possible changes as the result of regional transport
planning investigations being conducted by State Government Agencies.

**Recommendation:**

That a notification being placed on the District Structure Plan advising the alignment
of Baldivis Road is subject to possible changes as the result of regional transport
planning investigations being conducted by State Government Agencies.

**Mundijong Road / Baldivis Road and Kwinana Freeway Interchanges**

The submissions provide limited information regarding the ultimate road layout at the
interchanges of Baldivis Road and Mundijong Road and the Kwinana Freeway and
Mundijong Road as a study is currently being progressed to inform the ultimate road
configuration.

As such, the land requirements for the ultimate road layout remain unknown at this time and
will likely impact land immediately adjacent to both the northern and southern boundaries of
Mundijong Road.

The ultimate road configuration will need to be reflected in the District Structure Plan when it
is confirmed by the traffic study being prepared by State Government Agencies. This work
will be completed by the City when the road requirements are confirmed.

Given the lack of certainty for the State agencies regarding regional road planning for the
area, it is recommended that a notification being placed on the District Structure Plan
advising of the areas subject to possible changes as the result of regional transport planning
investigations being conducted by State Government Agencies.

**Recommendation:**

That a notification being placed on the District Structure Plan advising that land
within the immediate vicinity of Mundijong Road between the Kwinana Freeway and
Baldivis Road is subject to possible changes as the result of regional transport
planning investigations being conducted by State Government Agencies.
**Baldivis Road south of Mundijong Road**

In light of the regional road outcomes being considered over the northern portion of Baldivis Road, the City has concerns about the ultimate traffic impact for Baldivis Road between Safety Bay Road and Mundijong Road should Baldivis Road be developed as suggested within the State agency submissions.

Current planning for Baldivis Road, as outlined within the 2004 Baldivis Roads Needs Study, provides for an ultimate single lane boulevard road configuration. Such a road configuration can effectively accommodate traffic volumes of 15,000 vehicles per day. With the development of the East Baldivis District Structure Plan area, the function of Baldivis Road will likely operate close to the maximum capacity of the road.

There is the possibility that the changes being proposed to Baldivis Road by State agencies will impact upon its effective operation. In this regard, the Department of Planning, Department of Transport and Main Roads have advised they are preparing a study to examine the potential impact to the road network based on regional transport needs and local traffic.

It has been suggested by these State agencies that Baldivis Road may potentially need to be upgraded to a four (4) lane (Integrator A) profile road. An upgrade to this road configuration would likely encroach upon the Baldivis Tramway Reserve if it were ever built. The intersections proposed to link west to the existing road network would also be impacted upon.

**Shawmac Traffic Report Assessment**

Main Roads provided comment with respect to the Shawmac Traffic Report prepared for the District Structure Plan. The City's assessment of the comments is outlined below:

<table>
<thead>
<tr>
<th>Main Roads WA comments on Shawmac Traffic Report</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Main Roads Comment</strong></td>
</tr>
<tr>
<td>1. Main Roads supports the grade separation of both Nairn Drive and Baldivis Road from Mundijong Road (future FRCAH) as the long term option for traffic making local movements in a north-south direction. As these upgrades are considered to be integral to the ongoing operation of Mundijong Road (and the ultimate FRCAH) it should be a component of the DSP that a threshold, or timing of upgrades, be developed to inform developers and other stakeholders when it is envisioned that these upgrades will be required.</td>
</tr>
<tr>
<td>Main Roads is of the opinion that this threshold will need to be developed at the DSP stage as the grade separation will impact significantly on the movements of traffic generated by the entire DSP.</td>
</tr>
<tr>
<td><strong>City's comment:</strong></td>
</tr>
<tr>
<td>It is considered that the Traffic Report prepared for the District Structure Plan cannot be updated to include the timing of any potential upgrades to the intersection of Mundijong Road and Baldivis Road until the ultimate configuration of the regional road network is finalised by the State agencies.</td>
</tr>
<tr>
<td>It is noted that a study is currently being prepared by Main Roads to inform the ultimate road configuration in this location.</td>
</tr>
<tr>
<td>The City will update the Traffic Report to include the outcomes of the regional road planning study being prepared by State agencies when it is completed.</td>
</tr>
<tr>
<td><strong>Main Roads Comment</strong></td>
</tr>
<tr>
<td>2. It is noted that the preferred short term option for the intersection of Baldivis Road and Mundijong Road is a staggered T intersection. Main Roads questions the suitability of this arrangement in the medium term, and it is unclear when grade separation will be required. The DSP will need to determine what sort of timing would be appropriate for the grade separation of Nairn Drive and Baldivis Road over Mundijong Road (future FRCAH).</td>
</tr>
</tbody>
</table>
City's comment:
The City considers the trigger for determining upgrades to the regional road network will be determined by the State agencies as part of the regional road network study for the East Baldivis locality.

Main Roads Comment
3. The creation of a staggered T-intersection at the junction of Baldivis Road/ Mundijong Road is expected to impact on the DSP area in the medium term and will create some difficulty for vehicles travelling northbound on Baldivis Road to access the Kwinana Freeway. This issue is raised in the DSP Transport Report, however no mitigating measures have been proposed. Due to the expected difficulty accessing the Kwinana Freeway it is thought that traffic will make use of the nearest alternative option to access the Freeway, Safety Bay Road. As this intersection is currently under stress from other developments in the area, any inability for vehicles to access the Kwinana Freeway further to the north may result in more pressure being placed on Safety Bay Road.

The planning for the DSP will need to identify what impacts Safety Bay Road will experience and whether any amelioration will need to be implemented.

City's comment:
It is anticipated the Traffic Study being prepared by State agencies will confirm the ultimate road configuration required and the traffic volumes anticipated to the road network.

Main Roads Comment
4. Main Roads does not support the inclusion of an access point onto Mundijong Road located mid-block between Nairn Drive and Baldivis Road. It is advised that other options should be pursued if the DSP deems that traffic volumes making a north-south movement would be unable to do so via either Nairn Drive or the staggered T intersection at Baldivis Road and Mundijong Road.

City's comment:
The submission is supported. The suggested road link contained within the Traffic Report was not a required for the traffic operation within the District Structure Plan area. It is also considered that the mid-block connection onto Mundijong Road would impact its intended function.

Recommendation:
Remove reference to the inclusion of an access point onto Mundijong Road located mid-block between Nairn Drive and Baldivis Road in the Traffic Report.

Main Roads Comment
5. The inclusion of a proposal to grade separate Wellard Road/Baldivis Road from Millar Road and the freight rail line is deemed appropriate, in the long term. It is understood that the Department of Planning are currently developing a design concept for this project.

City's comment:
The City will update the Traffic Report to include the outcomes of the regional road planning study being prepared by Main Roads when it is completed.

Main Roads Comment
6. The submitted Transport Impact Assessment notes that up to 25% of total traffic will originate and have their destination within the DSP area. This is a key assumption, which whilst potentially reasonable, has no supporting data to base this assumption on. It would be beneficial to see how this percentage was determined and the extent to which this figure is appropriate.
**City's comment:**
The City has reviewed the assumptions and supports the Traffic Reports findings.

<table>
<thead>
<tr>
<th><strong>Main Roads Comment</strong></th>
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<tbody>
<tr>
<td>7. It is noted that no traffic data has been provided other than projected volumes for the DSP area, which is used to support assumptions made. The Transport Impact Assessment needs to separate the projected volumes generated from the DSP from the background traffic growth predicted so that it is possible to understand just what effect the DSP will have on the local and regional road network.</td>
</tr>
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</table>

**City's comment:**
This is supported.

**Recommendation:**
The Traffic Report be modified to show separate the projected volumes generated from the DSP from the background traffic growth predicted so that it is possible to understand the effect the DSP will have on the local and regional road network.

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<tr>
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<tr>
<td>8. It is questioned whether it is prudent to downgrade Baldivis Road to a District Distributor B in the short term. Considering that once Baldivis Road is grade separated from Mundijong Road (future FRCAH), and from Millar Road / rail line, it will be necessary for Baldivis Road to be a District Distributor A. It is understood that this is due to the expected volumes increasing significantly south of the grade separation of Baldivis Road / Millar Road. If the preferred option is to change the function of Baldivis Road over the medium to long term then this further reinforces the need to understand what threshold should be used to commence the upgrade of Baldivis Road.</td>
</tr>
</tbody>
</table>

**City's comment:**
It is anticipated the Traffic Study being prepared by State agencies will confirm the ultimate road configuration required and the traffic volumes anticipated to the road network. The City will update the Traffic Report to include the outcomes of the regional road planning study being prepared by State agencies when it is completed.

<table>
<thead>
<tr>
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<tr>
<td>9. Main Roads view is that the proposed industrial precinct to the east of the Kwinana Freeway will ultimately access the Kwinana Freeway from Mortimer Road to the north of the current DSP area, via new grade separation of the rail line to the east of the Freeway. Main Roads is of the opinion that heavy vehicles making use of Wellard Road for this north-south movement would be in conflict with private vehicles.</td>
</tr>
</tbody>
</table>

**City's comment:**
The submission is noted. The City will update the Traffic Report to include the outcomes of the regional road planning study being prepared by State agencies when it is completed.

<table>
<thead>
<tr>
<th><strong>Main Roads Comment</strong></th>
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<tbody>
<tr>
<td>10. Considering the above issues it would be beneficial to see intersection analysis at major intersections in the DSP area. Specifically all proposed intersections with Mundijong Road, in the short and long term, the Safety Bay Road/Baldivis Road intersection and the intersection of Baldivis Road/Millar Road West/Wellard Road, both short and long term options. As these intersections are impacted by the full build out of the DSP it is appropriate for this work be done at the current planning stage rather than waiting for LSP's to be developed to address these intersections and associated transport concerns.</td>
</tr>
</tbody>
</table>
### City's comment:
The City has reviewed the need for an intersection analysis as part of the District Structure Plan and will require this level of detail to be completed as part of Local Structure Plan proposals.

### Main Roads Comment
11. A Development Contribution Plan should be developed which allocates funds for significant regional works in the vicinity of the DSP. Such works envisioned to be included would be the improvements of Baldivis Road from Mundijong Road and any upgrade to the Safety Bay Road/Baldivis Road intersection. This DCP would also include local road works, such as any signalised intersections proposed in the short to long term, relocation of services etc.

### City's comment:
The City has not previously supported a Developer Contribution Plan being developed for regional infrastructure. It is also noted that the scope of the regional works required is yet to be determined.

### Main Roads Comment
12. No direct access will be permitted to or from the Freeway Service Centre located south of Mundijong Road, adjacent to the Kwinana Freeway, from the proposed DSP area.

### City's comment:
The submission is noted.

### Additional Link to Pemberton Boulevard
Chappell Lambert Everett acting on behalf of Mirvac has requested an east-west connection from the District Structure Plan area into the existing Pemberton Boulevard.

The additional east-west connection was proposed to further assist to disperse traffic and encourage the use of Nairn Drive as opposed to Baldivis Road for north-south movement, assisting to reduce the overall volumes on Baldivis Road.

A traffic note was prepared to investigate the suitability of a connection to Pemberton Boulevard, which confirmed the connection will assist local traffic movement without compromising the function of Pemberton Boulevard.

It is recommended the change be implemented to the District Structure Plan and the Traffic Report be updated accordingly.

### Recommendation
(i) The District Structure Plan be modified to include a neighbourhood connector road connection to Pemberton Boulevard.
(ii) The Traffic Report be updated with revised modelling to accommodate for the connection to Pemberton Boulevard.

### b. School and District Open Space Precinct
As part of the preparation of the District Structure Plan, the City requested that the 4ha District Open Space be provided in proximity to the existing Baldivis Reserve in order to centralise and consolidate the active sporting reserve space. The City also requested the location of the central High School be resolved and confirmed as part of the DSP, with a preference that the District Open Space and High School be co-located to make more efficient use of available land.

Three alternate plans for the school and district open space precinct were prepared by the Proponent and advertised for public comment. The following matters were raised within public submissions for each option:
Peet Option

- High school oval clearly separate from District Open Space. This will also enable additional security options for the school;
- Plan provides for clearly defined boundaries between high school and primary school with clear vehicle access to both;
- Support for this plan because the playing field are not "shared" between school and public are not supported due to maintenance, security, markings and use should be the responsibility of one authority; and
- Retention of good quality vegetation.

![Figure 6 - High School / District Open Space - Option 1](image-url)
Perron Option
- Preferred configuration of school and District Open Space precinct;
- Retention of good quality vegetation; and
- Creates an active open space precinct.

Figure 7 - High School / District Open Space - Option 2
Perron Alternative Option

- Reduced Traffic Impact to Monument Boulevard for access and egress into ‘The Chase’ Estate;
- Retention of good quality vegetation;
- Retains strong pedestrian links from the Chase Estate to the Freeway Principal Shared Path and proposed school site.
- Creates an active open space precinct;
- The location of the community centre/clubhouse/hall in the district open space is not close to housing, allowing a wider variety of functions;
- The lot design of the high school and district open space allows buildings to better address the streets and better integrated into the surrounding urban environment;
- Do not support view shed of a high school from properties in ‘The Chase’ Estate; and
- Support the separation of the primary and high school.

Figure 8 - High School / District Open Space – Option 3
Proposed Option Received during the Advertising Period

During the advertising period the planning consultancies Taylor Burrell Barnett and Chappell Lambert Everett (on behalf of Peet and Perron Groups) respectively lodged a submission outlining an agreement for the position of the schools and district open space located over both groups respective landholdings as show in Figure 9 below.

![Figure 9 - Proposed Modified Perron Landowner Agreed Option](image)

The proposed plan provides a similar land use configuration to the 'Perron Option' advertised for public comment providing a combined thirteen (13) hectare school precinct and four (4) hectares of district open space immediately adjacent to the southern boundary of the High School abutting the extension of Fifty Road.

Submissions received from the ‘BEST’ group provide the following justification for the consideration of this plan: -
- The proposed “option 4” provides the most equitable design configuration for both landowners as well as addressing the original design parameters prescribed by the City of Rockingham and Department of Education prior to advertising;
- The plan provides a centralised location to serve the East Baldivis and North Baldivis Structure Plan areas;
- The plan provides a synergy between the two proposed playing fields and existing Baldivis Reserve;
- The plan provides adequate pedestrian and vehicle circulation (three road) around the ‘Precinct’;
- The plan provides direct linkages to primary east-west and north-south roads in the broader locality;
- The plan provides distinct, yet connected, Primary School and High School sites; and
- The arrangement has been presented to the Department of Education and received its endorsement.

Department of Education Advice

The Department of Education provided a submission to the City supporting the Option 4 plan proposed by the landowners and Proponents of the District Structure Plan.

No commentary was provided to the City with respect to the three options advertised for public comment.

Water Corporation Advice

The Water Corporation has previously advised the City that it is seeking to double the size of a water main which is located within the Zig Zag Road reservation. In a submission for the District Structure Plan, the Water Corporation advised the following:

"Many of the proposed trunk main routes follow existing or proposed road reserves. The corporation is progressively acquiring those sections of the pipe corridors that traverse privately owned land. One of the most important SSIA trunk main routes traverses the East Baldivis DSP area along the current alignment of Zig Zag Road.

This trunk main route (referred to as ‘Route A’) is planned to ultimately accommodate up to two large water trunk mains (>1,200mm diameter). The accommodation of these trunk mains through the 'School Sites/Open Space Precinct' in the DSP has been the subject of ongoing negotiations between affected land developers and the Water Corporation. It is understood that the location, configuration and land requirements associated with the future high school, primary school and district open space facilities has also been a major consideration.

At a recent meeting between the Water Corporation and consultants representing Peet Ltd and the Perron Group, the Corporation has agreed to support a joint proposal by these landowners to alter the alignment for the trunk main route to fit with their agreed configuration of school sites and DOS. The proposed modified trunk main route alignment follows Zig Zag Road, deviates southwards using the existing drain reserve alongside Paparone Road (Reserve 49555) plus additional easements, and then heads west along an easement within the southern edge of the proposed DOS, as generally dedicated on the attached sketch (see Figure 10).

The Corporation's support for this part of the DSP and for the modified trunk route alignment is contingent on the City's support and importantly agreement from the City and the Department of Education and Training to grant the following reserves and easements to the Corporation to accommodate the staged installation of the future trunk mains:

(i) The City agreeing to transfer the 15m wide drain reserve (Reserve 49555) running alongside Paparone Road currently vested with the City, to the Water Corporation;
(ii) The City and the Department of Education agreeing to grant the Water Corporation a 5m wide easement within the school sports grounds area and the adjacent DOS to create a total trunk main corridor of 20m wide alongside Paparone Road.
(iii) The City agreeing to grant the Water Corporation a 20m wide easement along the southern edge of the proposed DOS area."
Figure 10 - Easement Requested by the Water Corporation

City's Assessment

Following an assessment of the submissions from the public, the Proponents, State agencies and internally, the City supports the modified Perron Option submitted by Taylor Burrell Barnett and Chappell Lambert Everett during the advertising period.

With the limited number of active sporting facilities within the Baldivis urban corridor, the plan provides for an active open space precinct which links into the existing Baldivis Recreation Reserve.
This design and layout provides the future East Baldivis community with the most functional, safe and accessible open space and education precinct. The plan appropriately addresses the transport, recreational, environmental and educational requirements of the City and the Department of Education.

At Local Structure Plan stage, further investigation will be required for the detailed design of the precinct and shared use arrangements between the City, the Department of Education and Water Corporation.

Further consideration will also be needed for the profile and upgrade of Baldivis Road between the new precinct and Baldivis Reserve for safe pedestrian access.

**Recommendation:**
The modified ‘Perron’ Landowner Agreed Option for the High School and District Open Space Precinct be incorporated into the District Structure Plan.

c. Primary School Sites

Northern Primary School site

In its submission prepared on behalf of Cedar Woods, RPS proposed to relocate a proposed Primary School site (the primary school site in question is located on land owned by BGC) to a new location with the following justification: -

- Freeway noise will be easier to manage for a school that is only occupied part time and not at night time which has much higher impact on houses (rather than residential lots abutting the Kwinana Freeway reserve).
- Due to the geotechnical conditions of the site in this location, development of residential lots to the east of the proposed north south structure plan road is highly constrained, whereas the development of POS in this location is less susceptible to these geotechnical constraints.
- The proposal will improve the general amenity of future residential lots by relocating these lots away from the freeway, and increasing the proximity, and accessibility of future residential lots to the tramway reserve.
- The proposal enables the status quo to be maintained for Pug road in terms of continuity of the access from Pug Road through to Baldivis Road.

![Figure 11 - Proposed Reconfiguration of Primary School site by RPS](image-url)

**Officer Comment:** The City does not support relocation of the combined Primary School and Open Space to abut the Kwinana Freeway. The site is its current proposed location is central to the school catchment which is well serviced by good movement connections for both vehicles and pedestrian movement.

The City does not support the justification that poor geotechnical conditions of the site should compromise the best location of the open space abutting the tramway reserve.
Noise generated from the Kwinana Freeway is required to be appropriately addressed at Local Structure Plan stage for the entire length of the East Baldivis corridor to not impact the amenity of residential development. The City does not support the justification that amenity would be improved to residents by relocating the school and open space when noise is required to be appropriately mitigated to not impact residential land uses.

**Southern Primary School Site**

The landowners for land affected by the proposed location of the southern primary school site are seeking to reorientate the school to provide a 50/50 proportion of the site to each landowner as shown below:-

**Requested Modification to School Site**

**Advertised District Structure Plan**

*Figure 12* - Proposed Reconfiguration of southern Primary School

The City supports the proposed modification to the District Structure Plan to reorientate the primary school site. The location is of the school remains consistent with the advertised District Structure Plan which is central to its catchment and well located to the movement network.

**Recommendation:**

The District Structure Plan be modified to incorporate the reorientation of the southern Primary School Site.

d. **Future Structure Plan Design Matters**

The East Baldivis DSP area is constrained by environmental factors and existing land uses within proximity to the site. The constraints have been addressed as follows:-

**Landform**

The site is low lying and prone to seasonal inundation. As such, the land will require clean fill to make it suitable for urban development through the Local Structure Planning Process. The City will encourage soils to achieve an ‘A’ class standard for construction through the future subdivision process.

**Wetlands and Water Management**

A large majority of the site is identified as a Multiple Use Wetland by the Department of Environment and Conservation and located within the Peel-Harvey Coastal Plain Catchment. Development of this land will require water sensitive urban design and appropriate treatment of parks through local structure planning to ensure State Planning Policy 2.1 – *The Peel Harvey Coastal Plain Catchment* requirements are adhered to.

1 Correction to labelling of images
Dampier to Bunbury Gas Pipeline
The Dampier to Bunbury Gas Pipeline and its associated easement traverses west to east through the site which is identified on the proposed DSP. A Qualitative Risk Assessment and Pipeline Risk Management Plan will be required as part of subsequent local structure planning. Setbacks for development will be examined in further detail as part of the preparation of a Local Structure Plan. The easement corridor will be required to be placed in Public Open Space in a manner similar to the treatment of the Parmelia Gas Pipeline in Baldivis.

Kwinana Freeway and Mundijong Road
Noise generated from the Kwinana Freeway and Mundijong Road will require mitigation in accordance with State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning at Local Structure Plan stage. An Acoustic Consultant Report prepared by a suitably qualified acoustic consultant will be required to demonstrate how sensitive land uses will not be adversely impacted by noise generated by these main roads.

Bushfire Hazard Areas
A Bushfire Hazard Assessment prepared as part of the proposed DSP has determined only 10% of the site is categorised as either a moderate or extreme fire risk. The interface of development to these hazards will be determined through the preparation of Local Structure Plans where remnant vegetation is proposed to be retained.

Freeway Service Centre
The provisions outlined within Town Planning Scheme No.2 for the Freeway Service Centre (Special Use Zone 12), require all impacts associated with the development to be contained on-site.

e. Matters to be addressed within Future Town Planning Scheme Amendment(/s)
As part of future Amendment(/s) to the City's Town Planning Scheme to zone the land 'Development', it is recommended that the City introduce provisions into TPS2 to require the following information be provided to address land use planning constraints within the East Baldivis locality:
1. A Bushfire Hazard Assessment; and/or
2. An Acoustic Consultant Report prepared by a suitably qualified acoustic consultant to demonstrate how sensitive land uses will not be adversely impacted by noise generated by the Kwinana Freeway; and/or

f. Community Infrastructure Plan
The Community Infrastructure Plan currently does not account for the district open space facility provided for by the District Structure Plan.

A review of the Community Infrastructure Plan and Development Contribution Scheme No.2 provisions within the Scheme is required to ensure the delivery of Community Infrastructure (such as stands and clubrooms) associated with the district open space.

Conclusion
In light of the above comments, the northern portion of the proposed District Structure Plan is significantly impacted by the unresolved regional traffic investigations. The implications of the current work being undertaken by State agencies will determine the ultimate road layout affecting the East Baldivis District Structure Plan area.

This constraint acknowledged, the City is also mindful of continuing decisions by the WAPC to rezone land to 'Urban' under the Metropolitan Region Scheme within the District Structure Plan area.

Decisions to rezone land to 'Urban' under the Metropolitan Region Scheme by the WAPC means the City is required to rezone land under its Scheme and subsequently consider Local Structure Plans. In order to appropriately consider Local Structure Plans in this locality, the City requires a District Structure Plan to guide and inform its consideration of these proposals.
In light of the above, it is recommended the Council endorse the East Baldivis District Structure Plan subject to a notification being placed on the plan advising of the areas subject to possible changes as the result of regional transport planning investigations being conducted by State Government Agencies. It is also recommended that the following amendments be made to the District Structure Plan Map and report: -

1. The modified Perron Landowner Agreed Option for the High School and District Open Space Precinct be incorporated into the District Structure Plan.
2. The southern primary School being reorientated as proposed by the Proponent; and
3. A connection to Pemberton Boulevard being provided.
4. The Commercial and Community Facilities Report be modified to incorporate the correct information regarding the Kwinana Town Centre.
5. The Traffic and Transport Management Plan being amended as follows: -

(i) The Traffic Report be modified to show separate the projected volumes generated from the DSP from the background traffic growth predicted so that it is possible to understand just what effect the DSP will have on the local and regional road network.
(ii) Remove reference to the inclusion of an access point onto Mundijong Road located mid-block between Nairn Drive and Baldivis Road in the Traffic Report.
(iii) The Traffic Report be updated with revised modelling to accommodate for the connection to Pemberton Boulevard.

The City will also need to review the Community Infrastructure Plan and Development Contribution Scheme No.2 to account for Community infrastructure requirements for the East Baldivis district open space precinct.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **ENDORSE** the East Baldivis District Structure Plan for the purpose of guiding and informing the City's consideration of Local Structure Plans and regional planning initiatives and proposals, subject to the following amendments:-

   (i) The modified 'Perron' Landowner Agreed Option for the High School and District Open Space Precinct be incorporated into the District Structure Plan.
   (ii) The southern Primary School being reorientated as proposed by the Proponent;
   (iii) A connection to Pemberton Boulevard being provided; and
   (iv) A notation be put on the District Structure Plan stating that the intersections of Baldivis Road and Mundijong Road; Mundijong Road and the Kwinana Freeway; and the alignment of Baldivis Road north of Mundijong Road are subject to a regional transport planning investigation and are subject to possible changes.
   (v) The District Structure Plan Report and Traffic and Transport Management Plan being amended as per the comments contained within this Report.

2. **REVIEW** the Community Infrastructure Plan and Development Contribution Scheme No.2 to account for Community infrastructure requirements for the East Baldivis district open space precinct.

**Committee Recommendation**

That Council:

1. **ENDORSE** the East Baldivis District Structure Plan for the purpose of guiding and informing the City's consideration of Local Structure Plans and regional planning initiatives and proposals, subject to the following amendments:-
(i) The modified 'Perron' Landowner Agreed Option for the High School and District Open Space Precinct be incorporated into the District Structure Plan.

(ii) The southern Primary School being reorientated as proposed by the Proponent;

(iii) A connection to Pemberton Boulevard being provided; and

(iv) A notation be put on the District Structure Plan stating that the intersections of Baldivis Road and Mundijong Road; Mundijong Road and the Kwinana Freeway; and the alignment of Baldivis Road north of Mundijong Road are subject to a regional transport planning investigation and are subject to possible changes.

(v) The District Structure Plan Report and Traffic and Transport Management Plan being amended as per the comments contained within this Report.

2. **REVIEW** the Community Infrastructure Plan and Development Contribution Scheme No.2 to account for Community infrastructure requirements for the East Baldivis district open space precinct.

Committee Voting – 5/0

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<th>The Committee’s Reason for Varying the Officer’s Recommendation</th>
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<tbody>
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<tr>
<th>Implications of the Changes to the Officer’s Recommendation</th>
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<tbody>
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## Planning and Development Services
### Strategic Planning and Environment Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject</th>
<th>PDS-009/14 Proposed Integrated Development Guide Plan – ‘Spud Shed’ Neighbourhood Centre, Baldivis</th>
</tr>
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<tbody>
<tr>
<td>File No:</td>
<td>LUP/1710</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Planning Solutions Urban and Regional Planning</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr A Galati (Lot 299)</td>
</tr>
<tr>
<td></td>
<td>Galati Nominees Pty Ltd (Lot 14)</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Riaan Stassen, Senior 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>17 February 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td></td>
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</table>

### Site:
- Lot 299 and Lot 14 Kerosene Lane, Baldivis

### Lot Area:
- Lot 299 – 21.19ha
- Lot 14 – 8.23ha

### LA Zoning:
- Development

### MRS Zoning:
- Urban

### Attachments:
1. Proposed Integrated Development Guide Plan over part Lot 299 and Lot 14 Kerosene Lane
2. Draft Concept Plan

### Maps/Diagrams:
1. Location of Subject Properties
2. Existing Land Use
3. Approved Local Structure Plan for Lots 14, 15 and Lot 299 Kerosene Lane
4. IDGP Precincts
5. Table 3: Activity Centre Functions, Typical Characteristics and Performance Targets
6. Comparison between IDGP and Table 2.8 of the LCS
7. Summary of IDGP Precincts
8. Concept Development Plan
1. Location of Subject Properties

2. Existing Land Use

**Purpose of Report**

To consider a proposed Integrated Development Guide Plan (IDGP) for the ‘Spud Shed’ Neighbourhood Centre located on part Lot 299 and Lot 14 Kerosene Lane, Baldivis.

**Background**

The subject land is currently operating as a market garden and contains the business premises known as the ‘Spud Shed’. Over the years the Council has considered numerous matters associated with the operation of the ‘Spud Shed’, including a number of amendments to Town Planning Scheme Nos. 1 and 2.
3. Approved Local Structure Plan for Lots 14, 15 and 299 Kerosene Lane

The land is zoned 'Urban' under the Metropolitan Region Scheme and 'Development' under Planning Scheme No. 2 (TPS2), and is the subject of Additional Use No. 22, which allows the current 'Spud Shed' operation to continue in the absence of appropriate zoning under TPS2. The Additional Use allows for the retailing of certain items, within a limited floor space, with the use to cease upon the existing market garden operation on the land ceasing, or by the 30th June 2015, whichever occurs first.

In July 2010, the Council resolved to initiate an amendment to TPS2 (Amendment 105) seeking to add a new Clause 4.6A to control the transition of the existing 'Spud Shed' operation and future built form.

Clause 4.6A is to ensure:

- An appropriate transition between the current Additional Use and future commercial uses of the land;
- Existing improvements on the land are removed and replaced with development appropriate to the setting; and
- The preparation of an Integrated Development Guide Plan (IDGP) to govern appropriate built form and land use allocation of the Neighbourhood Centre, prior to formulating any comments and recommendation on applications for the subdivision and development of the neighbourhood centre.

Amendment 105 was gazetted on the 7 June 2011.

A Local Structure Plan (LSP) for Lots 14, 15 and 299 Kerosene Lane (subject land) was adopted by Council on 15th July 2011 and endorsed by the Western Australian Planning Commission (WAPC). The Structure Plan excluded the Neighbourhood Centre Precinct (comprising 'Commercial' and 'Mixed Use' zones), pending more detailed planning to address the allocation of uses within the proposed Neighbourhood Centre (such as retail, commercial and residential), and built form in accordance with main street principles.

The detailed planning is to be progressed through the preparation of an IDGP for the Centre, following which a modification to incorporate the Neighbourhood Centre into the Structure Plan can be considered.
Details

In response to the requirements of clause 4.6A of TPS2, the City has received a proposed IDGP (see Attachment 1) which illustrates building envelopes, setbacks, vehicular access, and a number of provisions to address built form.

The IDGP provides for:

- **A ‘Western Precinct’ comprising:-**
  - 4,069m² NLA Supermarket (Spud Shed).
  - 233m² NLA Service Station with convenience store.
  - 200m² NLA Fast Food Restaurant.

- **A ‘Main Street Precinct’ comprising:-**
  - 546m² NLA Pharmacy
  - 400m² GFA Offices
  - 337m² NLA Café
  - 456m² NLA Tavern
  - 600m² NLA Liquor Store
  - 2,090m² mixed-use (offices and shop top residential)

- **A ‘Residential Precinct’ comprising:-**
  - 7 Grouped Dwellings

A feature of the IDGP is the retail ‘Main Street’ (McDonald Road) with a pedestrian path linking the proposed supermarket, the neighbourhood plaza, main street and residential areas to the east along an east-west axis, to maximise pedestrian permeability through the IDGP area.

The IDGP makes provision for the existing ‘Spud Shed’ to remain operational until the completion of the new proposed ‘Spud Shed’ supermarket. At this time the existing ‘Spud Shed’ will be redeveloped and incorporated as part of the ‘Main Street’ precinct.
Implications to Consider

a. Consultation with the Community
The City engaged in extensive community consultation during the preparation and finalisation of the Local Structure Plan for Lots 14, 15 and 299 Kerosene Lane. The expectation was then established that the ‘Spud Shed’ will remain and will be incorporated into a planned neighbourhood centre as part of an IDGP process. Further consultation is therefore not required.

b. Consultation with Government Agencies
Nil

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

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

d. Policy
State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2)
The main purpose of this policy is to specify broad planning requirements for the planning and development of new activity centres and the redevelopment and renewal of existing centres in Perth and Peel. It is mainly concerned with the distribution, function, broad land use and urban design criteria of activity centres, and with coordinating their land use and infrastructure planning.

The Policy states that Local governments and, where appropriate, landowners, can prepare activity centre structure plans for strategic metropolitan, secondary, district and specialised centres. While not subject to the centre plan provisions of the policy, the planning and development of neighbourhood centres should be guided by detailed area plans where required by a local planning scheme or structure plan.

Table 3: Activity Centre Functions, Typical Characteristics and Performance Targets illustrate the retail function of neighbourhood centres and include supermarkets as a typical retail type.

