City of Rockingham
Planning and Engineering Services Committee
Meeting Minutes
Monday 17 October 2016

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1. **Declaration of Opening**

The Chairperson declared the Planning and Engineering Services Committee Meeting open at **4:05pm**, welcomed all present, and delivered the Acknowledgement of Country.

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

<table>
<thead>
<tr>
<th>2.1 Councillors</th>
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<tbody>
<tr>
<td>Cr Chris Elliott</td>
<td>Chairperson</td>
</tr>
<tr>
<td>Cr Matthew Whitfield</td>
<td>(arrived 4.07pm)</td>
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<tr>
<td>Cr Deb Hamblin (Deputy Mayor)</td>
<td></td>
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<tr>
<td>Cr Katherine Summers</td>
<td></td>
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<tr>
<td>Cr Barry Sammels (Mayor)</td>
<td></td>
</tr>
<tr>
<td>Cr Lee Downham</td>
<td>(Observer)</td>
</tr>
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<td>Cr Justin Smith</td>
<td>(Observer)</td>
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<table>
<thead>
<tr>
<th>2.2 Executive</th>
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<tbody>
<tr>
<td>Mr Bob Jeans</td>
<td>Director Planning and Development Services</td>
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<tr>
<td>Mr John Woodhouse</td>
<td>Director Legal Services and General Counsel</td>
</tr>
<tr>
<td>Mr Peter Doherty</td>
<td>Director Legal Services and General Counsel</td>
</tr>
<tr>
<td>Mr Chris Thompson</td>
<td>Director Engineering and Parks Services</td>
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<tr>
<td>Mr Peter Ricci</td>
<td>Manager Major Planning Projects</td>
</tr>
<tr>
<td>Mr Brett Ashby</td>
<td>Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Mr Mike Ross</td>
<td>Manager Statutory Planning</td>
</tr>
<tr>
<td>Mr Rod Fielding</td>
<td>Manager Health Services</td>
</tr>
<tr>
<td>Mr Ian Daniels</td>
<td>Manager Engineering Services</td>
</tr>
<tr>
<td>Mr Kelton Hincks</td>
<td>Manager Asset Services</td>
</tr>
<tr>
<td>Mr James Henson</td>
<td>Manager Land and Development Infrastructure</td>
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<tr>
<td>Mr Adam Johnston</td>
<td>Manager Parks Services</td>
</tr>
<tr>
<td>Mr Allan Moles</td>
<td>Manager Integrated Waste Services</td>
</tr>
<tr>
<td>Ms Melinda Wellburn</td>
<td>PA to Director Planning and Development Services</td>
</tr>
</tbody>
</table>

| 2.3 Members of the Gallery: | 4 |
| 2.4 Apologies: | Nil |
| 2.5 Approved Leave of Absence: | Nil |

4:07pm - Cr Whitfield joined the Planning and Engineering Services Committee meeting. The Chairperson welcomed Mr Peter Doherty in his new position as Director, Legal Services and General Council and gave a sincere thank you to Mr John Woodhouse for his contribution to the City over the past four and a half years.

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 NOVEMBER 2016

PRESIDING MEMBER
## 3. Responses to Previous Public Questions Taken on Notice

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<th>Mr James Mumme, 36 Gloucester Avenue, Shoalwater - Mangles Bay Marina</th>
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<tr>
<td>3.1</td>
<td><strong>Question</strong></td>
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<td></td>
<td>Has any Councillor present questioned the reasoning for this comment ('Finally, given that the MRS Amendment includes the site of the Alfred Hines facility (Lot 1786 Hymus Street), and seeks to establish an abutting foreshore reserve, there is a basis for the CHRMAP to include and make recommendations for this site.')?</td>
</tr>
<tr>
<td></td>
<td><strong>Response</strong></td>
</tr>
<tr>
<td></td>
<td>No.</td>
</tr>
<tr>
<td><strong>Question</strong></td>
<td>Is the City or any Councillor present aware that the Society for Crippled Children (Alfred Hines facility) obtained rights to the land in April 1957?</td>
</tr>
<tr>
<td><strong>Response</strong></td>
<td>No, the City is not aware.</td>
</tr>
<tr>
<td><strong>Question</strong></td>
<td>Is the City or any Councillor present aware that the tenure of the land is Freehold?</td>
</tr>
<tr>
<td><strong>Response</strong></td>
<td>Yes, the City is aware.</td>
</tr>
<tr>
<td><strong>Question</strong></td>
<td>Is the City or any Councillor present aware that the Society is unable to sell the land (even if it chose to), because of a Crown Grant in Trust?</td>
</tr>
<tr>
<td><strong>Response</strong></td>
<td>No, the City is not aware.</td>
</tr>
<tr>
<td><strong>Question</strong></td>
<td>If the joint venture partners in Landcorp and Cedar Woods have not included the site in their plans for development, why has the City suggested that it become part of the development?</td>
</tr>
<tr>
<td><strong>Response</strong></td>
<td>The City has not suggested that the site become part of the development. The City noted that the MRS Amendment proposes to zone the site 'Urban' and create Foreshore Reserve. The City advised the WAPC that there is a basis to use the Coastal Hazard Risk Management and Adaptation process to define the extent of the Foreshore Reserve.</td>
</tr>
<tr>
<td><strong>Question</strong></td>
<td>Does the City believe that the facility has failed at any time to abide by the conditions of its freehold tenure?</td>
</tr>
<tr>
<td><strong>Response</strong></td>
<td>No.</td>
</tr>
<tr>
<td><strong>Question</strong></td>
<td>If as the MRS Amendment suggests that it is only interested in changing the Zoning to Urban, is it not possible for the City to discuss with Department of Planning a more suitable zoning for this ‘land area’ could be ‘Holiday Accommodation’?</td>
</tr>
</tbody>
</table>
Response
The Chairperson advised that there has been significant dialogue between the City and the Western Australian Planning Commission over approximately 18 months or so. It is now just a matter of time for the Western Australian Planning Commission's decision to be made (provided at meeting).

Further to the above, an 'Urban' MRS zoning is suitable and the City will consider an appropriate zoning under the Town Planning Scheme, to reflect the current use of the site, in the event that the MRS Amendment reaches final approval.

Question
8. Who will pay for any maintenance/repair of revetment walls to housing blocks situated on the canals?

Response
The Chairperson advised that as has been stated in previous Bulletins, the waterways management issue is being closely looked at and Council Officers have been in discussion with the developers. Once completed, a report will be presented to Council and at that stage a decision will be made on waterways management (provided at meeting).

Further to the above, the current proposal involves portions of the marina edge walls being contained in private freehold lots. Under this arrangement, the private landowners would assume responsibility for the infrastructure within their freehold lot.

Question
9. Will the City ensure that ‘purchasing terms’ for the blocks include the responsibility of buyers to maintain/repair the revetment walls themselves?

Response
The City may request that the WAPC impose this requirement as a condition of subdivision approval.

Question
10. Who will be responsible for the maintenance/repair of the revetment walls around the Marina, the Marina Manager, Waterways Manager or Rockingham ratepayers?

Response
Those marina edge walls not within private property will be the responsibility of the waterways manager.

Question
11. After the 25 year compensation to the Waterways Manager, who will be liable for all the costs associated with its management?

Response
It is not clear to what the ‘25 year compensation to Waterways Manager’ refers.

Question
12. Is it part of the discussions that have been ongoing regarding the Consultants report?

Response
Yes.

4. Public Question Time

4:09pm The Chairperson invited members of the Public Gallery to ask questions.

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

The Chairperson invited Mr Green to present his questions to the Planning and Engineering Services Committee. Mr Green asked the following questions:
1. I note the response by Taylor Burrell Barnett on behalf of Cedar Woods regarding the Coastal Hazard Risk Management Adaptation Plan, submitted to the Department of Planning by the City on 29th July 2016 and I ask in particular:

(a) Does the City consider the lack of communication and consultation as noted in SPP 2.6 state Coastal Policy as a ‘lack of due process’ by Cedar Woods.

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

(b) Is the City aware of any consultation and communication meetings that have taken place with the community on the CHRMAP?

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

(c) I also note that Cedar Woods claim the project will become unviable if its setbacks are not met. Is this considered a reason for adopting Cedar Woods’ recommendations?

The Chairperson advised that the City has responded to the planning process and it is currently with the Western Australian Planning Commission. The response from the City is now complete.

2. Is it appropriate for members of the public to respond to the Department of Planning regarding Taylor Burrell Barnett’s comments?

The Chairperson advised that should members of the public wish to do so, then they should.

4.2 Mr James Mumme, 36 Gloucester Avenue, Shoalwater – PDS-067/16 - Water Efficiency Action Plan and PDS-073/16 - Perth Transport Plan for 3.5 Million People and Beyond

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

1. Water Efficiency Action Plan

While I commend the details in this plan, I’d like to ask what seems a simple question aimed at both enabling the City to minimise unnecessary use of water and also educate the public to be more careful with their water use. I refer to automated watering of reserves and road reserves.

Why not just ensure that watering of reserves and verges/lawns and gardens beds does not happen when it is raining or in the period following adequate rain?

The Chairperson advised that in the event that the Policy is adopted by Council he has no doubt that the Director, Engineering and Parks Services and his staff will take any actions they can to meet the goals in the Policy and that will certainly be the intention.

2. Re the Council Officer’s Response to the Perth Transport Plan p115

Why does Council support both Roe 8 (Perth Freight Link) AND the Outer Harbour on the basis that there is an “absence of any alternative” to traffic congestion on Leach Highway and Canning Highways?

Why is roading 50kms away Rockingham’s business when it is already admitted by the officers that the issue is controversial?

Surely the Outer Harbour could provide such an alternative because it could quickly and efficiently reduce such congestion if built using the funds for the PFL.

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

Has Council considered the possibility that the prime motivation of tourists to come to Rockingham is not for “retail, commercial and residential development or improved civic infrastructure” or “a “major brand” hotel, marinas, boat ramps, jetties, boardwalks and foreshore parks?”

The Chairperson advised that the Council is aware that the City has 100,000’s of visitors per year. The City’s Economic Development Strategy is specifically aimed at increasing the tourist visitation and to stimulate economic growth within the area, however, the question will be taken on notice.

Can Councillors identify anything that differentiates Rockingham from Fremantle, Port Coogee or Mandurah in terms of attractiveness to tourists?

The Chairperson advised that there is a singular and massive advantage that Rockingham has over the entire metropolitan area and that is our north facing beach. Although the City of Mandurah has a north facing beach, it is incorporated within the Marina which has groynes and rock walls. The other advantage of Rockingham’s north facing beach is that it is sheltered from sea breezes in the afternoon.

Would Councillors agree that the City’s unique attractions are not its built environment but its islands, its two magnificent sounds and its bays and beaches and the wildlife struggling to cope with the invasions of development?

The Chairperson advised that Rockingham's enormous advantage is its natural environment, however, future tourist provisions are required to be provided.

4:17pm There being no further questions the Chairperson closed Public Question Time.

5. Confirmation of Minutes of the Previous Meeting

Moved Cr Whitfield; seconded Cr Hamblin:

That Committee CONFIRMS the Minutes of the Planning and Engineering Services Committee Meeting held on 19 September 2016, 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

4:17pm 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

4:18pm The Chairperson asked if there were any interests to declare.

There were none.

9. Petitions/Deputations/Presentations/Submissions

Nil
Planning and Engineering Services Committee Minutes
Monday 17 October 2016
PDS-066/16

10. Matters for which the Meeting may be Closed

4.18pm The Chairperson advised in accordance with section 5.23(2)(b) and (e)(iii) of the Local Government Act 1995 – if there are any questions or debate on Confidential Item PDS-066/16 - Heritage Reference Group Advisory Committee Appointments (Absolute Majority), then the Planning and Engineering Services Committee will need to defer the matter for consideration at Agenda Item 18 - Matters Behind Closed Doors.

There were no questions or request for debate.

CONFIDENTIAL ITEM
NOT FOR PUBLIC ACCESS
Section 5.95(3) Local Government Act 1995 (the Act)
This item may be discussed behind closed doors as per Section 5.23(2)(b) and (e)(iii) of the Act

Planning and Development Services

Planning and Development Services

Statutory Planning Services

<table>
<thead>
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<th>Reference No &amp; Subject:</th>
<th>PDS-066/16</th>
<th>Heritage Reference Group Advisory Committee (Absolute Majority)</th>
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<tr>
<td>File No:</td>
<td>LUP/499-22 (D16/137260)</td>
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<tr>
<td>Proponent/s:</td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Peter Varris, Manager Governance and Councillor Support</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mrs Jelette Edwards, Governance Coordinator</td>
<td></td>
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<tr>
<td>Date of Committee Meeting:</td>
<td>17 October 2016</td>
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<tr>
<td>Previously before Council:</td>
<td>August 2016 (EP-026/16), October 2015 (PDS-072/15), September 2014 (PDS-068/14), February 2014 (PDS-012/14), September 2010 (SP-051/12), April 2010 (PS43/4/10)</td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
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<td>Nature of Council’s Role in this Matter:</td>
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Site:
Lot Area:
Voting Requirements

Absolute Majority

Officer Recommendation

That Council:

1. **APPOINTS** Mrs Wendy Durant and Mrs Sylvia Reed as representatives from the Rockingham District Historical Society to the Heritage Reference Group Advisory Committee listed as follows for a two-year term of office commencing 25 October 2016.

2. **APPOINTS** Mrs Debra Armstrong as deputy for Mrs Wendy Durant and Mr Rodger Allen as deputy for Mrs Sylvia Reed from the Rockingham District Historical Society on the Heritage Reference Group, to attend meetings.

Committee Recommendation

Moved Cr Hamblin, seconded Cr Whitfield:

That Council:

1. **APPOINTS** Mrs Wendy Durant and Mrs Sylvia Reed as representatives from the Rockingham District Historical Society to the Heritage Reference Group Advisory Committee listed as follows for a two-year term of office commencing 25 October 2016.

2. **APPOINTS** Mrs Debra Armstrong as deputy for Mrs Wendy Durant and Mr Rodger Allen as deputy for Mrs Sylvia Reed from the Rockingham District Historical Society on the Heritage Reference Group, to attend meetings.

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>
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<td>2. Human Resource Update</td>
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<td>3. Project Status Reports</td>
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<td>3.1 FoodSafe</td>
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<td>3.2 Industrial and Commercial Waste Monitoring</td>
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<td>3.3 Mosquito Control Program</td>
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<td>3.4 Environmental Waters Sampling</td>
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<td>3.5 Food Sampling</td>
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<td>4. Information Items</td>
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<td>4.2 Food Recalls</td>
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<td>4.3 Food Premises Inspections</td>
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<td>4.9 Noise Complaints - Detailed Information</td>
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<td>4.10 Animal Exemptions</td>
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<td>4.11 Building Plan Assessments</td>
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<td>4.12 Septic Tank Applications</td>
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<td>4.13 Demolitions</td>
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<td>4.14 Swimming Pool and Drinking Water Samples</td>
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<td>4.15 Rabbit Processing</td>
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<td>4.16 Hairdressing and Skin Penetration Premises</td>
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<td>4.17 New Family Day Care Approvals</td>
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<td>4.18 Caravan Park and Camping Ground Inspections</td>
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<td>4.19 Emergency Services</td>
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<td>4.20 Social Media</td>
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<td>4.21 Customer Requests Emergency Services Team</td>
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<td>4.22 Structural Fire Fighting Capability – Baldivis</td>
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<td>4.23 Aquatic Centre Emergency Exercise</td>
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<td>4.24 Storm Incident</td>
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<td>4.26 Ranger Services Action Reports</td>
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<td>4.27 SmartWatch Key Result Areas</td>
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<td>4.28 SmartWatch Statistics</td>
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<tr>
<td><strong>Building Services</strong></td>
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<tr>
<td>1. Building Services Team Overview</td>
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<tr>
<td>2. Human Resource update</td>
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<td>3. Project Status Reports</td>
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<td>4. Information Items</td>
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<td>4.1 Monthly Building Permit Approvals - (All Building Types)</td>
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<td>4.2 Private Swimming Pool and Spa Inspection Program</td>
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<td>4.3 Demolition Permit</td>
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<tr>
<td>4.4 Permanent Sign Licence</td>
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<tr>
<td>4.5 Community Sign Approval</td>
</tr>
<tr>
<td>4.6 Street Verandah Approval</td>
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</table>
4.7 Occupancy Permits
4.8 Strata Titles
4.9 Unauthorised Building Works (Section 51 of the Building Act)
4.10 Monthly Caravan Park Site Approvals
4.11 R Code Variations

Strategic Planning and Environment
1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Local Planning Strategy (LUP/1352)
   3.2 Waterwise Council Program (EVM/56-02)
   3.3 Karnup District Structure Plan (LUP/1546)
   3.4 Cockburn Sound Coastal Alliance – Vulnerability & Flexible Adaptation Pathways Project Stage 3 (EVM/149)
   3.5 Greening Plan (PKR/52-02)
   3.6 Frog Population Monitoring Program (EVM/174)
4. Information Items
   4.1 Notification of Approval of Structure Plans by the Western Australian Planning Commission

Land and Development Infrastructure
1. Land and Development Infrastructure Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Structure Plan Approval Referrals
   4.2 Subdivision Approval Referrals
   4.3 Urban Water Management Referrals
   4.4 Traffic Report Referrals
   4.5 Delegated Land & Development Infrastructure Assets Approvals
   4.7 Handover of Subdivisional Roads
   4.8 Development Application Referrals
   4.9 Delegated Subdivision Public Open Space Practical Completions
   4.10 Delegated Authority to approve the release of Bonds for private subdivisional works

Statutory Planning
1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Planning Products via the Web formerly eDA
4. Information Items
   4.1 Land Use - Planning Enforcement
   4.2 Subdivision/Development Approval and Refusals by the WAPC
   4.3 Notifications and Gazettals
   4.4 Subdivision Clearances
   4.5 Subdivision Survey Approvals
   4.6 Subdivision Lot Production
   4.7 Delegated Development Approvals
   4.8 Delegated Development Refusals
   4.9 Delegated Building Envelope Variations
   4.10 Subdivision/Amalgamation Approved
   4.11 Strata Plans
   4.12 Subdivision/Amalgamation Refused
   4.13 Municipal Heritage Inventory Review
Planning and Development Directorate
1. Planning and Development Directorate Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Primary Centre, Centre Plan Implementation (LUP/137-08)
   3.2 Northern Smart Village Sector – Masterplan, Development Policy Plan and Proposed Amendment No’s.161 and 162 to Town Planning Scheme No.2
   3.3 Southern Gateway/Rockingham Station Sector – Masterplanning, Development Policy Plan and TPS (LUP/1846 and LUP/1847)
   3.4 Leeuwin Sector – Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.5 Northern Gateway Sector – Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.6 Redevelopment of City Square and Civic Plaza – LUP/1933
   3.7 ‘Mangles Bay Marina’
4. Information Items

Advisory Committee Minutes

Committee Recommendation

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

Committee Voting – 5/0

Engineering and Parks Services Information Bulletin – October 2016

Engineering and Parks Services Directorate
1. Engineering and Parks Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Foreshore Masterplan – Detailed Design
4. Information Items
   4.1 Bus Shelters – Displaying Messages or Advertising
   4.2 Monthly Statistics on Correspondence to Engineering and Parks Services

Engineering Services
1. Engineering Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Stormwater Drainage Plan
   3.2 Coastal Management Consultants (Sand Drift/Erosion Problems)
   3.3 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)
4. Information Items
   4.1 Delegated Authority for Temporary Thoroughfare Closure.
   4.2 Delegated Authority for the payment of Crossover Subsidies.
   4.3 Delegated Authority for approval of Directional Signage
   4.4 Engineering Services Design Projects 2016/2017
   4.5 Authorised Traffic Management Plans for Works on City Controlled Roads
   4.6 Safety Bay Road – Principal Shared Path – Stage 2B Mandurah Road to Eighty Road
   4.7 Millar Road Landfill – Concept Master Plan and Site Access
   4.8 Water Corporation - Significant works within the City
4.9 Asset Inspections
4.10 Waikiki Foreshore – Foreshore Protection Specification
4.11 Point Peron Sand Trap and Beach Nourishment Management
4.12 Donald Drive Boat Ramp Feasibility Study
4.13 Bent Street Boat Ramp Navigation Channel Sand Bypassing
4.14 Mersey Point Jetty Design
4.15 Palm Beach West Boat Ramp Upgrade – Detailed Design
4.16 Point Peron Boat Launching Facility Detailed Design of Boat Ramp Lanes Five and Six including boat trailer car park design
4.17 Palm Beach East Boat Ramp Rock Armour Replacement and Boat Ramp Maintenance
4.18 EP-013/16 – Investigate need for additional traffic signals on Warnbro Sound Avenue
4.19 Road Construction Program Roads to Recovery 2016/2017
4.20 Road Construction Program Main Roads Grant 2016/2017
4.21 Road Resurfacing Program Municipal Works 2016/2017
4.22 Road Maintenance Program 2016/2017
4.23 Litter Team 2016/2017
4.24 LitterBusters and Sweeping 2016/2017
4.25 Graffiti Out and About
4.26 Graffiti Removal Annual Statistics
4.27 Passenger Vehicle Fleet Program 2016/2017
4.28 Light Commercial Vehicles Program 2016/2017
4.29 Heavy Plant Program 2016/2017

Parks Services
1. Parks Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Dog Exercise Area
   3.2 Weld Street shower and drink fountain - Rockingham
   3.3 Practice Cricket Net Modification - Rhonda Scarrott Reserve, Golden Bay
   3.4 Practice Cricket Net Renewal – Careeba Reserve, Koorana Reserve and Warnbro Oval
   3.5 Bore and Irrigation Cabinet – Malibu Reserve
   3.6 City Parks – Central Irrigation Management System
   3.7 Play Equipment Replacements
   3.8 Synthetic Turf Renewal - Lark Hill Practice Cricket Nets
   3.9 Limestone Access Track Upgrade - Lark Hill Reserve
   3.10 Replace Conservation Reserve Fencing
   3.11 New Conservation Reserve Fencing – Foreshore Drive, Singleton
   3.12 New Conservation Reserve Fencing – Lake Richmond
   3.13 Tamworth Hill Swamp, Conservation Works
   3.14 Dixon Road Reserve, Conservation Works
   3.15 Outdoor Gym Equipment - Harmony Park, Singleton
4. Information Items
   4.1 Memorial Seat Approvals
   4.2 Delegated Public Open Space Handovers
   4.3 Parks Maintenance Program 2016/2017

Asset Services
1. Asset Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Road Condition Inspection and Modelling
3.2 Path Condition Audit 2016-2017  
3.3 Maintenance and Provision of Public Toilets  
3.4 Lighting Consultants (Technical Planning/Design, Underground Power Program)  

4. Information Items  
4.1 Asset Management Improvement Strategy  
4.2 Solar Power Generation  
4.3 2016/2017 Public Area Lighting and Arterial Lighting  
4.4 Secret Harbour Surf Life Saving Club – Renovation  
4.5 Rockingham Day Care Fire Panel Replacement  
4.6 Baldivis South Club Facility Eighty Road Baldivis  
4.7 Laurie Stanford Reserve Development  
4.8 Rhonda Scarrott Reserve Development  
4.9 Administration Building Exterior Render Repairs  
4.10 Aqua Jetty – Tiling of external 50m Pool  
4.11 Secret Harbour – Inclusive Play Space  
4.12 Baldivis South Youth Space  
4.13 2016/2017 Reserve Flood Lighting  
4.14 Baldivis South Community Centre  
4.15 Mike Barnett Sports Complex and Warnbro Recreation Centre - Renovations  
4.16 PV (Solar) Array Installation at Various Sites  
4.17 Mike Barnett Sports Complex - Awning Installation  
4.18 Churchill Park Toilets – Refurbish internal and external items  
4.19 State Underground Power Program Round 6  
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4.21 Electrical/Lighting Maintenance  
4.22 Asset Maintenance  
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4.24 Parks Infrastructure Replacements  
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4.26 Albenga Place Toilet – Rust treatment and internal refurbishment  
4.27 Baldivis Hall – Replacement of Toilet Partitioning  
4.28 Engineering Office and Kitchenette Redesign  
4.29 Larkhill – Bench seating replacement  
4.30 Colonial Reserve - Baldivis  
4.31 Mary Davies Library and Community Centre – Additional Meeting Space  

**Waste Services**  
1. Waste Services Team Overview  
2. Human Resource Update  
3. Project Status Reports  
3.1 Waste Collection Services; Introduce Three Bin Collection System  
3.2 Waste Collection Services; Waste Audit  
3.3 Waste Collection Services; School Recycling Program  
3.4 Waste Collection Services; Bin Tagging Program  
3.5 Landfill Services; Construction of Cell 16 and Leachate Dams  
3.6 Landfill Services; Landfill Access Road and Associated Infrastructure  
3.7 Landfill Services; Construction of Cell 17  
3.8 Landfill Services; Landfill Capping of Cells 12 and 13  

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4.1 Waste Collection Services; Kerbside Collection  
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4.3 Waste Collection Services; Waste Diversion Percentage
4.4 Landfill Services; Tip Passes
4.5 Landfill Services; Landfill Statistics
4.6 Landfill Services; Waste Education and Promotion

Advisory Committee Minutes

Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – October 2016 and the content be accepted.

Committee Voting – 5/0
12. Agenda Items

Planning and Development Services

Planning and Development Services
Strategic Planning and Environment

Reference No & Subject:
File No: PDS-067/16
Risk Register No: EVM/56
Proponent/s: Mr Rory Garven, Environmental Planning Officer
Author: Ms Natalie Elliott, Coordinator, Sustainability and Environment
Other Contributors:
Date of Committee Meeting: 17 October 2016
Previously before Council:
Disclosure of Interest:
Nature of Council’s Role in this Matter: Executive

Site:
Lot Area:
LA Zoning:
MRS Zoning:
Attachments: City of Rockingham Water Efficiency Action Plan 2016
Maps/Diagrams:

Purpose of Report
To consider adoption of the City of Rockingham Water Efficiency Action Plan 2016, prepared as part of the Waterwise Councils Program in partnership with the Water Corporation and the Department of Water.

Background
The Waterwise Councils Program (the program) is a joint venture between the Water Corporation and the Department of Water aimed at delivering water efficiency outcomes for local governments and their communities. Under the program, the City is required to analyse existing groundwater and scheme water usage and establish realistic targets to reduce consumption at both a corporate and community level.
To be endorsed as a Waterwise Council, the City must fulfil the following five actions:

1. Council commitment by signing the Memorandum of Understanding and establishing a Water Management Team;
2. Review the City’s water consumption data and prepare a Water Efficiency Action Plan for potable and non-potable water sources for all City operations and the community. All approved local governments will be required to submit the Water Efficiency Action Plan by 31 October 2016;
3. Ensure appropriate staff members complete free Waterwise training;
4. Ensure that there are no breaches of groundwater license terms and conditions set by the Department of Water, and no breaches of scheme water usage issued by the Water Corporation in the past 12 months, and
5. Report annually to the Water Corporation and the Department of Water to retain endorsement.

With regard to Action 1, Council approved the City’s participation in the Waterwise Council Program in March 2016 and signed the Memorandum of Understanding. A Water Management Team was then established to oversee the City’s involvement in the Program.

Following this commitment, the City commenced preparation of a Water Efficiency Action Plan in accordance with requirements of Action 2.

Details

The purpose of the Water Efficiency Action Plan (the Plan) is to quantify water consumption across the City’s corporate and community sectors. This baseline data is used to identify areas in need of improvement and provide a better understanding of the effectiveness of current management practices. The analysis was undertaken over a five year timescale to ascertain water usage trends within the City, including the identification of top using irrigated parks and reserves, community land use sectors and City facilities.

From this analysis the City was required to set realistic targets to reduce both corporate (potable and non-potable) and community (potable) water consumption. Under the program, the Water Corporation provides recommended targets as a percent reduction in total kilolitres used, however, the City notes that as a growing local government, total kilolitre consumption per annum is expected to increase with respect to population growth.

In this regard, the Plan establishes the following targets on a per capita (potable) and per hectare (non-potable) basis to ensure that any future reductions in the City’s water consumption can be effectively quantified and analysed over time:

- **Goal 1: Corporate potable water**
  
  Aim to reduce the City’s potable water consumption by 15% per capita by 2030.