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<th>Typical characteristics</th>
<th>Perth Capital City</th>
<th>Strategic metropolitan centres</th>
<th>Secondary centres</th>
<th>District centres</th>
<th>Neighbourhood-based centres</th>
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<tbody>
<tr>
<td>Main role/function</td>
<td>Perth Capital City is the largest of the activity centres, providing the most intensely concentrated development in the region. It has the greatest range of high order services and jobs, and the largest commercial component of any activity centre.</td>
<td>Strategic metropolitan centres are the main regional activity centres. They are multipurpose centres that provide a diversity of uses. These centres provide the full range of economic and community services necessary for the communities in their catchments.</td>
<td>Secondary centres share similar characteristics with strategic metropolitan centres but serve smaller catchments and offer a more limited range of services, facilities and employment opportunities. They perform an important role in the city’s economy, and provide essential services to their catchments.</td>
<td>District centres have a greater focus on serving the daily and weekly needs of residents. Their relatively smaller scale catchment enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchments.</td>
<td>Neighborhood centres provide for daily and weekly household shopping needs, community facilities and a small range of other convenience services.</td>
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<td>Transport connectivity and accessibility</td>
<td>Focus on regional road and rail infrastructure as well as reliable bus network.</td>
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</table>
Planning Policy No.3.1.2 – Local Commercial Strategy (LCS)

The subject site is identified in the City’s LCS as a Neighbourhood Centre.

The City's LCS was reviewed in 2012 to reflect the recommendations of the SPP4.2 for a more flexible approach towards centres and specifically neighbourhood centres. Mixed-use developments are encouraged with a focus on the role and function of a centre rather than its size.

Specific maximums on neighbourhood and local centres in Baldivis have been removed. The role and function of neighbourhood and local centres is detailed in Table 2.8 of the LCS. A comparison of the proposed IDGP and Table 2.8 – Neighbourhood and Local Centre descriptions in the Baldivis Precinct of the LCS is summarised below:

<table>
<thead>
<tr>
<th>Level in hierarchy</th>
<th>LCS Description</th>
<th>Proposed IDGP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriate catchment served</td>
<td>5,000 to 20,000 residents</td>
<td>Based on the Baldivis (North) District Structure Plan, the neighbourhood centre will ultimately service approximately 4,200 residents in a 123ha catchment. This excludes rural development and the Baldivis (East) District Structure Plan area, which would add to the overall catchment population.</td>
</tr>
<tr>
<td>Typical floor space provision</td>
<td>Generally 4,500m² to 10,000m²</td>
<td>Indicatively, 7,590m²</td>
</tr>
<tr>
<td>Typical retail anchor tenants</td>
<td>Comparison, weekly and convenience services including a supermarket (variety of sizes including full, mid-size and discount offer), range of specialty stores and personal services.</td>
<td>The neighbourhood centre is intended to be anchored by a supermarket (Spud Shed).</td>
</tr>
</tbody>
</table>
| Potential mix of uses               | Local service and commercial facilities, including banks, post office real estate agents and local commercial. Medium density and shop-top residential. | Proposed uses in the IDGP area include:  
  - Supermarket  
  - Main street retail, including in a mixed-use configuration  
  - Local offices  
  - Cafes and restaurants  
  - Pharmacy  
  - Licenced premises and liquor store  
  - Service Station  
  - Residential |

6. Comparison between IDGP and Table 2.8 of the LCS

While specific maximums on neighbourhood centres have been removed, the LCS still requires a Retail Sustainability Assessment (RSA), should the intended retail/commercial floor space exceed 6,000m² NLA.

e. Financial

Nil
f. Legal and Statutory

Town Planning Scheme No.2 (TPS2)

Clause 4.6A of TPS2 requires an IDGP adopted by Council prior to it formulating any comments or recommendations on the subdivision or development of the land within the IDGP area.

Clause 4.6A(h) requires the Council to consider an IDGP and:

(a) reject the Plan; or
(b) adopt the Plan with or without modifications.

Clause 4.6A(j) provides an applicant with a right of appeal under Part 14 of the Act if the applicant is aggrieved by a decision of the Council.

Comments

The proposed IDGP provides for a new greenfield neighbourhood centre consistent with the mixed-use 'Main Street' configuration. It includes a series of development provisions which will encourage and guide development and proper land use distribution.

Land Use Configuration:

Three distinct character precincts have been identified for the IDGP, based on intended land use and built form. The three precincts can be summarised as follows:

<table>
<thead>
<tr>
<th>Western Precinct</th>
<th>Main Street Precinct</th>
<th>Residential Precinct</th>
</tr>
</thead>
<tbody>
<tr>
<td>The purpose of the Western Precinct is to provide for retail facilities (including a supermarket) which support and are linked to a pedestrianized main street. Due to its nature it will require direct vehicular access while ensuring minimal impact on future adjacent residential development.</td>
<td>The purpose of the Main Street Precinct is to provide for retail, office, entertainment, residential and other such uses in a mixed use configuration. It is to front onto a pedestrianized main street, provide a public neighbourhood plaza. A staged approach to development is proposed by retaining the existing Spud Shed improvements during the construction of a new supermarket within the Western Precinct.</td>
<td>The Residential Precinct is to provide for residential uses complementary to the neighbourhood centre.</td>
</tr>
</tbody>
</table>

7. Summary of IDGP Precincts

The proposed land use configuration encompasses the elements of a typical 'mixed-use' neighbourhood centre as promoted under SPP4.2 - Activity Centres for Perth and Peel and the City's LPP3.1.2 – Local Commercial Strategy.

With respect to provision 2.8, which states that land on the eastern side of the main street shall not be developed or used for shop/retail purposes until the supermarket tenancy is constructed and operational, the prioritisation of the supermarket over main street development does not have a proper planning purpose and the provision should be deleted accordingly.

Movement System

The IDGP has been prepared in accordance with the Traffic Assessment Report (TAR) prepared by Transcore in June 2010 for the purpose of the LSP for Lots 14, 15 and 299 Kerosene Lane. The TAR makes the following recommendations:

- The north-south neighbourhood connector (McDonald Road extension) is a Neighbourhood Connector A which will ultimately link Fifty Road with Kerosene Lane. The northern most part of this road will accommodate the IDGP ‘Main Street’ Precinct.
- The local streets surrounding the IDGP area is designated Access Streets C deemed adequate to serve expected local traffic.
The intersection of Kerosene Lane and the McDonald Road extension will work satisfactorily and within its capacity. A channelized intersection or roundabout is not required.

Two future Transperth bus routes are expected to service the IDGP area along Kerosene Lane and McDonald Road, linking with the Baldivis Town Centre and Warnbro Train Station.

Shared paths will be provided on Kerosene Lane, McDonald Road and the streets along the southern and western edges of the IDGP area, to provide pedestrian and cycle access to the IDGP area.

The IDGP includes a 1.5m wide road reserve widening east of McDonald Road and a 2.2m wide road reserve widening west of McDonald Road, along the southern boundary of Kerosene Lane, as agreed with the City. This is to provide for the future upgrading of Kerosene Lane as proposed in the Baldivis Roads Needs Study.

The internal vehicle access ways are designed to reduce the number of connections to McDonald Road, so as to limit the number of breaks in the built form along the McDonald ‘Main Street’ area.

Bicycle parking and end-of-trip facilities will be provided for each development in accordance with the City’s Planning Policy 3.3.14 — Bicycle and End-of-Trip Facilities and will be addressed during the development application stage.

Car parking will be provided in accordance with the TPS2 requirements. On-street car parking will be provided along McDonald Road and will count towards the required parking provision in accordance with Liveable Neighbourhoods.

Urban Form:

The IDGP facilitates the development of ‘Main Street’ built form along McDonald Road and includes design controls to provide for pedestrian-friendly active ground floor frontages. Buildings along the ‘Main Street’ Precinct are proposed at two storeys (or equivalent parapet height) to reinforce the desired urban character for ‘Main Street’ developments.

The IDGP area comprises two major view lines, north-south along McDonald Road and east-west along the pedestrian link towards the neighbourhood plaza, which will form the activity node of the neighbourhood centre.

The IDGP provides for active uses (cafes and bars) to be located adjacent to and fronting onto the neighbourhood plaza, to encourage the use thereof as an active space, both during the day and at night. A ‘Concept Plan’ (Attachment 2) was prepared to illustrate the intended land use distribution within the IDGP area and shows typical ‘Main Street’ mixed-use characteristics.
8. Concept Development Plan

The intention was to incorporate the newly constructed 'Spud Shed' as part of the 'Main Street' development. Maintaining a suitable construction buffer and safe access to existing customers, resulted in the separation of the new building from the 'Main Street'. Pedestrian movement between the new supermarket and the neighbourhood plaza will remain a priority in the form of a raised pedestrian crossing.

Within the Western Precinct, car-orientated development will comprise of buildings serviced by car parking and service areas. To ensure these buildings complement the adjacent residential uses, appropriate landscaping is proposed along the street boundaries to soften the visual impact of car parking and the buildings.

Whilst the indicative layout depicted in the IDGP is considered acceptable, it is essential that the non-main street aspect of the development, particularly the supermarket within the Western Precinct, is developed in association with the Main Street Precinct to ensure the centre meets the objective of IDGP to achieve an integrated main street configuration. In this regard, it is recommended that the following provision be added to the IDGP:

“\textit{In order to satisfy the objectives of the IDGP to achieve an integrated main street configuration:}"

\begin{itemize}
  \item \textit{The portion of the Main Street Precinct north of the existing \textquote{Spud Shed} building shall be developed contemporaneously or prior to development of the supermarket; and}
  \item \textit{The existing \textquote{Spud Shed} building shall be redeveloped or altered to satisfy the requirements for the Main Street Precinct upon commencement of the supermarket.}"
\end{itemize}

It is further recommended that provision 2.11 be deleted as the requirement for a pedestrian link is already addressed by provision 2.4, the requirement for temporary approval of the existing building as a \textquote{shop} would not be effective under clause 4.6A(d) of TPS2, and the requirement for demolition or alteration of the existing building is adequately addressed by the new provision described above.

Conclusion

Based on the following conclusions, it is considered that the IDGP is suitable for approval by Council for the following reasons:

1. The IDGP is compliant with the intentions of State Planning Policy 4.2 - \textit{Activity Centres for Perth and Peel}, in promoting a typical mixed-use \textquote{Main Street} based neighbourhood centre.
2. The IDGP complies with Local Planning Policy 3.1.2 – *Local Commercial Strategy* as per Table 2.8 - *Neighbourhood and Local Centre descriptions in the Baldivis Precinct*:

- **Appropriate catchment served**
  
  The LCS prescribes a catchment population between 5,000 and 20,000 people. The Baldivis (North) District Structure Plan 2,000 mentions a population of 4,200 people for the Structure Plan area. This is however based on outdated population growth figures and excludes the future Baldivis (East) Structure Plan area, surrounding rural areas and existing ‘Spud Shed’ clients.

- **Typical floor space provision**
  
  The LCS makes provision for a typical floor space of 4,500m² - 10,000m² NLA. The IDGP area has an indicative floor space area of 7,590m² NLA.

- **Typical retail anchor tenants**
  
  A Neighbourhood Centre under the LCS makes provision for weekly and convenience services including a supermarket. The proposed Neighbourhood Centre will be anchored by a supermarket (Spud Shed).

- **Potential mix of uses**
  
  The LCS describes a mix of uses as local service and commercial facilities, including banks, post office real estate agents and local commercial, combined with medium density and shop-top residential. The proposed IDGP makes provision for all these uses.

- **Retail Sustainability Assessment (RSA)**
  
  A RSA is required should the retail/commercial floor space exceed 6,000m² NLA. The floor area calculations under the LCS relate to shop/retail floor areas as defined by PLUC5 in the Metropolitan Centres Policy. The Policy states that centres, at all levels of the hierarchy, should include varying levels of non-retail commercial floor areas such as offices, quasi retailing and commercial entertainment as well as community and cultural facilities.

  The accompanying Concept Plan demonstrates the Neighbourhood Centre having an initial shop/retail floor space of 5,985m² NLA plus 2,490m² of mixed use (office / residential). As the intended shop/retail floor space does not exceed 6,000m², an RSA is not required pursuant to the provisions of the LCS.

  In the long term, individual office tenancies may be converted for shop/retail purposes. This is likely to be supported given that under the LCS a RSA is only required for any proposal that facilitates the expansion of shop/retail floor space by more than 3,000m². The LCS also acknowledges incremental increases of shop/retail floor space over time.

  Where it applies to Baldivis, the LCS has been amended to reflect the recommendations of SPP4.2, which has adopted a more flexible approach towards specific centre size and a stronger focus on the role and function of a centre.

3. The IDGP development provisions are based on the performance standards under Clauses 8.1 and 8.2 of the City’s Baldivis Town Centre Policy and therefore provides for a high standard of development.

4. The IDGP makes provision for road widening along the southern boundary of Kerosene Lane as required for future upgrading of Kerosene Lane.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council *ADOPT* the Proposed Integrated Development Guide Plan (IDGP) for a Neighbourhood Centre over part Lots 299 and 14 Kerosene Lane, Baldivis subject to the following modifications:

1. Provisions 2.8 and 2.11 being deleted.
2. A new provision being inserted for the Main Street Precinct as follows:
In order to satisfy the objectives of the IDGP to achieve an integrated main street configuration:
- The portion of the Main Street Precinct north of the existing ‘The Spud Shed’ building shall be developed contemporaneously or prior to development of the supermarket; and
- The existing ‘The Spud Shed’ building shall be redeveloped or altered to satisfy the requirements for the Main Street Precinct upon commencement of the supermarket.

Committee Recommendation

That Council ADOPT the Proposed Integrated Development Guide Plan (IDGP) for a Neighbourhood Centre over part Lots 299 and 14 Kerosene Lane, Baldivis subject to the following modifications:-

1. Provisions 2.8 and 2.11 being deleted.
2. A new provision being inserted for the Main Street Precinct as follows:
   In order to satisfy the objectives of the IDGP to achieve an integrated main street configuration:
   - The portion of the Main Street Precinct north of the existing ‘The Spud Shed’ building shall be developed contemporaneously or prior to development of the supermarket; and
   - The existing ‘The Spud Shed’ building shall be redeveloped or altered to satisfy the requirements for the Main Street Precinct upon commencement of the supermarket.

Committee Voting – 5/0

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-010/14 Proposed Integrated Development Guide Plan – Westralia Gardens, Rockingham City Centre</th>
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<tbody>
<tr>
<td>File No:</td>
<td>DD020.2014.12</td>
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<tr>
<td>Applicant:</td>
<td>Yaran Property Group</td>
</tr>
<tr>
<td>Owner:</td>
<td>Iuliano Holdings Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Ms Erika Barton, Senior Planning Officer, Mr Dave Waller, Coordinator Statutory Planning</td>
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<td>Date of Committee Meeting:</td>
<td>17 February 2014</td>
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<td>Previously before Council:</td>
<td></td>
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<td>Disclosure of Interest:</td>
<td>Tribunal</td>
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<tr>
<td>Nature of Council's Role in this Matter:</td>
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#### Site:

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<th>Lot Area:</th>
<th>9,600m²</th>
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<tr>
<td>LA Zoning:</td>
<td>Primary Centre City Centre</td>
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<tr>
<td>MRS Zoning:</td>
<td>Central City Area</td>
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</table>

#### Attachments:

- 1. Location Plan
- 2. Aerial Photo
- 3. Proposed Site Plan
- 4. Integrated Development Guide Plan
1. Location Plan

2. Aerial Photo

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 MARCH 2014

PRESIDING MEMBER
Purpose of Report

To consider a proposed Integrated Development Guide Plan (IDGP) for Lot 12 (No.12-24) Westralia Gardens, Rockingham.

Background

The applicant has submitted a Joint Development Assessment Panel application for 167 Multiple Dwellings over 8 separate apartment buildings on the subject site. This application is the subject of a separate item in this Agenda (PDS-010/14).

To facilitate the development of the Multiple Dwellings, which are proposed to be staged, the applicant is intending to subdivide the land. Details of the proposed subdivision are included in the details section of this report. The proposed site plan for the development application is illustrated in Figure 3.

3. Proposed Site Plan
Details

The proposed IDGP is illustrated in Figure 4.

The IDGP includes a development layout and associated subdivision. The subject site is proposed to be subdivided into eight separate green title lots, with access and carparking easements proposed over each lot to allow for reciprocal rights of access and parking over the sites, provided commensurately for each stage.

### Implications to Consider

<table>
<thead>
<tr>
<th></th>
<th>Consultation with the Community</th>
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<tbody>
<tr>
<td>a.</td>
<td>Not Applicable</td>
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<tr>
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<th>Consultation with Government Agencies</th>
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<td>b.</td>
<td>Not Applicable</td>
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<th>Strategic</th>
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<tr>
<td>c.</td>
<td>Community Plan</td>
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<tr>
<td></td>
<td>This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:</td>
</tr>
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</table>

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

<table>
<thead>
<tr>
<th></th>
<th>Policy</th>
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<tbody>
<tr>
<td>d.</td>
<td>Planning Policy No.3.2.1 – Development Policy Plan City Centre Sector (PP3.2.1)</td>
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<tr>
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<td>PP3.2.1 guides development within the Primary Centre City Centre Zone. The Policy divides the City Centre Sector into seven Precincts. The subject site is located within the Park Precinct. Section 5.7 of the Policy outlines the requirements for this Precinct. Any future development needs to comply with these Policy requirements.</td>
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<tr>
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<td>The Policy requires that any subdivision is to be prepared in concert with an IDGP. Such IDGPs are to illustrate building envelopes, indicative building configurations, setbacks, pedestrian and a vehicular access, indicative car parking layouts and any rights of way of access easements required.</td>
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<td>The proposed IDGP addresses the abovementioned elements.</td>
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<tr>
<th></th>
<th>Financial</th>
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<td>e.</td>
<td>Nil</td>
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<table>
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<tr>
<th></th>
<th>Legal and Statutory</th>
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<tbody>
<tr>
<td>f.</td>
<td>Clause 4.3.5 of Town Planning Scheme No.2 (TPS2) requires an IDGP to be adopted by Council before it can support an application for subdivision of land within the Primary Centre, which includes the Primary Centre City Centre Zone with which the subject site is located.</td>
</tr>
<tr>
<td></td>
<td>In considering a proposal for an IDGP, Council is required to either refuse to adopt it or adopt it without modification.</td>
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</tbody>
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### Comments

**Consistency with TPS2 Requirements**

A proposed IDGP is required to set out details of the following:-

**Building Envelopes**

The proposed IDGP provides building envelopes which are in a satisfactory location.

**Indicative Building Configurations**

Within the Park Precinct of PP3.2.1, buildings are to be located, configured and activated to frame and address street frontages and developments are to overlook the park. The proposed IDGP does not provide detailed indicative building configurations, however, the primary orientation of future buildings are shown on the IDGP, which are proposed to address Chalgrove Avenue, Westralia Gardens and City Park. These orientations are satisfactory and comply with PP3.2.1.

**Setbacks**

Within the Park Precinct of PP3.2.1, a minimum 2m setback and a maximum 4m setback is required. Minimum 2m and maximum 4m setbacks are shown on the proposed IDGP which is compliant with PP3.2.1.
Pedestrian and Vehicular Access
Vehicular and pedestrian access has been shown on the proposed IDGP and the proposed access locations are acceptable.

Indicative Carparking Layouts
PP3.2.1 requires carparking to be located behind street front buildings. The proposed IDGP provides for parking behind and under buildings, and around a central podium. The carparking layout is compliant with PP3.2.1.

Right of Way and Easements
The proposed IDGP does not show future easement locations, however, a separate Easement Plan has been provided with the supporting IDGP documentation which is consistent with the access arrangements shown on the IDGP. The provision of easements will be addressed upon an application for Subdivision Approval being made.

Conclusion
In light of the above comments, it is considered that the IDGP is compliant with PP3.2.1 and is suitable for approval.

Voting Requirements
Simple Majority

Officer Recommendation

Committee Recommendation

Committee Voting – 5/0

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-011/14 Proposed Street Naming Theme – The Vistas Estate – West Karnup</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1663</td>
</tr>
<tr>
<td>Applicant:</td>
<td>McMullen Group</td>
</tr>
<tr>
<td>Owner:</td>
<td>Gold Right Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Nicole D’Alessandro, Planning Administration Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Co-ordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 February 2014</td>
</tr>
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<td>Previously before Council:</td>
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<td>Disclosure of Interest:</td>
<td>Legislative</td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Lots 3, 805 and 806 Mandurah Road, Karnup</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>113.336ha</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Development</td>
</tr>
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<td>MRS Zoning:</td>
<td>Urban</td>
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<tr>
<td>Attachments:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>2. Council Adopted Structure Plan</td>
</tr>
</tbody>
</table>
1. Location Plan

**Purpose of Report**

To consider an application seeking approval for a street naming theme for the subdivision located at Lots 3, 805 and 806 Mandurah Road, Karnup, based on ‘Colours & Hues of the Natural Environment’.

**Background**

The Structure Plan for Lots 3, 805 and 806 Mandurah Road, Karnup (The Vistas Estate) was adopted by the Council and approved by the Western Australian Planning Commission (WAPC) in May 2013.
2. Council Adopted Structure Plan

In May 2013 and December 2013, Subdivision Approval from the WAPC for Stages 1 and 2.

The Vistas Estate covers approximately 113 hectares and will produce approximately 1,170 lots yielding approximately 1,222 dwellings.
The proponent of the Vistas Estate initially requested a Street Naming Theme based upon the Olympic Games, but this wasn’t considered to be appropriate as it did not reflect a local Rockingham theme and other Geographic Names Committee (GNC) criterion.

### Details

Given the large scale of the subdivision and the amount of road names required, the applicant seeks Council’s approval for the theme of ‘Colours and Hues of the Natural Environment’ for example blues, greens, yellow, reds and browns derived from the ocean, beaches and flora/vegetation to be used within the subdivision.

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

- Aquamarine
- Bronze
- Cerise
- Citrine
- Fawn
- Mauve
- Zaffre
- Rouge

### Implications to Consider

a. **Consultation with the Community**
   - Nil

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

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

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


d. **Policy**
   - Nil

e. **Financial**
   - Nil

f. **Legal and Statutory**

   The Land Administration Act 1997 (section 26A) requires developers of new subdivisions to submit street names for approval by the Council. The responsibility for approving street names rests with Geographic Names. The proposed theme is in accordance with Geographic Names Committee principles, procedures and guidelines.

### Comments

Many existing Street Naming Themes based on ‘locally significant’ items or persons have been largely utilised within the City.

The proposed theme of ‘Colours and Hues of the Natural Environment’ is compliant with the City’s Planning Procedure 1.4 and the Geographic Names Committee Principles, Procedures and Guidelines which outlines street names which are descriptive names appropriate to the features’ as one of the preferred sources of street names.

In light of the above, it is recommended that the Council support the street naming theme based on ‘Colours and Hues of the Natural Environment’ derived from the ocean, beaches and flora/vegetation as it reflects ‘thematic names’ from nature.

### Voting Requirements

Simple Majority
<table>
<thead>
<tr>
<th><strong>Officer Recommendation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>That Council ENDORSE the proposed street naming theme of ‘Colours and Hues of the Natural Environment’ for the ‘Vistas Estate’ subdivision located at Lots 3, 805 and 806 Mandurah Road, Karnup.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Committee Recommendation</strong></th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
<td>Committee Voting – 5/0</td>
</tr>
</tbody>
</table>

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

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

To consider a nomination for a member on the Heritage Reference Group from the Rockingham District Historical Society (RDHS).

### Background

In September 2012, the Council appointed the following members to the Heritage Reference Group for a two-year term of office commencing 25th September 2012:-

- Mr Terry Craig  Rockingham District Historical Society
- Mrs Sylvia Reed  Rockingham District Historical Society

The Heritage Reference Group is also supported by City Officers.

### Details

Mr Terry Craig recently resigned from both the RDHS and the Heritage Reference Group.

The City has received a request for nomination from the RDHS for Mrs Wendy Durant to fill the vacant position on the Heritage Reference Group.
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 contained in the Community Plan 2011:-

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

   **Aspiration 16:** A Council which engages with all elements of the community in order to make decisions that respect Rockingham’s unique sense of place whilst positively contributing to its future prosperity.

d. Policy
   Council Policy ‘Governance and Meeting Framework’ underpins the review and appointment of community membership of Advisory Committees.

e. Financial
   Nil

f. Legal and Statutory
   Sections 5.8, 5.9 and 5.10 of the Local Government Act 1995 specify legislative matters in respect to committees and the appointment of committee members.

Comments

Mrs Wendy Durant is a current serving member of the RDHS and has an extensive knowledge of the local history of Rockingham and the surrounding areas. Mrs Durant has also previously been a member the Heritage Reference Group and the former Heritage Advisory Committee.

It is recommended that Mrs Wendy Durant be appointed as a member on the Heritage Reference Group, to replace Mr Terry Craig.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council APPOINT Mrs Wendy Durant as Member to the Heritage Reference Group, to replace Mr Terry Craig.

Committee Recommendation

That Council APPOINT Mrs Wendy Durant as Member to the Heritage Reference Group, to replace Mr Terry Craig.

Committee Voting – 5/0

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-013/14 167 Multiple Dwellings (Metro South West Joint Development Assessment Panel)</th>
</tr>
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<tbody>
<tr>
<td>File No:</td>
<td>DD020.2013.00000013</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Yaran Property Group</td>
</tr>
<tr>
<td>Owner:</td>
<td>Iuliano Holdings Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 February 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 12 (No.12-24) Westralia Gardens, Rockingham</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>9,600m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Primary Centre City Centre</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Central City Area</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Responsible Authority Report</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Site Plan</td>
</tr>
<tr>
<td></td>
<td>3. Westralia Garden Elevation</td>
</tr>
<tr>
<td></td>
<td>4. City Park Elevation (Apartment 3)</td>
</tr>
<tr>
<td></td>
<td>5. City Park Elevation (Apartment 4)</td>
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<tr>
<td></td>
<td>6. Chalgrove Avenue Elevation (Apartment 4)</td>
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<tr>
<td></td>
<td>7. Chalgrove Avenue Elevation (Apartment 8)</td>
</tr>
<tr>
<td></td>
<td>8. Chalgrove Avenue Elevation (Apartment 7)</td>
</tr>
<tr>
<td></td>
<td>9. Lot 11 Westralia Garden Elevation (Apartment 8)</td>
</tr>
<tr>
<td></td>
<td>10. Lot 11 Westralia Garden Elevation (Apartment 9)</td>
</tr>
<tr>
<td></td>
<td>11. Typical Ground Floor Plan</td>
</tr>
<tr>
<td></td>
<td>12. Typical 1st &amp; 2nd Floor Plan</td>
</tr>
<tr>
<td></td>
<td>13. Westralia Gardens Footpath Network</td>
</tr>
</tbody>
</table>
1. Location Plan

<table>
<thead>
<tr>
<th>Purpose of Report</th>
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</thead>
<tbody>
<tr>
<td>To provide recommendations to the Metro South West Joint Development Assessment Panel (SWJDAP) on an application for 167 Multiple Dwellings at Lot 12 (No.12-24) Westralia Gardens, Rockingham.</td>
</tr>
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<tbody>
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<table>
<thead>
<tr>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>The applicant seeks Planning Approval for Multiple Dwellings comprising the following:-</td>
</tr>
<tr>
<td>- 167 Multiple Dwellings across 3 levels, in 8 separate apartment buildings, comprising of 2 bedroom units in a range of formations;</td>
</tr>
<tr>
<td>- A central podium landscaped area;</td>
</tr>
<tr>
<td>- Associated ancillary uses such as bin stores and visitors carparking.</td>
</tr>
<tr>
<td>The applicant is also intending to subdivide the land into eight separate lots with access and parking easements, to allow communal access and carparking to the apartment buildings. The development is proposed to be staged.</td>
</tr>
<tr>
<td>Subject to Council approving the proposed Integrated Development Guide Plan (IDGP), which is the subject of a separate report on this agenda, the applicant will be lodging an application for Subdivision Approval with the Western Australian Planning Commission.</td>
</tr>
<tr>
<td>The proposed development is consistent with the proposed IDGP.</td>
</tr>
</tbody>
</table>
2. Site Plan

3. Westralia Gardens Elevation
4. City Park Elevation (Apartment 3)

5. City Park Elevation (Apartment 4)

6. Chalgrove Avenue Elevation (Apartment 4)

7. Chalgrove Avenue Elevation (Apartment 8)
8. Chalgrove Avenue Elevation (Apartment 7)

9. Lot 11 Westralia Gardens Elevation (Apartment 8)

10. Lot 11 Westralia Gardens Elevation (Apartment 9)
11. Typical Ground Floor Plan

12. Typical 1st & 2nd Floor Plan
Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Nil

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

d. Policy
   Planning Policy 3.2.1 – Development Policy Plan City Centre Sector (PP3.2.1)
   The purpose of PP3.2.1 is to provide guidance on the type and form of development desired within the City Centre Sector. The subject site is located within the Park Precinct in the City Centre Sector. The proposal is generally consistent with the requirements of PP3.2.1.

   A full assessment of the proposed development against the requirements of PP3.2.1 is included in Attachment – Responsible Authority Report.

   Planning Policy 3.3.14 – Bicycle Parking and End-of-Trip Facilities (PP3.3.14)
   The purpose of PP3.3.14 is to ensure the provision of appropriate bicycle parking and end-of-trip facilities in new development and to provide guidance on the development and design of bicycle parking and end-of-trip facilities.

   The required bicycle parking for the proposed development has been calculated at 73 short-term bicycle parking spaces. It is recommended in the Responsible Authority Report that a condition be imposed requiring the construction of the required amount of bicycle parking spaces to be constructed in accordance with the requirements of PP3.3.14.

   Planning Procedure 1.16 – Carparking and Access Considerations for People with Disability (PP1.16)
   The purpose of PP1.16 is to ensure all development is designed to accommodate persons with disability, such that carparking and access is functional, convenient and safe.

   The Building Code of Australia (BCA) and PP1.16, which is based on BCA requirements, do not require the provision of carparking bays for people with disability for Class 2 Buildings, which Multiple Dwellings are classified as. No conditions requiring the provision of carparking bays for people with disability have therefore been included.

e. Financial
   Nil

f. Legal and Statutory
   Town Planning Scheme No.2 (TPS2)
   The proposal was assessed against the requirements of TPS2 and is compliant. Details of the relevant Clauses of TPS2 and an explanation of how the development is compliant are as follows:-

   Clause 4.3A.1 – Objectives of the Zone
   The subject site is zoned ‘Primary Centre City Centre’ under TPS2. The objectives of the Primary Centre City Centre Zone include, but are not limited to:-

   “(i) Achieving a high density land use environment with a range of medium to high density housing;
(ii) To encourage vibrant and diverse uses which promote the Primary Centre City Centre Zone as a destination;

(iii) Providing a contiguous, activated street front development; and

(iv) Promote an active day and night time retail and social environment."

The proposed development provides a high density land use environment, is considered to activate the streetfront and will promote an active day and night social environment, and is therefore considered to comply with the objectives of the zone.

Clause 4.3A.3 – Minimum Residential Density

In the Primary Centre City Centre Zone, all development for the purpose of Multiple Dwellings must have a minimum of one dwelling per 125m² of land area. Given the site area, 77 dwellings are required. A total of 167 dwellings are proposed and as such the minimum density requirement has been satisfied.

Clause 4.15.1.1 – Carparking Requirements

Pursuant to clause 4.15.1.1, where land is proposed to be developed in the Primary Centre City Centre Zone, for a purpose specified in Table No.3, the minimum number of car parking bays required, and the maximum number of car parking bays allowable, for the proposed development is to be determined in accordance with Table No. 3.

Carparking requirements have been calculated as follows:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Required</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Rate</td>
</tr>
<tr>
<td>Multiple Dwelling</td>
<td></td>
</tr>
<tr>
<td>Small (&lt;75m² or 1 bedroom)</td>
<td>-0.75 bay</td>
</tr>
<tr>
<td>Visitors Car Spaces</td>
<td>0.25</td>
</tr>
<tr>
<td>(per dwelling)</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>168 bays</td>
</tr>
<tr>
<td>Provided</td>
<td>180 bays</td>
</tr>
</tbody>
</table>

Notes:
1. In calculating the minimum number of on-site carparking spaces provided per dwelling, Location ‘A’ uses of the Deemed-to-Comply requirements of the Residential Design Codes was used as the subject site is within 250m of a high frequency bus route.

The proposed development is compliant with the carparking requirements of TPS2.

Comments

Site Context

The subject site is a large infill development site which has an attractive outlook onto City Park, with its prominent street frontage onto Chalgrove Avenue and vehicular access via Westralia Gardens. The site also adjoins a retirement village development on the western side boundary.