- **Goal 2: Corporate non-potable water (groundwater)**
  
  Aim to reduce the City’s groundwater consumption by up to 10% based on the Department of Water standard 7500kL/hectare allowance.

- **Goal 3: Community potable water**
  
  Aim to reduce the City’s community potable water consumption by 15% per capita by 2030 and by 25% per capita by 2060.

It is important to note that the targets and timeframes relating to potable water are in accordance with the aspirations outlined in the Water Corporation’s Water Forever Plan and the targets set in the Department of Water’s Water for Growth Plan.

The Plan outlines the various actions and responsibilities required to achieve these targets, including having appropriate City officers complete the Water Corporation’s Waterwise Training, undertaking water audits at top water using facilities and identifying poorly performing irrigation hardware. Also included in the Plan are the expected timeframes, monitoring and reporting requirements to ensure the City satisfies Actions 3, 4 and 5 of the program.
Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   The Water Corporation and Department of Water were consulted throughout the development of this Water Efficiency Action Plan.

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Community Plan 2015-2025:

   Aspiration C: Quality Leadership
   Strategic Objective: Infrastructure – Civic building, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis.

   Aspiration D: Sustainable Environment
   Strategic Objective: Climate Change – Planning Systems, infrastructure standards and community awareness programs that acknowledge, mitigate and adapt to the impacts of climate change.

d. Policy
   Nil

e. Financial
   The costs associated with implementing the actions outlined in the Plan will be met through the existing operational budgets of the respective teams responsible for implementation. Any capital upgrades will be incorporated into future Business Plan reviews with priorities considered along with all other projects.

f. Legal and Statutory
   Nil

g. Risk
   All Council decisions are subject to risk assessment according to the City’s Risk Framework.
   Implications and comment will only be provided for the following assessed risks.
   Customer Service / Project management / Environment: High and Extreme Risks
   Finance / Personal Health and Safety: Medium, High and Extreme Risks
   Nil

Comments

Detailed analysis of historical water consumption trends, together with acknowledging the City’s growing population, are critical to ensuring the water efficiency targets and management actions identified in the Plan are pragmatic and well informed.

In this regard, the Plan includes realistic measures to achieve best practice water efficiency, both in City operations and in the community, for the long term sustainable use and management of water resources.

It is therefore recommended that Council adopt the Water Efficiency Action Plan 2016 prepared as part of the Waterwise Councils Program in partnership with the Water Corporation and the Department of Water.
**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

That Council *ADOPTS* the City of Rockingham Water Efficiency Action Plan 2016.

**COMMITTEE RECOMMENDATION**

Moved Cr Whitfield, seconded Cr Summers:

That Council *ADOPTS* the City of Rockingham Water Efficiency Action Plan 2016.

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

#### Strategic Planning and Environment Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-068/16 Proposed Structure Plan - Heritage Park (Phase 2) - Lots 986 and 993 Baldivis and Serpentine Roads, Baldivis</th>
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<tbody>
<tr>
<td>File No:</td>
<td>LUP/1855</td>
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<tr>
<td>Risk Register No:</td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>Creative Design + Planning</td>
</tr>
<tr>
<td>Owner:</td>
<td>Rockingham Park Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Jeff Bradbury, Coordinator Strategic Planning</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 October 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Lots 986 and 993 Baldivis and Serpentine Roads, Baldivis</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>18.82ha</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Development Zone</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Urban</td>
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<tr>
<td>Attachments:</td>
<td>Schedule of Submissions</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial View</td>
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<tr>
<td></td>
<td>3. Advertised Structure Plan Map</td>
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<td></td>
<td>4. Location of Advertising</td>
</tr>
<tr>
<td></td>
<td>5. POS Landscape Master Plan</td>
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<td></td>
<td>6. Location of Flooded Gum Woodland</td>
</tr>
</tbody>
</table>

### Purpose of Report

To consider a proposed Structure Plan over Lots 986 and 993 Baldivis and Serpentine Roads, Baldivis following the completion of public advertising.

### Details

#### Site Context

The 18.82ha site is bounded by the Kwinana Freeway to the east, the Baldivis Tramway Reserve to the west, Furioso Green to the north and Serpentine Road to the south. The site gains access to Baldivis Road via Furioso Green to the north and Serpentine Road to the south. The site is undeveloped with a history of grazing activities around isolated stands of remnant vegetation. In late 2012, the City approved the stockpiling of excess fill on cleared portions of the land which was completed in early 2013.
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 NOVEMBER 2016

PRESIDING MEMBER
Description of the Proposal (As Advertised)

The proposed Structure Plan includes the following elements (refer to Figure 3):
- Residential densities ranging from R25 - R60 to facilitate development of approximately 325 dwellings.
- Public Open Space (approximately 2ha).
- Access to Baldivis Road via Furioso Green and Serpentine Road.

Implications to Consider

a. Consultation with the Community

Advertising Methodology

The proposed Structure Plan was advertised for a period of 28 days, commencing on 5 August 2016 and concluding on 2 September 2016. Public advertising was carried out in the following manner:
- Nearby land owners (approximately 350 properties shown with a yellow border on Figure 4), servicing agencies and the Baldivis Residents Association were notified of the proposal in writing and invited to comment;

- The Applicant erected signs on the corner of Baldivis and Serpentine Roads and at the intersection of Furioso Green and Heritage Park Drive advertising the proposed Structure Plan;

- A notice was placed in the Weekend Courier newspaper on 5 August 2016; and

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

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

4. Location of Advertising

Public Submissions: Following the close of the advertising period, the City had received four (4) submissions from nearby landowners.

A full copy of the submissions received during the advertising period is set out in the Schedule of Submissions (Attachment No.1 to this Report). The content of the issues raised in these submissions is summarised and addressed as follows:

<table>
<thead>
<tr>
<th>Structure Plan Design</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submission:</td>
</tr>
<tr>
<td>- Less R40 lots unless adequate parking is available off the street.</td>
</tr>
<tr>
<td>- Bought/built in the area due to large blocks and large homes when compared to elsewhere in Baldivis. Block sizes are far too small. Too much land already released. Minimum zoning of R20 in our opinion.</td>
</tr>
</tbody>
</table>
City’s Comment:

*Liveable Neighbourhoods* (LN) encourages a mix of housing types, lot sizes and densities, with smaller residential lots and higher density housing in areas close to Centres, near public transport stops and in areas with high amenity such as next to parks. These criteria give context to the allocation of density.

The majority of the structure plan area is coded R25 which is an acceptable base code, the proposed R40 sites are located next to the POS and along the main north-south road (a likely future public transport route) and the proposed R60 sites are located next to the POS.

As such, the proposed densities across the structure plan are considered appropriate as they respond to the context of the locality and meet LN and *Directions 2031 and Beyond* requirements.

With respect to the issue of the adequacy of parking for R40 developments, this matter is dealt with when building/development applications are assessed. In this regard, the *Residential Design Codes* set minimum standards for on-site parking.

Traffic

**Submission:**

- When we built on Campolina Avenue, it was not disclosed to us that it was going to be extended into a main road leading off Serpentine Road. If we had known this, we would not have built our property here. This de-values our property and basically would make the extra investment we made to live across from a park useless.

- My argument for not wanting to live on a long stretch of road? The same as many other West Australians. Come and visit our end of the street and see the burnout marks for yourself, I do not want to live (or sell a house) on a drag strip.

- Furioso Green and surrounding streets are quiet and have minimal traffic. Our issues are increased traffic with Furioso Green being the main entrance into this land release.

**City’s Comment:**

- In August 2015, the City advertised its intention to rezone the subject land from ‘Rural’ to ‘Development’ in Town Planning Scheme No.2 to facilitate the future use of the land for urban purposes.

  Nearby land owners (approximately 350 properties) were notified of the proposal in writing and invited to comment. The majority of land owners consulted were located within the adjoining Heritage Park estate to the north.

  The advertising material made available during the public comment period included a Concept Plan illustrating the proposed extension of Campolina Avenue through to Serpentine Road.

  The City only received one landowner submission during the public comment period. The submission enquired about the future pedestrian movement network through the area.

- The Applicant has provided a Transport Impact Assessment (TIA) to demonstrate the potential traffic impact of the proposed structure plan. The traffic modelling in the TIA predicts that traffic volumes throughout the structure plan area will generally be relatively low.

- With regard to concerns about the extension of Campolina Avenue through to Serpentine Road, it should be noted that the structure plan proposes three north-south connections (being the extension of Heritage Park Drive, the extension of Campolina Avenue and another road intended to intersect with the eastern section of Furioso Green). The traffic modelling in the TIA shows that spreading the north-south traffic movements across three separate road connections has the benefit of maintaining relatively low traffic volumes on these roads.
- Furioso Green is an existing 20m wide two-lane divided boulevard consisting of 4.5m wide carriageways separated by a 2m wide central median. The road design can accommodate the increased traffic volumes, suits its function as a bus route and provides for a safe pedestrian environment.

- The TIA acknowledges that traffic calming measures should be installed on streets that exceed 500m in length. In this regard, the City will require that traffic calming measures be implemented at subdivision stage to ensure traffic speeds are controlled to the intended function of roads.

### Amenity

**Submission:**

- Object to there being no parkland, trees or greenery between Heritage Park 1 and Heritage Park 2 (north-east corner). The area is already bereft of trees and birds and we prefer something like the park area at the other end of the street please.

- Playground for the local children.

**City's Comment:**

The Public Open Space (POS) has been specifically located to incorporate the majority of a *Eucalyptus rudis* (flooded gum) woodland. The POS (Neighbourhood Park) is centrally located such that it is within the 400m walkable catchment of all lots within the structure plan area. In this regard, it is considered that the POS is well located, whereas the provision of POS in the north-east corner of the structure plan area would have no context and would not be central to its catchment.

The proposed Landscape Master Plan for the POS (see Figure 5 below) illustrates that besides providing for the retention of remnant vegetation, the POS also includes a grassed 'kick-a-bout' area, areas for passive recreation and a playground.
5. POS Landscape Master Plan

b. Consultation with Government Agencies

As mentioned above, relevant government agencies and servicing authorities were notified of the proposal in writing and invited to comment, pursuant to Schedule 2, Part 4, clause 18(1)(b) of the Regulations. In this regard, the City invited comments from the following agencies:

- ATCO Gas Australia
- Department of Aboriginal Affairs
- Department of Education
- Department of Environment Regulation
- Department of Fire and Emergency Services
- Department of Health
- Department of Parks and Wildlife
- Department of Transport
- Department of Water
- Main Roads WA
- Public Transport Authority
- Telstra
- Water Corporation
- Western Power

Following the close of the advertising period, the City had received thirteen (13) 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.1 to this Report). The submissions that raised issues for consideration are summarised and addressed as follows:
Water Corporation

Submission:
The Corporation has prepared water and wastewater conveyance planning for this area, which provides a guide to the developer's consulting engineers. The planning may be varied and staged by the proponents in consultation with the Corporation at the subdivision stage.

The proposed southward extension of Campolina Drive will in the long term accommodate a large (>1m diameter) main gravity sewer. The width of the road reserve to provide an appropriate route for the sewer, and the access strategy for the future installation of this sewer, are matters that the proponent's consulting engineers need to further examine at the subdivision stage in consultation with the Water Corporation's Land Servicing Team.

The Peel Rural Sub-Drain 'B' runs north to south inside the eastern boundary of the site adjacent to the freeway. As part of the subdivision of the site, the sub-drain will be removed and replaced by the local urban drainage system. The City will take over responsibility for local drainage at that point and the Corporation will remove the relevant sections/s of sub-drain from its asset register.

City's Comment:
The comments from the Water Corporation regarding the servicing of the land are noted.

ATCO Gas Australia

Submission:
ATCO Gas owns and operates a high pressure gas main within the immediately adjacent road reserves of Furioso Green and Serpentine Road to the south, that will need to be protected and any proposed ground disturbing work within 15 metres of this area completed under permit to ensure that the integrity of this asset is not reduced.

ATCO has no objection to this proposal from the City of Rockingham in order to facilitate the formal development of the land for residential purposes.

City's Comment:
The comments from ATCO Gas Australia regarding the protection of the existing high pressure gas mains are noted.

Department of Transport

Submission:
The Department of Transport has no objection to the proposed structure plan subject to the following conditions being included as part of the approval process:

• That the City is satisfied that proper consideration has been given to the requirements of State Planning Policy No.5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning and measures are taken as recommended in the noise assessment report;
• That the Applicant incorporates notifications on titles to make the potential buyers aware of the likely noise and vibration levels generated from the nearby freight road as mentioned in the noise assessment report; and
• That the Applicant resolves access, intersection and other transport related issues (if any) with Main Roads.

City's Comment:
The comments from the Department of Transport are noted.
Refer to the Policy section of this report for the City's assessment of the application in terms of the requirements of State Planning Policy No.5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning.

### Department of Water

**Submission:**
The Department of Water has provided the following advice regarding the Local Water Management Strategy (LWMS):

**Section 7.0 Groundwater Management**

1. Please include the maximum groundwater level (MGL) in mAHd that the subsoil drainage will be located at within figure 10. The levels can be refined within the future Urban Water Management Plan (UWMP).

2. Also at figure 10, it appears that subsoil drainage will be located within the stand of *Eucalyptus rudis*. If so, how has the risk to the health of the trees been assessed to determine that subsoils will not have a detrimental impact on the stand of trees?

It is recommended that the LWMS is amended in accordance with the aforementioned comments and any advice from the City of Rockingham, and re-submitted to both agencies.

**Applicant's Response:**
Below is the response previously provided to DoW on the matter:

1. As per section 7.1.1., the subsoils are proposed to be installed at approximately the MGL. However as you mention the exact levels that the subsoils will be set at will be determined at the detailed design stage and will be reported in the UWMP. The detailed design has not been completed yet, and if levels were put on this figure they would not correctly match to those determined at the detailed design stage. Please see attached the revised figure 10 with the MGLs. At this stage we won't update the LWMS due to the process of producing a Rev 2 report, but does this address your comments?