Pedestrian Access

Pedestrian access is well provided for, to and within the site. There is an existing footpath network directly adjacent to the subject site on Chalgrove Avenue connecting to the high frequency bus route, nearby public open space and the Rockingham Shopping Centre. It is recommended that a public footpath be provided directly adjacent to the site on Westralia Garden, to provide connectivity to the existing footpath network on Westralia Garden and connecting to City Park and Success Drive.
Waste Disposal
Bin Stores have been provided on the ground floor of each apartment building to service the development. Should the application be approved, a condition should be imposed requiring the preparation and implementation of a Waste Management Plan.

Existing Vegetation
There are existing grasstrees (Xanthorrhoeaceae Family) trees on the site that will need to be relocated prior to development.

Conclusion
The proposed development is generally compliant with TPS2 and Policy requirements.

The proposed development is considered to meet the intent and objectives of the Park Precinct and the Rockingham City Centre Sector and is considered a desirable and suitable addition to the Precinct.

It is recommended that Council adopt the Responsible Authority Report, which seeks to conditionally approve the DAP application.

Voting Requirements
Simple Majority

Officer Recommendation
That Council ADOPT the Responsible Authority Report for proposed 167 Multiple Dwellings at Lot 12 (No.12-24) Westralia Gardens, Rockingham, which recommends that the Metro South West Joint Development Assessment Panel approve the application seeking Planning Approval, subject to the following conditions:

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. Earthworks over the site shall be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City in the event that sand or dust is blown from the site.

3. All stormwater being contained and disposed of on-site and certified by a hydraulic engineer, prior to applying for a Building Permit, and shall be implemented as such in the development.

4. Prior to the lodgement of a Building Permit application, the submission of a detailed landscape plan for assessment and approval by the City is required. The Landscape Plan shall include the following:
   (a) the location, number and type of proposed planting;
   (b) the size of selected species at planting and maturity;
   (c) those areas to be reticulated or irrigated; and
   (d) details of any common area lighting.

5. Landscaping is to be installed and reticulated in accordance with an approved detailed landscape plan prior to the occupation of the dwellings. Landscaped areas are to be maintained thereafter in good order to the satisfaction of the City.

6. Arrangements must be made to the satisfaction of the City for grasstree plants (XANTHORROHOEACEAE family) on the site to be relocated, prior to applying for a Building Permit.

7. The upgrading of the Westralia Gardens development setback area and verge areas including landscaping, paving and reticulation, prior to the occupation of the development, in accordance with the Rockingham City Centre Streetscape Study. The works must be completed prior to the occupation of the development to the satisfaction of the City of Rockingham and must be maintained at all times.

8. The carpark must:-
   (i) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking unless otherwise specified by this approval, prior to applying for a Building Permit; and
   (ii) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter.

   The car park must comply with the above requirements for the duration of the development.

9. 73 short-term bicycle parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities, prior to applying for a Building Permit. The bicycle parking spaces must be constructed prior to the occupation of the development, and must be retained and maintained in good condition at all times.

10. The visitor car parking spaces must be constructed and clearly marked/signposted as visitor spaces for the duration of the development.

11. Prior to applying for a Building Permit, the submission of design plans for the courtyard fencing of the Multiple Dwellings fronting City Park, Chalgrove Avenue and Westralia Gardens, for assessment and approval by the City; the fencing must be designed to be 50% visually permeable above 1.2m in height. All courtyard fencing must be maintained in good condition at all times.

12. Gated access to each ground floor Multiple Dwelling adjoining City Park must be provided. The gates must be retained and maintained in good condition at all times.

13. Above-ground meter boxes must not be located in a street setback area at any time.

14. Arrangements being made to the satisfaction of the City of Rockingham for the payment of a contribution towards the administration and community infrastructure items pursuant to Clause 5.6.14 of the City of Rockingham Town Planning Scheme No.2, upon completion of the development.
15. The construction of a footpath, along the lot frontage to Westralia Gardens, in accordance with specifications approved by the City and completed concurrently with stage 1 of the development.

16. Bin Storage areas must be designed for each apartment with a size suitable to service the development and screened from view of Chalgrove Avenue and Westralia Gardens to the satisfaction of the City of Rockingham, prior to applying for a Building Permit. Bin Storage areas be constructed prior to the occupation of the development and must be retained and maintained in good condition at all times.

17. A Waste Management Plan must be prepared and include the following detail to the satisfaction of the City, prior to applying for a Building Permit:-
   (i) the location of bin storage areas and bin collection areas;
   (ii) the number, volume and type of bins, and the type of waste to be placed in the bins;
   (iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
   (iv) frequency of bin collections.

All works must be carried out in accordance with the Waste Management Plan, for the duration of development.

18. Clothes drying facilities (excluding electric clothes dryers) must be screened from view of Westralia Garden, Chalgrove Avenue and City Park, at all times for the duration of the development.

19. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public view and/or screened, the details of which are to be provided to the City's satisfaction prior to the lodgement of a Building Permit application for the development.

20. Vertical or Horizontal loover screening must be installed on all west facing balconies and windows of Apartment Block 5 to prevent direct overlooking of the adjoining development, in accordance with a design submitted to the City's satisfaction prior to lodgement of a Building Permit.

Committee Recommendation

That Council ADOPT the Responsible Authority Report for proposed 167 Multiple Dwellings at Lot 12 (No.12-24) Westralia Gardens, Rockingham, which recommends that the Metro South West Joint Development Assessment Panel approve the application seeking Planning Approval, subject to the following conditions:

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.

2. Earthworks over the site shall be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City in the event that sand or dust is blown from the site.

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5. Landscaping is to be installed and reticulated in accordance with an approved detailed landscape plan prior to the occupation of the dwellings. Landscaped areas are to be maintained thereafter in good order to the satisfaction of the City.

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8. The carpark must:
   (i) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking unless otherwise specified by this approval, prior to applying for a Building Permit; and
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The car park must comply with the above requirements for the duration of the development.

9. 73 short-term bicycle parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities, prior to applying for a Building Permit. The bicycle parking spaces must be constructed prior to the occupation of the development, and must be retained and maintained in good condition at all times.

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20. Vertical or Horizontal louver screening must be installed on all west facing balconies and windows of Apartment Block 5 to prevent direct overlooking of the adjoining development, in accordance with a design submitted to the City's satisfaction prior to lodgement of a Building Permit.

Committee Voting – 5/0

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-014/14</th>
<th>33 Grouped Dwellings (Metro South West Joint Development Assessment Panel)</th>
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<tbody>
<tr>
<td>File No:</td>
<td>DD020.2013.388</td>
<td></td>
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<tr>
<td>Applicant:</td>
<td>Tangent Nominees Pty Ltd</td>
<td></td>
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<tr>
<td>Owner:</td>
<td>Sumreal Nominees Pty Ltd</td>
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<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Planning Officer</td>
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<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
<td></td>
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<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 February 2014</td>
<td></td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>17 February 2014</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
<td></td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td></td>
<td></td>
</tr>
</tbody>
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### Site:
- Lot 1131 (No.56) Westlinton Circle, Waikiki
- Lot Area: 7,769m²
- LA Zoning: Development
- MRS Zoning: Urban

### Attachments:
- Responsible Authority Report
- Location Plan
- Ground Floor Plan
- Upper Floor Plan
- Buttermere Approach Elevation
- Ennis Avenue Elevation
- Westlinton Circle Elevation (1)
- Westlinton Circle Elevation (2)
- Public Open Space Elevation (1)
- Public Open Space Elevation (2)
- Internal Elevation (1)
- Internal Elevation (2)
- Typical Floorplan

---

2 Correction of typographical error

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 MARCH 2014

PRESIDING MEMBER
1. Location Plan

**Purpose of Report**

To provide recommendations to the Metro South West Joint Development Assessment Panel (SWJDAP) on an application seeking Planning Approval for 33 Grouped Dwellings at Lot 1131 (No.56) Westlinton Circle, Waikiki.

**Background**

Nil

**Details**

The applicant seeks Planning Approval for 33 Grouped Dwellings comprising:-

- A mix of single storey and double storey Grouped Dwellings, which are 2 bedrooms or 3 bedrooms;
- Vehicle and pedestrian access to the site via Buttermere Approach, with an additional pedestrian access via Westlinton Circle; and
- Access to Grouped Dwellings via a central common property access leg, including seven visitors bays.

The proposed Grouped Dwellings along the northern boundary of the site will overlook a local park, with outdoor living areas and views from the first floor bedrooms.
3. Upper Floor Plan
4. Buttermere Approach Elevation

5. Ennis Avenue Elevation

6. Westlinton Circle Elevation (1)

7. Westlinton Circle Elevation (2)

8. Public Open Space Elevation (1)

9. Public Open Space Elevation (2)

10. Internal Elevation (1)
11. Internal Elevation (2)

12. Typical Floorplan
Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Not Applicable

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

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

d. Policy
   State Planning Policy 3.3.1 - Residential Design Codes (R-Codes)
   The R-Codes provide a comprehensive basis for the control of residential development throughout Western Australia.

   The proposed development generally complies with the R-Code requirements for Grouped Dwellings, with the exception of the following variations:

   5.1.3 – Lot Boundary Setback
   The R-Codes require Grouped Dwellings on the same site to be setback from each other as though there were a boundary between them.

   A setback of 1.9m is required if all habitable windows are not major openings (i.e. highlight windows with a sill height above 1.6m or fixed or obscure glazing is used). A 1.9m setback has been provided, however, it is recommended that a condition of Planning Approval be included to require internal openings to habitable rooms to be designed to maintain privacy.

   5.1.4 – Open Space
   The R-Codes require Open Space to be provided in accordance with Table 1. The subject site is zoned R40 and thus 45% Open Space is required for each Grouped Dwelling.

   Units 2-16, 27 and 32 have Open Space of between 40% and 44%, in lieu of the 45% required. This variation is considered acceptable as useable Outdoor Living Areas for all Grouped Dwellings have been provided, and the subject site is located directly adjacent to a local park.

   5.3.6 – Pedestrian Access
   The R-Codes require a communal street of pedestrian path to be no closer than 3m to any wall with a major opening unless privacy screening is provided.

   Units 13 -17 and 29-33 have a 1.5m setback to the internal common property access leg from bedroom windows in lieu of the 3m required. This variation is considered acceptable as landscaping is proposed between the bedroom windows and the common property access leg to provide privacy. A condition of Planning Approval is also recommended to this effect.

   State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning (SPP5.4)
   The purpose of SPP5.4 is to promote a system in which sustainable land use and transport are mutually compatible. It seeks to minimise the adverse impact of transport noise, without placing unreasonable restrictions on noise-sensitive residential development.

   As the proposed development is located within the vicinity of Ennis Avenue, which is considered to be a major road under SPP5.4, the proposed development is considered to be significantly affected by transport noise.
In accordance with SPP5.4, it is recommended that a noise assessment be undertaken, and any recommended noise mitigation strategies as a result of the outcomes of the report appropriately incorporated into the development.

**Planning Procedure 1.16 – Carparking and Access Considerations for People With Disability (PP1.16)**

The purpose of PP1.16 is to ensure that all development is designed to accommodate persons with disabilities, such that carparking and access is functional, convenient and safe. No carparking bays were provided for people with disability as part of the development.

Grouped Dwellings developments are not required to provide a carparking bay for people with disability under the Building Code of Australia, which PP1.16 is based on.

e. **Financial**

Nil

f. **Legal and Statutory**

Town Planning Scheme No.2 (TPS2)

The proposal was assessed against the requirements of TPS2 and is compliant. Details of the relevant Clauses of TPS2 and an explanation of how the development is compliant are as follows:-

**Zoning**

The subject site is zoned ‘Development’ under TPS2 and is designated as ‘Residential (R40)’ on the approved Harrington Waters Structure Plan. The objective of the Residential zone is as follows:-

“*To promote a high quality residential environment by maintaining and enhancing the quality of existing residential areas and providing for a range of residential densities and housing types throughout the Scheme Area.*”

The proposed development is consistent with the Residential zone objectives.

**Carparking**

The carparking requirements under TPS2 are compliant with the R-Codes. A calculation of the carparking requirements is as follows:-

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rate</td>
</tr>
<tr>
<td>Grouped Dwelling</td>
<td>2 + bedrooms = 2 bays</td>
</tr>
<tr>
<td></td>
<td>33 dwellings = 66 bays required</td>
</tr>
<tr>
<td>Visitors Car Spaces (per dwelling)</td>
<td>1 bay for each 4 dwellings, or part thereof in excess of four dwellings, served by a common property access.</td>
</tr>
<tr>
<td></td>
<td>33 dwellings (all served by a common property access) = 7 bays.</td>
</tr>
<tr>
<td>Total</td>
<td>73 bays</td>
</tr>
<tr>
<td>Provided</td>
<td>75 bays</td>
</tr>
</tbody>
</table>

Notes:

1. In calculating the minimum number of on-site carparking spaces provided per dwelling, Location ‘B’ uses of the Deemed-to-Comply requirements of the Residential Design Codes was used as the subject site is located more than 800m from a high frequency rail route and more than 250m from a high frequency bus route.

The proposed development is compliant with the carparking requirements of TPS2.

Given that twelve of the proposed Grouped Dwellings front directly onto Westlinton Circle which are separated from the visitor bays, it is recommended that three visitor on-street carparking bays be provided along the lot frontage to Westlinton Circle.
Comments

Site Context
The site is bound by a local park to the north, Ennis Avenue to the east, and existing residential dwellings to the south and west. It is approximately 1.2km from Warnbro Train Station and 900m to the Waikiki Village Shopping Centre.

The land is generally level and generally devoid of any vegetation. The site is also one of six R40 grouped housing sites on the approved Harrington Waters Structure Plan, to facilitate a variety of housing types within the estate. The mix of 2 and 3 bedroom housing types proposed as part of the development is considered to be consistent with the Harrington Waters Structure Plan.

Access
The proposed vehicle access to the site via Buttermere Approach is appropriate as it is the most direct form of ingress and egress and less residents will be impacted by vehicle movements to the site had access to the site been obtained via Westlinton Circle.

Waste Disposal
The applicant has demonstrated that there is adequate verge space adjacent to the site to accommodate bins on collection days. The proposed method of waste disposal for the 12 Grouped Dwellings fronting onto Westlinton Circle is acceptable, however, it is recommended that a dedicated bin storage area is provided to replace 3 visitor bays accessed from Buttermere Approach. Waste from the remaining 21 Grouped Dwellings should be stored in a communal bin enclosure. This will significantly reduce the number of bins that will need to be collected from Westlinton Circle. A Waste Management Plan will be required as a condition of Planning Approval, which reflects this revised waste storage and collection arrangement.

Fencing
To ensure passive surveillance of the adjacent local park is achieved, the adjoining fencing abutting must be visually permeable above 1.2m in accordance with the R-Codes. A condition of Planning Approval to this effect is recommended.

Conclusion
The proposed development general complies with the requirements of TPS2 and Policy. It is therefore recommended that Council adopt the Responsible Authority Report, which recommends that the SWJDAP conditionally approve the application.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ADOPT the Responsible Authority Report for the proposed 33 Grouped Dwelling development at Lot 1131 (No.56) Westlinton Circle, Waikiki, which recommends that the Metro South West Joint Development Assessment Panel approve the application seeking Planning Approval, subject to the following conditions:-

Conditions
1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. Earthworks over the site associated with the development shall be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City in the event that sand or dust is blown from the site.
3. All stormwater being contained and disposed of on-site and certified by a hydraulic engineer, prior to applying for a Building Permit, and shall be implemented as such in the development.
4. Prior to the lodgement of a Building Permit application, the submission of a detailed landscape plan for assessment and approval by the City is required. The Landscape Plan shall include the following:-
(a) the location, number and type of proposed planting;
(b) the size of selected species at planting and maturity;
(c) those areas to be reticulated or irrigated;
(d) details of any common area lighting; and
(e) Planting to be located between the common property access way and the ground floor habitable rooms of Units 13-17 and 29-33.

5. Landscaping is to be installed and reticulated in accordance with an approved detailed landscape plan prior to the occupation of the dwellings. Landscaped areas are to be maintained thereafter in good order to the satisfaction of the City.

6. A Transport Noise Assessment being undertaken by an acoustic consultant, in accordance with the provisions of State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning. Any recommended noise mitigation strategies from Ennis Avenue traffic noise must be appropriately incorporated into the residential development prior to occupation of the development.

7. The visitor car parking spaces must be:-
   (i) constructed and clearly marked/signposted as visitor spaces and must comply with the above requirements for the duration of the development; and
   (ii) accessible to the public at all times and not be located behind gates or other security devices.

8. Three on-street carparking bays shall be designed for short term parking servicing the twelve units fronting onto Westlington Circle in accordance with AS2890.5-1993, Parking Facilities, Part 5: On-street parking, prior to applying for a Building Permit, and constructed prior to occupancy of the development.

9. The carpark must:-
   (i) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1: 2004, Parking Facilities, Part 1: Off-street Carparking unless otherwise specified by this approval, prior to applying for a Building Permit.
   (ii) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter; and

The carpark must comply with the above requirements for the duration of the development.

10. Prior to applying for a Building Permit, the submission of design plans for the courtyard fencing of the Grouped Dwellings fronting the park, for assessment and approval by the City; the fencing must be designed to be 50% visually permeable above 1.2m in height. All courtyard fencing must be maintained in good condition at all times.

11. Gated access to each Grouped Dwelling adjoining the park must be provided. The gates must be retained and maintained in good condition at all times.

12. Above-ground meter boxes must not be located in a street setback area.

13. The openings to the first floor habitable bedrooms must be designed in accordance with the following, prior to applying for a Building Permit:
   (i) fixed obscure glazing not able to be opened; or
   (ii) having a sill height not less than 1.6 metres above floor level; or
   (iii) reduced in size to not exceed 1.0m² in aggregate on the same wall.

Privacy Screening must be implemented for the duration of the development.

14. Three on-site visitors carparking bays must be removed and replaced with a bin storage area of a size suitable to service at least 21 Grouped Dwellings (with no street frontage) and screened from view of Buttermere Approach to the satisfaction of the City, prior to applying for a Building Permit. It must be constructed prior to the occupation of the development and must be retained and maintained in good condition at all times.

15. A Waste Management Plan must be prepared and include the following detail to the satisfaction of the City, prior to applying for a Building Permit:
(i) the location of a bin storage area in accordance with Condition 14 and bin collection areas;
(ii) the number, volume and type of bins, and the type of waste to be placed in the bins;
(iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
(iv) frequency of bin collections.

All works must be carried out in accordance with the Waste Management Plan, for the duration of development.

16. Arrangements being made to the satisfaction of the City of Rockingham for the payment of a contribution towards the administration and community infrastructure items pursuant to Clause 5.6.14 of the City of Rockingham Town Planning Scheme No.2, upon completion of the development.

Advice Note

(i) With respect to Condition No.4, the applicant and owner should liaise with the City's Parks Services to confirm requirements for landscaping plans.

Committee Recommendation

That Council ADOPT the Responsible Authority Report for the proposed 33 Grouped Dwelling development at Lot 1131 (No.56) Westlinton Circle, Waikiki, which recommends that the Metro South West Joint Development Assessment Panel approve the application seeking Planning Approval, subject to the following conditions:-

Conditions

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.

2. Earthworks over the site associated with the development shall be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City in the event that sand or dust is blown from the site.

3. All stormwater being contained and disposed of on-site and certified by a hydraulic engineer, prior to applying for a Building Permit, and shall be implemented as such in the development.

4. Prior to the lodgement of a Building Permit application, the submission of a detailed landscape plan for assessment and approval by the City is required. The Landscape Plan shall include the following:-

   (a) the location, number and type of proposed planting;
   (b) the size of selected species at planting and maturity;
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   (d) details of any common area lighting; and
   (e) Planting to be located between the common property access way and the ground floor habitable rooms of Units 13 -17 and 29-33.

5. Landscaping is to be installed and reticulated in accordance with an approved detailed landscape plan prior to the occupation of the dwellings. Landscaped areas are to be maintained thereafter in good order to the satisfaction of the City.

6. A Transport Noise Assessment being undertaken by an acoustic consultant, in accordance with the provisions of State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning. Any recommended noise mitigation strategies from Ennis Avenue traffic noise must be appropriately incorporated into the residential development prior to occupation of the development.

7. The visitor car parking spaces must be:-

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The carpark must comply with the above requirements for the duration of the development.

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(iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and

(iv) frequency of bin collections.

All works must be carried out in accordance with the Waste Management Plan, for the duration of development.

16. Arrangements being made to the satisfaction of the City of Rockingham for the payment of a contribution towards the administration and community infrastructure items pursuant to Clause 5.6.14 of the City of Rockingham Town Planning Scheme No.2, upon completion of the development.

Advice Note

(i) With respect to Condition No.4, the applicant and owner should liaise with the City’s Parks Services to confirm requirements for landscaping plans.
(ii) The applicant is encouraged to consider a diversity in materials and colours to assist in facilitating a varied streetscape along Westlinton Circle, Waikiki.

Committee Voting – 5/0

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

To provide a diversity in materials and colours to assist in the aesthetics of the buildings.

Implications of the Changes to the Officer's Recommendation

Not Applicable
### Planning and Development Services
#### Statutory Planning Services

<table>
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<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-015/14 Reconsideration of Single House (State Administrative Tribunal)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2013.00000136</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Algeri Planning &amp; Appeals</td>
</tr>
<tr>
<td>Owner:</td>
<td>Conquest Corporation Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 February 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>July 2013 (SP-036/13), August 2013 (SP-048/13)</td>
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<td>Disclosure of Interest:</td>
<td></td>
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<tr>
<td>Nature of Council's Role in this Matter:</td>
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</tr>
<tr>
<td>Site:</td>
<td>Lot 16 (No.7) Almeria Place, Waikiki</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>4,227m²</td>
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<tr>
<td>LA Zoning:</td>
<td>Special Residential</td>
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<td>MRS Zoning:</td>
<td>Urban</td>
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<td>Attachments:</td>
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<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Approved Building Envelope</td>
</tr>
<tr>
<td></td>
<td>3. Overlay of Proposed Single House</td>
</tr>
<tr>
<td></td>
<td>4. Proposed Single House Elevations</td>
</tr>
<tr>
<td></td>
<td>5. Proposed Driveway</td>
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<tr>
<td></td>
<td>6. Proposed Retaining on Western Boundary</td>
</tr>
<tr>
<td></td>
<td>7. Proposed North - South Section</td>
</tr>
</tbody>
</table>
1. Location Plan

2. Approved Building Envelope
Purpose of Report

To reconsider the refusal of a Single House at Lot 16 (No.7) Almeria Place, Waikiki as invited by the State Administrative Tribunal (SAT).

Background

In September 2009, Council refused an application to vary the Building Envelope at Lot 16 (No.7) Almeria Place, Waikiki.

In May 2012, the applicant lodged an application seeking Planning Approval to build a house within the current approved Building Envelope location. Planning Approval for the residence was granted in August 2012. The approved house was not constructed.

In July 2013, Council resolved to refuse an application to modify the Building Envelope location for the following reasons:-

1. The proposal fails to comply with objectives of the Special Residential zone to ensure the landform and amenity is conserved and the natural environment is enhanced.
2. The proposal has the potential, upon building construction, to impact adversely upon the amenity of neighbouring properties in Almeria Place.
3. The proposal fails to comply with the objectives of Planning Policy 3.3.17 – Variations to Building Envelopes, as the amount of earthwork required to construct the proposed dwelling will have a detrimental impact on the coastal landform of the Warnbro Dunes.
4. The extent of earthworks that would be required to construct a dwelling within the proposed building envelope is significant, where soil erosion and land degradation risks are increased in what is the highest point of the Warnbro Dunes that occurs on the subject land.”

In August 2013, Council refused a planning application for a Single House on the subject site for the following reasons:-

1. The proposal fails to comply with Schedule No.5 of Town Planning Scheme No.2 as the location of the proposed Single House is outside of the approved Building Envelope location.
2. The proposal fails to comply with objectives of the Special Residential zone to ensure the landform and amenity is conserved and the natural environment is enhanced. The proposal represents an intrusion into the coastal landform of the Warnbro Dunes.
3. The proposal has the potential, upon building construction, to impact on the amenity of neighbouring properties.

Details

The applicant lodged an application for review (appeal) to the SAT on 20 August 2013 seeking review of the Council’s ‘deemed refusal’, as a determination in respect of the application was not conveyed to the applicant within 60 days of the receipt of the application. Through mediation the applicant has provided a revised proposal for a Single House within the approved Building Envelope. Four mediation sessions were held as part of the SAT proceedings on the 18 October, 31 October, 9 December, 18 December 2013. In December 2013, SAT issued an order for the Council to reconsider its decision pursuant to Section 31(1) of the State Administrative Act 2004 WA.

The SAT order of the 18 December 2013 stated:

1. Pursuant to s.31(1) of the State Administrative Tribunal Act 20014 (WA) the respondent Is invited to reconsider its decision at its meeting on 25 February 2014.
2. The matter is adjourned to a further mediation to commence at 10am on Monday 10 March 2014 for a duration of one hour.”

Revised Proposal

The revised proposal includes:

- A Single House within the Approved Building Envelope with battering of the dune adjacent to the dwelling ranges between 3-5m;
- A 5.5m wide driveway with retaining between 3-5m in height, with the highest point of the dune being cut from 23 AHD to approximately 18 AHD;
- Four car garage;
- Four bedrooms, study and activity areas;
- Kitchen and living areas;
- Second storey alfresco area and balconies, including an 'infinity' swimming pool; and
- An attached Ancillary Accommodation, comprising of a bedroom and living areas.

The Single House will be partially built into the side of an existing dune and dune retaining is required on the northern and western boundaries of the Building Envelope.
4. Proposed Single House Elevations

Access to the Single House will be via a 5.5m wide driveway. Limestone retaining will be used to retain the driveway, with this portion of dune proposed to be recontoured to meet the neighbouring retaining wall level. The retaining to the driveway will be between 3-5m, with the highest point of the dune being cut from 23 AHD to approximately 18 AHD. Battering of the dune adjacent to the driveway is also required.

5. Proposed Driveway
Implications to Consider

a. Consultation with the Community
   Adjoining neighbours who objected to the proposal when it was originally advertised had participated throughout the SAT mediation process, with an on-site meeting being held with neighbours and SAT Members on the 18 October 2013. Adjoining neighbours were also invited by SAT to attend all SAT mediation sessions. The neighbours who attended the SAT mediation indicated that they support the revised proposal to locate the Single House wholly within the approved Building Envelope.

b. Consultation with Government Agencies
   Nil

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

   d. Policy
      Planning Policy 3.3.6 – Development Guidelines for Special Residential Zones (PP3.3.6)
      
      PP3.3.6 guides development of lots with the Special Residential zones that are affected by steep topography by the implementation of special housing design requirements, which are necessary to minimise the amount of site earthworks to protect the landscape character of each lot.
      
      PP3.3.6 requires the following with respect to development on lots:-
      
      “If the block slopes basically left to right or right to left, select a narrow frontage housing design with split-levels to suit.
      
      Avoid cutting into natural soil where possible, and retain as much of the natural vegetation as possible.
      
      Measures should be taken to avoid the potential for sand drift, as a result of wind erosion, throughout the development of each lot.”

      The following is an assessment of the application based on the assessment criteria of the PP3.3.6. For the purposes of providing a more in-depth assessment of the proposal against the criteria, the proposal has been assessed in relation to the two main components being the location of the driveway and the Single House itself, as follows:-

      Driveway
      The most extensive amount of cut required on the site is to allow for vehicle access to the Building Envelope. Through the course of SAT mediations, the applicant has reduced the width of the driveway from 6m to 5.5m. A 5.5m wide driveway allows two way vehicle access to the site, which was preferred by the applicant, as it would allow visibility to oncoming vehicles. The driveway will extend over the crest of the dune and visibility to oncoming vehicles is poor. Given the length of the driveway of approximately 40m and the number of vehicles the driveway is to service (a four car garage is proposed) this concern is considered warranted.

      The location of the driveway is considered to be the best location, despite the significant amount of cutting required. Locating the driveway on the eastern boundary would adversely impact the amenity of the adjacent landowner and still require significant retaining. Locating the driveway on the northern boundary, wrapping around the peak of the dune adjacent to the Pedestrian Access Way, would still require significant earthworks, but would also result in the loss of more vegetation.

      The applicant has advised that the soil removed during the cutting/earthworks to construct the driveway will be used to fill the areas required for the Single House, and thus a balance of cut and fill over the entirety of the site will be achieved.
Single House
PP3.3.6 recommends narrow house frontages with split-levels to suit sloping blocks. Whilst the Single House has not been designed to accommodate a narrow frontage, it has been designed to fit into the shape of the approved Building Envelope, which in itself is wide. The house is split level to accommodate the slope of the site and is therefore compliant with the recommendations of PP3.3.6 in this respect.

Throughout the course of the SAT mediations, it was acknowledged that there was always going to be some level of cut and fill required, given the difficult topography of the site. The area requiring the most retaining is on the western side of the Building Envelope as shown in figure 6. The location of retaining is not considered to have any adverse impacts on adjoining landowners, as it faces the foreshore reserve.

6. Proposed Retaining on Western Boundary

7. Proposed North - South Section

All adjoining properties on Almeria Place have required some level of cutting and filling to enable construction, with some properties being developed with substantial filling, which has resulted in significantly elevated dwellings.

If a complete balance of cut and fill were to be achieved on the site, it is likely that further excavation would be required on the site to enable construction of the dwelling in the approved building envelope location, due to the nature of constructing in the low point of the site.

Sand Drift

PP3.3.6 recommends that measures should be taken to avoid potential sand drift as a result of wind erosion during the course of development. Disturbing the dunes to allow for development will inevitably result in some degree of sand drift. The applicant has advised that during the construction of the driveway and Single House, hydromulching of disturbed areas will be used to minimise potential sand drift. It is recommended that a condition of Planning Approval be imposed to require earthworks and batters to be stabilised during works, and permanent planting of local endemic species occur over worked areas following the completion of the development.

The completed development will aid in stabilising the dune, due to the nature of development itself and thus this requirement of PP3.3.6 is considered to have been satisfied.

Planning for Bushfire Protection Guidelines (Edition 2) and Planning Bulletin 111/2013 – Planning for Bushfire

A Fire Management Plan (FMP) is required to be provided in accordance with the Planning for Bush Fire Protection Guidelines (Edition 2) (the Guidelines) and Planning Bulletin 111/2013 – Planning for Bushfire (the Bulletin).

Given the subject site and surrounding lands are densely vegetated with steep slopes and only has access from the northern eastern corner of the property, the land is considered to be at least a medium risk for bush fires. In accordance with the Guidelines and the Bulletin an FMP must be prepared prior to development occurring on the site and implemented, where a fire risk is identified to protect the future development on the land, including the identification of a Bushfire Attack Level (BAL) in terms of construction standards.

The City has previously sought advice from the Department of Fire and Emergency Services and the Department of Planning who have advised that all BPZ's must be wholly contained within the boundaries of each lot. Given that subdivision of the land occurred prior to the introduction of the Guidelines, the subdivision was not designed in such a manner that would enable compliance with the Guidelines and therefore any dwelling within the approved Building Envelope will not be able to comply in this regard.

Regardless, the City considers it appropriate that a BAL rating for the site be determined to enable construction standards of the dwelling in accordance with Australian Standard 3959-2009 - Construction of Buildings in Bushfire Prone Areas (AS 3959) and imposing are site measures, as the site is deemed to be at risk of bush fires and therefore the City has a duty of care to ensure development is appropriate to its context.

e. Financial

Nil

f. Legal and Statutory

The Council has the ability to reconsider its decision pursuant to Section 31 (1) of the State Administrative Tribunal Act 2004.

Town Planning Scheme No.2 (TPS2)

Schedule No.5 of TPS2 requires all development and effluent disposal systems to be constructed within Building Envelopes approved at the time of subdivision.

The proposed development is compliant in this respect.

Schedule No.5 also requires the following with respect to developing on a lot:-

```
8. In considering applications for the construction of a building on a lot, Council shall have regard to the following objectives:-

(a) the need to prevent the importation of an excessive amount of fill that would raise a building envelope to an artificially high level; and

(b) the need to seek a balance between cutting and filling in attaining the proposed finished levels of the property."
```

A balance of cut and fill has been demonstrated by the revised proposal. The construction of the Single House, whilst still requiring cut and fill, will retain the natural landform of the dune system, to the extent that is feasible, given the constraints of the site.
Comments

The revised proposal complies with TPS2, because the location of the proposed Single House is within the approved Building Envelope.

The intent of the Special Residential zone is to ensure that the natural environment is enhanced and the landform is retained as much as possible. The proposed location of the Single House and driveway is considered to be the best possible location to ensure the natural landform is retained as much as possible. The extent of cut and fill is limited to what is required for the development, with a balance of cut and fill being achieved over the entirety of the site as to have the least impact on the dune system.

The location of the Single House on the lowest and least visually prominent location of the dune is such that the location has the least potential to adversely impact upon the amenity of neighbouring properties.

For these reasons it is recommended that the application be approved.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVE the revised application for a Single House at Lot 16 (No.7) Almeria Place, Waikiki subject to the following conditions:

1. Earthworks and batters must be stabilised to prevent dune erosion, sand blowing off-site and dust nuisance, for the duration of development works.
2. Any disturbed embankment areas to the driveway and Single House must be permanently stabilised through the planting of local endemic species, within 60 days of the development being completed and maintained for the duration of the development.
3. A Fire Management Plan being prepared, approved and relevant provisions implemented prior to occupation of the development in accordance with the Western Australian Planning Commission’s guideline Planning for Bush Fire Protection Edition 2, May 2010, to the specifications approved by the City and maintained thereafter at all times. The Fire Management Plan must be prepared prior to applying for a Building Permit.

Committee Recommendation

That Council APPROVE the revised application for a Single House at Lot 16 (No.7) Almeria Place, Waikiki subject to the following conditions:

1. Earthworks and batters must be stabilised to prevent dune erosion, sand blowing off-site and dust nuisance, for the duration of development works.
2. Any disturbed embankment areas to the driveway and Single House must be permanently stabilised through the planting of local endemic species, within 60 days of the development being completed and maintained for the duration of the development.
3. A Fire Management Plan being prepared, approved and relevant provisions implemented prior to occupation of the development in accordance with the Western Australian Planning Commission’s guideline Planning for Bush Fire Protection Edition 2, May 2010, to the specifications approved by the City and maintained thereafter at all times. The Fire Management Plan must be prepared prior to applying for a Building Permit.

Committee Voting – 5/0

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 direction on a proposal before the Western Trade Coast Industries Committee (WTCIC) to lodge a submission to the Local Government Advisory Board (LGAB) seeking excision of the East Rockingham industrial area from the City of Rockingham into the City of Kwinana (or a re-formed Local Government comprising Kwinana and Cockburn).
Background

The WTCIC was established in May 2011. Its Terms of Reference were agreed to by Cabinet and contained the following:

“Vision
The Western Trade Coast is an essential, sustainable and strategic (heavy, general and special) industrial region supported by industry, community and Government.

Purpose
The purpose of the WTCIC is to co-ordinate action to achieve the above vision and objectives by:
1. Co-ordinating and prioritising across Government planning and actions within the WTC;
2. Refining and driving the delivery of the WTC Action Plan; and
3. Providing advice and recommendations to the Government regarding the development of the WTC.

Membership
Senior representatives of:
- WTCIC Chair (Hon Phil Edman, MLC, Chairman of the Rockingham Kwinana Planning and Development Taskforce) (RKDO)
- Kwinana Industries Council (Deputy Chair)
- Executive Support (RKDO)
- Local Government Authorities
- Landcorp
- Fremantle Ports
- Department of Planning
- Department of State Government
- Department of Commerce
- Department of Transport
- Two industry representatives

Other agencies are able to be invited to participate as required.

Reporting
The WTCIC will report to the Industrial Land Supply Taskforce (ILS), which subsequently reports to the Premier and Cabinet when required.

Functions
The functions of the Committee are to:
- Agree an interagency action plan for the WTC
- Implement the endorsed WTC Action Plan
- Provide leadership and policy direction for the development of the WTC area
- Provide advice and recommendations to the ILS Taskforce
- Provide direction on the marketing and promotion of the WTC to a national and international audience
- Manage a communication strategy to the public and private sectors
- Establish and champion strategic relationships with current and potential industry stakeholders
- Investigate options for providing resource certainty for the WTC
- Other tasks as directed by the Government”
In agreeing to the Terms of Reference to guide the operating protocols of the WTCIC, State Cabinet also approved an Action Plan with various actions across the following 'outcome areas':

- Governance
- Land Use Planning
- Infrastructure
- Industry Clustering
- Marketing

A copy of the Action Plan is attached (Attachment 1).

Details

In early December 2013 the City became aware that the WTCIC had on its Agenda (for its meeting on the 16 December 2013), a proposal to make a submission to the LGAB in connection with Local Government reform. The Agenda item was sponsored by the Chairman of the WTCIC, the Hon Phil Edman, MLC.

In summary, the Chairman proposed that the WTCIC make a submission to the LGAB to include the East Rockingham industrial area into the proposed combined Kwinana/Cockburn local government authority. The submission sought to justify this action on the basis that industry currently has to deal with different planning policies across three local governments, and that this is an 'agreed' problem. Inclusion of the East Rockingham industrial area within the proposed Kwinana and Cockburn local government would apparently remove this inconsistency.

A copy of the proposed submission included within the WTCIC Agenda papers, is attached (Attachment 2).

Upon learning of the intention of the Chairman to seek to have this submission endorsed by the WTCIC, the City wrote to the Chairman, Deputy Chairman and other non-government members of the WTCIC and registered its strongest objection to the Committee making any submission to the LGAB.

Further, the City wrote to all Directors-General of the Government departments and agencies represented on the WTCIC and advised that it would be inappropriate for public servants to vote on the proposed LGAB submission which was inconsistent with the Government's 'preferred model', as released by the Minister for Local Government.

The full text of the City's case and objection to the proposed submission is shown in Attachments 3 and 4, however, it can be summarised as follows:

- The WTCIC is neither an affected local government nor an affected elector. It is not a legal entity. It is simply a committee of individuals which may provide advice, in connection with its terms of reference, to government.
- The WTCIC is not an incorporated or statutory body but is rather a committee funded by Government and comprised of representatives of three local governments, including the City of Rockingham, a number of government departments, and a number of industry bodies.
- The City considers that the Committee is not capable of taking any part in the inquiry process to be conducted by the Advisory Board. It simply has no standing and no role to do so.
- The City considers that any decision by the WTCIC to make a submission to the Advisory Board would be outside of its scope and beyond power. It could lead to conflict and inconsistency between the State Government and the Minister for Local Government, on the one hand, and the departments and statutory authorities represented on the WTCIC, on the other.
- The City takes strong objection to the Committee doing so and considers that the lodging of a submission or any involvement by the Committee in an inquiry to be conducted by the Advisory Board would be beyond the Committee’s power and outside of its role and function.

WTCIC Deliberations

At its meeting on the 16 December 2013, the WTCIC deferred consideration of the proposed LGAB submission until such time as the intentions of the LGAB were known.

The majority of State Government Department representatives abstained from voting on the item.
In addition, the WTCIC also resolved to seek clarification from the Government on its ability to lodge submissions beyond its Terms of Reference, which currently only allow the WTCIC to report to the Industrial Land Supply Taskforce.

### Implications to Consider

a. **Consultation with the Community**
   - Not Applicable

b. **Consultation with Government Agencies**
   - Not Applicable

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

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


d. **Policy**
   - Nil

e. **Financial**
   
   This proposal will have a very detrimental long term impact upon the financial sustainability of the City.

   The City of Rockingham currently is, and will remain, the lowest rating per capita local government in the metropolitan area even after well above average rate increases over the last 5 years. This low rating capacity is borne by a relative lack of industrial land.

   The City has historically offset this revenue constraint with extraordinary income streams from the Millar Road Landfill business unit. Revenue averaging approximately $7 million per annum over the last five years has been generated. These extraordinary revenues will gradually reduce as emerging waste technologies prevail and the life of the tip, currently projected at 20 years, comes to an end.

   When fully developed, the East Rockingham Industrial Area will have the capacity to generate between $9 and $10 million dollars per annum at present value. In the context of the City’s Business Plan, the reduction of that revenue would provide for a $90-100 million shortfall over the 10 year life of the plan.

   Such a shortfall would be catastrophic as it would prevent the City from accommodating the extreme population growth that it is currently experiencing in terms of the provision of new community facilities and services, and would further exacerbate the current asset management backlog that prevails.

   This proposal would essentially destroy the long term financial sustainability of the City.

f. **Legal and Statutory**

   The Local Government Advisory Board is an independent body established by the Local Government Act 1995 and is empowered to conduct inquiries into "proposals" affecting the local government boundaries and related matters.

   The Local Government Advisory Board will therefore conduct an enquiry into the Government’s preferred model, and will report to the Minister for Local Government.

   The Act requires the Advisory Board to give notice of its inquiry to the Minister, to the affected local governments and to affected electors, and the notice is required to invite those parties to make submissions.
The WTCIC is not an incorporated or statutory body, but is rather a committee funded by the Government and comprised of representatives of three local governments, including the City of Rockingham, a number of government departments and a number of industry bodies. The terms of reference of the WTCIC are set out in a letter dated 25 May 2011 send when the committee was first established.

In essence, the WTCIC has a role in providing advice and recommendations in connection with its terms of reference to Government.

The WTCIC is neither an affected local government nor an affected elector. Indeed, it is not a legal entity. It is simply a committee of individuals which may provide advice in connection with its terms of reference, to Government.

It is considered that the WTCIC is not capable of taking any part in the inquiry process to be conducted by the Advisory Board. It has no standing and no role to do so.

**Comments**

**Proposed WTCIC Submission**

The basic premise of the Chairman's proposal (that there is an 'agreed' problem with industry dealing with planning policies across three local governments) is flawed, in that:

- Existing and proposed strategic and regional planning policies applying to WTC area are the responsibility of the WAPC (i.e. the state government), which applies a broad planning framework to the WTC region and which ensures a consistent regional planning approach across the three local governments.

- The WTC area comprises four distinct planning precincts (Australian Marine Complex, Latitude 32, Kwinana Industrial Area and the Rockingham Industry Zone). Each of these precincts has different zoning, infrastructure, land-use and development objective characteristics. They are recognised and administered by the local and state governments as requiring 'precinct' specific planning and management to achieve optimal development. As such, whether they are in one, two or three local governments makes no difference. They will continue to be planned and managed using separate policy based frameworks.

- The City is not aware of any single 'industry' which operates across all three local governments, hence the 'confusion' argument falls away.

- The City has not been made aware of any problems experienced by industry in interpreting any City of Rockingham planning policies or Scheme provisions applying to East Rockingham.

- In 2009, the City amended its Town Planning Scheme to include clauses relating to industrial land at East Rockingham, which were consistent with the City of Kwinana's Town Planning Scheme provisions for industrial land. These changes were made at the request of the Kwinana Industries Council, to assist the development application process for industry. Rockingham and Kwinana then had 'mirror' Town Planning Scheme provisions, to assist industry.

- Since the City amended its Town Planning Scheme, it has not received any applications from industry utilising the 'streamlined' application process introduced via the new provisions.

**East Rockingham Planning Context**

The East Rockingham Industrial Zone has been planned and managed as a distinct and separate 'planning unit' since the 1980's. All of the land is within the City of Rockingham.

The City's Town Planning Scheme No.2 zones the land for industrial purposes, and various state and local planning policies have been prepared (and still apply) for the East Rockingham planning precinct.

The 'East Rockingham Improvement Plan No.14' was initiated in 1988 under the provisions of the Metropolitan Region Scheme Act, by the then State Planning Commission, for the purposes of advancing the planning, development and use of this land.
In 1990, the State Government prepared the 'East Rockingham Industrial Park Strategy Development Plan'. This Plan summarised various environmental, social and planning findings into the capacity of the IP14 area to accommodate industry, and allocated appropriate industrial land uses (by precinct), together with recommendations on required supporting infrastructure such as service corridors, public utilities, road and rail reserves, recreation and buffer areas.

Further structure planning for the IP14 area was undertaken in 1998, when the 'East Rockingham Industrial Park Strategic Development Plan' was reviewed and updated. This updated Plan was subsequently adopted by the City, Western Australian Planning Commission (WAPC) and Cabinet as the strategic planning 'blueprint' for future industrial development of the IP14 planning unit.

In August 2010, the WAPC adopted 'Directions 2031 and beyond' as its highest level strategic planning document to guide the long-term development of Perth through to a predicted population of 3.5 million by the year 2031. 'Directions 2031 and beyond' was supported by a draft 'Outer Metropolitan Perth and Peel Sub-Regional Strategy'.

Both Directions 2031 and the draft Sub-Regional Strategy recognise the Rockingham Industrial Zone as a separate and distinct Strategic Industrial Centre, located adjacent to the Rockingham Strategic Metropolitan Centre. Both these Centres will serve the long-term commercial and industrial needs of the predicted population of 278,000 (by 2031) within the Rockingham catchment, providing economic and employment sustainability to the south west metropolitan region, particularly the City of Rockingham.

More recently, Landcorp, as the major landowner within the IP14 area, has prepared a 'Rockingham Industry Zone Design Framework Plan' (2013) to document its proposals for the future development of the IP14 area. This Framework Plan has yet to be assessed by the City and is considered a 'work in progress'.

In summary, the East Rockingham Industrial Area has been effectively planned for the past 30 years as a distinct planning precinct. Current planning reflects its status as an identifiable planning unit, capable of being managed through its planning and development stages by the landowners, City of Rockingham and State Government agencies.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **OPPOSE** any submission from the Western Trade Coast Industries Committee to the Local Government Advisory Board seeking to include the East Rockingham industrial area into an amalgamated local government of Kwinana and Cockburn, on the following grounds:

1. It has no proper planning basis.
2. The premise that there is an 'agreed' problem with industry dealing with planning policies across three local governments is flawed.
3. The WTCIC does not have legal status or the authority to make a submission to the Advisory Board; it would be outside of its scope and beyond its Terms of Reference.
4. It is contrary to the State Government's preferred Local Government Reform model.
5. It would be catastrophic to the City's long-term financial viability.

Committee Recommendation

That Council **OPPOSE** any submission from the Western Trade Coast Industries Committee to the Local Government Advisory Board seeking to include the East Rockingham industrial area into an amalgamated local government of Kwinana and Cockburn, on the following grounds:

1. It has no proper planning basis.
2. The premise that there is an 'agreed' problem with industry dealing with planning policies across three local governments is flawed.
3. The WTCIC does not have legal status or the authority to make a submission to the Advisory Board; it would be outside of its scope and beyond its Terms of Reference.
4. It is contrary to the State Government's preferred Local Government Reform model.
5. It would be catastrophic to the City's long-term financial viability.

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### Purpose of Report

To consider:-

- adopting a new Planning Policy No.3.3.15 – Prevention of Sand and Dust Drift for advertising purposes;
- implementing a new Planning Procedure 1.18 – Preparation and Assessment of Development Applications for Bulk Earthworks;
- implementing a new Engineering Procedure 1.1 – Issuing Notice under Section 3.25 of the Local Government Act for Sand and Dust Drift; and
Background

Due to last summer’s 2012/13 extensive dust management issues arising from the Department of Housing estate in Golden Bay, the City committed to reviewing its dust management policies and procedures.

Details

In order for the City to minimise the impacts of airborne dust and windblown sand arising from earthworks over large areas (subdivisions and bulk earthworks), it is necessary that appropriate controls are put in place. In this regard, the following documents have been proposed:

- a new Planning Policy No.3.3.15 – Prevention of Sand and Dust Drift;
- a new Planning Procedure 1.18 – Preparation and Assessment of Development Applications for Bulk Earthworks; and
- a new Engineering Procedure 1.1 – Issuing Notice under Section 3.25 of the Local Government Act for Sand and Dust Drift;

In addition to the Engineering Procedure, a change to the delegation is required to enable Officers to issue a Notice to land owners who are undertaking subdivisional work. Each of the above documents are described below.

Planning Policy No.3.3.15 – Prevention of Sand and Dust Drift

This Policy sets out the City’s position in dealing with Development Applications to ensure that works associated with developments are managed to mitigate sand and dust movement off site. The Policy outlines that the City will consider Development Applications for Bulk Earthworks where the following applies:

- an approved Structure Plan has been adopted by the City and endorsed by the WAPC and where no subdivision approval has been granted; or
- on land which is zoned for or seriously entertained for urban development.

The Policy’s objectives are:

- set out the statutory requirements under which the City considers applications for planning approval (development applications) for Bulk Earthworks to ensure sand and dust movement off site and the nuisance it causes is minimised, pursuant to Town Planning Scheme No.2 (TPS2) and having regard to State and Federal legislation;
- ensure appropriate measures are taken by property owners and/or developers/builders to protect the health and amenity of residents;
- ensure that development applications for Bulk Earthworks are dealt with in a consistent manner;
- provide guidance on the process of determining what dust and sand drift/erosion mitigation measures are considered appropriate for a development; and
- facilitate development of residential land without prejudicing the amenity and environmental objectives for areas.

The Policy sets out the requirements for Development Applications and in detail explains the requirements of a Dust Management Plan. A copy of the Planning Policy is provided as Attachment 1.

Planning Procedure 1.18 – Preparation and Assessment of Development Applications for Bulk Earthworks

The purpose of this Planning Procedure is to set out the City’s requirements for the preparation and assessment of Development Applications for Bulk Earthworks in the district, as a guide to applicants.

The Planning Procedure sets out the information required from applicants in order for the City to consider applications for planning approval.

The structure of the Planning Procedure is set out as follows:

1. Introduction
2. Statement of Intent
3. Planning Procedure
   3.1 Policies/Guidelines
   3.2 Planning Approval
      3.2.1 Information required at lodgement of applications for Planning Approval
   3.3 Permissibility
   3.4 Referrals
   3.5 Matters to be Considered
      3.5.1 Dust Management Plan
      3.5.2 Site Classification
      3.5.3 Haulage Routes
      3.5.4 Environmental Monitoring and Reporting
   3.6 Other Approvals
4. Non-Compliance
5. Appeal
6. Interpretations
7. Authority
8. Adoption

A copy of the Planning Procedure is provided as Attachment 2.

Engineering Procedure 1.1 – Issuing Notice under Section 3.25 of the Local Government Act for Sand and Dust Drift

The intent of this procedure is to outline the range of measures which the City considers to be necessary to prevent and minimise the movement of sand, silt, clay and rocks from a proposed subdivision site, pursuant to section 3.25(1) (a) and Item 6 of Schedule 3.1 Division 1 of the Local Government Act 1995.

The Engineering Procedure sets out the way in which the City will consider and assess where a notice will be issued.

The structure of the Engineering Procedure is set out as follows:-

1. Introduction
2. Statement of Intent
3. Engineering Assessment
4. Assessment Guidelines
5. Application of Notice
6. Non Compliance of 3.25 Notice

A copy of the Engineering Procedure is provided as Attachment 3.

Delegation

Sections 5.42 to 5.44 of the Local Government Act 1995 (the Act) states that Council can delegate to the Chief Executive Officer any of its powers or discharge any of its duties. Section 5.46 of the Act requires that the Chief Executive Officer (CEO) keeps a register of delegations made by the Local Government to the CEO and delegations from the CEO to other employees. All the delegations are to be reviewed at least once every financial year.

In this regard, the delegation 9.11 is required to be amended to ensure that it references the relevant sections of the Act and the Schedule.
**Implications to Consider**

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

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

b. **Consultation with Government Agencies**
   Consultation with 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 contained in the Community Plan 2011:
   
   **Aspiration 15:** Governance systems that ensure decision making a resource allocation is accountable, participative, legally and ethically compliant.

d. **Policy**
   The draft Planning Policy No.3.3.15 Prevention of Sand and Dust Drift will be advertised in accordance with Clause 8.9 (Planning Policies) of Town Planning Scheme No.2.

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.

   In accordance with sections 5.42 to 5.46 of the Local Government Act 1995 regarding the delegation of some powers and duties to the Chief Executive Officer, limits on delegations to the Chief Executive Officer and ability for the Chief Executive Officer to delegate powers and duties to other employees.

**Comments**

The above documents is the complete set of documents considered necessary for the City to ensure that works associated with developments are managed to mitigate sand and dust movement off site. The Planning Procedure will be implemented upon finalisation of the draft Planning Policy.

**Voting Requirements**

Simple Majority (Recommendation 1)

An Absolute Majority is required for Recommendation 2 which is to amend a delegation under the Local Government Act 1995.

**Officer Recommendation**

That Council:

1. **ENDORSE** the publishing of a notice that it has prepared draft Planning Policy No.3.3.15 - Prevention of Sand and Dust Drift for public comment, as per Attachment 1.

**Committee Recommendation**

That Council:

1. **ENDORSE** the publishing of a notice that it has prepared draft Planning Policy No.3.3.15 - Prevention of Sand and Dust Drift for public comment, as per Attachment 1.


Committee Voting – 5/0

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

Not Applicable

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

Not Applicable

Mr Andrew Hammond, Chief Executive Officer congratulated all Officers involved in the preparation of the dust control policy framework.
### Purpose of Report

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

**Note:** This Report should be read in conjunction with:-

1. Agenda Report PDS-019/14\(^3\) for Amendment No.137 to Town Planning Scheme No.2, which proposes to introduce the ‘Primary Centre – Enterprise Zone’ to provide the statutory framework to the Development Policy Plan (DPP) for the Northern Smart Village Sector.

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\(^3\) Correction of numerical error
2. Agenda Report PDS-022/14\(^4\) for a submission to the Western Australian Planning Commission to amend the Metropolitan Region Scheme (MRS) Amendment to rezone three distinct areas from the 'Urban' and 'Industrial' Zones to the 'Central City Area' Zone.

**Background**

Under *Statement of Planning Policy 4.2 - Activity Centres for Perth and Peel* (August 2010), the 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 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 Centre Plan 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 envelope is shown in Figure 1.

1. Rockingham Strategic Metropolitan Centre Boundary

Stage 1 of the Centre Plan 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' principles. 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

\(^4\) Correction of numerical error
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 the broad 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 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:
3. Regional Centre Concept Plan

Transit Oriented Development (TOD) Potential

The approved Activity Centre Plan applied sustainable development principles to land development and redevelopment options, with particular emphasis on the TOD potential of land within the Centre. 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 Northern Smart Village Sector, the Centre Plan states:

“Sector 4 – Northern Smart Village

Subject to the provision of replacement light industrial land elsewhere in Rockingham, this sector presents another strategically located TOD opportunity along the transit route between Dixon Road and Patterson Road.

It is envisaged that a change in zoning from light industry to an appropriate mixed use designation along the northern side of Dixon Road will allow a new TOD to be developed at the confluence of two major entry roads and the transit route. A mixed use TOD would incorporate a combination of Government and private property.

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. DPP’s) of each Sector.

4. Regional Centre Framework Plan

Residential Density and Height

A ‘Residential Density and Height’ overlay plan was prepared in conjunction with the Regional Centre 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, as described in the Centre Plan.
- 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 also activity generators such as the core the City Centre, the Smart Village main street', the coast and 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. Regional Centre Height and Density Overlay

Frontage Type
A ‘Frontage Type’ overlay plan was also prepared with the Regional Centre Framework Plan, in accordance with consolidated ‘main street’ principles, 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 approved Centre Plan recommended that more detailed master planning should be undertaken in each Sector, in accordance with the adopted required planning framework. The Centre Plan contains ‘Guidelines for each Sector’, to facilitate the preparation of DPP’s.

In respect of ‘Sector 4 – Northern Smart Village’, the following planning guidelines were specified:

<table>
<thead>
<tr>
<th>Desired Future Character:</th>
<th>Subject to the provision of replacement light industrial land elsewhere in Rockingham, this sector presents another strategically located TOD opportunity along the proposed transit route alignment between Dixon Road and Patterson Road.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>It is envisaged that a change in zoning from light industry to an appropriate mixed use designation along the northern side of Dixon Road will allow a new TOD to be developed at the confluence of two major entry roads and the transit route.</td>
</tr>
<tr>
<td></td>
<td>A mixed use TOD would be developed over a combination of Government and private property.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Preferred Uses:</th>
<th>Appropriate TOD uses lining the Transit Route</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Streetfront mixed uses of urban scale including offices and commercial</td>
</tr>
<tr>
<td></td>
<td>Local service retail</td>
</tr>
<tr>
<td></td>
<td>Medium to high density residential</td>
</tr>
<tr>
<td></td>
<td>Possible Contemporary Arts Centre</td>
</tr>
<tr>
<td></td>
<td>Passive Recreation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Elements:</th>
<th>Design the sector as part of a generally contiguous, transit-oriented development bridge between City Centre and Waterfront sectors.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Facilitate the priority construction of a more direct access and movement corridor between the Victoria Street/• Patterson Road intersection and Dixon Road.</td>
</tr>
<tr>
<td></td>
<td>Accommodate high profile businesses within a consolidated urban townscape configuration along the Dixon • Road frontage.</td>
</tr>
<tr>
<td></td>
<td>Provide a legible and well connected arrangement of streets, laneways and public spaces, including an east–• west greenway along the alignment of the old rail reserve.</td>
</tr>
<tr>
<td></td>
<td>Frame street blocks with generally contiguous, urban scaled buildings of high architectural quality. •</td>
</tr>
<tr>
<td></td>
<td>Develop a distinct and appealing townscape with high levels of amenity and interest for pedestrians. •</td>
</tr>
<tr>
<td></td>
<td>Grade and arrange the height of buildings to visually define the transit route, orient movement towards the • activity spine and exploit expansive views of the coastal landscape.</td>
</tr>
<tr>
<td></td>
<td>Locate landmark, gateway developments with additional height at the Patterson Road and Dixon Road • junctions with the transit route.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
</tbody>
</table>
Statutory Implementation – Approved Centre Plan

As part of its September 2009 decision to endorse the Activity Centre Plan, Council directed that City Officers proceed to 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 gazetwal 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 gazetwal 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 gazetwal of Amendment No.113.

- Amendment No.129 to Town Planning Scheme No.2 was initiated in March 2013 and was adopted for Final Approval in September 2013. It is currently awaiting Ministerial Approval and Final Gazetwal. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre – Waterfront Village Zone’ and updated the provisions for the Primary Centre area to include reference to the ‘Primary Centre – Waterfront Village Zone.’

- ‘Planning Policy No.3.2.6: Development Policy Plan – Northern Waterfront Sector”. The draft DPP was endorsed for public consultation in March 2013 and was advertised concurrently with Amendment No.129. The DPP was adopted (with minor modifications) in September 2013. It will come into effect upon gazetwal of Amendment No.129.

Sector Planning and Approved Centre Plan - Alignment

The preparation of detailed masterplans for each Sector (i.e. the DPP’s) 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.3.2.8 has now been prepared for Sector 4 – Northern Smart Village Sector.

Northern Smart Village Sector

The Northern Smart Village area is generally bounded by Patterson Road to a point just west of Merchant Drive, then a line running generally south and south–east to meet Dixon Road at a point just east of Dowling Street, then westwards along Dixon Road to its junction with Patterson Road and Wanliss Street.
Sector 4, which incorporates sites 80, 88, 100 and 108 (identified as Crown reserves in Sections 6.8 and 6.9), the Crocker Street City Depot site, the Dixon Road Transperth Bus Depot site and privately owned light industrial sites, have been planned concurrently with Sector 3 – Smart Village South, to protect and implement the strategic TOD potential of the Sector, as generally identified in the Centre Plan.

As shown in Figure 6, Under-utilised land of the Centre Plan, sites 80, 100 and 108 comprise State owned land with a high exposure to Patterson Road at the Goddard Street gateway intersection. Currently accommodating an Active Foundation lease, this area would be suited to medium to high density residential redevelopment.

Sites 88 and 95 are owned by the State and LandCorp and have an extensive frontage to Patterson Road. Subject to a change in zoning and the provision of replacement light industrial land elsewhere in Rockingham, they have the potential to be part of a more intensive, mixed use TOD between Dixon and Patterson Roads.

**Constraints Imposed by the Kwinana Air Quality Buffer (KAQB)**

Notwithstanding the above, it has since been recognised that the provisions of the existing 1999 Environmental Protection Policy for the KAQB will be used by State Government agencies to exclude any residential land uses activities in the triangle of land bounded by Dixon Road, east of Goddard Street, Patterson Road and Ennis Avenue (ie all land within the KAQB).

As such, the Development Policy Plan does not propose any residential land-uses within this Sector on any land east of Goddard Street.

The City has prepared a draft Local Planning Scheme Amendment No.137, to complement the Development Policy Plan, to give effect to this position, whereby 'Residential' land use classifications will be shown as "X" within the City's Town Planning Scheme Zoning Table. This will have the effect of:-

- excluding any housing or residential activities within KAQB.
- prohibiting any discretionary planning decisions by the City, Joint Development Assessment Panel or the Western Australian Planning Commission to allow residential.
- remove any appeal rights, as "X" land-uses do not allow for appeals to the State Administration Tribunal.

The City will use its Town Planning Scheme to prohibit any residential land-use from being established until such time as the relevant necessary environmental and scientific studies have been undertaken, which would demonstrate that residential development would be appropriate within this Precinct.
The DPP and supporting Scheme Amendment No.137 will provide the framework for the future development of this land for commercial and mixed business purposes. The development of commercial purposes within this area will be consistent with the 'Central City Area' Zone being sought, as detailed in Report PDS-022/145 – Proposed Metropolitan Scheme Amendment – Rockingham Strategic Metropolitan Centre.

**Precinct Boundaries**

The Northern Smart Village Sector is divided into five Precincts comprising of:-

- Enterprise East;
- Enterprise West;
- Crocker;
- Ambrose; and
- Parkside.

The Precincts have been based on areas where a particular geographic identity, activity mix and/or townscape character is envisaged. Preferred uses and required elements of development for each Precinct are identified in greater detail in the DPP; refer to Figure 7.

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**Implications to Consider**

a. **Consultation with the Community**

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

(i) where the draft Policy may be inspected;

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

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5 Correction of numerical error
(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 contained in the Community Plan 2011:

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

d. Policy
The draft Planning Policy No.3.2.7 for the Northern Smart Village Sector will be advertised in accordance with Clause 8.9 (Planning Policies) of Town Planning Scheme No.2.

Draft Planning Policy No.3.2.7 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.

<table>
<thead>
<tr>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 and Northern Waterfront Sectors.</td>
</tr>
<tr>
<td>A copy of the draft Policy is attached to this Agenda Report.</td>
</tr>
<tr>
<td>The proposed Policy is to be considered in conjunction with the proposed Scheme Amendment No.137 to Town Planning Scheme No.2 – Northern Smart Village Sector – Primary Centre Enterprise Zone and will be advertised with the Amendment. In this regard, the Policy will be advertised for a minimum period of 42 days.</td>
</tr>
<tr>
<td>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-019/14.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Voting Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simple Majority</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Officer Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>That Council ENDORSE the publishing of a notice that it has prepared draft Planning Policy No.3.2.7: Development Policy Plan – Northern Smart Village Sector for public comment.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Committee Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>That Council ENDORSE the publishing of a notice that it has prepared draft Planning Policy No.3.2.7: Development Policy Plan – Northern Smart Village Sector for public comment.</td>
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</table>

Committee Voting – 5/0
<table>
<thead>
<tr>
<th><strong>The Committee’s Reason for Varying the Officer’s Recommendation</strong></th>
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</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Implications of the Changes to the Officer’s Recommendation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
# Planning and Development Services

**Directorate, Planning Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-019/14 Proposed Amendment No.137 to Town Planning Scheme No.2 – Primary Centre Enterprise Zone &amp; including additional land within the Primary Centre Urban Village Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1749</td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Bob Jeans, Director Planning and Development Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mrs Sharon Peacock, Special Projects Research Officer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 February 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Legislative</td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Light Industrial, unzoned and Development</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Central City Area, Industrial and Railways</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Amendment No.137 Scheme Report</td>
</tr>
</tbody>
</table>
2. Proposed Zoning |

## Purpose of Report

To consider initiating Scheme Amendment No.137 to Town Planning Scheme No.2 (TPS2) to introduce new provisions to create the ‘Primary Centre Enterprise Zone’, and include additional land within the ‘Primary Centre Urban Village Zone’, as part of the ongoing implementation of the endorsed Centre Plan for the Rockingham Strategic Metropolitan Centre, as adopted by the Council and the Western Australian Planning Commission (WAPC) in 2009.

**Note:** This Report should be read in conjunction with:-

1. Agenda Report PDS-018/14\(^6\) for draft Planning Policy No.3.2.7 – Development Policy Plan (DPP) Northern Smart Village which will provide the statutory planning framework for the Northern Smart Village Sector.

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\(^6\) Correction of numerical error
2. Agenda Report PDS-022/14\(^7\) for a submission to the Western Australian Planning Commission to amend the Metropolitan Region Scheme (MRS) Amendment to rezone three distinct areas from the 'Urban' and 'Industrial' Zones to the 'Central City Area' Zone.

**Background**

**Statutory Implementation – Approved Centre Plan**

As part of its September 2009 decision to endorse the Activity Centre Plan, Council directed that City Officers proceed to 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 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 adopted for Final Approval in September 2013. It is currently awaiting Ministerial Approval and Final Gazetted. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre – City Living Zone’ together with enabling provisions to give effect to the associated ‘Planning Policy No.3.2.6: Development Policy Plan – Northern Waterfront Sector”.

- ‘Planning Policy No.3.2.6: Development Policy Plan – Northern Waterfront Sector”. The draft DPP was endorsed for public consultation in March 2013 and was advertised concurrently with Amendment No.129. The DPP was adopted (with minor modifications) in September 2013. It will come into effect upon gazettal of Amendment No.129.