2. This is correct, subsoils are proposed to be installed at the southern edge of the stand of trees to assist in drainage. As per section 6.4.1.1: as previously discussed with the CoR, approximately 150mm fill (maximum) will be placed around the flooded gums in accordance with arborist specifications as well as the proposed installation of subsoils to assist in draining this area.

The project team met with the CoR who requested that the Applicant investigate the feasibility of installing subsoil drainage within the areas of flooded gums. This is not expected to have a detrimental impact on the vegetation.

**City's Comment:**
The Department of Water has since advised that it is satisfied with the Applicant's response and that it will leave it up to City Officers to assess the suitability of the proposed subsoil drainage.

Refer to the Comments section of this report for the City's assessment of the LWMS.

### Department of Health

**Submission:**
The DOH provides the following comments:

1. **Water and Wastewater Disposal:** All developments for the densities proposed are required to connect to scheme water and reticulated sewerage; as required by the Government Sewerage Policy - Perth Metropolitan Region.
2. **Public Health Impacts:** The City of Rockingham should also use this opportunity to minimise potential negative impacts of the increase density development such as noise, odour, light and other lifestyle activities.

To minimise adverse impacts on the residential component, the City of Rockingham could consider incorporation of additional sound proofing / insulation, double glazing on windows, or design aspects related to location of air conditioning units and other appropriate building/construction measures.

**City's Comment:**
With regard to water and wastewater disposal, connection to scheme water and reticulated sewerage are mandatory requirements.

With regard to the issue of public health impacts, dwelling applications will be considered against the requirements of the *Building Code of Australia*, the *Residential Design Codes* and any other legislative requirements applicable on the subject land.

### Department of Environment Regulation

**Submission:**
The Department of Environment Regulation (DER) does not hold any records for this site in relation to historic or current potentially contaminating activities or any records noting contamination on the site. Based on available information, DER has no objection to the proposal and advises that a contamination condition is not considered necessary in this case.

Acid Sulfate Soil risk mapping show that the site lies within areas identified as having a moderate to low risk of acid sulfate soils occurring within 3 metres of the natural soil surface, but high to moderate risk of acid sulfate soils beyond 3m below the natural soil surface.

Works associated with the proposed development may pose a risk of disturbing acid sulfate soils. Therefore, an investigation of the extent and severity of acid sulfate soils across the site may be required to inform the development of a suitable acid sulfate soil management plan to mitigate risks to the environment that can be associated with their disturbance.

As above, during the Western Australian Planning Commission's (WAPC) consideration of subdivision of this site, DER may recommend that in accordance with Guidance Statement C4 in the WAPC and Department of Planning *Acid Sulfate Soils - Planning Guidelines* (December, 2008), that model subdivision condition EN8 and advice ENa1 is applied to the applicable conditional approval for subdivision.

**City's Comment:**
The comments from the Department of Environment Regulation regarding acid sulfate soils risk are noted.

### Department of Fire and Emergency Services

**Submission:**
The Department of Fire and Emergency Services (DFES) has provided the following comments with regard to *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) and the *Guidelines for Planning in Bushfire Prone Areas* (Guidelines):

**Considerations for the Department of Planning**

**General Observations**
- The proposed Structure Plan is on a site designated as bushfire prone on the *Map of Bush Fire Prone Areas*, and therefore SPP 3.7 applies to the proposal.
- The references to the Asset Protection Zone (APZ) throughout the Bushfire Management Plan (BMP) are actually inaccurate as they do not meet the definition of an APZ as defined in the Guidelines page 56 A2.1 (b) and page 59 E2.1. The peripheral APZs proposed as part of the Bushfire Management Strategies are more accurately defined as a Hazard Separation (see page 60 E2.2 of Guidelines) which is not the same as a Hazard Separation Zone or an APZ.
Policy Objective and Measures
Policy Measure 6.3 of SPP 3.7 applies to the proposal, and states:
Any strategic planning proposal to which policy measure 6.2 applies is to be accompanied by the following information prepared in accordance with the Guidelines:

\[ a) \quad \text{(i)} \quad \text{the results of a BHL assessment determining the applicable hazard level(s) across the subject land, in accordance with the methodology set out in the Guidelines. BHL assessments should be prepared by an accredited Bushfire Planning Practitioner; or} \]

\[ \quad \text{(ii)} \quad \text{where the lot layout of the proposal is known, a BAL Contour Map to determine the indicative acceptable BAL ratings across the subject site, in accordance with the Guidelines. The BAL Contour Map should be prepared by an accredited Bushfire Planning Practitioner; and} \]

\[ b) \quad \text{the identification of any bushfire hazard issues arising from the relevant assessment; and} \]

\[ c) \quad \text{clear demonstration that compliance with the bushfire protection criteria in the Guidelines can be achieved in subsequent planning stages.} \]

The submitted BMP cannot be validated and therefore compliance to this policy measure has not been demonstrated.

**Recommendation**
DFES advice is to seek a revised BMP for the proposal in line with the above points, including demonstrated application of SPP 3.7 and the current Guidelines."

**Technical advice for the Bushfire Consultant**

<table>
<thead>
<tr>
<th>Issue</th>
<th>Assessment</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spatial Consideration of Bushfire Threat</td>
<td>The Bushfire Hazard Level (BHL) assessment does not apply the appropriate methodology as set out in the new Guidelines (Appendix 2, page 50-51). The bushfire hazard should be mapped as per Figure 10, page 52 of the Guidelines. Areas that are assessed as low hazard, but are within 100 metres of a moderate or extreme bushfire hazard are to adopt a moderate bushfire hazard within that 100m.</td>
<td>Apply the current methodology to update the BHL assessment and Figures</td>
</tr>
<tr>
<td>Bushfire Protection Criteria</td>
<td>The references to the Asset Protection Zone (APZ) throughout the BMP are actually inaccurate as they do not meet the definition of an APZ as defined in the Guidelines page 56 A2.1 (b) and page 59 E2.1. The APZs proposed on the perimeter of the subject area are more accurately defined as a Hazard Separation (see page 60 E2.2 of Guidelines) which is not the same as a Hazard Separation Zone or an APZ.</td>
<td>Remove all reference to APZ (which do not meet the definition in the Guidelines) and revise to ‘Hazard Separation’ in text, tables and figures. Provide clarification and justification of who will manage and maintain this ‘Hazard Separation’ area to achieve a ‘low threat’ classification as per AS3959.</td>
</tr>
</tbody>
</table>

**Applicant’s Response:**
Given the stage of planning and the fact that the ultimate placement of future dwellings is unknown, the APZ has been used to demonstrate that the minimum separation required between classified vegetation and residential lots (to ensure BAL-29 is not exceeded) is achieved.
This has informed the placement public infrastructure such as roads to provide an appropriate interface with potential bushfire hazards adjacent to the site. The ultimate placement of dwellings within each lot will likely result in a larger setback to vegetation than what is designated at this stage of planning, however provision will be made within future detailed BAL assessment/s and Local Development Plan/s (where applicable) that an appropriate width of APZ be accommodated from the edge of the built form, which satisfies the requirement of an APZ as defined in the Guidelines, while still providing the required separation from adjacent classified vegetation. The APZ has been applied at an estate scale for this stage of planning, therefore a perimeter APZ is considered appropriate.

A Hazard Separation Zone (HSZ) is not appropriate at this interface as it does not have sufficient restrictions on fuel loads to result in a low threat interface, and would therefore create bushfire hazard in proximity to future residents, resulting in a radiant heat flux exposure greater than BAL-29. By accommodating appropriate APZs through development design at this stage, dwelling specific APZs can be accommodated on ground once development has progressed and the ultimate location of dwellings within lots is known.

City’s Comment:
The Applicant’s response is supported. Hazard Separation is simply the separation of development from a bushfire hazard. Hazard Separation can be achieved through a combination of methods including an APZ and HSZ.

The City considers it necessary and practical to surround a structure plan with an APZ. The BMP recommends that this APZ be implemented in accordance with the standards listed in the Guidelines (notwithstanding a reduced APZ width). This is considered practical as an APZ has clearly defined standards that can be measured. A HSZ has no such measurable components.

It is recommended that the BMP continues to refer to the low fuel areas surrounding the structure plan as APZs and that the width of the APZ be increased to 20/21m (21m APZ must be provided where the lot abuts Class A -Forest).

<table>
<thead>
<tr>
<th>Main Roads WA</th>
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</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>The proposed Local Structure Plan is acceptable to Main Roads subject to the following conditions being imposed:</td>
</tr>
<tr>
<td>- A revised acoustic noise report being submitted to Main Roads modelled on latest traffic volumes/data sources from Main Roads.</td>
</tr>
<tr>
<td>- The ground levels on the Kwinana Freeway boundary are to be maintained as existing.</td>
</tr>
<tr>
<td>- Anti-graffiti coating is to be applied to the noise wall adjoining Kwinana Freeway reserve to Main Roads WA Specifications 908.</td>
</tr>
<tr>
<td>- All structures including any footing shall be placed within the applicant's private property.</td>
</tr>
<tr>
<td>- No earthworks shall encroach onto the Kwinana Freeway reserve.</td>
</tr>
<tr>
<td>- No stormwater drainage shall be discharged onto the Kwinana Freeway reserve.</td>
</tr>
<tr>
<td>- The applicant shall make good any damage to the existing verge vegetation within the Kwinana Freeway reservation.</td>
</tr>
</tbody>
</table>

| City’s Comment: |
| The City supports the request from Main Roads WA that the Acoustic Report be amended to include the latest traffic volumes/data sources from Main Roads WA. |

The other matters raised by Main Roads WA are considered to be subdivision and/or detailed engineering matters. These matters are noted and will be brought to the attention of the Applicant.

| Recommendation: |
| That the Acoustic Report be amended to include the latest traffic volumes/data sources from Main Roads WA. |
c. Strategic

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

**Aspiration D:** Sustainable Environment

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

d. Policy

**State Planning Policies**

*Directions 2031*

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

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

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

The Structure Plan report states that the proposed Structure Plan delivers approximately 17 dwellings per gross urban zoned hectare.

*Liveable Neighbourhoods*

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

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

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

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

The City has assessed the proposal in accordance with the Objectives' and 'Requirements' of *Liveable Neighbourhoods*. The assessment outcomes are summarised as follows:
Element 1 - Community Design
The Structure Plan integrates appropriately with the adjoining 'Heritage Park Structure Plan and all lots are within a walkable catchment to public open space from within the Structure Plan area.

LN encourages a mix of housing types, lot sizes and densities, with smaller residential lots and higher density housing in areas close to Centres, near public transport stops and in areas with high amenity such as next to parks. These criteria give context to the allocation of density.

The proposed R25, R40 and R60 densities are considered appropriate as they respond to the context of the locality and meet LN and Directions 2031 requirements.

Element 2 - Movement Network
The structure plan design considers its context and provides a permeable and efficient movement network.

The proposed structure plan provides for the extension of Campolina Avenue which is a 20m wide 'Neighbourhood Connector’ Road that runs in a north-south direction through the adjoining Heritage Park Estate. The Structure Plan Report and associated Traffic Impact Assessment propose that the extension of Campolina Avenue be constructed as a 15.4m wide Local Access Road 'C' which is not acceptable.

The Traffic Impact Assessment states that the Public Transport Authority has confirmed that it is reasonable to expect an upgrade in the existing bus service through the area. With this in mind, the structure plan needs to be robust enough to provide for a future bus route through to Serpentine Road and it is considered that the proposed extension of Campolina Avenue is the most likely route for the bus service. As such, it is recommended that the structure plan be amended to show the road as a Neighbourhood Connector 'B' category. This will match the existing Campolina Avenue road reserve width and road pavement profile and cater for future upgrades to accommodate public transport.

Note: The Applicant has since advised that the extension of Campolina Avenue will be a 20m wide reserve as the road needs to cater for a sewer main.

Refer to the Comments section of this report for specific comments regarding the Traffic Impact Assessment.

Recommendation:
That the Structure Plan, Part Two Report and Traffic Impact Assessment be amended to show the proposed extension of Campolina Avenue as a Neighbourhood Connector 'B' road.

Element 3 - Lot Layout
An indicative lot layout demonstrates that the proposed structure plan layout can effectively accommodate the siting and construction of dwellings on generally rectangular shaped lots.

Element 4 - Public Parkland
The POS has been specifically located to incorporate the majority of a Eucalyptus rudis (flooded gum) woodland. The POS is centrally located such that it is within the 400m walkable catchment of all lots within the structure plan area.

A smaller area in the south-east corner is identified on the proposed structure plan as POS. Whilst the site will be landscaped, it is intended to be used entirely for drainage and does not form part of the 10% POS contribution for the structure plan. To avoid confusion, it is recommended that this site be shown as a local drainage reserve on the Structure Plan Map.

Recommendation:
That the Structure Plan Map and Report be amended to show the POS in the south-eastern corner as Local Reserve ‘Public Purposes – Drainage’.
Element 5 - Urban Water Management
A Local Water Management Strategy prepared to accompany the Structure Plan has been assessed by the City. Refer to the Comments section of this Report.

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

Element 7 - Activity Centres and Employment
There are no Activity Centres proposed in the Structure Plan area, however, the structure plan area is located approximately 700m from a proposed Neighbourhood Centre on the western side of Baldivis Road and 1.5km from the Tuart Ridge Neighbourhood Centre currently under construction.

Element 8 - Schools
There are no Schools proposed in the Structure Plan area, however, the structure plan area is located approximately 600m from a proposed primary school on the western side of Baldivis Road, 1.5km from the existing Makybe Rise and Tuart Rise primary schools, 1.6km from the existing Rivergums high/primary school and 1km from a high school proposed on Sixty Eight Road.

State Planning Policy No.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 Acoustic Report (Lloyd George - 15 February 2016) has assessed the proposed structure plan against the requirements of State Planning Policy No.5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning).

To achieve compliance with the State Planning Policy, the Acoustic Report recommends a 3.0m high wall on the Kwinana Freeway boundary of the site. Notwithstanding the erection of the noise wall, some proposed lots are identified as not achieving compliance and as such, will require notifications on their titles to incorporate Package A design criteria into their construction to mitigate noise levels.

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

As mentioned previously, the Acoustic Report is required to be amended to include the latest traffic volumes/data sources from Main Roads WA.