**Details**

Scheme Amendment No.137 proposes to introduce a new zone for the Northern Smart Village Sector, to be referred to as the ‘Primary Centre Enterprise Zone”. In addition, it will update the provisions for the Primary Centre area to include reference to the Primary Centre Enterprise Zone, and, introduce a new use class definition of ‘Restricted Retail Premises’ to facilitate the sale of bulky goods retailers within the new zone as follows:-

**Summary of Proposed Scheme Changes**

**Scheme Text:**

Clause 3.1.1

Is amended by including reference to ‘Primary Centre Enterprise’ zone.

\(^7\) Correction of numerical error
Table No.1
Table No.1 is amended to:
(a) Add a new column to introduce the new ‘Primary Centre Enterprise’ Zone.
(b) Include a new Use Class ‘Restricted Retail Premises’ and update the existing zones accordingly.

Clause 4.3.1
The above clause sets out the Zones within the ‘Primary Centre’ area. It will be amended to include reference to the ‘Primary Centre Enterprise’ Zone.

Clause 4.3.3
The above clause sets out special considerations applicable to planning applications and is amended by inserting a new paragraph (gb) to include reference to ‘Primary Centre Enterprise’ Zone.

Clause 4.3.4
The above clause sets out special considerations applicable to subdivision applications and is amended by inserting a new paragraph (gb) to include reference to ‘Primary Centre Enterprise’ Zone.

Clause 4.3
Seeks to introduce new Clauses 4.3E immediately after 4.3D.3 to introduce the ‘Primary Centre Enterprise’ Zone which also includes the ‘Objectives of the Zone’.

Clause 4.15.1
Clause 4.15.1 sets out car parking requirements and is amended by:-
Reformatting the existing text of Clauses 4.15.1.1, 4.15.1.3, 4.15.1.4 (a) and 4.15.1.4 (b) and by introducing the ‘Primary Centre Enterprise’ Zone.

Table No.2
Table No.2, sets out the car parking requirements under various Use Classes and is amended to introduce ‘Restricted Retail Premises’ into the Use Class column.

Table No.3
Table No.3 sets out the car parking requirements in the Primary Centre Zones and is amended to introduce the ‘Primary Centre Enterprise’ zone and by including reference to ‘Restricted Retail Premises’.

Schedule No.1
Part 9 – ‘Schedule No. 1 Interpretations’ is amended by inserting a new definition ‘Northern Smart Village Policy’; and by inserting a new definition ‘Restricted Retail Premises’ in ‘Part 2 – Land Use Interpretations’.

Schedule No. 6
Schedule No.6 sets out ‘Exempted Advertising’ requirements and is amended by introducing the ‘Primary Centre Enterprise’ Zone.

Schedule 12
Schedule No.12, Developer Contribution Plan No.2 is amended by inserting new sub-clause ‘(j) the Primary Centre Enterprise Zone.’

Scheme Map:
The Scheme Map will be updated to show:-
a) the ‘Primary Centre Enterprise’ Zone. It will also redefine the area of the ‘Primary Centre’; and
b) the triangular portion of land on the corner of Goddard Street and Patterson Road as ‘Primary Centre Urban Village’ zone.
1. Current Zoning

2. Proposed New Zoning – ‘Primary Centre Enterprise Zone’

The Scheme Amendment will also give effect to Development Policy Plan 3.2.7 – Northern Smart Village whereby ‘Residential’ land use classifications will be shown as an "X" use in the Zoning Table. This will have the effect of:-

- excluding any housing or residential activities within KAQB.
- prohibiting any discretionary planning decisions by the City, Joint Development Assessment Panel or the Western Australian Planning Commission to allow residential.
- remove any appeal rights, as "X" land-uses do not allow for appeals to the State Administration Tribunal.

The City will use the Town Planning Scheme to prohibit any residential land-use from being established until such time as the relevant necessary environmental and scientific studies have been undertaken, which would demonstrate that residential development would be appropriate within this Precinct.
The Scheme Amendment Report, providing further details on Amendment No.137, is attached to this Report.

### 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 contained in the Community Plan 2011:

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

- **d. Policy**
  
  A draft Development Policy Plan has been prepared for the Northern Smart Village Sector to detail the planning objectives and requirements to guide the 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**
  
  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.

### Comments

It is recommended that the Council initiate Amendment No.137 to Town Planning Scheme No.2.

### Voting Requirements

Simple Majority.

### Officer Recommendation

That Council **ADOPT** (initiate) Amendment No.137 to Town Planning Scheme No.2 in pursuance of Section 75 of the Planning and Development Act 2005, as follows:-

**PLANNING AND DEVELOPMENT ACT 2005**

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

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

**AMENDMENT NO. 137**

RESOLVED that the Council, in pursuance of section 75 of the Planning and Development Act 2005, initiate an amendment to the City of Rockingham Town Planning Scheme No. 2 as follows:-
1. Clause 3.1.1 is amended by inserting the following words immediately after the words “Primary Centre City Living”:

   “Primary Centre Enterprise”.

2. Table No. 1 – Zoning Table is amended by:

   (a) inserting the following column for the “Primary Centre Enterprise” as a new zone and inserting Use Class Classifications in that column for this Zone.

   (b) introducing a new Use Class Classification – “Restricted Retail Premises”.

   (c) amending Table No.1 – Zoning Table to show ‘Restricted Retail Premises’ as a ‘D’ Use Class Classification in the Primary Centre Enterprise, Service Commercial and Port Kennedy Business Enterprise Zones and as an ‘X’ Use Class in all other zones.

<table>
<thead>
<tr>
<th>USE CLASS</th>
<th>ZONING Primary Centre Enterprise</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL USES</td>
<td></td>
</tr>
<tr>
<td>Ancillary Accommodation</td>
<td>X</td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>X</td>
</tr>
<tr>
<td>Camping Area</td>
<td>X</td>
</tr>
<tr>
<td>Caravan Park</td>
<td>X</td>
</tr>
<tr>
<td>Caretaker’s Dwelling</td>
<td>IP</td>
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<tr>
<td>Display Home Centre</td>
<td>X</td>
</tr>
<tr>
<td>Hotel</td>
<td>X</td>
</tr>
<tr>
<td>Lodging House</td>
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<td>Motel</td>
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<tr>
<td>Nursing Home</td>
<td>X</td>
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<td>Residential:</td>
<td></td>
</tr>
<tr>
<td>(a) Single House</td>
<td>X</td>
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<tr>
<td>(b) Grouped Dwelling</td>
<td>X</td>
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<tr>
<td>(c) Multiple Dwelling</td>
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<tr>
<td>Residential Building</td>
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<td>Short Stay Accommodation</td>
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<td>COMMERCIAL USES</td>
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<td>Amusement Parlour</td>
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<td>Betting Agency</td>
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<td>Car Wash</td>
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<tr>
<td>Child Care Premises</td>
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<td>Cinema/Theatre</td>
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<tr>
<td>USE CLASS</td>
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<td>---------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Convenience Store</td>
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<tr>
<td>Consulting Rooms</td>
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<tr>
<td>Dry Cleaning Premises</td>
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<td>Fast Food Outlet</td>
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<tr>
<td>Funeral Parlour</td>
<td>D</td>
</tr>
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</table>
3. Clause 4.3.1 (a) is amended by:
   (a) deleting the word — ad after the semi-colon in sub paragraph (iii);
   (b) deleting the full stop at the end of sub-paragraph (iv) and inserting a semi-colon and
       the word —; ad;
   (c) inserting the following new sub-clause after sub-clause (iv):
       -(v) the Primary Centre Enterprise Zone."

4. Clause 4.3.3 is amended by:
   (a) deleting the word — ad after the semi-colon in sub-paragraph (g);
   (b) deleting the full stop at the end of sub-paragraph (ga) and inserting a semi-colon and
       the word —; ad;
   (c) inserting a new sub-paragraph after sub-paragraph (ga) as follows:-
       -(gb) in the case of the Primary Centre Enterprise Zone – the provisions of the
       Development Policy Plan (Northern Smart Village Sector) and any other
       Policy adopted under clause 8.9 which applies to the Primary Centre
       Enterprise Zone."

5. Clause 4.3.4 is amended by:
   (a) deleting the word — ad after the semi-colon in sub-paragraph (g);
   (b) deleting the full stop at the end of sub-paragraph (ga) and inserting a semi-colon and
       the word —; ad;
   (c) inserting a new sub-paragraph after sub-paragraph (ga) as follows:-
       -(gb) in the case of the Primary Centre Enterprise Zone – the provisions of the
       Development Policy Plan (Northern Smart Village Sector) and any other
       Policy adopted under clause 8.9 which applies to the Primary Centre
       Enterprise Zone."

6. A new clause 4.3E is inserted immediately after clause 4.3D as follows:

   -4.3E Primary Centre Enterprise Zone
4.3E.1 Objectives of the Zone

The objectives of the Primary Centre Enterprise Zone are to:-

(a) contribute to and encourage the development of integrated retail, office, showroom, commercial and bulky goods landuse activities generally in accordance with the requirements of the Development Policy Plan for the Northern Smart Village Sector;

(b) promote commercial, mixed business and office landuses within the Northern Smart Village Sector to service the growing demands of the locality in recognition of Strategic Metropolitan Centre responsibilities;

(c) promote a broad mix of commercial, mixed-business, bulky goods retail and office activities that optimises the use of public transport and other service infrastructure;

(d) achieve appropriate landuse and built form outcomes, within a walkable catchment of the central public transport system;

(e) provide for a high amenity, street-based transit route along the Ambrose Street "main street";

(f) create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages;

(g) provide for contiguous activated commercial and retail street front developments along the Ambrose Street "main street";

(h) encourage vibrant and diverse uses which promotes the Northern Smart Village Sector as a commercial destination; and

(i) provide for high quality public spaces which encourages a range of recreational and social activities along their edges.

7. Clause 4.15.1 is amended by:

(a) deleting clause 4.15.1.1 and substituting the following:

4.15.1.1 Where land is proposed to be developed in the:

(a) District Town Centre Zone;
(b) Primary Centre City Centre Zone;
(c) Primary Centre Urban Village Zone;
(d) Primary Centre City Living Zone; and
(e) Primary Centre Enterprise Zone,

for a purpose specified in Table No.3, the minimum number of car parking bays required, and the maximum number of car parking bays allowable, for the proposed development is to be determined in accordance with Table No.3."

(b) deleting clause 4.15.1.3 and substituting the following:

4.15.1.3 Where land is proposed to be developed in any zones other than the:

(a) District Town Centre Zone;
(b) Primary Centre City Centre Zone;
(c) Primary Centre Urban Village Zone;
(d) Primary Centre Waterfront Village Zone;
(e) Primary Centre City Living Zone; or
(f) Primary Centre Enterprise Zone,

for a purpose specified in Table No.2, the minimum number of car parking bays required for the development is to be determined in accordance with Table No.2."

(c) deleting clause 4.15.1.4 sub-clause (a) and substituting the following:

(a) Where land is proposed to be developed in any zone other than the:

(i) District Town Centre Zone;
(ii) Primary Centre City Centre Zone;
(iii) Primary Centre Urban Village Zone;
(iv) Primary Centre Waterfront Village Zone;
(v) Primary Centre City Living Zone; or
(vi) Primary Centre Enterprise Zone,
for a purpose which is not specified in Table No.2.”

(d) deleting clause 4.15.1.4 sub-clause (b) and substituting the following:
   -(b) Where land is proposed to be developed in the:
      (i) District Town Centre Zone;
      (ii) Primary City Centre Zone;
      (iii) Primary Centre Urban Village Zone;
      (iv) Primary Centre City Living Zone; or
      (v) Primary Centre Enterprise Zone,
for a purpose which is not specified in Table No.3; or”

8. Table No.2 – Carparking Table is amended by:-
   (a) inserting a comma and the words “Restricted Retail Premises” after the word “Warehouse” where it appears for the first time in the “Use Class” column.

9. Table No. 3 heading is amended by:
   (a) deleting the “&” and inserting a comma after the words “District Town Centre Zone”;
   (b) inserting “& Primary Centre Enterprise Zone” immediately after the words “Primary Centre City Living Zone”.

10. Table No.3 is amended by inserting a comma after the word “Warehouse” where it appears in the “Use Column” and inserting the words “Restricted Retail Premises”.

11. Part 9 – Schedules, “Schedule No. 1 – Interpretations” is amended by:
   (a) inserting a new definition immediately after the definition of Development Policy Plan (Northern Waterfront Sector) in Part 1. General Interpretations, as follows:
      -Development Policy Plan (Northern Smart Village Sector): means the Policy entitled ‘Development Policy Plan (Northern Smart Village Sector)’ as amended from time to time”;
   (b) inserting a new definition in Part 2. Land Use Interpretations’, as follows:
      -Restricted Retail Premises: means a shop at which the only items for sale are:
         (a) automotive parts or accessories;
         (b) camping, outdoor or recreation goods;
         (c) electrical light fittings;
         (d) animal supplies including equestrian or pet goods;
         (e) floor or window coverings;
         (f) furniture, bedding, furnishings, fabric, manchester or homewares;
         (g) household appliances, household electrical goods, electronic equipment or home entertainment goods;
         (h) party supplies;
         (i) hardware or garden supplies;
         (j) swimming pools or swimming pool equipment or supplies;
         (k) office equipment or stationary supplies;
         (l) baby or children’s goods, children’s play equipment or accessories; or
         (m) sporting, cycling, leisure or fitness goods equipment or accessories,
but excludes premises at which the predominant items for sale are:
   (n) food;
   (o) books;
   (p) clothing;
   (q) footwear; or
   (r) personal effects"

12. Schedule No. 6 – Exempted Advertisements is amended by:
   (a) inserting the words "Restricted Retail Premises" after the word "Showrooms" where the word appears for the first time in the first column;
   (b) inserting a comma and deleting the word "and" immediately after the words "District Town Centre" where those words appear for the first time in the second column; and
   (c) adding the words "and Primary Centre Enterprise" immediately after the words "Primary Centre City Living" where those words appear in the second column.

13. Schedule 12 - Developer Contribution Plan No.2, clause 4.2 is amended by:-
   (a) deleting the word "or" after sub-clause (g) the Special Residential Zone;
   (b) deleting the full stop and inserting " or" after sub-clause (i);
   (c) inserting new sub-clause "( j) the Primary Centre Enterprise Zone".

14. The Scheme Map is amended:
   (a) by rezoning certain land within the Light Industrial Zone, Railway Reservation and the Development Zone generally bounded by Patterson Road, Dixon Road, and a north south alignment to the rear of the existing lots on Pickard Avenue through to Dixon Road to the "Primary Centre Enterprise" Zone, as shown on the Scheme Amendment Map;
   (b) by rezoning the triangular portion of land generally bounded by the closed portion of Dixon Road reserve, Dixon Road, Patterson Road and Cessnock Way from Development Zone to "Primary Centre Urban Village" Zone, as shown on the Scheme Amendment Map;
   (c) by amending the broken black line around the "Primary Centre" in accordance with the amended Scheme Amendment Map;
   (d) by modifying the Legend to the Scheme Amendment Map accordingly.
Committee Recommendation

That Council ADOPT (initiate) Amendment No.137 to Town Planning Scheme No.2 in pursuance of Section 75 of the Planning and Development Act 2005, as follows:

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME
CITY OF ROCKINGHAM TOWN PLANNING SCHEME NO. 2
AMENDMENT NO. 137

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

1. Clause 3.1.1 is amended by inserting the following words immediately after the words “Primary Centre City Living”:

   “Primary Centre Enterprise”.

2. Table No. 1 – Zoning Table is amended by:

   (a) inserting the following column for the “Primary Centre Enterprise” as a new zone and inserting Use Class Classifications in that column for this Zone.

   (b) introducing a new Use Class Classification – “Restricted Retail Premises”.

   (c) amending Table No.1 – Zoning Table to show “Restricted Retail Premises’ as a ‘D’ Use Class Classification in the Primary Centre Enterprise, Service Commercial and Port Kennedy Business Enterprise Zones and as an ‘X’ Use Class in all other zones.

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<th>ZONING</th>
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<td>Bed and Breakfast</td>
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<td>Caretaker's Dwelling</td>
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<td>Nursing Home</td>
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<td>(b) Grouped Dwelling</td>
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<td>(c) Multiple Dwelling</td>
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**COMMERCIAL USES**

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**INDUSTRIAL USES**

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<td>Public Worship : Place of</td>
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</table>
3. Clause 4.3.1 (a) is amended by:
(a) deleting the word —and— after the semi-colon in sub-paragraph (iii);
(b) inserting the following new sub-clause after sub-paragraph (iv):
   (v) the Primary Centre Enterprise Zone.
4. Clause 4.3.3 is amended by:
(d) deleting the word —and— after the semi-colon in sub-paragraph (g);
(e) inserting a new sub-paragraph after sub-paragraph (ga) as follows:-
   (gb) in the case of the Primary Centre Enterprise Zone – the provisions of the
       Development Policy Plan (Northern Smart Village Sector) and any other
       Policy adopted under clause 8.9 which applies to the Primary Centre
       Enterprise Zone.
5. Clause 4.3.4 is amended by:
(a) deleting the word —and— after the semi-colon in sub-paragraph (g);
(b) inserting a new sub-paragraph after sub-paragraph (ga) as follows:-
   (gb) in the case of the Primary Centre Enterprise Zone – the provisions of the
       Development Policy Plan (Northern Smart Village Sector) and any other
       Policy adopted under clause 8.9 which applies to the Primary Centre
       Enterprise Zone.
6. A new clause 4.3E is inserted immediately after clause 4.3D as follows:

- **4.3E Primary Centre Enterprise Zone**

  **4.3E.1 Objectives of the Zone**

  The objectives of the Primary Centre Enterprise Zone are to:-
  (a) contribute to and encourage the development of integrated retail, office,
      showroom, commercial and bulky goods landuse activities generally in
      accordance with the requirements of the Development Policy Plan for the
      Northern Smart Village Sector;
  (b) promote commercial, mixed business and office landuses within the Northern
      Smart Village Sector to service the growing demands of the locality in
      recognition of Strategic Metropolitan Centre responsibilities;
  (c) promote a broad mix of commercial, mixed-business, bulky goods retail and
      office activities that optimises the use of public transport and other service
      infrastructure;
  (d) achieve appropriate landuse and built form outcomes, within a walkable
      catchment of the central public transport system;
  (e) provide for a high amenity, street-based transit route along the Ambrose Street
      "main street";
(f) create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages;

(g) provide for contiguous activated commercial and retail street front developments along the Ambrose Street "main street";

(h) encourage vibrant and diverse uses which promotes the Northern Smart Village Sector as a commercial destination; and

(i) provide for high quality public spaces which encourages a range of recreational and social activities along their edges."

7. Clause 4.15.1 is amended by:

(e) deleting clause 4.15.1.1 and substituting the following:

4.15.1.1 Where land is proposed to be developed in the:

(a) District Town Centre Zone;
(b) Primary Centre City Centre Zone;
(c) Primary Centre Urban Village Zone;
(d) Primary Centre City Living Zone; and
(e) Primary Centre Enterprise Zone,

for a purpose specified in Table No.3, the minimum number of car parking bays required, and the maximum number of car parking bays allowable, for the proposed development is to be determined in accordance with Table No.3."

(f) deleting clause 4.15.1.3 and substituting the following:

4.15.1.3 Where land is proposed to be developed in any zones other than the:

(g) District Town Centre Zone;
(h) Primary Centre City Centre Zone;
(i) Primary Centre Urban Village Zone;
(j) Primary Centre Waterfront Village Zone;
(k) Primary Centre City Living Zone; or
(l) Primary Centre Enterprise Zone,

for a purpose specified in Table No.2, the minimum number of car parking bays required for the development is to be determined in accordance with Table No.2."
8. Table No.2 – Carparking Table is amended by:-
(a) inserting a comma and the words "Restricted Retail Premises" after the word "Warehouse" where it appears for the first time in the "Use Class" column.

9. Table No. 3 heading is amended by:
(a) deleting the "&" and inserting a comma after the words "District Town Centre Zone";
(b) inserting "& Primary Centre Enterprise Zone" immediately after the words "Primary Centre City Living Zone".

10. Table No.3 is amended by inserting a comma after the word "Warehouse" where it appears in the "Use Column" and inserting the words "Restricted Retail Premises".

11. Part 9 – Schedules, Schedule No. 1 – Interpretations’ is amended by:
(a) inserting a new definition immediately after the definition of Development Policy Plan (Northern Waterfront Sector) in Part 1. General Interpretations, as follows:
“Development Policy Plan (Northern Smart Village Sector): means the Policy entitled ‘Development Policy Plan (Northern Smart Village Sector)’ as amended from time to time”;
(b) inserting a new definition in ‘Part 2. Land Use Interpretations’, as follows:
“Restricted Retail Premises: means a shop at which the only items for sale are:
(a) automotive parts or accessories;
(b) camping, outdoor or recreation goods;
(c) electrical light fittings;
(d) animal supplies including equestrian or pet goods;
(e) floor or window coverings;
(f) furniture, bedding, furnishings, fabric, manchester or homewares;
(g) household appliances, household electrical goods, electronic equipment or home entertainment goods;
(h) party supplies;
(i) hardware or garden supplies;
(j) swimming pools or swimming pool equipment or supplies;
(k) office equipment or stationary supplies;
(l) baby or children’s goods, children’s play equipment or accessories; or
(m) sporting, cycling, leisure or fitness goods equipment or accessories,
but excludes premises at which the predominant items for sale are:
(n) food;
(o) books;
(p) clothing;
(q) footwear; or
(r) personal effects”

12. Schedule No. 6 – Exempted Advertisements is amended by:
(a) inserting the words "Restricted Retail Premises" after the word "Showrooms" where the word appears for the first time in the first column;
(b) inserting a comma and deleting the word "and" immediately after the words "District Town Centre" where those words appear for the first time in the second column; and
(c) adding the words "and Primary Centre Enterprise" immediately after the words "Primary Centre City Living" where those words appear in the second column.

13. Schedule 12 - Developer Contribution Plan No.2, clause 4.2 is amended by:-
(a) deleting the word —or—after sub-clause (g) the Special Residential Zone;
(b) deleting the full stop and inserting —or— after sub-clause (i);
(c) inserting new sub-clause —or— the Primary Centre Enterprise Zone).

14. The Scheme Map is amended:-

(a) by rezoning certain land within the Light Industrial Zone, Railway Reservation and the Development Zone generally bounded by Patterson Road, Dixon Road, and a north south alignment to the rear of the existing lots on Pickard Avenue through to Dixon Road to the Primary Centre Enterprise Zone, as shown on the Scheme Amendment Map;

(b) by rezoning the triangular portion of land generally bounded by the closed portion of Dixon Road reserve, Dixon Road, Patterson Road and Cessnock Way from Development Zone to Primary Centre Urban Village Zone, as shown on the Scheme Amendment Map;

(c) by amending the broken black line around the 'Primary Centre' in accordance with the amended Scheme Amendment Map;

(d) by modifying the Legend to the Scheme Amendment Map accordingly.
2. Proposed New Zoning – ‘Primary Centre Enterprise Zone’

Committee Voting – 5/0

**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
**Directorate, Planning Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-020/14 Proposed Planning Policy No.3.2.8 – Development Policy Plan: Campus Sector</th>
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<tbody>
<tr>
<td>File No:</td>
<td>LUP/1618</td>
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<tr>
<td>Applicant:</td>
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<tr>
<td>Owner:</td>
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</tr>
<tr>
<td>Author:</td>
<td>Mr Bob Jeans, Director Planning and Development Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mrs Sharon Peacock, Special Projects Research Officer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 February 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Cr Deb Hamblin declared an Impartiality Interest in Item PDS-20/14 - Proposed Planning Policy No.3.2.8 - Development Policy Plan: Campus Sector, as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, as Murdoch University is her employer.</td>
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<tr>
<td>Nature of Council's Role in this Matter:</td>
<td>Executive</td>
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<tr>
<td>Lot Area:</td>
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<td>LA Zoning:</td>
<td>Community Purposes – University</td>
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<td>MRS Zoning:</td>
<td>Central City Area</td>
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<td>Attachments:</td>
<td>Draft Planning Policy No.3.2.8 – Campus Sector</td>
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<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
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<tr>
<td></td>
<td>2. Rockingham Strategic Metropolitan Centre Boundary</td>
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<td>3. Rockingham Strategic Metropolitan Centre Sector Plan</td>
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<td>4. Regional Centre Concept Plan</td>
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<td>5. Regional Centre Framework Plan</td>
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<td>6. Regional Centre Height and Density Overlay</td>
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<tr>
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<td>7. Aerial View - Campus Sector</td>
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<td></td>
<td>8. Precinct Boundaries</td>
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</tbody>
</table>
1. Location Plan

**Purpose of Report**

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

Note: This Report should be read in conjunction with the proposed Scheme Amendment No.140 to Town Planning Scheme No.2 – Campus Sector – Primary Centre Campus Zone.

**Background**

Under _Statement of Planning Policy 4.2 - Activity Centres for Perth and Peel_ (August 2010), the 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 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 Centre Plan 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 envelope is shown in Figure 1.
2. Rockingham Strategic Metropolitan Centre Boundary

Stage 1 of the Centre Plan 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' principles. 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 3) as follows:-

- City Centre
- Waterfront Village
- Smart Village (South)
- Smart Village (North)
- Northern Gateway
- Campus
- Eastern
- Leeuwin
- Northern Waterfront
- Southern Gateway
- Rockingham Station
3. Rockingham Strategic Metropolitan Centre Sector Boundary

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 the broad 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 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 4) 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.

4. Regional Centre Concept Plan

Transit Oriented Development (TOD) Potential

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

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 3), to enable the TOD potential of each Sector to be assessed.

With respect to TOD potential of the Campus Sector, the Centre Plan states:

“Sector 6 – Campus

The adjoining campuses of TAFE, Murdoch University and Kolbe College are located between Ennis Avenue, Dixon Road and Simpson Avenue. The western end of the joint campuses falls within the walkable catchment of the transit route and would directly interface with the proposed Smart Village TOD on the southern side of Dixon Road. There will also be opportunities for TAFE and university tenancies to locate within the adjoining proposed Smart Village TOD.”
Regional Centre Framework Plan

The approved Centre Plan presented a Framework Plan (refer to Figure 5), 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. DPP’s) of each Sector.

5. Regional Centre Framework Plan

Residential Density and Height

A ‘Residential Density and Height’ overlay plan (refer to Figure 6) was prepared in conjunction with the Regional Centre Framework Plan. 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, as described in the Centre Plan.
- 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 also activity generators such as the core the City Centre, the Smart Village ‘main street’, the coast and beachfront. The Centre Plan provided further guidance with respect to the profile of building bulk and scale, in relation to public streets and spaces.
6. Regional Centre Height and Density Overlay

Frontage Type

A ‘Frontage Type’ overlay plan was also prepared with the Regional Centre Framework Plan, in accordance with consolidated ‘main street’ principles, 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 approved 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 DPP’s.

In respect of ‘Sector 6 – Campus’, the following planning guidelines were specified:

| Desired Future Character | The adjoining campuses of TAFE, Murdoch University and Kolbe College are located between Ennis Avenue, Dixon Road and Simpson Avenue. The western end of the joint campuses falls within the walkable catchment of the transit route and would directly interface with the proposed Smart Village TOD on the southern side of Dixon Road. There will also be opportunities for TAFE and university tenancies to locate within the adjoining Smart Villages. |

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 MARCH 2014

PRESIDING MEMBER
Preferred Uses:

- Educational
- Civic
- Commercial
- Interconnecting, high quality parklands

Elements:

- Maintain and enhance high quality development in each of the individual campus operations.
- Ensure that individual campuses are developed in a complimentary fashion to share resources where feasible and to present a generally integrated townscape character.
- Generally intensify development from east to west along Dixon Road consistent with proximity to the more urban scaled DBD of the Strategic Metropolitan Centre. This should also be reflected in the urban design of the campuses with the more industrial architecture of the TAFE being set in landscaped grounds and the university campuses integrated with the urban street grid of the adjoin Smart Village.
- Give particular attention to the landscape treatment of Ennis Avenue, Dixon Road 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.

Statutory Implementation – Approved Centre Plan

As part of its September 2009 decision to endorse the Activity Centre Plan, Council directed that City Officers proceed to 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 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 adopted for Final Approval in September 2013. It is currently awaiting Ministerial Approval and Final Gazettal. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre – Waterfront Village Zone’ and updated the provisions for the Primary Centre area to include reference to the ‘Primary Centre – Waterfront Village Zone’.

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 MARCH 2014

PRESIDING MEMBER
"Planning Policy No.3.2.6: Development Policy Plan – Northern Waterfront Sector". The draft DPP was endorsed for public consultation in March 2013 and was advertised concurrently with Amendment No.129. The DPP was adopted (with minor modifications) in September 2013. It will come into effect upon gazettal of Amendment No.129.

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

The preparation of detailed masterplans for each Sector (i.e. the DPP’s) 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, Development Policy Plan No.3.2.8 has now been prepared for Sector 6 – Campus Sector.

**Campus Sector**

The Campus Sector of the Rockingham Strategic Metropolitan Centre comprises adjoining sites of the Challenger Institute of Technology (ClIoT, formerly Challenger TAFE), the Rockingham campus of Murdoch University and Kolbe Catholic College. The Rockingham Campus Community Library is situated on the Murdoch site and the joint facility is shared between students and the community.

The Sector covers an area of approximately 35 hectares at the eastern gateway to the Strategic Metropolitan Centre. This prominent location will become more important to the perception and identity of the overall Activity Centre once Dixon Road is connected to the Freeway via the Mundijong Road (proposed name of Kulija Road) link. The Dixon Road frontage to the Sector is approximately 1 kilometre long and the 4 lane dual carriageway has undergone a major upgrade in recognition of its role as a vital piece of road and place-making infrastructure.
The Campus Sector DPP completes the detailed planning and urban design framework to show how the proposed structural modifications to the road network from the Centre Plan can be implemented to improve access, provide an orderly basis for rationalising the boundaries of each of the campuses and to provide a settled framework for enduring landscape development.

The Campus Sector DPP also shows how the existing campus infrastructure of buildings, car parks and public spaces can interface with the mixed use, street oriented development strategy that underpins the City's adopted DPP for the adjoining Smart Village.

Consistent with previously adopted DPP’s, the Campus DPP and Indicative Development Plan establishes development objectives (as already set out in the approved Centre Plan), and provides clear planning direction to education providers within this Sector.

No residential development is anticipated within the Sector, and the proposed Scheme Amendment has been framed to exclude most residential use classes. Student housing or student hostel accommodation could be permitted as a ‘Use Not Listed’.

The height of buildings is unlikely to be an issue in the development of this Sector since residential is not a preferred use and tertiary education buildings in non-CBD locations seldom exceed 3-5 storeys in height.

The Campus Sector DPP contains a Frontage Plan for the Sector, which primarily allocates a Type 4 frontage with a moderate level of activation behind a 2-3.5 metre green landscaped setback.

The Campus Sector has been divided into three Precincts comprising:-
- Dixon;
- Dowling;
- Ennis; and

are based on areas where a particular geographic identity, activity mix and/or townscape character is envisaged with desired future character, preferred uses and required elements of development for each Precinct which is identified in greater detail in the DPP.

8. Precinct Boundaries
Implications to Consider

a. Consultation with the Community

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

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

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

b. Consultation with Government Agencies

Consultation with 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 contained in the Community Plan 2011:

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

d. Policy

The draft Planning Policy No.3.2.8 for the Campus Sector will be advertised in accordance with Clause 8.9 (Planning Policies) of Town Planning Scheme No.2. Draft Planning Policy No.3.2.8 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.

Comments

The City has already consulted with the key stakeholders on the draft DPP, namely the Department of Training and Workforce Development (DTWD), Clot, Murdoch University and Kolbe College. A detailed briefing was provided, followed by an opportunity to provide preliminary comment on the draft DPP, before it was presented to the Council.

Comments on the draft DPP were received from Murdoch University, DTWD and Clot. The comments received were referred to the City Centre Consultant for a response to the issues raised and these comments have been addressed in this Report.

Matters raised in the submissions are common to either two or three of the submissions and have been summarised into the following issues for further consideration:-

1. Land tenure and site rationalisation
2. Review of Campus Sector planning assumptions
3. Scope and status of March 2011 Clot Campus Masterplan
4. Implementation of the Centre Plan road network
5. Endorsed planning guidelines for the Campus Sector
6. Desired future character
7. Required elements/status of existing non-conforming development
8. Indicative Development Plan – confusion related to tenure
9. Precinct boundaries and Precinct Concept Plans 0 confusion related to tenure
10. Preferred uses
11. Car parking provision

Response to Issues:

### 1. Land Tenure and Site Rationalisation

Contrary to the wording of the draft DPP, both MU and CIoT have advised that there is little or no likelihood of any of the current CIoT land holding being transferred to Murdoch University to allow for a further, eastward expansion of the university. Further, both the CIoT and DTWD submissions confirm that:

"Lot 101 is currently being amalgamated into Lot 4307 to form one continuous freehold land holding on the basis that Challenger Institute requires all the remaining land for future development."

**Consultant Response:**

It is acknowledged that existing land tenure would need to be significantly rationalised between the various stakeholders to facilitate further expansion of the MU campus to the east of the proposed campus square.

In the absence of any commitment to proceed with such a rationalisation, it would be sensible to remove any reference to the new road system being used to define campus boundaries.

It is recommended that the wording of the draft text be amended as necessary to accord with current tenure arrangements whilst not limiting the opportunity for future, mutually agreed rationalisation that may be associated with the development of the MU and CIoT campuses.

**City Comment:**

Agreed. Changes to the draft DPP text have been made.

### 2. Review of Campus Sector Planning Assumptions

The MU submission suggests that assumptions about further westward expansion of the MU campus are unfounded. MU would prefer that the text be reworded to reduce the emphasis on any expected westward expansion by the University.

**Consultant Response:**

The text of the draft DPP has been carefully drafted to acknowledge that the growth projections and anticipated land requirements that were contained in the original 1995 Regional Campus Masterplan are unlikely to be realised. For that reason the City accepted the advice of its Centre Plan consultant team that land to the west of Croker Street should be re-allocated to mixed use development in a configuration that could accommodate future MU tenancies if the demand eventuated.

Planning for the southern Smart Village Sector proceeded on that basis and as such there is no unrealistic expectation of further westward growth of MU in either the Smart Village DPP or the draft Campus Sector DPP.

It is recommended that the wording of the heading for Section 4.1 be amended by substituting the words "Campus Sector" for "Regional Campus". Changes to the text to further reduce the expectation of westward expansion of the University are not warranted.

**City Comment:**

Agreed. Changes to draft DPP text have been made.
3. Scope and Status of March 2011 CloT Campus Masterplan

The Director of Facilities and Infrastructure at CloT advises that:

"....the latest version of the Rockingham (CloT) Campus masterplan undertaken by Peter Hunt Architects in March 2011 concentrated purely on the area east of the north-south road and basically served to validate the positioning of the new Building Trades Centre currently under construction. The document was never commissioned as a finite or exhaustive review of the whole site and did not consider the western side of the north-south road. This land however is still considered important to further growth of the campus and will be the subject of future master planning exercises."

Consultant Response:

The City or Rockingham and its Centre Plan consultants were not aware until advised through the CloT submission to the draft DPP that the March 2011 masterplan only covered a portion of the ultimate extent of CloT development.

As per the response to Issue 1, the wording of the draft DPP report should be amended to reflect the realities of land tenure and the likelihood that land to the west of the new north-south road will be developed for CloT purposes.

Notwithstanding that future development to the west of the new north-south road may be part of an expanded CloT rather than an expanded MU, the basic structure planning and urban design principles governing the layout of such development as depicted in the draft DPP remain relevant.

It is recommended that the text and the related illustrations in the draft DPP be edited as necessary to clarify that development to the west of the new north-south road will be planned to meet the future needs of the CloT Campus.

City Comment:

Agreed. Changes to draft DPP text and related Illustrations have been made.

4. Implementation of the Centre Plan Road Network

Each of the submissions expresses support for the proposed road network, which includes planning provision for a new north-south road and a new east-west road.

There are concerns that the draft DPP report has erroneously concluded that the new road alignments could form the basis of rationalised individual campus boundaries when neither the CloT nor MU support that position.

The MU submission also questions the need for increased car parking capacity in the context of the transit-oriented development principles espoused by the draft DPP. They also question the placement of car parks between buildings and roadways given the intent of the City to break down the barriers between campus built form and the external community.

Consultant Response:

The consultant accepts that it was inadvisable to link the location and alignment of the proposed road network with a rationalised set of property boundaries for each of the individual campuses.

While the location and alignment of the proposed new north-south and east west roads should be implemented as generally indicated on the Indicative Development Plan, the actual boundaries of the individual campuses and the interface between each will be determined by the campus stakeholders.

Consistent with the original basis of the joint campus strategy, it would be reasonable to assume that there will continue to be some sharing of facilities and infrastructure between the institutions as they grow and the DPP should retain relevant references to this understanding.

The capacity of car parks as illustrated on the Indicative Development Plan is notional at this stage because the City has no control over the numbers of staff and students that will be accommodated on site.

The location of such car parking has taken into account the City's desire to position buildings at the street front where that is relevant to the contemplated land use context.
City Comment:
Agreed. No changes required.

5. Endorsed Planning Guidelines for the Campus Sector

The MU submission raises concerns about whether the existing MU waste transfer station and other plant and equipment near the existing Dowling Street frontage of the MU campus would be required to relocate or be otherwise visually enhanced as a condition of other development approvals.

Consultant Response:
The DPP does not require existing development to be relocated or otherwise enhanced except in the sense that every opportunity should be taken to create an optimum townscape outcome whenever new development is being planned. The DPP sets out the urban design parameters within which such development should be formulated.

It is recommended that no change be made to the text.

City Comment:
Agreed. No changes required to draft DPP.

6. Desired Future Character

The MU submission is concerned about the use of the word "understands" in relation to progressive funding to expand the university. They suggest that the wording of this section should be revised to reflect a less optimistic view of likely growth in the short to medium term.

Consultant Response:
The "Desired Future Character" section of any Precinct Policy is intended to summarise the reasonable development expectations of the City of Rockingham, as the responsible planning authority. In this instance, those reasonable expectations are informed by the projections for growth and development staging that MU contributed to the 1995 Regional Campus Masterplan.

While the ultimate scale of the Rockingham Campus of Murdoch University may be different to that of say the Edith Cowan University Campus at Joondalup, the strategic purpose and need for such a tertiary education campus at Rockingham is the same. In both instances the objective is to provide access to tertiary education opportunities to a population catchment of over 250,000 people. It is obvious that the scale of the campus would be expected to grow in line with catchment population growth.

It is recommended that the wording of the section be revised to ensure that the City's expectations are clearly communicated. In that regard, the word "understands" should be changed to "expects" in the second paragraph of Section 6.1.2.

City Comment:
Agreed. Changes to the draft DPP text have been made.

7. Required Elements/Status of Existing Non-conforming Development

Consultant Response:
Refer to Issue 5 response.

City Comment:
Agreed. No changes required.
<table>
<thead>
<tr>
<th>8. Indicative Development Plan – Confusion related to Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td>The CIoT and DTWD submissions make it clear that there is no basis for assuming that the MU campus will expand eastwards onto land that is needed for the future expansion of the CIoT facility. Both submissions call for the IDP and related Precinct Plans to be revised to reflect the actual land holdings of each of the campus stakeholders.</td>
</tr>
<tr>
<td><strong>Consultant Response:</strong></td>
</tr>
<tr>
<td>In circumstances where there are reasonable community and City of Rockingham expectations that each of the three educational institutions will continue to grow in line with population growth, but where there is no commitment to further growth in the short to medium term by MU, it would be sensible for the City of Rockingham to refrain from being too specific about where the boundary sits between the MU and CIoT campuses. Structure planning measures proposed in the endorsed Centre Plan such as the new north-south and east-west roads are key determinants of urban form and the location and alignment of these roads is still relevant to the definition of precinct boundaries, on the assumption that the individual institutions may have parts of their campuses, or may share facilities, on either side of these roads. To avoid confusion, relevant parts of the text need to be amended and the precinct names need to be changed from those of the three institutions to local place names. This change to precinct nomenclature would be consistent with the approach already adopted in other Sectors of the Centre Plan.</td>
</tr>
<tr>
<td><strong>City Comment:</strong></td>
</tr>
<tr>
<td>Agreed. Changes to draft DPP text and related illustrations have been made.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>9. Precinct Boundaries and Precinct Concept Plans - Confusion Related to Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Consultant Response:</strong></td>
</tr>
<tr>
<td>Refer to Issue 8 response.</td>
</tr>
<tr>
<td><strong>City Comment:</strong></td>
</tr>
<tr>
<td>Agreed. Changes to draft DPP text and related illustrations have been made.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>10. Preferred Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both the CIoT and DTWD submissions refer to the need(^8) for the list of preferred uses to be amended from &quot;education&quot;, and &quot;education related commerce and research&quot; to &quot;vocational education and training&quot; and &quot;vocational education and training related commerce and research&quot;.</td>
</tr>
<tr>
<td><strong>Consultant Response:</strong></td>
</tr>
<tr>
<td>The list of preferred uses in the draft DPP quite deliberately avoided any demarcation or quasi zoning of education functions between the MU and CIoT campuses. It is recommended that no change be made to the text.</td>
</tr>
<tr>
<td><strong>City Comment:</strong></td>
</tr>
<tr>
<td>Agreed. No changes required.</td>
</tr>
</tbody>
</table>

---

\(^8\) Correction of typographical error
11. Car Parking Provision

The MU submission raises concerns about the extent and location of car parking shown on the IDP. Questions are raised about whether the extent of car parking shown on the plans would be needed given the emphasis placed on public transport in the DPP.

**Consultant Response:**

While the Centre Plan seeks to achieve a balance between private vehicle access and public transport, the Campus Sector DPP does not seek to unreasonably limit car parking or require that car parking infrastructure be developed ahead of demand.

The extent and location of car parking shown on the draft IDP is notional at this stage because there are no up to date forecasts of floorspace requirements or student/staff accommodation numbers on which to base estimates of car parking demand.

Generally speaking, the location of car parks has been primarily pre-determined by the location of existing or proposed car parks in each of the supplied campus development plans.

At the interface with the adjoining southern Smart Village Sector where activated building frontages are required, car parking has been positioned behind street front buildings.

It is recommended that no changes be made to either the text or illustrations.

**City Comment:**

Agreed. No changes required.

**Conclusion**

As a result of the comments received from key stakeholders, the draft DPP has been amended to address the concerns raised as outlined above.

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 and Northern Waterfront 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.140 to Town Planning Scheme No.2 – Campus Sector – Primary Centre Campus Zone 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 DPD-021/14.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **ENDORSE** the publishing of a notice that it has prepared draft *Planning Policy No.3.2.8: Development Policy Plan - Campus Sector* for public comment.

**Committee Recommendation**

That Council **ENDORSE** the publishing of a notice that it has prepared draft *Planning Policy No.3.2.8: Development Policy Plan - Campus Sector* for public comment.

Committee Voting – 5/0

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9 Correction of numerical error
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-021/14 Proposed Amendment No.140 to Town Planning Scheme No.2 – Primary Centre Campus Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1768</td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Bob Jeans, Director Planning and Development Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mrs Sharon Peacock, Special Projects Research Officer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 February 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Cr Deb Hamblin declared an Impartiality Interest in Item PDS-21/14 - Proposed Amendment No.140 to Town Planning Scheme No.2 – Primary Centre Campus Zone, as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, as Murdoch University is her employer.</td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td>Legislative</td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Community Purposes – University</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Central City Area</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Amendment No.140 Scheme Amendment Report</td>
</tr>
<tr>
<td></td>
<td>2. Proposed New Zoning</td>
</tr>
</tbody>
</table>

**Purpose of Report**

To consider initiating Scheme Amendment No.140 to Town Planning Scheme No.2 (TPS2) to introduce new provisions to create the ‘Primary Centre Campus Zone’, as part of the ongoing implementation of the endorsed Centre Plan for the Rockingham Strategic Metropolitan Centre, as adopted by the Council and the Western Australian Planning Commission (WAPC) in 2009.

*Note:* This Report should be read in conjunction with PDS-020/14 for draft Planning Policy No.3.2.8 – Development Policy Plan - Campus Sector.

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10 Correction of numerical error
Background

Statutory Implementation – Approved Centre Plan

As part of its September 2009 decision to endorse the Activity Centre Plan, Council directed that City Officers proceed to 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 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 adopted for Final Approval in September 2013. It is currently awaiting Ministerial Approval and Final Gazettal. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre – City Living Zone’ together with enabling provisions to give effect to the associated ‘Planning Policy No.3.2.6: Development Policy Plan – Northern Waterfront Sector’.
- ‘Planning Policy No.3.2.6: Development Policy Plan – Northern Waterfront Sector’. The draft DPP was endorsed for public consultation in March 2013 and was advertised concurrently with Amendment No.129. The DPP was adopted (with minor modifications) in September 2013. It will come into effect upon gazettal of Amendment No.129.

Details

Scheme Amendment No.140 proposes to introduce a new zone for the Campus Sector, to be referred to as the ‘Primary Centre Campus Zone’. In addition, it will update the provisions for the Primary Centre area to include reference to the Primary Centre Campus Zone, as follows:-

Summary of Proposed Scheme Changes

Scheme Text:
Clause 3.1.1
Is amended by including reference to ‘Primary Centre Campus Zone’.

Table No.1
Table No.1 will be amended to add a new column for the ‘Primary Centre Campus Zone’. The Use Class classifications are proposed to support the educational nature of the zone.

Clause 4.3.1
Clause 4.3.1 sets out the Zones within the ‘Primary Centre’. It will be amended to include reference to the ‘Primary Centre Campus Zone’.
Clause 4.3.3
Clause 4.3.3 is amended by adding a new sub paragraph (gc) to include reference to the ‘Primary Centre Campus Zone’.

Clause 4.3.4
Clause 4.3.4 is amended by adding a new sub paragraph (gc) to include reference to the ‘Primary Centre Campus Zone’.

Clause 4.3
Clause 4.3 seeks to introduce new Clause 4.3F to introduce the ‘Primary Centre Campus Zone’ which also includes the ‘Objectives of the Zone’.

Clause 4.15.1
Clauses 4.15.1, 4.15.1.3, 4.15.1.4(a) and 4.15.1.4(b) are amended by introducing the ‘Primary Centre Campus Zone’ into the car parking requirements.

Table No.3
Table No.3 heading is amended by inserting the words ‘Primary Centre Campus’.

Schedule No.1
Schedule No.1 is amended by inserting a new definition of ‘Development Policy Plan (Campus Sector)’.

Schedule No.6
Schedule No.6 is amended by inserting ‘Primary Centre Campus Zone’ immediately after the words ‘Primary Centre Enterprise’.

Scheme Map:
The Scheme Map will be updated to show the ‘Primary Centre Campus Zone’.

1. Current Zoning
2. Proposed New Zoning – ‘Primary Centre Campus Zone’

The Scheme Amendment Report, providing further details on Amendment No.140, is attached to this Report.

**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 contained in the Community Plan 2011:

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

d. **Policy**

A draft Development Policy Plan has been prepared for the Campus Sector to detail the planning objectives and requirements to guide the 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**

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.
Comments

It is recommended that the Council initiate Amendment No.140 to Town Planning Scheme No.2.

Voting Requirements

Simple Majority.

Officer Recommendation

That Council *ADOPT* (initiate) Amendment No.140 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.140**

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

1. Clause 3.1.1 is amended by including:-
   - "Primary Centre Campus Zone"

2. Table No. 1 – Zoning Table is amended by inserting a column for the "Primary Centre Campus Zone" and inserting the use class classifications in that column for this zone:-

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

### INDUSTRIAL USES

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

### RURAL USES

<table>
<thead>
<tr>
<th>Use Class</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture - Extensive</td>
<td>X</td>
</tr>
<tr>
<td>Agriculture - Intensive</td>
<td>X</td>
</tr>
<tr>
<td>Cattery</td>
<td>X</td>
</tr>
<tr>
<td>Dog Kennels</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Extractive</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Rural</td>
<td>X</td>
</tr>
<tr>
<td>Livestock Holding Facility</td>
<td>X</td>
</tr>
<tr>
<td>Piggery</td>
<td>X</td>
</tr>
<tr>
<td>Poultry Farm</td>
<td>X</td>
</tr>
<tr>
<td>Produce Store</td>
<td>X</td>
</tr>
<tr>
<td>Rural Pursuit</td>
<td>X</td>
</tr>
<tr>
<td>Stockyards</td>
<td>X</td>
</tr>
</tbody>
</table>
3. Clause 4.3.1 (a) is amended by:
   (a) deleting the word —and— after the semi-colon in sub paragraph (iv);
   (b) deleting the full stop at the end of sub-paragraph (v) and inserting a semi-colon and
       the word —; and—;
   (c) inserting the following new sub-clause after sub-clause (v):
       —(vi) the Primary Centre Campus Zone."

4. Clause 4.3.3 is amended by:
   (a) deleting the word -and- after the semi-colon in sub-paragraph (ga);
   (b) deleting the full stop at the end of sub-paragraph (gb) and inserting a semi-colon and
       the word —; and—;
   (c) inserting a new sub-paragraph after sub-paragraph (gb) as follows:-
       -(gc) in the case of the Primary Centre Campus Zone – the provisions of the
       Development Policy Plan (Campus Sector) and any other Policy adopted
       under clause 8.9 which applies to the Primary Centre Campus Zone."

5. Clause 4.3.4 is amended by:
   (a) deleting the word —and— after the semi-colon in sub-paragraph (ga);
   (b) deleting the full stop at the end of sub-paragraph (gb) and inserting a semi-colon and
       the word —; and—;
   (c) inserting a new sub-paragraph after sub-paragraph (gb) as follows:-
6. A new clause 4.3F is inserted immediately after clause 4.3E as follows:

**4.3F  Primary Centre Campus Zone**

4.3F.1 Objectives of the Zone

The objectives of the Primary Centre Campus Zone are to:

(a) contribute to and encourage the development of high quality educational facilities and allied land use activities, generally in accordance with the requirements of the Development Policy Plan for the Campus Sector;

(b) promote educational and education related commerce and research support activities within the Campus Sector to service the growing demands of the Strategic Metropolitan Centre catchment;

(c) encourage the orderly development of the education campuses to optimise shared resources, present a generally integrated townscape character and deliver appropriate built form outcomes;

(d) provide for a high amenity, street based bus transit route through the Campus Sector in accordance with the alignment shown in the Development Policy Plan;

(e) create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages;

(f) provide for high quality public places which encourages a range of formal and informal social activities; and

(g) encourage complimentary landscaping treatments within the Campus Sector, with particular emphasis along Ennis Avenue, Dixon Road and Simpson Avenue to convey a clear sense of arrival at the edge of the Strategic Metropolitan Centre.

7. Clause 4.15.1.1 is amended by:

(a) deleting the word ―and‖ after the semi-colon in sub-paragraph (d);

(b) inserting a semi-colon and the word ―; and‖ immediately after the words Primary Centre Enterprise Zone in sub-paragraph (e);

(c) inserting a new sub-paragraph (f) after sub-paragraph (e) as follows:-

(f) Primary Centre Campus Zone

8. Clause 4.15.1.3 is amended by:

(a) deleting the word ―or‖ after the semi-colon in sub-paragraph (e);

(b) inserting a semi-colon and the word ―; or‖ immediately after the words Primary Centre Enterprise Zone in sub-paragraph (f);

(c) inserting a new sub-paragraph (g) after sub-paragraph (f) as follows:-

(g) Primary Centre Campus Zone

9. Clause 4.15.1.4 sub-clause (a) is amended by:

(a) deleting the word ―or‖ after the semi-colon in sub-paragraph (v);

(b) inserting a semi-colon and the word ―; or‖ immediately after the words Primary Centre Enterprise Zone in sub-paragraph (vi);

(c) inserting a new sub-paragraph (vii) after sub-paragraph (vi) as follows:-

(vii) Primary Centre Campus Zone

10. Clause 4.15.1.4 sub-clause (b) is amended by:

(a) deleting the word ―or‖ after the semi-colon in sub-paragraph (iv);

(b) inserting a semi-colon and the word ―; or‖ immediately after the words Primary Centre Enterprise Zone in sub-paragraph (v);

(c) inserting a new sub-paragraph (vi) after sub-paragraph (v) as follows:-
11. Table No. 3 heading is amended by:
   (a) deleting the "&" and inserting a comma after the words "Primary Centre City Living Zone";
   (b) inserting "& Primary Centre Campus Zone" immediately after the words "Primary Centre Enterprise Zone".

12. Part 9 – Schedules, ‘Schedule No. 1 – Interpretations’ is amended by:
   (a) inserting a new definition immediately after the definition of Development Policy Plan (Northern Smart Village Sector) in Part 1. General Interpretations, as follows:
       Development Policy Plan (Campus Sector): means the Policy entitled ‘Development Policy Plan (Campus Sector)’ as amended from time to time; 

13. Schedule No. 6 – Exempted Advertisements is amended by:
   (a) deleting the word "and" immediately before the words "Primary Centre City Living" where those words appear for the first time in the second column; and
   (b) adding the words "and Primary Centre Campus" immediately after the words "Primary Centre Enterprise" where those words appear in the second column.

14. The Scheme Map is amended by:
   (a) by rezoning land generally bounded by Dixon Road, Ennis Avenue, Simpson Avenue and Dowling Street from ‘Community Purposes – University’ to ‘Primary Centre Campus Zone’, as shown on the Scheme Amendment Map;
   (b) by amending the broken black line around the ‘Primary Centre’ in accordance with the Scheme Amendment Map;
   (c) by modifying the Legend to the Scheme Amendment Map accordingly.

![Scheme Map](image-url)

1. Current Zoning
2. Proposed New Zoning – "Primary Centre Campus Zone"

### Committee Recommendation

That Council **ADOPT** (initiate) Amendment No.140 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.140**

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

1. Clause 3.1.1 is amended by including:-
   
   "Primary Centre Campus Zone"

2. Table No. 1 – Zoning Table is amended by inserting a column for the "Primary Centre Campus Zone" and inserting the use class classifications in that column for this zone:-

<table>
<thead>
<tr>
<th>USE CLASS</th>
<th>ZONING Primary Centre Campus</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RESIDENTIAL USES</strong></td>
<td></td>
</tr>
<tr>
<td>Ancillary Accommodation</td>
<td>X</td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>X</td>
</tr>
<tr>
<td>Camping Area</td>
<td>X</td>
</tr>
<tr>
<td>Caravan Park</td>
<td>X</td>
</tr>
<tr>
<td>Caretaker's Dwelling</td>
<td>IP</td>
</tr>
<tr>
<td>USE CLASS</td>
<td>ZONING</td>
</tr>
<tr>
<td>---------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Primary Centre Campus</td>
<td></td>
</tr>
<tr>
<td>Display Home Centre</td>
<td>X</td>
</tr>
<tr>
<td>Hotel</td>
<td>X</td>
</tr>
<tr>
<td>Lodging House</td>
<td>X</td>
</tr>
<tr>
<td>Motel</td>
<td>X</td>
</tr>
<tr>
<td>Nursing Home</td>
<td>X</td>
</tr>
<tr>
<td>Residential:</td>
<td></td>
</tr>
<tr>
<td>(a) Single House</td>
<td>X</td>
</tr>
<tr>
<td>(b) Grouped Dwelling</td>
<td>X</td>
</tr>
<tr>
<td>(c) Multiple Dwelling</td>
<td>X</td>
</tr>
<tr>
<td>Residential Building</td>
<td>X</td>
</tr>
<tr>
<td>Short Stay Accommodation</td>
<td>X</td>
</tr>
<tr>
<td>COMMERCIAL USES</td>
<td></td>
</tr>
<tr>
<td>Amusement Parlour</td>
<td>X</td>
</tr>
<tr>
<td>Betting Agency</td>
<td>X</td>
</tr>
<tr>
<td>Car Wash</td>
<td>X</td>
</tr>
<tr>
<td>Child Care Premises</td>
<td>IP</td>
</tr>
<tr>
<td>Cinema/Theatre</td>
<td>X</td>
</tr>
<tr>
<td>Club Premises</td>
<td>X</td>
</tr>
<tr>
<td>Convenience Store</td>
<td>D</td>
</tr>
<tr>
<td>Consulting Rooms</td>
<td>IP</td>
</tr>
<tr>
<td>Dry Cleaning Premises</td>
<td>X</td>
</tr>
<tr>
<td>Fast Food Outlet</td>
<td>X</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>X</td>
</tr>
<tr>
<td>Health Studio</td>
<td>IP</td>
</tr>
<tr>
<td>Home Business</td>
<td>X</td>
</tr>
<tr>
<td>Home Occupation</td>
<td>X</td>
</tr>
<tr>
<td>Homestore</td>
<td>X</td>
</tr>
<tr>
<td>Industry: Cottage</td>
<td>X</td>
</tr>
<tr>
<td>Laundromat</td>
<td>X</td>
</tr>
<tr>
<td>Lunch Bar</td>
<td>IP</td>
</tr>
<tr>
<td>Market</td>
<td>X</td>
</tr>
<tr>
<td>Medical Centre</td>
<td>X</td>
</tr>
<tr>
<td>Night Club</td>
<td>X</td>
</tr>
<tr>
<td>Office</td>
<td>IP</td>
</tr>
<tr>
<td>Plant Nursery</td>
<td>X</td>
</tr>
<tr>
<td>Private Recreation</td>
<td>X</td>
</tr>
<tr>
<td>Public Amusement</td>
<td>X</td>
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<tr>
<td>USE CLASS</td>
<td>ZONING</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td></td>
<td>Primary Centre Campus</td>
</tr>
<tr>
<td>Reception Centre</td>
<td>X</td>
</tr>
<tr>
<td>Restaurant</td>
<td>X</td>
</tr>
<tr>
<td>Restricted Premises</td>
<td>X</td>
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<tr>
<td>Restricted Retail Premises</td>
<td>X</td>
</tr>
<tr>
<td>Service Station</td>
<td>X</td>
</tr>
<tr>
<td>Shop</td>
<td>IP</td>
</tr>
<tr>
<td>Showroom</td>
<td>X</td>
</tr>
<tr>
<td>Small Bar</td>
<td>IP</td>
</tr>
<tr>
<td>Tavern</td>
<td>IP</td>
</tr>
<tr>
<td>Veterinary Clinic</td>
<td>X</td>
</tr>
<tr>
<td>Warehouse</td>
<td>X</td>
</tr>
<tr>
<td><strong>INDUSTRIAL USES</strong></td>
<td></td>
</tr>
<tr>
<td>Contractor's Yard</td>
<td>X</td>
</tr>
<tr>
<td>Fuel Depot</td>
<td>X</td>
</tr>
<tr>
<td>Industry : General</td>
<td>X</td>
</tr>
<tr>
<td>Industry : General (Licensed)</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Hazardous</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Light</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Noxious</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Service</td>
<td>X</td>
</tr>
<tr>
<td>Landscape Supply Yard</td>
<td>X</td>
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<tr>
<td>Motor Vehicle and Marine Sales Premises</td>
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<tr>
<td>Motor Vehicle Repair Station</td>
<td>X</td>
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<tr>
<td>Motor Vehicle Wrecking Premises</td>
<td>X</td>
</tr>
<tr>
<td>Open Air Display</td>
<td>X</td>
</tr>
<tr>
<td>Salvage Yard</td>
<td>X</td>
</tr>
<tr>
<td>Sawmill</td>
<td>X</td>
</tr>
<tr>
<td>Trade Display</td>
<td>X</td>
</tr>
<tr>
<td>Transport Depot</td>
<td>X</td>
</tr>
<tr>
<td>Veterinary Hospital</td>
<td>X</td>
</tr>
<tr>
<td>Abattoir</td>
<td>X</td>
</tr>
<tr>
<td><strong>RURAL USES</strong></td>
<td></td>
</tr>
<tr>
<td>Agriculture - Extensive</td>
<td>X</td>
</tr>
<tr>
<td>Agriculture - Intensive</td>
<td>X</td>
</tr>
</tbody>
</table>
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 MARCH 2014

3. Clause 4.3.1 (a) is amended by:
   (a) deleting the word "and" after the semi-colon in sub paragraph (iv);
   (b) deleting the full stop at the end of sub-paragraph (v) and inserting a semi-colon and the word "and";
   (c) inserting the following new sub-clause after sub-clause (v):
       "(vi) the Primary Centre Campus Zone."

4. Clause 4.3.3 is amended by:
CONFIRMED AT A PLANNING AND ENGINEERING
SERVICES MEETING HELD ON MONDAY 17 MARCH 2014

(a) deleting the word "and" after the semi-colon in sub-paragraph (ga);
(b) deleting the full stop at the end of sub-paragraph (gb) and inserting a semi-colon and the word "and";
(c) inserting a new sub-paragraph after sub-paragraph (gb) as follows:
   -(gc) in the case of the Primary Centre Campus Zone – the provisions of the Development Policy Plan (Campus Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Campus Zone."

5. Clause 4.3.4 is amended by:
   (a) deleting the word "and" after the semi-colon in sub-paragraph (ga);
   (b) deleting the full stop at the end of sub-paragraph (gb) and inserting a semi-colon and the word "and";
   (c) inserting a new sub-paragraph after sub-paragraph (gb) as follows:
       -(gc) in the case of the Primary Centre Campus Zone – the provisions of the Development Policy Plan (Campus Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Campus Zone."

6. A new clause 4.3F is inserted immediately after clause 4.3E as follows:

   "4.3F Primary Centre Campus Zone

   4.3F.1 Objectives of the Zone

   The objectives of the Primary Centre Campus Zone are to:-
   (a) contribute to and encourage the development of high quality educational facilities and allied land use activities, generally in accordance with the requirements of the Development Policy Plan for the Campus Sector;
   (b) promote educational and education related commerce and research support activities within the Campus Sector to service the growing demands of the Strategic Metropolitan Centre catchment;
   (c) encourage the orderly development of the education campuses to optimise shared resources, present a generally integrated townscape character and deliver appropriate built form outcomes;
   (d) provide for a high amenity, street based bus transit route through the Campus Sector in accordance with the alignment shown in the Development Policy Plan;
   (e) create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages;
   (f) provide for high quality public places which encourages a range of formal and informal social activities; and
   (g) encourage complimentary landscaping treatments within the Campus Sector, with particular emphasis along Ennis Avenue, Dixon Road and Simpson Avenue to convey a clear sense of arrival at the edge of the Strategic Metropolitan Centre."

7. Clause 4.15.1.1 is amended by:
   (a) deleting the word "and" after the semi-colon in sub-paragraph (d);
   (b) inserting a semi-colon and the word "and" immediately after the words Primary Centre Enterprise Zone in sub-paragraph (e)
   (c) inserting a new sub-paragraph (f) after sub-paragraph (e) as follows:
       -(f) Primary Centre Campus Zone"

8. Clause 4.15.1.3 is amended by:
   (a) deleting the word "or" after the semi-colon in sub-paragraph (e);
   (b) inserting a semi-colon and the word "or" immediately after the words Primary Centre Enterprise Zone in sub-paragraph (f)
   (c) inserting a new sub-paragraph (g) after sub-paragraph (f) as follows:
       -(g) Primary Centre Campus Zone"
9. Clause 4.15.1.4 sub-clause (a) is amended by:
   (a) deleting the word ―or‖ after the semi-colon in sub-paragraph (v);
   (b) inserting a semi-colon and the word 『or』 immediately after the words Primary Centre Enterprise Zone in sub-paragraph (vi)
   (c) inserting a new sub-paragraph (vii) after sub-paragraph (vi) as follows:
   (vii) Primary Centre Campus Zone

10. Clause 4.15.1.4 sub-clause (b) is amended by:
    (a) deleting the word ―or‖ after the semi-colon in sub-paragraph (iv);
    (b) inserting a semi-colon and the word 『or』 immediately after the words Primary Centre Enterprise Zone in sub-paragraph (v)
    (c) inserting a new sub-paragraph (vi) after sub-paragraph (v) as follows:
    (vi) Primary Centre Campus Zone

11. Table No. 3 heading is amended by:
    (a) deleting the ―&‖ and inserting a comma after the words Primary Centre City Living Zone;
    (b) inserting ―& Primary Centre Campus Zone‖ immediately after the words Primary Centre Enterprise Zone.

12. Part 9 – Schedules, Schedule No. 1 – Interpretations’ is amended by:
    (a) inserting a new definition immediately after the definition of Development Policy Plan (Northern Smart Village Sector) in Part 1. General Interpretations, as follows:
    Development Policy Plan (Campus Sector): means the Policy entitled Development Policy Plan (Campus Sector)’ as amended from time to time;

13. Schedule No. 6 – Exempted Advertisements is amended by:
    (a) deleting the word ―and‖ immediately before the words Primary Centre City Living” where those words appear for the first time in the second column; and
    (b) adding the words 『and Primary Centre Campus“ where those words appear in the second column.