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

On 7 December 2015, the following documents were gazetted:

- Fire and Emergency Services (Bush Fire Prone Areas) Order 2015;
- Planning and Development (Local Planning Schemes) Amendment Regulations 2015;
- State Planning Policy No.3.7 - Planning in Bushfire Prone Areas; and
- Building Amendment Regulations (No.3) 2015.
The Department of Fire and Emergency Services (DFES) and the Western Australian Planning Commission (WAPC) concurrently released the:

- Map of Bush Fire Prone Areas; and
- Guidelines for Planning in Bushfire Prone Areas.

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


The State Map is based on the Department of Fire and Emergency Services/Office of Bushfire Risk Management’s Mapping Standard for Bush Fire Prone Areas. It essentially includes any bush fire prone vegetation with a 100m buffer around the vegetation. It is a binary system, i.e. it is either bush fire prone or not. The mapping does not indicate any level of hazard; it is simply a tool to trigger further assessment.

The State Map will be reviewed initially within six months and annually thereafter.

For all planning applications (Structure Plans, Scheme Amendments, Subdivision Applications, Development Applications), SPP3.7 and the Guidelines will apply immediately to all applications in designated bushfire prone areas identified on the State Map.

Refer to the Comments section of this report for specific comments regarding the Bush Fire Management Plan.

Planning Policy 3.4.1 - Public Open Space

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

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

Tree surveys undertaken by the Applicant showed there to be a Eucalyptus rudis (flooded gum) woodland located in a central location on the site. The woodland contains a mix of semi-mature and juvenile Eucalyptus rudis, with approximately 130 trees with a DBH (diameter at breast height) greater than 20cm and approximately 350 – 450 trees with a DBH less than 20cm. Figure 6 below shows the location of the 130 DBH >20cm trees as black dots and general location of the DBH <20cm (juvenile) trees shown by coloured circles (each circle indicating the approximate number of trees within a 6m² radius).

The POS has been specifically located to incorporate the majority of these Eucalyptus rudis trees. The POS is centrally located such that it is within the 400m walkable catchment of all lots within the structure plan area.

To ensure the protection of the Eucalyptus rudis trees, it is recommended that a condition of subdivision approval be imposed requiring the Applicant to prepare a Tree Protection Management Plan for approval by the WAPC and City of Rockingham, with satisfactory arrangements being made for the implementation of the approved plan.

Recommendation:

That a condition of subdivision approval be imposed requiring the Applicant to prepare a Tree Protection Management Plan for approval by the WAPC and City of Rockingham, with satisfactory arrangements being made for the implementation of the approved plan.
6. Location of Flooded Gum Woodland

Baldivis Tramway Reserve Master Plan (2014)

The purpose of the Plan is to establish key directions for the use, development and management of the Tramway reserve over a ten year period. The vision and purpose of the Plan are driven by the following overarching objectives:

- Conserve and enhance the natural environment;
- Encourage community use and participation in the reserve;
- Coordinate management practices and responsibilities within the reserve;
- Improve sense of place through landscaping, infrastructure and interpretive opportunities; and
- Ensure equity and safety of reserve users.

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

It outlines the parameters for the treatment and enhancement of the Tramway, particularly, by enabling the development of a contiguous dual use path network, low fuel zone area and access points for bushfire risk management, revegetation, access provisions and interface treatments to urban areas.
The City supports the Applicant’s intention to provide a limestone bridle path and concrete dual-use path within the Tramway Reserve, however, the location should be revised to be positioned within the Tramway Reserve on an alignment with the least impact on the existing vegetation rather than strictly along the eastern boundary. These two paths should be aligned independently with some separation for safety to the different user groups. The bridle trail could be combined with the fire break access track, as this would be the same limestone treatment as the bridle trail.

Tree surveys undertaken by the Applicant show six potential Black Cockatoo habitat trees (Jarrah and Marri trees) located along the boundary between the Tramway Reserve and the structure plan area.

Preliminary Engineering Drawings submitted by the Applicant indicate that the majority of these trees will be able to be retained. In this regard, the City will require that these trees be identified on the Tree Protection Management Plan and that measures to avoid impacts to the trees are clearly articulated at the detailed design stage.

e. Financial
Nil

f. Legal and Statutory

*Planning and Development (Local Planning Schemes) Regulations (2015)*

In accordance Clause 19(1) of the Regulations, the local government:

(a) must consider all submissions made to the local government within the period specified in a notice advertising the structure plan; and

(b) may consider submissions made to the local government after that time; and

(c) may request further information from a person who prepared the structure plan; and

(d) may advertise any modifications proposed to the structure plan to address issues raised in submissions.

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

(1) The local government must prepare a report on the proposed structure plan and provide it to the WAPC no later than 60 days after the day that is the latest of:

(a) the last day for making submissions specified in a notice given or published under clause 18(2); or

(b) the last day for making submissions after a proposed modification of the structure plan is advertised under clause 19(2); or

(c) a day agreed by the Commission.

(2) The report on the proposed structure plan must include the following:

(a) a list of the submissions considered by the local government, including, if relevant, any submissions received on a proposed modification to the structure plan advertised under clause 19(2);

(b) any comments by the local government in respect of those submissions;

(c) a schedule of any proposed modifications to address issues raised in the submissions;

(d) the local government’s assessment of the proposal based on appropriate planning principles;

(e) a recommendation by the local government on whether the proposed structure plan should be approved by the WAPC, including a recommendation on any proposed modifications.

g. Risk (Medium/High/Extreme)

All Council decisions are subject to risk assessment according to the City’s Risk Framework.

Implications and comment will only be provided for the following assessed risks.

*Customer Service / Project management / Environment: High and Extreme Risks*

*Finance / Personal Health and Safety: Medium, High and Extreme Risks*

Nil
**Comments**

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

<table>
<thead>
<tr>
<th>Bush Fire Management Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Assessment:</strong></td>
</tr>
<tr>
<td>Vegetation in the Tramway Reserve classified as G - Grassland should be classified as A - Forest. The City's intent is to revegetate all areas in the Tramway Reserve to a natural state. The report, mapping and BAL Contour Map must be updated accordingly.</td>
</tr>
<tr>
<td><strong>Applicant’s Response:</strong></td>
</tr>
<tr>
<td>The portion of the Tramway Reserve adjacent to the site is densely vegetated, and fuel loads have been assessed based on existing conditions. Grassland forms a very small portion of the Tramway, in existing cleared areas. Based on the extent of vegetation currently within the Tramway there are limited options where revegetation would apply. Mapping within the BMP reflects the vegetation conditions present at the site, in line with the assessment requirements of AS 3959, SPP 3.7 and the Guidelines. Lot specific BAL ratings will be designated and certified as part of future subdivision and/or development, and will be assessed based on fuel loads present at the time of assessment.</td>
</tr>
<tr>
<td><strong>Comment:</strong></td>
</tr>
<tr>
<td>The City intends to revegetate the Tramway to its natural state. Not classifying this vegetation to its future intended state will restrict any works that the City intends to undertake within the Reserve. As such, it is recommended that the vegetation be classified as requested.</td>
</tr>
<tr>
<td><strong>Recommendation:</strong></td>
</tr>
<tr>
<td>The Bush Fire Management Plan report, mapping and BAL Contour Map being amended to classify the vegetation in the Tramway Reserve as A - Forest.</td>
</tr>
<tr>
<td><strong>Assessment:</strong></td>
</tr>
<tr>
<td>In terms of Acceptable Solution A2.1 of the Guidelines, a 20m/21m Asset Protection Zone (APZ) is required to be provided within the lot boundary of the Structure Plan area where it abuts classified vegetation (21m APZ must be provided where the lot abuts Class A - Forest).</td>
</tr>
<tr>
<td><strong>Applicant’s Response:</strong></td>
</tr>
<tr>
<td>Acceptable Solution A2.1 of the Guidelines states that the APZ may be reduced where BAL-29 is not exceeded. Based on the provision of a minimum 5m wide low threat interface within the Tramway Reserve (incorporating the dual use path and bridle trail as requested by the City, as well as batters ranging from 0m to approximately 5m wide), a 16m internal APZ is then considered acceptable to achieve the total 21m setback required from the adjacent Forest vegetation to ensure that BAL-29 is not exceeded for lots within the site. It is important to note that the minimum 5m low threat interface within the Tramway Reserve does not form part of the designated internal APZ, as specified in Figure 14 of the BMP. The minimum 5m low threat interface forms part of the overall 21m setback achieved to classified vegetation, which justifies the 16m internal APZ, as BAL-29 is not exceeded. This is discussed in the BMP.</td>
</tr>
<tr>
<td><strong>Comment:</strong></td>
</tr>
<tr>
<td>The Guidelines state that the APZ must be 20m in width and located within the lot boundary. The Guidelines also state that &quot;where a full 20 metre APZ is not possible, the APZ should be sufficient enough to ensure the potential radiant heat impact of a fire does not exceed 29kW/m².&quot; Since the Structure Plan is still at design stage, it is possible to provide the full width APZ. The City does not support a 5m wide low threat interface within the Tramway Reserve. The City intends to revegetate the tramway to its natural state (Forest); therefore the separation distance will be from the lot boundary, rather than a low threat interface.</td>
</tr>
</tbody>
</table>
**Recommendation:**
The Bush Fire Management Plan being amended to provide a 20m/21m Asset Protection Zone within the lot boundary of the Structure Plan area where it abuts classified vegetation.

**Assessment:**
The 5m wide ‘low threat’ landscaped strip within the Tramway Reserve should not be included in an APZ as it would require modification of the vegetation to achieve APZ standards.

The bushfire Asset Protection Zone (APZ) must be accommodated within the development site, not the Tramway Reserve, i.e. the total setback minimum of 21 metres must be achieved outside of the Tramway Reserve.

**Applicant’s Response:**
The minimum 5m wide low threat interface within the Tramway Reserve does not form part of the designated internal APZ, as specified in Figure 14. The minimum 5m low threat interface forms part of the overall 21m setback achieved to classified vegetation, which justifies a 16m internal APZ, as BAL-29 is not exceeded. This is discussed in the BMP.

The minimum 5m wide interface will incorporate a dual use path and bridle trail, as requested by the City, as well as any battering required to support the internal road network within the site. Batters into the Tramway will range from 0m to approximately 5m in width (with the ultimate footprint to be determined as part of detailed design stages), and will be treated with mulch only with exiting trees (where retained). The Landscape Master Plan can be updated to clarify this treatment.

**Comment:**
The City intends to revegetate the tramway to its natural state (Forest); therefore the separation distance will be from the lot boundary, rather than a low threat interface.

While the proposed dual-use path/bridle trail alignment would utilise some existing cleared areas, it also has the potential to conflict with significant vegetation and it may not be appropriate to have the alignment along the entire length of the boundary.

Furthermore, to minimise conflict between Tramway Reserve users, the City is not supportive of the dual-use path and bridle trail being located adjacent to one another. Instead, it is preferred that the dual-use path and bridle trail should meander separately through the reserve where possible. As such, these elements would not form a contiguous 5m separation and satisfy the low threat zone function.

As previously stated, the City does not support a 5m wide low threat interface within the Tramway Reserve.

**Recommendation:**
The Bush Fire Management Plan being amended to remove reference to a 5m wide low threat interface within the Tramway Reserve.

**Assessment:**
The road reserve along the western boundary is satisfactory in principle as the APZ, however, it is only 16m in width and thus lots will require mandatory 4-5m front setbacks. This is not an appropriate imposition on the future landowners. Whilst it is acknowledged that some of the APZ can be incorporated into the future lots, it is requested that an increased road reserve width be provided.

**Applicant’s Response:**
Acceptable Solution A2.1 of the Guidelines states that the APZ may be reduced (from 20 metres) where BAL-29 is not exceeded. Based on the provision of a minimum 5m wide low threat interface within the Tramway Reserve (incorporating the dual use path and bridle trail as requested by the City, as well as batters ranging from 0m to approximately 5m wide), a 16m internal APZ is sufficient to achieve the total 21m setback required from the adjacent Forest vegetation. This ensures that BAL-29 is not exceeded for lots within the site.
This internal 16m APZ is accommodated within future road reserve, and through a maximum internal lot setback of 1.5m where required. A 1.5m front of lot setback is not considered to pose an unacceptable impact on future lot owners.

**Comment:**
Given that the City does not support a 5m wide low threat interface within the Tramway Reserve, it is recommended that the road reserve along the western boundary of the Structure Plan be increased in width to reduce the impact of the APZ setback upon future landowners.

**Recommendation:**
*The road reserve along the western boundary of the Structure Plan being increased in width to reduce the impact of the APZ setback upon future landowners.*

**Assessment:**
The BAL Contour Map is queried due to the inclusion of the 5m track within the Tramway Reserve. The City does not support the inclusion of a “low threat 5m strip” within the Tramway Reserve in BAL separation distance.

**Applicant’s Response:**
The BAL Contours are measured from the line of classified vegetation (in line with the assumed post development scenario), as per the requirements of AS 3959 and the Guidelines. In this case, BALs have been measured from the permanent Forest, Woodland and Grassland vegetation currently within the Tramway Reserve, with the provision of a minimum 5 m wide low threat interface proposed within the eastern portion of the Tramway at the interface with the site. We understand that this was based on previous discussions with the City of Rockingham.

The minimum 5 m wide low threat interface is excluded from classified vegetation in accordance with Clause 2.2.3.2(e) and (f) of AS 3959. The majority of this low threat interface will incorporate a dual use path and bridle trail (i.e. non-vegetated areas), with any batters to the road reserve treated with mulch only (or mulch beneath existing trees where retained). Batters into the Tramway will range from 0 m to approximately 5 m in width, with the ultimate footprint to be determined as part of detailed design stages. This interface will be maintained in perpetuity by the City as part of the public areas of the site, and therefore the line of bushfire hazard will permanently remain at least 5 m from the site, within the Tramway Reserve. The BAL Contour Plan reflects this predicted line of bushfire hazard, and the long term implications this hazard has on development within the site. Lot specific BALs will be confirmed and certified as part of future subdivision and/or building stages.

**Comment:**
Given that the City does not support a 5m wide low threat interface within the Tramway Reserve, it is recommended that the BAL Contour Map be amended to delete reference a “low threat 5m strip” within the Tramway Reserve.

**Recommendation:**
The BAL Contour Map being amended to delete reference a “low threat 5m strip” within the Tramway Reserve.

**Assessment:**
As per the Guidelines, some mature trees can be retained within an APZ. Therefore, it is requested that a survey plan identifying the habitat trees that can be retained within the 21m APZ, be provided within the BMP.

**Applicant’s Response:**
Existing trees may be retained within the 16m internal APZ and the minimum 5m low threat interface within the Tramway Reserve, where possible and in line with the APZ standards outlined in the BMP. This principle will be clarified in updates to the BMP, however specific advice will be provided as to the specific trees at the site that can be retained in these areas as part of future detailed BAL assessments and landscape plans.
Comment:
Given that the City does not support a 5m wide low threat interface within the Tramway Reserve and intends to revegetate the tramway to its natural state (Forest), it is recommended that the developer's management actions be updated to reflect the requirement to submit a plan identifying vegetation that will be retained within APZs as part of the subdivision.

The City's assessment of the Bush Fire Management Plan also identified some modifications, points of clarification and corrections required to be made to the document, the details of which will be forwarded to the WAPC for its consideration.

Recommendation:
The Bush Fire Management Plan being amended to reflect the requirement to submit a plan identifying vegetation that will be retained within APZs as part of the subdivision.

Local Water Management Strategy

Assessment:
The Applicant was requested to demonstrate that the stormwater quality controls presented in the Local Water Management Strategy (LWMS) will achieve the Total Phosphorus (TP) reduction targets specified in the Water Quality Improvement Plan for the Rivers and Estuaries of the Peel-Harvey System (EPA, 2008) (WQIP) criteria by utilising the Department of Water’s UNDO tool.

Applicant’s Response:
At the time of the submission of this report, the UNDO tool had not been released. This should not be retrospectively requested. It can be completed at the Urban Water Management Plan (UWMP) stage if required. Note: The site does not discharge directly to the Peel Main Drain.

Comment:
The Applicant’s response is not supported. The site discharge contributes to the Peel Main Drain and is therefore required to comply with the WQIP criteria. The UNDO tool should therefore be used to demonstrate that the proposed controls comply with these criteria.

Whilst the UNDO tool can be used to demonstrate that the controls are sufficient, the City has no objection to the Applicant using another method to demonstrate compliance.

Recommendation:
The Applicant to demonstrate that the stormwater quality controls presented in the Local Water Management Strategy will achieve the Total Phosphorus reduction targets specified in the Water Quality Improvement Plan for the Rivers and Estuaries of the Peel-Harvey System (EPA, 2008)

Assessment:
1. Given the shallow interaction with groundwater Maximum Groundwater Level (MGL) and the existing clay soil profile, the City has concerns regarding the stormwater management strategy of infiltration for Basin 1 in the main POS area.

   Basin 1 has an invert level of 4.0m AHD which is approximately 0.5m to the existing natural surface as shown in the Engineering Drawings in Appendix 6. The regional soil classifications shown in the LWMS (Figure 4) show that this area consists of clayey silt (Section 2.3). How will the stormwater management strategy of infiltration occur in this area given the shallow profile of imported fill over this area? Has stormwater modelling considered the shallow interaction with groundwater? Please demonstrate that this strategy is achievable through a suitable groundwater modelling package e.g. Modflow, FEFLOW.

2. What actions will be taken if the infiltration rate is less than predicted given the existing soil profile, and no longer meets the Department of Health requirements for Mosquito Management?
3. The LWMS states that drainage modelling for each basin has assumed an infiltration rate of 3m/day. As Basin 2 has been designed with a piped drainage outlet to the Serpentine Road culvert it is assumed that the infiltration rate applies to the design of Basin 1 only. In the absence of a geotechnical investigation how has this been determined?

**Applicant’s Response:**

1. There is sufficient clearance to the MGL to not require groundwater modelling. Basin 1 will be underlain by a subsoil drainage system which will be set in a free draining clean fill, the subsoil drains will free drain to the stormwater pipe. No groundwater mound is anticipated beneath the basin given these structural controls. Figure 10 in the report illustrates the indicative location for the subsoil drains in the POS and road reserve. Due to the considerable volume of fill that is used on site (i.e. in the order of 1.7m in the southern section of the site), it is not believed that a groundwater model is required at this stage.

We will need to over excavate the basin and replace with sand to ensure the subsoils drain the area. We have also connected the subsoil outlet to the Peel drain outlet at Serpentine Road.

2. Additional outlet provisions have been made.

3. The basin areas are going to be over excavated. The permeability of the imported fill (source of which is known) will be determined at the earthworks stage, however; permeability of Spearwood sands is conservatively estimated to be 3m/day but could in fact be as high as 5 or 10m/day.

**Comment:**

1. Noted. Response implies a subsoil outlet will be provided but how will this design cater for flood management of larger events? The reliance on infiltration into sand fill for flood management is not supported given the clay soils. A piped drainage outlet will need to be provided to attenuate flows from this basin to 4.5L/s/ha in a 100yr ARI event and 3.0L/s/ha in 5yr ARI event.

2. If this is so then the basin design and supporting concept drawings must be included in an amended LWMS.

3. Over excavation may assist but the basins will still be surrounded by clayey soils which are significantly less transmissive. This will limit infiltration performance. The stormwater management strategy of infiltration is therefore not supported and should instead be attenuated to discharge offsite via the Serpentine Road culvert to the Peel Main Drain.

**Recommendation:**

*The Local Water Management Strategy being amended to describe how the subsoil system will operate effectively and explain why a structural remedy (i.e. piped drainage outlet) is not required to attenuate the expected flows and cater for flood management and larger rainfall events.*

**Assessment:**

The stormwater management strategy for Basin 2 is stormwater detention with detained off-site discharge. The design discharge rates are much less than the development maximum allowable off-site discharge based on the Water Corporation’s 4.5 L/s/ha. Please clarify.

Basin 2 was referred to in the previous version of the LWMS (Rev 0) as the south-east drainage sump. The design of this area reflects this statement with almost the entire Reserve being utilised for drainage. To maximise the amenity of this area it is recommended that bio-retention infrastructure instead be placed throughout the urbanised catchment. Serpentine Road could be upgraded to include a linear median swale to capture and treat frequent events.
<table>
<thead>
<tr>
<th><strong>Applicant's Response:</strong></th>
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<tbody>
<tr>
<td>We have previously noted that we can add an outlet structure to Basin 1 to combine with Basin 2 outlet to increase the outflow. Noting that a central swale will increase the overall width of the road which currently is not fitting in the reserve and is questioned in another request.</td>
</tr>
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<th><strong>Comment:</strong></th>
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<tr>
<td>It is requested that an additional north-south cross-section is included to demonstrate the separation distance from the basin and the adjoining residential lots and how the Serpentine Road interface will be addressed. It is not necessary to extend Serpentine Road into the Freeway noise wall and if the carriageway terminated at the “T” intersection, this possibly enables the road reserve to be landscaped and incorporated into the drainage basin and the existing principle shared use path to the Kwinana Freeway.</td>
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<th><strong>Recommendation:</strong></th>
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<tbody>
<tr>
<td>The Local Water Management Strategy being amended to provide consideration for bioretention infrastructure placed within the urbanised catchment and/ or the Serpentine Road reservation to reduce the amount of drainage discharge in allotted reserves and improve usability of the areas.</td>
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<th><strong>Assessment:</strong></th>
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<tr>
<td>Further details in relation to the extent of the subsoil drainage network are requested. What is the depth to MGL criteria that will be adopted to determine the placement of the road subsoil network within the southern portion of the site? It is recommended that the groundwater management strategy consider the recently released Separation distances for groundwater controlled urban development prepared by the Land Development in Groundwater Constrained Landscape Steering Group (Feb, 2016).</td>
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<tr>
<td>Figure 10 in the report illustrates the proposed location and spatial extent of the subsoil drains in the POS and road reserve. The level criterion for the placement of subsoil has not been fully interrogated for all locations. However, the subsoil will be laid to provide a Controlled Groundwater Level (CGL) for the development which provides a clearance of greater than 1.2 m from the subsoil drain to the finished lot level. The proposed level of the CGL will be done in accordance with Department of Water Policy. This Policy is not relevant to this site unless the City of Rockingham is happy to have only 150mm unsaturated root zone in the turfed area, and then the 50% Annual Exceedance Probability (AEP) phreatic line immediately below this. RPS (the Applicant's consultant) believe this is in conflict with using a larger turfed area to infiltrate larger events and will not be compatible with providing the clearances specified in Adoption Guidelines for Stormwater Biofiltration Systems (CRCWSC, 2015).</td>
</tr>
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<tr>
<td>The Groundwater Separation Guidelines provide groundwater separations appropriate to acceptable levels of risk and amenity of the entire built form, not just the basins and POS. Upon discussions with RPS it is understood that the sewer invert levels have driven the preliminary bulk/civil earthwork levels rather than the depth to MGL. The previous response indicates that the groundwater management design criteria being applied is to provide a minimum clearance of 2m with subsoils to be installed where appropriate.</td>
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<tr>
<th><strong>Recommendation:</strong></th>
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<tr>
<td>The Local Water Management Strategy being amended to outline the approach to ensure adequate separation is maintained between the MGL and the Finished Floor Level (FFL) of the lots. Justification must be in accordance with all current guidelines and Department of Water Policy.</td>
</tr>
</tbody>
</table>
Assessment:
The land use modelling parameters shown in the stormwater basin calculations (Appendix 6) are supported. The City does however consider 80% for residential lot areas to be very conservative. This is accepted for the conceptual stormwater management design in the LWMS but could be reviewed during subdivision in future UWMP(s).

Applicant’s Response:
Noted, but given new RMD codes it is not believed to be overly conservative.

Comment:
Since this comment was raised, the City has been made aware of recent research conducted by JDA Consultant Hydrologists which was presented at the IPWEA State Conference in March 2016. The field investigation concluded that soak well performance can be expressed as an initial loss of 13mm/hr followed by a continuing loss of 32.5mm/hr even in shallow water table conditions.

In light of this research, the City considers an 80% runoff coefficient for Lots >300m2 with soak wells to be overly conservative. Further information is required to demonstrate why the Applicant deems an 80% runoff rate is appropriate.

The City's assessment of the Local Water Management Strategy also identified some modifications, points of clarification and corrections required to be made to the document, the details of which will be forwarded to the WAPC for its consideration.

Recommendation:
The Local Water Management Strategy being amended to provide justification for the cited run-off rate of 80% identified in the documentation.

Landscape Master Plan

Assessment:
The City requires the Landscape Master Plan to include a street tree planting strategy (STPS) for all internal roads to support the structure plan movement network strategy and the Environmental Assessment Report (management measures implemented to support black cockatoo habitat).

Applicant’s Response:
A street tree master plan will be provided at landscape approval through subdivision.

Unclear what the comment on the EAR relates to and if/how is relevant to the Indicative Landscape Master Plan which is subject to detailed design through the subdivision process.

Comment:
It is the City's preference that the STPS be submitted at the structure planning stage to support the road hierarchy cross sections and to demonstrate the Applicant's commitment to the provision of street trees.

The comment regarding the Environmental Assessment Report (EAR) relates to the statement in item 5.4 that ‘street trees species will be chosen with a focus on species that are known habitat for black cockatoos’.

The City's assessment of the Landscape Master Plan also identified some modifications, points of clarification and corrections required to be made to the document, the details of which will be forwarded to the WAPC for its consideration.

Recommendation:
That the Landscape Master Plan be amended to include a street tree planting strategy.
Traffic Impact Assessment

Assessment:
The Traffic Impact Assessment uses a traffic generation rate of 6.7 vehicle trips per dwelling per day which is considered low for a new area with limited public transport accessibility. The RMS Guide to Traffic Generating Developments applies a rate of 9 vehicle trips per dwelling per day for single lots. The difference in using these two rates is approximately 621 vehicle trips per day in total. Therefore, the higher rate is considered more appropriate for a conservative assessment.

Applicant’s Response:
The rate applied through the assessment of traffic for Heritage Park Phase 2 has been based on industry standards and the development surrounding this land. In addition, even if the additional 600 movements were included, this would not alter any of the road classifications.

Comment:
The City remains of the view that the Traffic Impact Assessment should be amended to use a traffic generation rate of 9 vehicle trips per dwelling per day.

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

Recommendation:
The Traffic Impact Assessment being amended to use a traffic generation rate of 9 vehicle trips per dwelling per day.

Conclusion
Following the consideration of the submissions received and the City’s assessment of the Structure Plan proposal, it is recommended that the Council advise the WAPC that the Structure Plan be approved subject to the following:

- The Acoustic Report being amended to include the latest traffic volumes/data sources from Main Roads WA.
- The Structure Plan, Part Two Report and Traffic Impact Assessment being amended to show the proposed extension of Campolina Avenue as a Neighbourhood Connector 'B' road.
- The Structure Plan Map and Report being amended to show the POS in the south-eastern corner as Local Reserve 'Public Purposes – Drainage'.
- That a condition of subdivision approval be imposed requiring the Applicant to prepare a Tree Protection Management Plan for approval by the WAPC and City of Rockingham, with satisfactory arrangements being made for the implementation of the approved plan.
- The Bushfire Management Plan being amended to address the issues raised by the City.
- The Local Water Management Strategy being amended to address the issues raised by the City.
- The Landscape Master Plan being amended to include a street tree planting strategy.
- The Traffic Impact Assessment being amended to use a traffic generation rate of 9 vehicle trips per dwelling per day.

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

Voting Requirements
Simple Majority
Officer Recommendation

That Council **APPROVES** the following recommendations to the Western Australian Planning Commission, with respect to the proposed Structure Plan prepared over Lots 986 and 993 Baldivis and Serpentine Roads, Baldivis:

1. That the proposed Structure Plan be approved subject to the following modifications:
   
   (i) The Acoustic Report being amended to include the latest traffic volumes/data sources from Main Roads WA.
   
   (ii) The Structure Plan, Part Two Report and Traffic Impact Assessment being amended to show the proposed extension of Campolina Avenue as a Neighbourhood Connector ‘B’ road.
   
   (iii) The Structure Plan Map and Report being amended to show the POS in the south-eastern corner as Local Reserve ‘Public Purposes – Drainage’.
   