14. The Scheme Map is amended by:
    (a) by rezoning land generally bounded by Dixon Road, Ennis Avenue, Simpson Avenue and Dowling Street from Community Purposes – University’ to Primary Centre Campus” Zone, as shown on the Scheme Amendment Map;
    (b) by amending the broken black line around the Primary Centre’ in accordance with the Scheme Amendment Map;
    (c) by modifying the Legend to the Scheme Amendment Map accordingly.
1. Current Zoning

2. Proposed New Zoning – "Primary Centre Campus Zone"

Committee Voting – 5/0

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
**Directorate, Planning Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-022/14 Proposed Metropolitan Region Scheme Amendment - Rockingham Strategic Metropolitan Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>File No:</strong></td>
<td>LUP/1416-05</td>
</tr>
<tr>
<td><strong>Applicant:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Owner:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Author:</strong></td>
<td>Mr R M Jeans, Director Planning and Development Services</td>
</tr>
<tr>
<td><strong>Other Contributors:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Date of Committee Meeting:</strong></td>
<td>17 February 2014</td>
</tr>
<tr>
<td><strong>Previously before Council:</strong></td>
<td>September 2009 (PD110/9/09); February 2010 (PD12/2/10); August 2010 (PD79/8/10); December 2011 (Bulletin Item 4.1); February 2012 (DPD-001/12).</td>
</tr>
<tr>
<td><strong>Disclosure of Interest:</strong></td>
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<tr>
<td><strong>Nature of Council’s Role in this Matter:</strong></td>
<td>Advocacy</td>
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<td><strong>Lot Area:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>LA Zoning:</strong></td>
<td>Light Industry, General Industry &amp; Railways Reservation</td>
</tr>
<tr>
<td><strong>MRS Zoning:</strong></td>
<td>Industrial &amp; Railways Reservation</td>
</tr>
<tr>
<td><strong>Attachments:</strong></td>
<td>MRS Amendment Report - Rockingham Strategic Metropolitan Centre (February 2014)</td>
</tr>
<tr>
<td><strong>Maps/Diagrams:</strong></td>
<td>1. Location Plan – Strategic Metropolitan Centre</td>
</tr>
<tr>
<td></td>
<td>2. Existing MRS Zoning</td>
</tr>
<tr>
<td></td>
<td>3. MRS Re zoning to Central City Area Zone – Areas 1, 2 &amp; 3 (February 2010)</td>
</tr>
<tr>
<td></td>
<td>4. Extent of Kwinana Air Quality Buffer</td>
</tr>
<tr>
<td></td>
<td>5. MRS Re zoning to Central City Area Zone – Proposals 1, 2 and 3 (February 2014)</td>
</tr>
<tr>
<td></td>
<td>6. MRS Re zoning to Central City Area Zone – Parts A, B and C of Proposal 3</td>
</tr>
<tr>
<td></td>
<td>7. Framework Plan (Stage 1 DPP Review Report)</td>
</tr>
<tr>
<td></td>
<td>8. Sector Plan</td>
</tr>
</tbody>
</table>
1. Location Plan - Rockingham Strategic Metropolitan Centre Planning Envelope

**Purpose of Report**

To update the Council on the proposed Metropolitan Region Scheme (MRS) Amendment for the Rockingham Strategic Metropolitan Centre and to seek endorsement of a revised MRS Amendment Report.

*Note:* This Report should be read in conjunction with Agenda Report PDS-018/14 (Draft Northern Smart Village - Development Policy Plan 3.2.7) and Agenda Report PDS-019/14 (Proposed Town Planning Scheme Amendment No 137 - Creation of Primary Centre - Enterprise Zone); both reports deal with the creation of the local planning statutory and policy framework which will be required to support the recommended changes to the MRS.

**Background**

*Planning Context - 2009 Centre Plan*

The 'Rockingham Strategic Metropolitan Centre - Activity Centre Plan' was adopted by Council in September 2009 and by the Western Australian Planning Commission (WAPC) in November 2009. The City's Activity Centre Plan was prepared to reflect the principles of orderly and proper planning and in accordance with the requirements of State and Local Planning Policies.

The adopted Centre Plan is consistent with the WAPC's 'Directions 2031 and beyond' Report (August 2010), 'Statement of Planning Policy 4.2 - Activity Centres for Perth and Peel' (August 2010) and the WAPC's draft 'Outer Metropolitan Perth and Peel Sub Regional Strategy' (August 2010).

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11 Correction of numerical error
12 Correction of numerical error
The endorsed Activity Centre Plan was prepared in liaison with key stakeholders (over a period of several years), and included two stages of extensive community consultation.

The Centre Plan was also prepared in consultation with the Rockingham Kwinana Development Office, and with the support and guidance of the Rockingham Kwinana Development Taskforce.

**Original MRS Amendment Submission**

Following approval of the Centre Plan by the WAPC, the Council resolved (February 2010) to request the WAPC to extend the ‘Central City Area’ Zone under the MRS to include the majority of the Rockingham Strategic Metropolitan Centre, as defined in the approved Centre Plan.

2. **Existing MRS Zoning**

The City subsequently lodged an Amendment request to the WAPC. The areas that were originally proposed to be rezoned are shown on Figure 2.
3. MRS Rezoning to Central City Area Zone - Areas 1, 2 & 3 (February 2010)

Area 3 is located within the Kwinana Air Quality Buffer. Figure 4 shows the extent of the KAQB.

4. Extent of Kwinana Air Quality Buffer

Following the City's initial MRS submission to the WAPC in March 2010, the Commission's Kwinana Buffer Review Committee (KBRC) was requested to assess the Amendment and give advice for the WAPC's consideration. The KBRC subsequently sought advice from various State Government agencies on the health, environmental, industrial and development implications of the proposed Amendment.
In December 2011, the KBRC resolved to not agree to change the buffer and that further studies were required to be completed to the satisfaction of the Department of State Development, Department of Environment & Conservation, Department of Health and Landcorp to demonstrate whether or not, with a reduced buffer, if industrial operations would adversely impact upon residents and whether or not future industrial development would be constrained.

The City subsequently undertook negotiations with those various government agencies and also commissioned its own independent advice with respect to the proposed MRS Amendment and potential residential land-use within Proposal 3.

Revised MRS Amendment Submission

In February 2012 the Council reconsidered the matter and resolved to endorse an amended MRS submission to the WAPC for the land within the Strategic Metropolitan Centre, as defined by the approved Activity Centre Plan (2009), based on Areas 1 and 2 only, and that Area 3 be excluded to allow further study into the buffer and land-use issues.

At the time, the Council considered that excluding Area 3 from the Amendment request would enable the MRS Amendment to proceed on the basis of Areas 1 and 2 only, and permit the further study of the buffer and land-use issues associated with Area 3, without unduly delaying the balance of the Amendment.

This approach was followed in order to progress the implementation of the approved Centre Plan in a timely manner, and to permit further study of Area 3 within an appropriate planning framework.

The WAPC did not act on the City's revised Amendment request. In an effort to progress the matter, City Officers have further revised the MRS Amendment submission, which is described below.

Details

Revised MRS Submission - Synopsis

- The City originally proposed to rezone three areas (Areas 1, 2 and 3) to Central City Area. Areas 1 and 2 essentially involve rezoning existing urban areas, and were considered generally acceptable.
- Area 3 proposed rezoning some land within the KAQB to Central City Area in the MRS, which drew opposition from government agencies and industry.
- The key issue to progressing the MRS submission was the potential ‘residential development’ on land within the KAQB, which was contemplated by the approved Centre Plan.
- Should the City exclude residential activities from this land (i.e. within the KAQB), rezoning could be acceptable.
- Subject to residential land-uses being excluded, the WAPC could consider an amendment to the MRS to include Proposals 1, 2 and 3 into the Central City Area zone.
- In combination with the revised MRS Submission, the City would progress a draft local Town Planning Scheme Amendment, and also a draft Local Planning Policy (Northern Smart Village Development Policy Plan) which would, amongst other things, exclude residential land-uses on land within the KAQB.
- Both these documents, in combination with the MRS Submission, provide the planning framework to proceed with the MRS Amendment, with residential excluded from any land within the KAQB.

Revised MRS Amendment - Specific

The proposed MRS Amendment seeks to rezone three distinct areas from the 'Urban' and 'Industrial' Zones to the 'Central City Area' Zone. The Proposals are described below:-
5. MRS Rezoning to Central City Area Zone - Proposals 1, 2 and 3 (February 2014)

Proposal 1:
Rezoning the land generally bounded by Council Avenue, Read Street, Rae Road, Ennis Avenue, Simpson Avenue and Hawkins Street from the ‘Urban’ Zone to ‘Central City Area’ Zone.
This will formalise the integration of existing residential land with medium to high density, transit oriented development (TOD) potential within the Strategic Metropolitan Centre planning framework.
Proposal 1 equates to Sector 10 (Southern Gateway) in the Centre Plan.

Proposal 2:
Rezoning the land generally bounded by Patterson Road, Victoria Street, the foreshore ‘Parks and Recreation’ Reserve, Florence Street, Thorpe Street, Quin Street, Langley Street, Houston Street, Ryan Street, Ray Street, Greene Street and Read Street from the ‘Urban’ Zone to ‘Central City Area’ Zone.
This will formalise the integration of the developing Waterfront Village and old Rockingham Beach townsite into the Strategic Metropolitan Centre as a vital, transit oriented residential and hospitality sector. Existing residential areas either side of the Waterfront Village have been included to allow for transitional densities in detailed planning, in accordance with the approved Centre Plan framework.
Proposal 2 comprises Sector 2 (Waterfront Village) and Sector 9 (Northern Waterfront), as shown in the Activity Centre Plan.

Proposal 3:
Rezoning the land bounded by Dixon Road to the south, the existing ‘Central City Area’ Zone to the west and north-west, the Patterson Road ‘Other Regional Road’ Reservation to the north and the existing ‘Industrial’ Zone to the east from the ‘Industrial’ Zone and portion of the ‘Railways’ Reservation to ‘Central City Area’ Zone (Refer to Figure 3).
Rezoning the 27.27ha in Proposal 3 will allow the wedge of historic light industrial and undeveloped land that sits between the ‘Central City Area’ land along Patterson Road and Dixon Road to be properly integrated with the planning framework of the Strategic Metropolitan Centre, to accommodate commercial and mixed business uses, commensurate with its proximity to the City Centre and the route of the central transit system.

No residential land-uses are proposed as this land is located within the KAQB. The City’s local Town Planning Scheme and Development Policy Plan will be used to exclude all residential use classes.

Proposal 3 comprises the following land portions:-

- Part A: 4.63ha (‘Industrial’ Zone south of Patterson Road)
- Part B: 0.84ha (Railways Reservation)
- Part C: 21.80ha (‘Industrial’ Zone north of Dixon Road)

6. MRS Rezoning to Central City Area Zone – Parts A, B & C of Proposal 3 (Feb 2014)

Proposal 3 of the MRS Amendment is:-

- common to both the Strategic Metropolitan Centre planning envelope and the Rockingham Industry Zone; and
- shown as Sector 4 “Smart Village North” in the approved Activity Centre Plan.

Smart Village North (Sector 4)

The Regional Centre Framework Plan (refer Figures 6 & 7), as shown in the approved Centre Plan, anticipated the development of the Smart Village North Sector as a mixed use TOD precinct, supported by the central transit route alignment between Dixon Road and Patterson Road.

According the 2009 Centre Plan, Preferred Uses in Sector 4 included ‘appropriate TOD uses along the transit route’, ‘street front mixed including office and commercial’, ‘local service retail’, ‘medium to high density residential’ and ‘passive recreation’.

(The inclusion of any residential land-uses within this Sector is no longer proposed, given its location within the Kwinana Air Quality Buffer.)
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 MARCH 2014

PRESIDING MEMBER

Planning and Engineering Services Committee Minutes
Monday 17 February 2014

Page 200

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 MARCH 2014

PRESIDING MEMBER

7. Framework Plan (Stage 1 DPP Review Report)

8. Sector Plan
**Kwinana Air Quality Buffer**

As stated previously, the City undertook negotiations with the various government agencies and also commissioned its own independent advice with respect to the proposed MRS Amendment and potential residential land-use within Proposal 3.

Following that process, it is proposed to exclude all residential land-use activities within Proposal 3, for as long as the KAQB remains in place over this land.

In combination with the MRS submission, a draft Local Planning Scheme Amendment and Development Policy Plan documentation has been prepared to give effect to this position, where ‘Residential’ land use classifications will be shown as "X" within the City's TPS Zoning Table. This will have the effect of:

- excluding any housing or residential activities within Proposal 3 land.
- prohibiting any discretionary planning decisions by the City, JDAP or WAPC to allow residential.
- remove any appeal rights, as 'X' land-uses do not allow for appeals to SAT.

The City will use its Town Planning Scheme to prohibit any residential land-use from being established until such time as the relevant necessary environmental and scientific studies have been undertaken, which would demonstrate that residential development would be appropriate within this Precinct.

The City's draft Development Policy Plan (see Agenda Report PDS-018/1413) and Scheme Amendment (see Agenda Report PDS-019/1414) documentation provide the framework for the future development of this land for commercial and mixed business purposes. The development of office, business and commercial purposes within this area will be consistent with the 'Central City Area' Zone being sought.

### Implications to Consider

<table>
<thead>
<tr>
<th>a. Consultation with the Community</th>
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<tbody>
<tr>
<td>To be undertaken as part of the MRS Amendment process.</td>
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<tr>
<th>b. Consultation with Government Agencies</th>
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<tr>
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<tr>
<th>c. Strategic</th>
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<tr>
<td>Community Plan</td>
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This item addresses the Community's Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:-

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

<table>
<thead>
<tr>
<th>d. Policy</th>
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<tr>
<td>The adopted Activity Centre Plan is consistent with the:-</td>
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<tr>
<td>- WAPC's 'Directions 2031 and beyond' Report (August 2010).</td>
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<tr>
<td>- 'Statement of Planning Policy 4.2 -Activity Centres for Perth and Peel' (August 2010).</td>
</tr>
<tr>
<td>- WAPC's draft 'Outer Metropolitan Perth and Peel Sub Regional Strategy' (August 2010).</td>
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<tr>
<th>e. Financial</th>
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<tr>
<td>Nil</td>
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13 Correction of numerical error
14 Correction of numerical error
f. Legal and Statutory

Nil

Comments

The proposed MRS Amendment accords with the WAPC approved Centre Plan and planning framework as set out within the Centre Plan.

The proposed MRS Amendment is consistent with the WAPC strategic planning and policy statements. In particular, the proposed changes to the MRS will enable implementation of the Centre Plan, consistent with the requirements of ‘Statement of Planning Policy 4.2 - Activity Centres for Perth and Peel’ and the objectives of ‘Directions 2031 and Beyond’.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ENDORSE an amended Metropolitan Region Scheme submission to the Western Australian Planning Commission for the land within the Rockingham Strategic Metropolitan Centre, based on Proposal 1, 2 and 3, to align the Scheme with the approved Rockingham Strategic Metropolitan Centre Plan (2009), to be progressed in combination with the City's draft Development Policy Plan and Scheme Amendment for the Smart Village North (Sector 4), to provide the appropriate planning framework for the future development of this land for commercial and mixed business purposes.

Committee Recommendation

That Council ENDORSE an amended Metropolitan Region Scheme submission to the Western Australian Planning Commission for the land within the Rockingham Strategic Metropolitan Centre, based on Proposal 1, 2 and 3, to align the Scheme with the approved Rockingham Strategic Metropolitan Centre Plan (2009), to be progressed in combination with the City's draft Development Policy Plan and Scheme Amendment for the Smart Village North (Sector 4), to provide the appropriate planning framework for the future development of this land for commercial and mixed business purposes.

Committee Voting – 5/0

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 consider adopting Amendment No.136 to Town Planning Scheme No.2 for Final Approval, to introduce the ‘Keralup Special Control Area’ that contains Objectives for which the Council will have due regard in assessing proposed Structure Plans at Keralup, in the event that its urban potential is confirmed.

Background

The progress of the Department of Housing’s Keralup proposal is well known to the Council.

In this regard, the Council has been seeking to position itself to positively influence the project outcomes if the urban potential of this significant landholding is realised. The Council’s approach is contained with the City of Rockingham Vision for Keralup which identifies, in the opinion of the local community, the elements that will combine to result in sustainable outcomes.

An important element to achieving outcomes is the local statutory environment that will guide and regulate development.
At its ordinary Meeting held in September 2013, the Council resolved to endorse the proposed Town Planning Scheme framework for Keralup which initially involves the creation of a ‘Special Control Area’, then the staged application of specific, precinct-based Keralup zones.

The Council also resolved to initiate a Scheme Amendment to create the ‘Keralup Special Control Area’ which attaches objectives for which the Council will have due regard in the consideration of proposed Structure Plans over the land. The objectives are as follows:

(a) to establish a connected community where urban growth is led by the early delivery of infrastructure, services and facilities;

(b) to create a strong sense of place that responds to the distinctive character of the Keralup location and its landscape;

(c) to ensure that the planning for Keralup is cognisant of its wider context to enable integrated and coordinated development;

(d) to create sustainable and vibrant activity centres that attract investment and provide the full range of residents' needs, including shopping, leisure, community services and employment;

(e) to establish a regional and local access network that facilitates efficient movement across all modes, including public transport, that is integrated with land use and encourages walking;

(f) to facilitate the early provision of an integrated public transport network that enables residents to conveniently commute to local and regional destinations;

(g) to deliver a range of lot sizes and dwelling types that are located to respond to contextual considerations;

(h) to foster a sustainable urban environment that respects and enhances the existing environmental attributes of Keralup;

(i) to encourage and facilitate sustainable economic growth and employment self-sufficiency within Keralup;

(j) to facilitate the early provision of quality, innovative educational facilities, across all stages of learning, that integrate with complementary land uses and share facilities where practicable; and

(k) to create high quality public spaces and the full range of recreational facilities to foster community use and interaction.

Prior to the Scheme Amendment being initiated, the City invited comment from the Department of Housing which, in essence, questioned the timing of the process and expressed concern that the proposed framework introduced additional and unnecessary layers. The City’s response to these matters, which are further discussed below, were considered by the Council in resolving to initiate the Scheme Amendment.

**Implications to Consider**

a. **Consultation with the Community**

The Scheme Amendment was advertised for public comment in accordance with the requirements of *Town Planning Regulations 1967* for a period closing on the 10th January 2014. The advertising period, which exceeded the mandatory 45 day minimum given that it coincided with the Christmas period, was undertaken in the following manner:-

(i) A notice was published in the Public Notices section of the Weekend Courier newspaper on the 15th and 22nd November 2013;

(ii) An advertisement was placed on the City's website for the duration of the advertising period and copies of documents explaining the Scheme Amendment were also made available for inspection at the Council Administration Offices; and

(iii) Letters were sent to the Department of Housing, adjoining Local Authorities, Department of Water, Department of Education, Department of Health, Public Transport Authority, Main Roads WA and Landcorp.

At the conclusion of the advertising period, the City received six submissions which are set out in the Schedule of Submissions.
A late submission was also received from the Shire of Murray which is included in the Schedule.

A number of submissions raised matters of relevance to the more detailed levels of planning (ie. rezoning, structure planning) that will be progressed when, and if, the urban potential of the land is confirmed. These issues, the majority of which have been identified by the City in its dealings with the Keralup proposal, will be considered at the appropriate time.

A submission from Landcorp supported the City's approach and sought to develop regional synergies with Keralup and its proposed development of the former Baldivis Explosives Reservation. The submission also identified the potential to work collaboratively in promoting a ‘whole-of-government’ approach to the provision of essential infrastructure to service the region.

The issues raised in the submissions that are directly related to the Scheme Amendment are summarised and addressed below:-

<table>
<thead>
<tr>
<th>Issue (i)</th>
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<tr>
<td>The Scheme Amendment is pre-empting the outcomes of the South Metropolitan Sub-Regional Structure Plan/Strategic Environmental Assessment</td>
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<tr>
<th>City's Comment</th>
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<tr>
<td>The City acknowledges that the Sub-Regional Structure Planning process, and the aligned Strategic Environmental Assessment, will confirm whether Keralup and land in its vicinity will have an urban potential and to what extent. Recent advice suggests that these documents will be released for comment in the second half of 2014. The City was conscious of structuring the Scheme Amendment such that it did not show Keralup as being urban which would potentially fetter the authority of the Western Australian Planning Commission (WAPC) and Minister for Planning who are ultimately responsible for the land being rezoned. Proposed Clause 5.3A(1) states that the ‘Keralup Special Control Area’ will only take effect in the event that the land is shown as a ‘Development Area’ on the Scheme Map. Land can only be shown as a ‘Development Area’ following its being appropriately zoned under the Metropolitan Region Scheme and Town Planning Scheme.</td>
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<th>Issue (ii)</th>
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<td>The Scheme Amendment adds unnecessary layers to the planning process and the existing planning framework could achieve the same outcome</td>
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<tr>
<td>The proposed ‘Special Control Area’ does not add layers or steps to the planning process which will remain unchanged. The approach enables the Department of Housing and other stakeholders to focus on the matters which the Council considers to be critical. This ‘mandate’ will enable the Department of Housing to structure its planning submissions to address the Council’s objectives and potentially result in more efficient processing. There is no direct link between introducing the ‘Keralup Special Control Area’ and modifying the existing planning framework within the Town Planning Scheme. Although the Council has resolved to support a planning framework which ultimately results in the application of specific, precinct-based Keralup zones, the subject Scheme Amendment does not address this matter; it is simply introducing the ‘Keralup Special Control Area’. Submissions on the suitability and benefits of specific Keralup zones can be lodged and considered when any Scheme Amendment on such is initiated. The proposed ‘Keralup Special Control Area’ is robust enough to function under the existing ‘Development’ zone regime of the Scheme or the preferred specific ‘Keralup’ zone approach.</td>
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**Issue (iii)**  
The Objectives are very high-level and open to interpretation and many aspects should apply to the later stages of the planning process

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<tr>
<th>City's Comment:</th>
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<td>By their very nature, Objectives are high-level statements that provide direction to achieving a preferred outcome.</td>
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<td>The City has sought to word the Objectives such that they are not rigid statements that require one specific, technical response. Rather, the Objectives foreshadow an outcome and it is contingent upon the proponent to demonstrate the manner in which it will be satisfied.</td>
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<td>It is not appropriate to identify assessment criteria and measurements for the Objectives, as stated in the submission, to encourage a flexible and responsive approach from the proponent.</td>
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<td>The Objectives are designed to have relevance to all Structure Plans that the Council will consider for Keralup, from District Structure Plans, to Activity Centre Structure Plans and Local Structure Plans. It is self-evident that some of the Objectives relate more to the higher level of the structure planning process (ie. District Structure Plan) than other stages and it is not necessary to provide direction in this regard.</td>
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<td>It should also be noted that the Council’s desire to introduce high-level Structure Plan Objectives into the Town Planning Scheme is not a new concept with the City of Swan and City of Cockburn being two Local Authorities to have done so. The City was mindful of the level of detail these Objectives contain and has adopted a similar emphasis.</td>
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**Issue (iv)**  
Given that Keralup falls within Rockingham and Murray, a uniform approach should be applied across both Town Planning Schemes

| City's Comment |
|-----------------|---|
| The City agrees with the principle of this matter and it has been raised by the Department of Planning during initial consultation. |  |
| In December 2013, the Council of the Shire of Murray, resolved to support Scheme Amendment No. 136 and prepare an amendment to its Scheme to introduce similar ‘Special Control Area’ provisions with complimentary objectives. |  |
| The Shire of Murray resolved to introduce two additional Objectives within its proposed ‘Special Control Area’ relating to ‘total water cycle management practices’ and ‘strategies to reduce the need to import large quantities of fill material’. |  |
| It is agreed that ‘water cycle management’ is a key consideration at Keralup and this matter can be broadly captured by the generic ‘environmental’ Objective. It is also acknowledged that the Department of Water has approved a District Water Management Strategy for East Keralup which has endorsed the proposed approach to water cycle management across the site. |  |
| The issue of importing fill is current and worthy of mention within the Objectives; this matter is further discussed in Issue (vi) below. |  |
| There is no reason why the City and the Shire of Murray must have consistently worded Objectives given that they are separate entities that will individually respond to the Structure Plan proposals for Keralup. It is encouraging, however, that the affected Local Authorities have resolved to institute the same approach in the Town Planning Schemes involving the introduction of a ‘Special Control Area’. |  |
| It is understood that the Amendment to Shire of Murray Scheme will be considered for initiation at its February 2014 meeting. |  |
**Issue (v)**

| Objectives should be included dealing with Health issues (with particular reference to mosquitoes) and adequate funding mechanisms for ‘up-front’ infrastructure |

**City's Comment**

With respect to a ‘Health’ objective, the Scheme Amendment includes two objectives that seek movement networks to encourage walking and quality public spaces and recreational facilities to foster health and wellbeing within the community.

In drafting the Objectives, consideration was given to specifically referencing the mosquito issue. The decision was taken not to do so as it was concluded that, unless it can be demonstrated that mosquito nuisance can be managed, the land is unlikely to be zoned for urban development, in which case Structure Plan objectives would be superfluous.

In this regard, mosquito management relates more to the rezoning than the structure planning process.

Given the isolation of the Keralup site from existing urban development, the advanced provision of infrastructure is critical to Keralup being sustainable in the short-term and beyond. Three of the proposed Objectives address the matter of early infrastructure provision; one generic Objective [Objective (a)] and two others dealing with public transport and education [Objectives (f) and (j)].

Although the Objectives do not specifically reference ‘funding mechanisms’, it is implicit that the early and coordinated provision of infrastructure will require innovative funding mechanisms to be instituted. It is not recommended that the Objectives not be amended in this instance.

**Issue (vi)**

As detailed in the ‘Consultation with Government Agencies’ section below, the Environmental Protection Authority (EPA) suggested that the Objectives reflect the content of the ‘Strategic Advice’ it released in 2008 and include reference to the aim of reducing the quantity of fill needed to develop East Keralup.

**City's Comment**

The EPA’s 2008 ‘Strategic Advice’ identified eight matters that require effective management for the land to support urban development. These matters raise specific environmental outcomes, relating to factors such as groundwater, wetlands, mosquitoes and vegetation.

The Scheme Amendment proposes a generic environmental Objective that seeks ‘to foster a sustainable urban environment that respect an enhances the existing environmental attributes’.

The use of a generic approach, as opposed to targeted Objectives is preferred and in keeping with the ‘make-up’ of the other Objectives. The ‘Strategic Advice’ gains status under the Environmental Protection Act 1986, and does not require the weight of the Scheme to elevate its standing. Also, by referencing specific environmental outcomes, the City runs the risk of having to revisit such if the strategic advice is amended.

The matter of fill importation, however, is an emerging issue that is currently being examined by the State Government on a broad level primarily due to the finite and declining nature of the resource and the environmental impact on the land from which the material is sourced.

Aligned to the Sub-Regional Structure Planning and Strategic Environmental Assessment process is a review of the WAPC’s Basic Raw Materials Policy to ensure that the consequence of new urban development is cognisant of the impact on construction materials.

It has been estimated that 25,000,000m$^3$ of fill would be required for East Keralup if standard civil engineering and dwelling construction methods are applied.

In the light of the above, there is merit in referencing the matter and it is recommended that...
Objective (g) be amended as follows:
- To deliver a range of lot sizes and dwelling types that are located to respond to contextual considerations within a setting that has employed innovative measures to reduce the need to import excessive quantities of fill material;

b. Consultation with Government Agencies

The Amendment was referred to the Environmental Protection Agency (EPA) for consideration of the need for assessment under the Environmental Protection Act 1986 (the Act). The EPA advised that the Amendment should not be assessed under the Act, however, it took the opportunity to raise matters relevant to the proposed ‘Keralup Special Control Area’, as follows:

(i) Objectives should be included to reflect the matters raised in the EPA’s 2008 Strategic Advice; and

(ii) Reference should be included to the aim to reduce the need to import large quantities of fill to develop East Keralup.

Responses to these matters are included in the ‘Consultation with the Community’ section above.

The Scheme Amendment was also referred to the WAPC prior to advertising, as reported in the Agenda Item to the September 2013 Planning Services Committee (minute DPD-008/13) that initiated Scheme Amendment.

As detailed above, the City consulted with various Government agencies through the advertising period.

c. Strategic

Community Plan

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

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

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Town Planning Regulations 1967

In accordance with the Town Planning Regulations 1967, the Council is required to consider all submissions and submit to the WAPC, for recommendation to the Minister for Planning, its decision to proceed or not proceed with the Amendment.

Comments

The submissions received on the proposed Scheme Amendment have both ratified the City’s approach and queried its intent.

It is reassuring that the both the Shire of Murray and the Shire of Serpentine-Jarrahdale support the proposed ‘Keralup Special Control Area’, and particularly satisfying that Murray has resolved to initiate a similar Scheme Amendment for the balance of the Keralup landholding. The support expressed from Landcorp is also significant, particularly given its interest in the proposed Nambeelup Industrial precinct to the south of Keralup.
The concern expressed by the Department of Housing was similar to the input it provided prior to the Scheme Amendment being initiated. The Department considers that the Scheme Amendment has the potential to complicate the approvals process for Keralup by adding layers. The City was mindful of this potential in developing the framework and the planning process will remain unchanged.

The ‘Keralup Special Control Area’ should assist the process as there will be no ambiguity about the matters where the Council’s emphasis will be placed in its consideration of Structure Plans. The ‘Keralup Special Control Area’ adds transparency to the process.

Some of the submissions raised matters more relevant to the subsequent phases of the planning process which have been noted.

Both the EPA and Shire of Murray recommended that an Objective be included that seeks to reduce the quantity of imported fill to achieve clearance from the existing groundwater levels. This matter is a relevant and topical consideration and it is recommended that it be referenced.

The City has maintained regular contact with Officers from the Department of Planning in the ‘lead-up’ to the Scheme Amendment being initiated as it was recognised that the approach is a variation from that contained within the Town Planning Regulations 1967 (Model Shame Text Provisions). Through its Planning Reform agenda, the Department of Planning is currently seeking to bring uniformity to all Town Planning Schemes under the guise of promoting consistent planning assessment and determination.

The Department of Planning has provided feedback on the matters that should be addressed in the justification for the Scheme Amendment which have been duly noted and included in the Scheme Amendment Report. Notwithstanding the inclusive processes applied by the City, it is still expected that the Department of Planning will carefully examine the Scheme Amendment in recommending a course of action to the WAPC.

The City will continue to advocate the merits of the Scheme Amendment and demonstrate, where possible, that the ‘Keralup Special Control Area’ will potentially assist the planning process.

In the light of the above, it is recommended that the Scheme Amendment be adopted for Final Approval following modification to Objective (g) to reference the desire for innovation to be applied to reduce the need to import excessive quantities of fill material.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council:

1. **ADOPT** for Final Approval Amendment No.136 to Town Planning Scheme No.2, with the following modification (shown in red) to Clause 5A.3(1)(g):

   (g) to deliver a range of lot sizes and dwelling types, that are located to respond to contextual considerations, within a setting that has employed innovative measures to reduce the need to import excessive quantities of fill material.

2. **ADOPT** the recommendations contained within the Schedule of Submissions.

### Committee Recommendation

That Council:

1. **ADOPT** for Final Approval Amendment No.136 to Town Planning Scheme No.2, with the following modification (shown in red) to Clause 5A.3(1)(g):

   (g) to deliver a range of lot sizes and dwelling types, that are located to respond to contextual considerations, within a setting that has employed innovative measures to reduce the need to import excessive quantities of fill material.

2. **ADOPT** the recommendations contained within the Schedule of Submissions as follows:-
## CITY OF ROCKINGHAM
### SCHEDULE OF SUBMISSIONS
#### PROPOSED SCHEME AMENDMENT NO.136 TO TOWN PLANNING SCHEME NO.2
**‘KERALUP SPECIAL CONTROL AREA’**

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<th>SUBMISSION</th>
<th>COMMENT</th>
<th>RECOMMENDATION</th>
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| **No.1 - Mr R Bloor, Department of Education, 151 Royal Street, East Perth WA 6004**  
On behalf of the Director General, the Department has reviewed the proposal and wishes to advise that it supports and has no objection to the proposed Amendment. | The submission is noted. | That the submission be noted. |
| **No.2 - Mr D van der Linde, Shire of Serpentine-Jarrahdale, 6 Paterson Street, Mundijong WA 6123**  
The proposed development will no doubt have a significant impact on the South-Western portion of our Shire. The Shire does **not** object to the amendment and supports the process currently being followed. The Shire does, however, have concerns regarding the development that should be addressed in any future planning of the area. Some of them may be included in the amendment itself but some of the others may just be for your awareness:  
1. The health issues associated with the site such as mosquitoes and standing water associated with the possible redesign of the wetlands area is of serious concern not only to the Department of Health but to current residents in Serpentine-Jarrahdale.  
2. Extensive fill requirements are also a concern that will need to be addressed. The additional road traffic, change in topography of such a large area and possible up-stream impacts on drainage will have to be addressed in detail.  
(i) The support from the Shire of Serpentine-Jarrahdale is noted along with the matters that have been raised for the City’s ‘awareness’. Many of the matters are relevant to the Council's consideration of the Keralup proposal and will form part of the assessment during more detailed phases of the planning process should an urban potential be confirmed. The matter of reducing the quantity of imported fill is proposed to be addressed in a modified Objective.  
(ii) The Scheme Amendment Report includes the relevant Map, despite the circulated material not including such.  
(iii) The proposed ‘Special Control Area’ does not add layers or steps to the planning process (i.e. Structure Planning process) which will remain unchanged.  
(iv) With respect to a ‘Health’ objective, the Scheme Amendment includes two objectives that seek movement networks to encourage walking and quality public spaces and recreational facilities to foster health and wellbeing within the community. | | That the submission be noted and that the content of the proposed Scheme Amendment not be modified, as suggested, for the reasons set out in the ‘Comments’ section. |
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<th>SUBMISSION</th>
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<tr>
<td>No.2 – Cont…</td>
<td>3. Infrastructure issues for such an increase in population on a rather wet/inundated area will be significant. This issue will require careful and considered design as the maintenance over the longer term may be significant if not well planned, well-constructed and regularly maintained.</td>
<td>A specific ‘mosquito’ health Objective is not required as, unless it can be demonstrated that mosquito nuisance can be managed, the land is unlikely to be zoned for urban development, in which case Structure Plan objectives would be superfluous. Mosquito management relates more to the rezoning than structure planning process. In relation to infrastructure provision, three of the proposed Objectives address the matter of early infrastructure provision. Although the Objectives do not specifically reference ‘funding mechanisms’, it is implicit that the early and coordinated provision of infrastructure will require innovative funding mechanisms to be instituted. It is not recommended that the Objectives be amended in this instance.</td>
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<td>4. The current insufficiencies in terms of public transport will have to be addressed. This is especially true for trains and the provision of a train station will be crucial for the success of this large residential area. Whilst there is an expectation that the area will be serviced by busses access to a train station would be of the utmost importance to get large numbers of people into Perth.</td>
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<td>5. The additional traffic problems especially to the East and West of the site (Paganoni Rd extension) and access to the North and congestion on Karnup road are of specific concern to the Shire. Linkages through the Shire to South-Western Highway will have significant increases in traffic if not well managed and will be a disaster if the development does not have significant improvements in public transport. These roads will also have to be widened and improved from the current rural standard to one that is more reflective of their function.</td>
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<td>6. The spill-over effect and interface between the boundary of Keralup and the rural enterprises in Serpentine-Jarrahdale also needs serious consideration because of the significant wetlands to the West of the site.</td>
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| **No.2 – Cont...**  
The linkages to the proposed Hopelands development northeast of the proposed Keralup area will also have to be considered during the planning phase. These considerations should be part of the overall planning process to ensure that the planning is not ad-hoc and lopsided. | | |
<p>| <strong>7.</strong> Contamination of the Serpentine River and wetlands in the area is a serious environmental aspect that will require a great deal of work. The impact of the current mainly rural land uses on the Peel-Harvey estuary is already significant. If an urban area of 90,000 residents is established without serious consideration of the risks and providing mitigation could be devastating to the fauna and flora and even the residents in the vicinity of the wetland. | | |
| <strong>8.</strong> Careful consideration also needs to be given to where all the residents will be working. Employment opportunities for residents are therefore an important aspect that needs to be included in the consideration of the development. | | |
| <strong>9.</strong> The planning for the area needs to consider the total cost of Affordable housing vs Affordable living. The area is rather isolated and therefore many if not most of the community, health employment and other needs including community facilities, sport and recreation and similar facilities will need to be provided on site. The facilities in the adjacent Shire and City are stretched as is and providing a city without the facilities is planning for disaster. | | |</p>
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<tr>
<th>SUBMISSION</th>
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<th>RECOMMENDATION</th>
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<tbody>
<tr>
<td><strong>No.2 – Cont...</strong>&lt;br&gt;Other issues that need to be noted are:-&lt;br&gt;- The advertised extract of the report received does not show the specific boundaries of the Special Control Area. This may just be an administrative oversight but should be formalised.&lt;br&gt;- Care should also be taken that Special Control Areas should not short-circuit proper and orderly structure planning. The amendment needs to take note of, and respond to the State Environmental Assessment and Sub-regional structure plan for the area.&lt;br&gt;The main issue is that the Shire is concerned that specific issues of relevance to the Shire and the potential residents of Keralup have not received sufficient attention in the formulation of clause 2 under 5A.3. To ensure that the above recommendations are taken into consideration we would propose the following changes to the amendment:&lt;br&gt;(l) to ensure that Health issues with specific reference to mosquitos is a priority item.&lt;br&gt;(m) to ensure that an adequate funding mechanism be found to provide the required up-front funding for hard and community infrastructure.</td>
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<tr>
<td><strong>No.3 - Mr L Willcock,</strong>&lt;br&gt;<strong>LandCorp, Locked Bag 5, Perth Business Centre, Perth WA 6849</strong>&lt;br&gt;On behalf of LandCorp, I wish to provide a submission of support for the proposed Scheme Amendment based on our interest in close proximity to the proposed Special Control Area, being Lots 316 (DP 50789) and 1340 (DP215902) located in Karnup. Our comments on the proposed Amendment are as follows.</td>
<td>The submission is noted and the opportunity to work collaboratively with Landcorp and other stakeholders in the region is encouraged.</td>
<td>That the submission be noted.</td>
</tr>
</tbody>
</table>
The proposed amendment is a welcomed addition to the important south-west growth corridor, as it provides a basis from which the objectives of the landholding can be identified early on in the planning process, providing an increased level of planning certainty for other developments in close proximity to Keralup. Similar to Keralup, Karnup has also been acknowledged by the Department of Premier and Cabinet's Land Availability Working Group, as a priority project for future land supply in the south-west corridor. It is integral that the Strategic Environmental Assessment, District and Regional Structure Planning is resolved as a matter of priority to facilitate the commencement of these projects.

As you may be aware, the Structure Planning process for our Karnup landholding interests have commenced in readiness for its development, following the future relocation of the Baldivis Explosives Reserve Facility. With the proposed Special Control Area for Keralup and the ongoing planning at Karnup, there is a unique opportunity to use the available information to influence and coordinate the early delivery of infrastructure, services and facilities for the district and region. As part of LandCorp's Structure Planning investigations, it has been identified that no detailed planning of the Karnup district exists for both water and sewer infrastructure, with only high level long term plans being available. If a similar situation exists for Keralup, LandCorp would welcome the opportunity to work with the City of Rockingham, State Agencies and Infrastructure providers to ensure that both the district and regional essential service needs are prioritised for both of these important projects, to mitigate any potential development delays as a result of a lack of essential service planning and provision.
In addition to the above, given the significant development potential of Keralup a strong 'whole-of-government approach' will also be required for the provision of other services and infrastructure. A joint approach for the planning of the following elements would be extremely beneficial for the region:

- An integrated transport network, particularly the public transport linkages through the proposed residential catchment areas, back to the existing southern suburbs railway infrastructure;
- Early identification of district and regional land uses and their associated locations in light of demand and required catchment areas ie. hospitals, education facilities, employment nodes, regional recreation facilities, etc.;
- Early identification and establishment of an appropriate developer contribution scheme(s), to provide for the early provision of community facilities to benefit the new residential communities and for the provision and prefunding of essential infrastructure.

As noted above, it is integral that the Strategic Environmental Assessment, Southern Metropolitan and Peel and District Structure Plans are resolved as soon as possible, to provide the necessary statutory guidance required to advance these strategic State Government projects. We respectfully request the continued assistance of the City of Rockingham in helping the advancement of these strategic government projects, in light of some recent statutory planning difficulties (ie. resolution of the Strategic Environmental Assessment process).
<table>
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<tr>
<th>SUBMISSION</th>
<th>COMMENT</th>
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<tr>
<td><strong>No.3 - Cont...</strong>&lt;br&gt;We look forward to working collaboratively with the City of Rockingham, Department of Planning, Department of Housing and other key stakeholders to ensure the vision and objectives of the region can be advanced in a coordinated and unimpeded manner.</td>
<td></td>
<td>That the submission be noted and the methodology of the Scheme Amendment, in not pre-empting an urban potential over Keralup, be relayed to the submitter.</td>
</tr>
<tr>
<td><strong>No.4 - Mr L Brouwer, Department of Water, PO Box 332, Mandurah WA 6210</strong>&lt;br&gt;It is recognised that given the scale and complexity of this potential development area, it is in the City of Rockingham's best interest to ensure future structure planning processes deliver the desired urban outcomes. &lt;br&gt;A <em>Strategic Environmental Assessment</em> (SEA) process is currently being undertaken between the State and Commonwealth Governments on matters of national environmental significance. This process will ultimately inform the Department of Planning's <em>South Metropolitan Peel Structure Plan</em> (SMPSP). The rezoning and future development of the Keralup site is dependent on these processes and at this point it would appear premature for a SCA to be placed over this site as it is pre-emptive of the outcomes of the SEA and SMPSP. &lt;br&gt;I look forward to the Department continuing its positive working relationship with the City of Rockingham for this, and future proposals.</td>
<td>The Sub-Regional Structure Planning process, and the aligned Strategic Environmental Assessment, will confirm whether Keralup and land in its vicinity will have an urban potential and to what extent. &lt;br&gt;The City was conscious of structuring the Scheme Amendment such that it did not show Keralup as being urban which would potentially fetter the authority of the WAPC and Minister for Planning who are ultimately responsible for the land being rezoned. &lt;br&gt;Proposed Clause 5.3A(1) states that the ‘Keralup Special Control Area’ will only take effect in the event that the land is shown as a ‘Development Area’ on the Scheme Map. &lt;br&gt;Land can only be shown as a ‘Development Area’ following its being appropriately zoned under the Metropolitan Region Scheme and Town Planning Scheme.</td>
<td>That the submission be noted.</td>
</tr>
<tr>
<td><strong>No.5 - Mr L Broadhurst, Main Roads WA, PO Box 6202, East Perth WA 689</strong>&lt;br&gt;Main Roads, in principle, has no objection to the proposed Amendment No 136 to the Town Planning Scheme. &lt;br&gt;Any further planning of the proposed Keralup would need to be supported by:</td>
<td>The submission is noted and the identified traffic considerations will form part of the assessment during the more detailed phases of the planning process, should an urban potential be confirmed.</td>
<td>That the submission be noted.</td>
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<tr>
<td>No.5 - Cont...</td>
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<tr>
<td>- a robust traffic impact assessment report should be prepared based on a fully built Keralup development;</td>
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<td>- a noise assessment report and agreed noise amelioration measures should be implemented by the developer;</td>
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<td>a planning design concept of all regional roads should be developed and the associated reservation should be protected in the Metropolitan Region Scheme (MRS).</td>
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<tr>
<th>No.6 - Mr J Savell, Department of Housing, 99 Plain Street, East Perth WA 6004</th>
</tr>
</thead>
<tbody>
<tr>
<td>The DoH has advised the City of its position previously in relation to the inclusion of a 'Special Control Area' covering Keralup. The DoH acknowledges the City's right to initiate an amendment to its own TPS, however, reiterates its previous position in response to the relevant issues, as outlined below:</td>
</tr>
<tr>
<td>- The DoH considers the amendment adds an unnecessary additional layer to the planning process.</td>
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<tr>
<td>- The DoH is unsure what benefits will be derived by the City through initiating an amendment to TPS2 at this stage.</td>
</tr>
<tr>
<td>- The rationale does not offer 'a reason why the preferred approach of both the Keralup consultant team and the Department of Planning (DoP), of utilising the established planning framework, cannot manage Keralup's &quot;unique&quot; circumstances as well as, or even better than, the proposed approach.</td>
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<th>COMMENT</th>
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<tr>
<td>(i) The proposed 'Special Control Area' does not add layers or steps to the planning process which will remain unchanged. The approach enables the Department of Housing and other stakeholders to focus on the matters which the Council considers to be critical. This 'mandate' will enable the Department of Housing to structure its planning submissions to address the Council's objectives and potentially result in more efficient processing. The proposed 'Keralup Special Control Area' will add transparency to the process.</td>
<td></td>
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<tr>
<td>(ii) There is no direct link between introducing the 'Keralup Special Control Area' and modifying the existing planning framework within the Town Planning Scheme. Submissions on the suitability and benefits of specific Keralup zones can be lodged and considered when any Scheme Amendment on such is initiated.</td>
<td></td>
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</table>

| That the submission be noted and content of the Scheme Amendment not be modified for the reasons set out in the 'Comments' section. |
**SUBMISSION**  
No.6 – Cont...

- The DoH considers there exists other processes for progressing the many aspects associated with the planning for Keralup, in particular, through the Keralup Project Coordination Group and its various sub-groups (including the Keralup Schemes Amendment Sub-Group, of which the City is a member).

The Scheme Amendment proposes to introduce objectives, which the Council's consideration of proposed Structure Plans will have due regard. Whilst the objectives proposed for the Keralup Special Control Area are supported, the DoH questions how these objectives will be assessed and measured through the City's assessment of any Structure Plan. The objectives are very high-level and open to interpretation, with many aspects that should be addressed at later stages of the approvals process. Consequently, further clarity is sought on how these requirements can be satisfied and at what stage in the planning process these should occur.

As Keralup traverses two local government areas (the City of Rockingham and Shire of Murray) it is considered a collaborative and uniform approach to the planning framework should be agreed by both local governments. The Shire of Murray's Town Planning Scheme No. 4 should be taken into consideration, however, it is acknowledged development in the Shire of Murray will only be undertaken in the long term and, consequently, specific provisions may not be relevant for some time. Nevertheless, the DoH believes it is important to establish a framework that can be applied to both local government areas.

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<th>COMMENT</th>
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<td>(iii) By their very nature, Objectives are high-level statements that provide direction to achieving a preferred outcome. The City has sought to word the Objectives such that they are not rigid statements that require one specific, technical response. Rather, the Objectives foreshadow an outcome and it is contingent upon the proponent to demonstrate the manner in which it will be satisfied. The Objectives are designed to have relevance to all Structure Plans that the Council will consider for Keralup, from District Structure Plans, to Activity Centre Structure Plans and Local Structure Plans. It is self-evident that some of the Objectives relate more to the higher level of the structure planning process (ie. District Structure Plan) than other stages and it is not necessary to provide direction in this regard. The introduction of high-level Structure Plan Objectives into Town Planning Schemes is not a new concept with the City of Swan and City of Cockburn being two Local Authorities to have done so. The City was mindful of the level of detail these Objectives contain and has adopted a similar emphasis.</td>
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<th>RECOMMENDATION</th>
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<tr>
<td>(iv) The Shire of Murray has supported the proposed Scheme Amendment and resolved to initiate an amendment to its Town Planning to introduce a 'Special Control Area' to contain Objectives pertaining to Structure Plans for the portion of Keralup that is contained within Murray.</td>
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<tr>
<td>SUBMISSION</td>
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<tr>
<td><strong>No. 6 – Cont…</strong></td>
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<tr>
<td>We also understand that the Shire of Murray is in the process of preparing a new Local Planning Strategy and Local Planning Scheme in line with the Model Scheme Text, which further supports a planning framework that is consistent across both local government areas. Further to the above issues raised previously, it is understood that the DoP provided preliminary comment on the proposed Scheme Amendment and considered that the City's preferred planning framework adds additional and unfamiliar layers to the existing framework. Following deferral of the matter in June 2013, the City has indicated that further consultation with the DoP has occurred. The DoP, once again, advised that it does not, generally, favour a Scheme Amendment framework that varies from what is considered to be standard (under the Town Planning Regulations), however expressed an understanding of the framework and requested further justification from the City. Consequently, we respectfully request the City to confirm if this additional justification has been provided and, if so, for a copy to be provided for our review and comment. We trust our comments will be considered during the City of Rockingham's consideration of the proposed Scheme Amendment.</td>
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</table>

| LATE SUBMISSION | |
| **No. 7 - Mr B Flugge, Shire of Murray, PO Box 21, Pinjarra WA 6208** | | |
| Please be advised that this matter was dealt with at the ordinary meeting of Council held on 19 December 2013, when it was resolved as follows:-- | |
**No.7 – Cont...**

That Council:

1. Lodges comments on the City of Rockingham’s Scheme Amendment No 136 consistent with the comments in this report and including the introduction of additional objectives dealing with Best Practice Urban Design and Innovative Built Form and application of better urban water management principles in future planning stages; and

2. Initiates an Amendment to Town Planning Scheme No 4 to introduce similar Special Control Area provisions with complimentary objectives that Council shall have regard to in respect to assessment of proposed detailed District and Local Structure Plans across the Keralup project area.

A full copy of the Planning report is enclosed for your information with the following extract requested to be included as objectives in the Scheme Amendment document:

As previously mentioned the Keralup Special Control Area objectives have essentially been extracted from the principles and aspirations contained within the City of Rockingham’s Keralup Vision document.

The Shire of Murray has previously supplied comments on the Vision document with Council recommending the addition of objectives relating to use of Best Practice Urban Design and alternate, innovative Built Form principles. This is looming as a critical issue to be addressed for future development on the Coastal Palusplain in terms of reducing the dependency on filling of land and sourcing of basic raw materials. It is estimated that Keralup alone will require 25 million cubic metres of sand in order to achieve adequate separate from ground water and to alleviate surface water inundation.

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<td>That Council:</td>
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<td>2. Initiates an Amendment to Town Planning Scheme No 4 to introduce similar Special Control Area provisions with complimentary objectives that Council shall have regard to in respect to assessment of proposed detailed District and Local Structure Plans across the Keralup project area.</td>
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</table>
The other objective raised by Council relates to the importance of applying total water cycle management principles and improving the water quality condition of the nearby Serpentine River. A report item is being prepared for Council’s February round of meetings for the initiation of a similar Scheme Amendment under Town Planning Scheme No 4.

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Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
## Engineering and Parks Services

### Engineering and Parks Services

### Engineering Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-002/14 Recommendation from the Disability Access Advisory Committee Meeting held on 22 January 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>CSV/763-04</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Scott Lambie, Manager Engineering Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 February 2014</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td>Minutes of the Disability Access Advisory Committee Meeting held on 22 January 2014</td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
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### Purpose of Report

That Council consider the recommendation arising from the 22 January 2014 Disability Access Advisory Committee meeting.

### Recommendation to the Planning and Engineering Services Committee

**Advisory Committee Recommendation**

**Consider the provision of adult change tables / hoists being provided in future community buildings under City of Rockingham control.**

That Council **DIRECT** the Chief Executive Officer to consider, during the infrastructure planning process, the inclusion of 'changing place' facilities which incorporate adult change tables and hoist equipment in future community buildings under the care and control of the City of Rockingham.

### Background

People with profound and multiple learning disabilities, as well as other serious conditions such as spinal injuries, muscular dystrophy, multiple sclerosis or an acquired brain injury, often need extra facilities to allow them to use the toilets comfortably. Often a standard accessible toilet does not provide the necessary space or extra features required to meet their needs. In order to accommodate these people and their carers, larger facilities with adult size change tables and hoists are required.

Investigation into the availability of these types of facilities, also known as 'changing places', has shown that there are four such facilities in the wider Perth metropolitan area, with the largest facility being the Citiplace Rest Centre located at the City Railway Station complex. Access to this facility is available at a cost of 50 cents. The other three facilities are located at district level buildings such as recreation and aquatic centres.
With regard to existing community buildings within the City, there are none with an adult ‘changing place’ level facility. It is proposed however, to provide either a fixed or mobile adult change table and hoist system inside the parenting room within the currently under construction Baldivis Library.

**Implications to Consider**

**a. Strategic**

**Community Plan**

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

- **Aspiration 1:** An involved and engaged community enjoying a lifestyle that caters for all residents, including those with specific or special needs
- **Aspiration 7:** Community facilities and services that are well utilised, accessible and cost effective, and where appropriate, multi-functional

**b. Policy**

Nil

**c. Financial**

The inclusion of dedicated ‘changing places’ within a new building is estimated to add approximately $30,000 in fit-out costs for each ‘place’ provided. Together with this is the additional construction costs required to provide for the extra floor space and structural improvements required. Actual construction costs are difficult to quantify as it is dependent on the size and type of facility being planned.

**d. Legal and Statutory**

While there is a requirement for various special need facilities within new buildings within the Building Code of Australia (BCA), there is currently no requirement for adult change tables or hoists/lifts to be included in public building projects.

**e. Voting Requirements**

Simple Majority

**Officer Recommendation if Different to Advisory Committee Recommendation**

Nil

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

Nil

**Committee Recommendation**

That Council **REQUIRE** infrastructure planning for future City of Rockingham community buildings includes consideration of ‘changing place’ facilities comprising adult change tables and hoist equipment.

Committee Voting – 5/0

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

To ensure consideration be given to the inclusion of ‘changing place’ facilities which incorporate adult change tables and hoist equipment in future community buildings under the care and control of the City of Rockingham.

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

Not Applicable
## Engineering and Parks Services
### Procurement and Projects

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-003/14 T13/14-68 – Val Street Jetty – Inner Section and Jetty Head Replacement</th>
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</thead>
<tbody>
<tr>
<td>File No:</td>
<td>T13/14-68</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Gary Rogers, Manager Projects and Procurement</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Matthew Donaldson, Coastal Engineering Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 February 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>20 December 2005 (CES446/12/05), 26 April 2005 (CES110/4/05), 20 July 2004 (CES275/7/04), 16 March 2004 (CES84/3/04), 17 February 2004 (CES28/2/04), 26 September 2006 (CES358/9/06) and 27 February 2007 (CES47/2/07)</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>Rockingham Foreshore Recreation Reserve 21487 21009m²</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>Lot 408</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Parks and Recreation</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td>1. Design plan and location</td>
</tr>
<tr>
<td></td>
<td>2. Landscape Design</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>Aerial image of existing Val Street Jetty</td>
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Val Street Jetty
Purpose of Report

To seek delegated authority from Council to the Chief Executive Officer to award tender T13/14-68 – Val Street Jetty Inner Section and Jetty Head Replacement.

Background

In 2007/08 works were undertaken to extend the length of the Val Street jetty. This work was necessary due to sand accretion that occurred at the site and the need for the jetty to continue to provide suitable berthing facilities for commercial operators, recreation boating enthusiasts and community groups that regularly utilise the jetty facilities.

As part of the lead up to these works being undertaken structural inspections were also undertaken to assess the condition of the existing 0-80 metre inner section and 20 metre head.

It was found that there was significant dilapidation of the existing timber structure and it was recommended at that time to plan for the future replacement of this section of the jetty.

In 2009/10 a further dilapidation survey was undertaken and it was found that many of the timber members of the inner section were further degraded and would have limited capacity to withstand future service loads. Many of the timber crossheads and headstocks were deteriorated and had severe cracking, with some of the timber bearers having little or no support. In addition, the cabling underneath the jetty had become loose and unsecured presenting a danger to swimmers and resulting in ongoing service faults being experienced.

Since that time, spot repairs have been undertaken to allow the ongoing use of the jetty and the preparation of detailed designs for the replacement of the jetty has taken place.

The Val Street Jetty reconstruction has been subject to a thorough consultation process with key stakeholders involving representatives from local community organisations, commercial tourism operators and agencies such as the Cockburn Sound Management Council (CSMC), Department of Transport (DoT), Department of Parks and Wildlife (DPaW) and Department of Fisheries (DoF).

Details

The demolition, design and construction methodology for the reconstruction of the 0-80 metre section of the Val Street Jetty will ensure the jetty has a continuous life span of over fifty years, and will enhance commercial and recreational boating facilities and provide for community sporting activities and events.

The design drawings and specifications for the replacement of the 0-80 metre inner section and 20 metre head have now been completed and the tender for construction will be advertised in the West Australian newspaper in February 2014, with the closing date for submissions Wednesday, 12 March 2014.

The design and specifications have been supported by the City’s Marine Infrastructure Advisory Committee, and have been accepted by the commercial operator as being suitable for the berthing requirements of the larger vessels used.

The proposed jetty replacement works is shown on the design plan (Attachment 1) and the design will ensure that universal access is now provided to all levels of the jetty including the low level platform.

The project will also include a landscape component incorporating a historic theme of the immediate area in front of the jetty, providing for an enhanced foreshore amenity (Attachment 2). The landscape works will be undertaken through a separate contract of works and do not form part of the Jetty Replacement tender specification.

Implications to Consider

a. Consultation with the Community

Consultation has taken place with members of the City’s Marine Infrastructure Advisory Committee which represents community recreational boating and fishing groups and the Cruising Yacht Club.
In addition a special meeting of the Marine Infrastructure Advisory Committee in July 2013 was held, at which representatives from the CSMC and commercial operator attended. This meeting was convened to consider commercial implications and alternate berthing options. These steps were considered early in the planning process to allow all commercial enterprises to be considered and where possible addressed.

b. Consultation with Government Agencies
Consultation has been held with State Agencies including Department of Transport, Department of Parks and Wildlife, Department of Fisheries and Cockburn Sound Management Council.

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

**Aspiration 1:** An involved and engaged community enjoying a lifestyle that caters for all residents, including those with specific or special needs.

**Aspiration 3:** A healthy community engaging in positive and rewarding lifestyles with access to a range of passive and active recreational and personal development opportunities.

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

**Aspiration 7:** Community facilities and services that are well utilised, accessible and cost effective, and where appropriate, multi-functional.

d. Policy
Purchasing Policy applies. To provide compliance with Section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, Regulation 11A (1).

e. Financial
An amount of $4,025,000 has been set aside in the 2013/14 budget for the design and construction of the Val Street Jetty inner section and head replacement.

f. Legal and Statutory

In accordance with section 5.42, subsection (1) read in conjunction with section 5.43 of the Local Government Act 1995.

“A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties”.

**Comments**

Due to the need to ensure that the construction tender is awarded as soon as possible following assessment, and that the works commence immediately after Easter it is recommended that Council delegate authority to the Chief Executive Officer to appoint the successful tenderer subject to the tender price being in accordance with the project budget and all other tender requirements being met.

The Landscape Plan (Attachment 2) will be completed as a separate contract and this work is not part of this tender. It is considered appropriate to show the landscape component in this report as part of the overall Val Street Jetty redevelopment project.

**Voting Requirements**

Absolute Majority
<table>
<thead>
<tr>
<th><strong>Officer Recommendation</strong></th>
</tr>
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</table>
**Engineering and Parks Services**

**Landfill Services**

**Reference No & Subject:** EP-004/14  Proposed fee for the disposal of Alternate Waste Treatment (AWT) Residues at the Millar Road Landfill facility

**File No:** WSM/35

**Proponent/s:** Mr Allan Moles, Manager Integrated Waste Services

**Date of Committee Meeting:** 17 February 2014

**Previously before Council:**

**Disclosure of Interest:**

**Nature of Council's Role in this Matter:** Executive

**Site:**

**Lot Area:**

**LA Zoning:**

**MRS Zoning:**

**Attachments:**

**Maps/Diagrams:**

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**Purpose of Report**

To seek Council’s adoption of a new fee for Alternate Waste Treatment (AWT) Residues disposed at the Millar Road Landfill facility.

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**Background**

When setting the fees at the Millar Road Landfill facility the City takes into account the cost of providing the service including any external charges such as the Carbon Tax and the Landfill Levy.

After the adoption of the fees for 2013/2014 as part of the City’s Annual Budget in June 2013, the National Greenhouse and Energy Reporting (Measurement) Amendment Determination 2013 (No.1) came into effect which changed the method of calculating the carbon emissions from AWT Residues and therefore the amount of Carbon Tax payable. These changes were effective from 1 July 2013.

AWT Residue are un-processed materials emanating from alternate waste treatment facilities which are typically sent to landfill.

The Southern Metropolitan Regional Council (SMRC) has a contract with the City to dispose of the AWT Residues from its processing plant and has requested the City review the fees as a result of this amendment.
Details

The National Greenhouse and Energy Reporting (Measurement) Determination 2008 (NGER) provides the methodology to be used to calculate the emissions from waste disposed at landfills.

In the 2013 Amendment Determination, AWT Residues have been acknowledged to have lower emissions than municipal general waste (MSW) as the degradable organic carbon (DOC) content is reduced as a result of the processing.

As such AWT Residues have been included as a "homogenous waste stream" if they meet the following characteristics,

a. They are from a single known and verifiable origin, as evidenced by invoices or, if delivery does not involve a commercial transaction, other delivery documentation;

b. They are not extracted from a general waste stream;

c. They do not undergo compositional change between generation and delivery to a landfill;

d. They are delivered in loads containing only the waste mentioned in (a), (b) or (c).

Although the DOC content for AWT Residues depends on the composition of the original waste and the type of process used, the default DOC content has been based on the assumption that MSW pre-treatment prior to disposal to landfill results in a reduction of the original carbon content of 50%.

When setting the fees at the Millar Road Landfill facility a calculation of the average Carbon Tax liability for a tonne of MSW resulted in a notional amount of $8.50 being included in the charges. This amount is transferred to a reserve fund set up to cover the future liability of the Carbon Tax.

As the AWT Residues are able to be treated as a homogenous waste stream with a potential Carbon Tax liability of 50% of MSW it is proposed to introduce a new fee which is reduced by $4.25 per tonne being 50% of the original MSW Carbon Tax liability.

Implications to Consider

a. Consultation with the Community
   Prior to introducing any new fee or charge after the annual budget adoption it is a requirement to give local public notice.

b. Consultation with Government Agencies
   Not Applicable

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:
   
   Aspiration 15: Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

d. Policy
   Nil

e. Financial
   The impact of the proposed fee will be a reduction of revenue however this will be offset by a corresponding reduction in the required transfer to reserve for the future Carbon Tax liability. The SMRC is currently the only customer that disposes this type of waste and the reduction in revenue for 2013/2014 is estimated at $125,000 based on current tonnages.

f. Legal and Statutory
   Sections 6.16 to 6.19 of the Local Government Act 1995 relate to the imposition of fees and charges.

   A local government may impose (by absolute majority) and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

(a) the cost to the local government of providing the service or goods;
(b) the importance of the service or goods to the community; and
(c) the price at which the service or goods could be provided by an alternative provider.

A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.

If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —

(a) determine an amount that is inconsistent with the amount determined under the other written law; or
(b) charge a fee or charge in addition to the amount determined by or under the other written law.

A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

(a) its intention to do so; and
(b) the date from which it is proposed the fees or charges will be imposed.

Comments

Although the current Federal Government is proposing to repeal the Carbon Tax legislation the City is still operating under the current legislation and therefore the Carbon Tax liability is included in the calculation of the current fees and charges at the Millar Road Landfill facility.

With the introduction of a new waste category for AWT Residues from 1 July 2013 and the subsequent reduction of the Carbon Tax liability for this type of waste it is recommended that the City adopt a new fee to recognise these changes.

In relation to the SMRC, as the City has an existing contract the current contract price will be reduced in line with the $4.25 reduction in the Carbon Tax liability and a credit will be issued for waste already received since 1 July 2013.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council:

1. **ADOPT** a fee for Alternate Waste Treatment Residues, which satisfy section 5.10A of the National Greenhouse and Energy Reporting (Measurement) Determination 2008 as amended, disposed at the Millar Road Landfill facility of $112.90 per tonne inclusive of GST.

2. **GIVE** local public notice of its intention to introduce a fee effective from 1 March 2014.

3. **AUTHORISE** a reimbursement to the Southern Metropolitan Regional Council for $4.25 per tonne of Alternate Waste Treatment Residues disposed at the Millar Road Landfill facility between 1 July 2013 and 28 February 2014.
Committee Recommendation

That Council:

1. **ADOPT** a fee for Alternate Waste Treatment Residues, which satisfy section 5.10A of the National Greenhouse and Energy Reporting (Measurement) Determination 2008 as amended, disposed at the Millar Road Landfill facility of $112.90 per tonne inclusive of GST.

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3. **AUTHORISE** a reimbursement to the Southern Metropolitan Regional Council for $4.25 per tonne of Alternate Waste Treatment Residues disposed at the Millar Road Landfill facility between 1 July 2013 and 28 February 2014.

   Committee Voting – 5/0

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>
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<th><strong>Reports of Councillors</strong></th>
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<tr>
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<td>Nil</td>
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<td><strong>Addendum Agenda</strong></td>
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<td>Nil</td>
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<td><strong>Motions of which Previous Notice has been given</strong></td>
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<td>Nil</td>
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<td><strong>Notices of Motion for Consideration at the Following Meeting</strong></td>
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<tr>
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<td>Nil</td>
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<td><strong>Urgent Business Approved by the Person Presiding or by Decision of the Committee</strong></td>
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<td><strong>Matters Behind Closed Doors</strong></td>
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<td><strong>Date and Time of Next Meeting</strong></td>
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<td></td>
<td>The next Planning and Engineering Services Committee Meeting will be held on <strong>Monday 17 March 2014</strong> in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
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<tr>
<td></td>
<td><strong>Closure</strong></td>
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<td>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 <strong>5.08pm</strong>.</td>
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