   (iv) That a condition of subdivision approval be imposed requiring the Applicant to prepare a Tree Protection Management Plan for approval by the Western Australian Planning Commission and City of Rockingham, with satisfactory arrangements being made for the implementation of the approved plan.
   
   (v) The Bushfire Management Plan being amended to address the issues raised by the City.
   
   (vi) The Local Water Management Strategy being amended to address the issues raised by the City.
   
   (vii) The Landscape Master Plan being amended to include a street tree planting strategy.
   
   (viii) The Traffic Impact Assessment being amended to use a traffic generation rate of 9 vehicle trips per dwelling per day.

2. That the advice and recommendations as outlined in this Report be considered by the Western Australian Planning Commission in its determination.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council **APPROVES** the following recommendations to the Western Australian Planning Commission, with respect to the proposed Structure Plan prepared over Lots 986 and 993 Baldivis and Serpentine Roads, Baldivis:

1. That the proposed Structure Plan be approved subject to the following modifications:
   
   (i) The Acoustic Report being amended to include the latest traffic volumes/data sources from Main Roads WA.
   
   (ii) The Structure Plan, Part Two Report and Traffic Impact Assessment being amended to show the proposed extension of Campolina Avenue as a Neighbourhood Connector ‘B’ road.
   
   (iii) The Structure Plan Map and Report being amended to show the POS in the south-eastern corner as Local Reserve ‘Public Purposes – Drainage’.
   
   (iv) That a condition of subdivision approval be imposed requiring the Applicant to prepare a Tree Protection Management Plan for approval by the Western Australian Planning Commission and City of Rockingham, with satisfactory arrangements being made for the implementation of the approved plan.
   
   (v) The Bushfire Management Plan being amended to address the issues raised by the City.
   
   (vi) The Local Water Management Strategy being amended to address the issues raised by the City.
   
   (vii) The Landscape Master Plan being amended to include a street tree planting strategy.
(viii) The Traffic Impact Assessment being amended to use a traffic generation rate of 9 vehicle trips per dwelling per day.

2. That the advice and recommendations as outlined in this Report be considered by the Western Australian Planning Commission in its determination.

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 amending Planning Policy 3.3.19 - Licensed Premises (PP3.3.19), to reflect changes in terminology, legislation and new liquor licence types.

Background

In November 2009, Council adopted PP3.3.19 to reflect the reforms to the Liquor Control Act 1988 and to bring the Council's procedures for assessing applications for Liquor Licenses and the Alcohol Policy into one document.

The Liquor Control Act 1988 regulates the sale, supply and consumption of liquor, the use of premises on which liquor is sold and the services and facilities provided in conjunction with, or ancillary to the sale of liquor in order to minimise harm or ill-health caused to people due to the use of liquor.

In 2010, the Liquor Control Amendment Bill 2010 was introduced, which sought to amend the Liquor Control Act 1988 to establish a new licensing regime for approved managers. The new system sought to provide greater flexibility and allow approved managers to move freely between licensed premises without approval from the licensing authority.
A number of changes have been made to liquor licensing in Western Australia as a result of the Liquor Control Amendment Bill 2010, and since the last review of PP3.3.19, various changes to terminology and legislation and policy have resulted in the need to review and update PP3.3.19 to ensure it is up to date and accurate. These changes form the basis of this report.

Details

The following amendments to PP3.3.19 are proposed:

(a) **Terminology**

(i) The Director of Liquor Licensing has been replaced with the Department of Racing Gaming and Liquor, to reflect the new name of the Department;

(ii) The term 'Council' has been replaced with 'City' where necessary (i.e. City's Solicitor);

(iii) The term 'Department' has been replaced with 'Services' where necessary to reflect the correct name of the City's Planning Services and the Manager, Recreation and Cultural Services;

(iv) The names of zones have been updated to the correct terminology (i.e. Primary Centre Waterfront Village);

(v) The term 'noise' has been replaced with 'acoustic' to reflect the requirement to have a report prepared by an acoustic consultant, and minor changes to the wording of this provision to correct the sentence structure;

(vi) Minor changes to the sentence structure for Section 39 Certificates; and

(vii) Land uses where a licenced premises are discretionary that were previously omitted from PP3.3.19 have been included (i.e. Bed & Breakfast).

(b) **Legislation and Policy**

The following changes are proposed to the names of relevant Legislation and Policy, with the associated terminology used in these documents also amended:

(i) Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)

The Regulations were gazetted on 25 August 2015 and took effect on 19 October 2015, replacing the Town Planning Regulations 1967. PP3.3.20 terminology is amended to be consistent with the Regulations (e.g. 'Development Approval' in lieu of 'Planning Approval').

(ii) The Food Act 2008

The Food Act 2008 was gazetted on the 8th July 2008, with parts 1 and 2 coming into effect immediately and the remainder of the Act coming into effect under the Food Hygiene Regulations 2009. The Food Act 2008 replaces The Food Hygiene Regulations 1993 under the Health Act 1911.

(iii) The Building Act 2011

The Building Act 2011 was gazetted on 11 July 2011 and replaces the Local Government (Miscellaneous Provisions) Act 1960.

(iv) City of Rockingham Temporary Outdoor Events Policy

The City of Rockingham Temporary Outdoor Events has been replaced by the City of Rockingham Outdoor Events Policy, and includes information on when an Outdoor Events Permit may be required from the City and the information required to be lodged for an Occasional Liquor License. This section has been updated to include private events as well as public.

(c) **Liquor Licence Types**

The Department of Racing Gaming and Liquor has introduced two new licence types as follows:

'Tavern - Restricted':

A Tavern Restricted Licence authorises the sale and supply of liquor for consumption on the premises, as opposed to a normal tavern licence which also allows the sale and supply of packaged liquor to patrons for consumption off the licensed premises.
'Producers':
A Producer's Licence purpose is to authorise the sale of liquor that is produced on-site by the licensee. The licensee however, also authorises the sale or supply liquor, other than liquor produced by the licensee if the liquor is consumed ancillary to a meal in a dining area on the licensed premises or for the purpose of comparative tastings.

A Producer's Licence can only be granted to an applicant who is a producer of liquor, or has the intention of becoming a genuine producer of liquor.

**Implications to Consider**

a. **Consultation with the Community**

Under clause 4(1) of the deemed provisions in the Town Planning Scheme No.2 (TPS2), if the local government resolves to amend a Planning Policy, the local government must advertise the proposed amendments to the Policy as follows:

"(i) publish a notice of the proposed Policy in a newspaper circulating in the Scheme area giving details of:

(a) the subject and nature of the proposed amended Policy; and

(b) the objectives of the proposed amended Policy; and

(c) where the proposed amended Policy may be inspected; and

(d) to whom, in what form and during what period submissions in relation to the proposed amended Policy may be made;

(ii) if, in the opinion of the local government, the Policy is inconsistent with any State Planning Policy, give notice of the proposed Policy to the Commission;

(iii) give notice of the proposed Policy in any other way and carry out any other consultation the local government considers appropriate."

Under Clause 4(2), the period for making submissions in relation to a local Planning Policy must not be less than a period of 21 days commencing on the day on which the notice of the Policy is published under subclause (1)(a).

b. **Consultation with Government Agencies**

Nil

c. **Strategic Community Plan**

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

**Aspiration D:** Sustainable Environment

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

d. **Policy**

The amended PP3.3.19 must be advertised in accordance with Clause 4(1) of the deemed provisions of TPS2. The Policy changes to terminology, legislation and the inclusion of new liquor licence types.

e. **Financial**

Nil

f. **Legal and Statutory**

Under the deemed provisions (Local Planning Policies) in TPS2 the Council may prepare, modify or revoke a Planning Policy. If the Council resolves to amend the PP3.3.19, the City is required to publicly advertise the proposed changes for a period of 21 days.
PP3.3.19 is not part of TPS2, and does not bind the Council in respect of any application for development approval, but the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

g. Risk

All Council decisions are subject to risk assessment according to the City’s Risk Framework.

Implications and comment will only be provided for the following assessed risks.

- Customer Service / Project management / Environment: High and Extreme Risks
- Finance / Personal Health and Safety: Medium, High and Extreme Risks

Nil

Comments

Council’s consent is sought to advertise the proposed amendments to PP3.3.19, following which any public submissions will be considered, before referring the matter back to Council for adoption.

The amendments proposed ensure terminology, legislation and licence types within the Policy are correct.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ADOPTS the revised (modifications in bold and red) Planning Policy 3.3.19 - Licenced Premises, for the purpose of public advertising.

Committee Recommendation

Moved Cr Sammels, seconded Cr Whitfield:

That Council ADOPTS the revised (modifications in bold and red) Planning Policy 3.3.19 - Licenced Premises, for the purpose of public advertising:

PLANNING POLICY 3.3.19

LICENCED PREMISES

1. Introduction

The purpose of this Policy is to provide guidance for the assessment and determination of Liquor License Applications and Development Applications within the City of Rockingham.

The Policy also aims to protect the safety and amenity of existing and future residents and business proprietors against alcohol related problems such as anti-social behaviour, violence, property damage, harm and promote the responsible sale and consumption of alcohol.

2. Policy Application

Under the Liquor Control Act 1988, Council approval is required for all new liquor license applications and any alterations to existing licensed premises.

In Town Planning Scheme No.2 (TPS2), clause 4.22 outlines the application requirements for a Licensed Premises and that the Council shall take into account the General and Specific Objectives of TPS2. Clause 67 of the deemed provisions require Council to have regard to any relevant Policy in determining an application for a Licensed Premises.

The Council will have regard to this Policy when assessing applications made for:-

- Section 39 and 40 Certificates under the Liquor Control Act 1988;
- Development Approval under TPS2 for development which may involve a liquor license;
- Assessment of Extended Trading Permit Applications under Section 60 of the Liquor Control Act 1988.

The Council will also have regard to this Policy when considering a request to intervene or raise objections to any licensed premises operating under the requirements of the Liquor Control Act 1988.
TPS2. Table No. 1 – Zoning Table identifies numerous forms of licensed premises as being discretionary uses or prohibited uses according to the relevant Zone. This Policy guides the exercise of the Council’s discretion where the use is permissible, and also assists in identifying preferred locations for licensed premises.

The Council will examine each application for Development Approval in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which liquor is to be distributed and the amenity of adjacent areas that may be affected.

The types of Liquor Licenses and Extended Trading Permits issued by the Department of Racing, Gaming and Liquor, that the Council is concerned with and to which this Policy applies include:

Type of Licenses:
- Restaurant
- Nightclub
- Hotel
- Hotel - Restricted
- Tavern
- Tavern - Restricted
- Producer
- Liquor Store
- Small Bar
- Club
- Club Restricted
- Occasional
- Special Facility
- Casino (Only applicable to Burswood Casino)

Extended Trading Permits:
- Extended Hours
- Liquor Without a Meal (Restaurant)
- Alfresco
- Dining Area
- Permits for One-Off Events

Definitions of each type of license and their permitted trading hours is outlined in Appendix 1.

This Policy should be read in conjunction with the following:
- Health Policy No. 6.6 – Outdoor Eating Facilities in Public Places;
- City of Rockingham - Outdoor Events Policy; and
- City of Rockingham – Local Government Property Local Law (in reference to liquor licenses on private marine vessels).

3. Policy Objectives

The objectives of this Policy are to:

(a) Provide a framework for the assessment and determination of Liquor License Applications, including the issuing Section 39 and 40 certificates under the Liquor Control Act 1988;
(b) Assist the Council in its consideration of applications for Development Approval which involve a liquor license;
(c) Identify appropriate locations for different types of licensed premises;
(d) Protect the safety and amenity of existing and future residents and business proprietors against anti-social behaviour; and
(e) Minimise personal harm or ill health caused to people, or any group, due to excessive consumption of liquor.

4. Policy Statement

4.1 Development Applications

4.1.1 Interpretation

Town Planning Scheme No.2 (TPS2), Table No. 1 – Zoning Table identifies the following licensed premises as discretionary uses in certain zones:

- Club Premises;
- Hotel;
- Motel;
- Night Club;
- Restaurant;
- Bed & Breakfast;
- Reception Centre;
- Public Amusement;
- Cinema/Theatre;
- Exhibition Centre;
- Private Recreation;
- Wildlife Park;
- Tavern; and
- Small Bar.

In accordance with clause 60 of the deemed provisions, Development Approval is required for the establishment, expansion, extension or change to any of the above uses.

Liquor Store falls within the definition of a “Shop” under TPS2. A “Shop” is a permitted use in the Commercial zone and a discretionary use in the Primary Centre City Centre, Primary Centre Waterfront Village and District Town Centre zones.

4.1.2 Application Requirements and Procedure

The requirement for Development Approval for a licensed premises is outlined under clause 60 of the deemed provisions.

Applications for Development Approval shall be made on the form prescribed by the Council, and shall be signed by the owner(s).

In accordance with clause 4.22 of TPS2, unless the Council waives any particular requirement, every application for premises to be licensed under the Liquor Control Act 1988, shall be accompanied by the following:

- A full set of the liquor licensing application papers;
- A full set of the floor, site and elevation plans of the premises;
- Full details as to what conditions are sought to be imposed on the license;
- Details on how the proposed business to be licensed is to be managed; and
- Any other plan or information that the Council may reasonably require to enable the application to be determined.

Note: A Public Interest Assessment (PIA) is to be included in the information provided to the Council. Section 6 and Appendix 5 contain further information on PIA.

The Council also requires the following additional information:

(a) A written submission describing the nature of the proposal (i.e. whether it is intended to be a club premises, hotel, motel, night club, small bar, restaurant or tavern, hours of operation, proposed number of patrons etc); and which includes confirmation that the requirements of this Policy can be achieved.

(b) Any specialist studies that the Council may require the applicant to undertake in support of the application such as an acoustic report from a suitably qualified acoustic consultant.
The information referred to above is in addition to any information and plans required by TPS2.

The payment of an Administration Fee as detailed in the Scale of Fees for Planning Services is also required.

Applications for Development Approval should be lodged with the City’s Planning Services.

4.1.3 Assessment Criteria

In assessing applications for Development Approval, the following matters are to be considered by the Council (in addition to any other relevant considerations under TPS2):

(a) **Location:** Applications will generally not be supported if the proposal is likely to have a significant potential impact upon the amenity of an area or affected neighbouring properties. A significant potential impact includes circumstances in which if the application were granted:

(i) undue offence, annoyance, disturbance or inconvenience to persons who reside or work in the vicinity, or to persons in or travelling to or from an existing or proposed place of public worship, hospital, child care premises or school, would be likely to occur; or

(ii) the amenity, quiet or good order of the locality in which the premises or the proposed premises are, or are to be, situated would in some other manner be lessened.

Licensed premises should generally have an active street front.

(b) **Number of Patrons:** Premises are restricted to maximum patron numbers under the Health (Public Building) Regulations 1992, and those numbers are to be complied with at all times.

(c) **Previous History:** The City will generally review the history of complaints regarding an existing licensed premises when considering an Application for Development Approval for a “Change of Use” or an Extended Trading Permit. In this regard, the City is interested in past complaints regarding noise, vandalism, anti-social behaviour or traffic/parking issues. The City may request the applicant to supply full and complete details of any complaints regarding an existing licensed premises including details of any complaints or prosecutions commenced by the WA Police, the Department of Racing, Gaming and Liquor, the Health Department or Department of Fire and Emergency Services.

(d) **Noise:** To address noise impacts from a proposed licensed premises, the City may require that an applicant submit an acoustic report, prepared by a suitably qualified acoustic consultant (as determined by the City), demonstrating that the noise likely to be emitted from the licensed premises will comply with the Environmental Protection (Noise) Regulations 1997. The report should indicate the likely noise nuisance and what sound attenuation measures will be needed to control noise emissions from the premises in accordance with the requirements of the Environmental Protection (Noise) Regulations 1997.
Note: Where an application for a Hotel, Nightclub, Club Premises or Tavern is proposed within 100 metres of an existing or proposed residential property, the applicant will be required to demonstrate that the proposal complies with the Environmental Protection (Noise) Regulations 1997.

On receipt of the report, the City may require measures to be undertaken via construction, management or other means where necessary to ensure noise is managed in accordance with the Environmental Protection (Noise) Regulations 1997.

(e) **Harm Minimisation:** The applicant will be required to demonstrate that the principles of harm minimisation have been addressed by the lodgement of a House Management Policy, Code of Conduct and Management Plan in accordance with the Department of Racing, Gaming and Liquor Guidelines.

Note: The applicant will be required to address public safety by providing information regarding crowd control, security personnel or security patrol services and external lighting for premises trading past midnight.

Section 5 and Appendix 3 contain further information on harm minimisation.

(f) **Consultation:** Where the Manager, Statutory Planning considers that an Application for Development Approval for a ‘Licensed Premises’ is likely to have a significant potential impact upon the amenity of an area or affected neighbouring properties, the application will be the subject of a process of community consultation in accordance with clause 64 (3) of the deemed provisions and Planning Procedure No. 1.3 - Community Consultation.

Note: Such consultation will include consultation with neighbours, relevant community groups, local police, the Drug and Alcohol Office, Southern Metropolitan Health Services, at the discretion of the Manager, Statutory Planning.

The Council may also give notice or require the applicant to give notice of an application for Development Approval in one or more of the following ways:

(a) Notice of the proposed use or development served on the nearby owners and occupiers who, in the opinion of the Council, are likely to be affected by the granting of Development Approval, stating that submissions may be made to the Council by a specified date being not less than fourteen (14) days from the date the notice is served;

(b) Notice of the proposed use or development published in a newspaper circulating in the Scheme Area stating that submissions may be made to the Council by a specified day being not less than fourteen (14) days from the day the notice is published;

(c) A sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than fourteen (14) days from the date of publication of the notice referred to in paragraph (b) above.

4.1.4 **Conditions of Approval**

The Council may impose any relevant condition(s) on the Development Approval for a Licensed Premises as appropriate. See clause 68 of the deemed provisions.

4.1.5 **Delegation**

Where an application for Development Approval for a licensed premises has been the subject of a process of community consultation and substantiated objections are received, the application for Development Approval will be referred to the Council for determination.

Unless otherwise determined by the Manager, Statutory Planning, all other applications for Development Approval for licensed premises that comply in all respects with the objectives and provisions of this Policy will be determined under delegated authority, pursuant to clause 82 and 83 of the deemed provisions and Planning Procedure 1.1 – Delegated Authority.

Notwithstanding the above, applications for planning approval for the following licensed premises will be referred to the Council for determination:-

- Nightclub;
- Hotel; and
- Club Premises.
With the exception of within the Primary Centre City Centre, Primary Centre Waterfront Village and District Town Centre zones, all applications for Development Approval for a Tavern will also be referred to the Council for determination.

4.2 **Section 40 Certificate**

4.2.1 **Interpretation**

A Section 40 Certificate confirms that the proposed use of the premises:
- Will comply with the requirements of the relevant planning laws (i.e., Town Planning Scheme); or
- Would comply with the requirements specified if consent were to be given by a specific authority (i.e., Council), if it is known whether that authority will give the consent and what specified conditions or specifications should be, or are likely to be, imposed;
- Cannot comply with the relevant planning laws for reasons specified.

Appendix 1 contains the definitions and permitted trading hours for each type of Liquor License under the Liquor Control Act 1988.

4.2.2 **Application Requirements and Procedure**

Section 40 of the Liquor Control Act 1988 requires that any applications made to the licensing authority (the Liquor Commission and the Director of Liquor Licensing) for:
- the grant or removal of a license;
- or for a change in the use or condition of any premises must be accompanied by a certificate from the Local Government.

In accordance with clause 4.22 of TPS2, an application for a Section 40 Certificate must be accompanied by the following information:
- A full set of the liquor licensing application papers;
- A full set of the floor, site and elevation plans of the premises;
- Full details as to what conditions are sought to be imposed on the license;
- Details on how the proposed business is to be managed;
- Any other plan or information that the Council may reasonably require to enable the application to be determined; and
- The payment of an Administration Fee as detailed in the Scale of Fees for Planning Services.

Note: A Public Interest Assessment (PIA) is to be included in the information provided to the Council. Section 6 and Appendix 5 contain further information on PIA.

All Section 40 Certificate applications are required to be lodged with the City's Planning Services.

4.2.3 **Assessment Criteria**

In addition to the Assessment Criteria outlined in section 4.1.1 – 'Development Applications' of this Policy, the following will also be taken into consideration when assessing a Section 40 Certificate application:

(a) **Consistency with Development Approval**: Ensure compliance with conditions that have been placed on a Development Approval (if appropriate). Particular note should be made of the approved size of the license premises under the Development Approval and the proposed licensed area requested under the Section 40 Certificate.

In circumstances where a Liquor License is being sought for premises which have been issued with Development Approval but remain unconstructed, the Council has the ability to issue the Section 40 Certificate, whether it be conditional or unconditional.

(b) **Consultation**: Where the Manager, Statutory Planning considers that an application for Section 40 Certificate for a ‘Licensed Premises’ is likely to have a significant potential impact upon the amenity of an area or affected neighbouring properties, the application will be the subject of a process of community consultation.
Note: Such consultation will include consultation with neighbours, relevant community groups, local police, the Drug and Alcohol Office, Southern Metropolitan Health Services, at the discretion of the Manager, Statutory Planning.

The Council may also give notice or require the applicant to give notice of an application for a Section 40 Certificate in one or more of the following ways:

(a) Notice of the proposed use or development served on the nearby owners and occupiers who, in the opinion of the Council, are likely to be affected by the granting of the Section 40 Certificate, stating that submissions may be made to the Council by a specified date being not less than fourteen (14) days from the date the notice is served;

(b) Notice of the proposed use or development published in a newspaper circulating in the Local Government Area stating that submissions may be made to the Council by a specified day being not less than fourteen (14) days from the day the notice is published;

(c) A sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than fourteen (14) days from the date of publication of the notice referred to in paragraph (b) above.

4.2.4 Conditions of Approval

The Liquor Control Act 1988 gives the Council the ability to oppose or seek conditions on a license by objecting or intervening in particular licensing matters.

Condition/s on the Section 40 Certificate may indicate that the Council's support of the Liquor License application is conditional upon certain requirements being complied with and/or acknowledged. These conditions may or may not coincide with specific conditions of the Development Approval (if applicable) and will normally be structured such that the amenity of the surrounding area is respected.

The Department of Racing, Gaming and Liquor can impose any conditions on a license that are considered to be in the public interest. This can be done as a result of an application by a licensee, at the Director's own will, or at the request of a liquor accord.

A condition may include a limitation, restriction, prohibition or an authorisation on any license or permit. A condition can relate to any aspect of business carried out under the license, or any activity that takes place at the licensed premises.

Appendix 4 contains a list of issues that the Department of Racing, Gaming and Liquor can address through conditions. These conditions are a guide only. The Council may request other relevant conditions as it sees fit.

4.2.5 Delegation

Where an application for Section 40 Certificate for a licensed premises has been the subject of a process of community consultation and substantial objections are received, the Section 40 Certificate application will be referred to the Council for determination.

Where a Section 40 Certificate application is consistent with a Development Approval (where applicable), and/or complies in all respects with the objectives and provisions of this Policy, it will be determined under delegated authority by the Manager, Statutory Planning. Prior to doing so, legal advice on the content of the Section 40 Certificate may be sought.

In circumstances where a Liquor License is being sought for premises which has been issued with Development Approval but remains unconstructed, the Council has the ability to issue the Section 40 Certificate, whether it be conditional or unconditional.

4.3 Section 39 Certificate

4.3.1 Interpretation

A Section 39 Certificate confirms that the premises comply/s with all relevant requirements of:

- the Health Act 1911;
- the Food Act 2008;
- any written law applying to the sewerage or drainage of those premises;
- the Local Government Act 1995; and
The Section 39 Certificate can also state the manner in which a premises can be made to comply with the relevant requirements or that the premises could not reasonably be made to comply.

4.3.2 Application Requirements and Procedure
Section 39 of the Liquor Control Act 1988 requires that any applications made to the licensing authority (the Liquor Commission and the Department of Racing, Gaming and Liquor) for:
- the grant or removal of a license
- or for a change in the use or condition
of any premises must be accompanied by a certificate from the Local Government.

Applicants are required to submit the application form and pay the prescribed fees to the City's Health Services.

4.3.3 Assessment Criteria
A Section 39 Certificate is issued when the premises complies or can be made to comply with the relevant Acts and legislation. If the premises has outstanding work to be completed, the Certificate may be withheld until the work is finished. If the premises cannot be made to comply with the legislation, the applicant will be given a written explanation.

4.3.4 Conditions of Approval
As with Section 40 Certificates, the Liquor Control Act gives the Council the ability to seek conditions be placed on the Section 39 Certificate that requirements be complied with and/or acknowledged.

Appendix 4 contains a list of conditions of approval that the Department of Racing, Gaming and Liquor can apply. These conditions are a guide only. The Council may request other relevant conditions as it sees fit.

4.3.5 Delegation
Upon the issue of a Section 40 Certificate, the Section 39 Certificate will be issued concurrently (if appropriate). All Section 39 Certificates will be issued by the Manager, Health Services under Delegated Authority.

A Section 39 Certificate cannot be issued if a premises has not been constructed (although Development Approval and a Section 40 Certificate have been issued) given that compliance with the various legislative requirements cannot be confirmed until construction of the premises is completed.

4.4 Extended Trading Permits
4.4.1 Interpretation
An Extended Trading Permit may be granted to licensees who hold an existing liquor license to enable them to operate outside of the normal constraints of their license conditions.

There are two types of Extended Trading Permits:
- Short term or one off; and
- Ongoing or indefinite.

The following proposals require an Extended Trading Permit:-
- Extended hours;
- Liquor without a meal (restaurant);
- Alfresco;
- Dining Area; and
- Permits for one-off events.

A definition of each type of Extended Trading Permit and further information is contained in Appendix 2.

4.4.2 Application Requirements and Procedure
All applications for Extended Trading Permits are lodged with the Department of Racing, Gaming and Liquor who forwards a copy to the Council for consideration.
The City's Planning Services will issue a Section 40 Certificate for all Extended Trading Permit applications.

A Section 39 Certificate is only required in certain circumstances in relation to Extended Trading Permit applications. For example, if there is an increase or change to the kitchen and for new alfresco dining areas.

4.4.3 Assessment Criteria

In addition to the Assessment Criteria outlined in section 4.1.1 – Development Applications of this Policy, the following will also be taken into consideration when assessing an Extended Trading Permit application:

(a) **Hours of Operation:** When considering an Extended Trading Permit, the Council is unlikely to support those premises which have the potential to cause undue offence, annoyance, disturbance or inconvenience to residents and/or business proprietors located in the vicinity of the licensed premises or where the amenity, quiet or good order of the locality in which the premises are situated would in some other manner be lessened.

   **Note:** Late operating hours can contribute to irresponsible consumption of alcohol and lead to anti-social behaviour, particularly upon leaving licensed premises which in turn impacts on the amenity of others, including other patrons, residents and business operators and their customers.

(b) **Consultation:** The Council may undertake consultation with the owners and occupiers of residential premises and businesses within a radius or a location of potential impact as determined by the Council. The Council may also undertake consultation with the local Police, the Drug and Alcohol Office and the Southern Metropolitan Health Services. A copy of all written submissions received in response to this consultation shall be forwarded to the Department of Racing, Gaming and Liquor.

   **Note:** Council may also give notice or require the applicant to give notice of an application for a Section 40 Certificate – Extended Trading Permit in one or more of the following ways:

   (a) Notice of the proposed use or development served on the nearby owners and occupiers who, in the opinion of the Council, are likely to be affected by the granting of the Section 40 Certificate, stating that submissions may be made to the Council by a specified date being not less than fourteen (14) days from the date the notice is served;

   (b) Notice of the proposed use or development published in a newspaper circulating in the Local Government Area stating that submissions may be made to the Council by a specified day being not less than fourteen (14) days from the day the notice is published;

   (c) A sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than fourteen (14) days from the date of publication of the notice referred to in paragraph (b) above.

(c) **Alfresco:** Where an Extended Trading Permit/s is sought for an alfresco dining area on the footpath, consideration is to be given to Health Policy No. 6.6 – Outdoor Eating Facilities in Public Places.

4.4.4 Conditions of Approval

The Liquor Control Act 1988 gives Council the ability to seek that conditions be placed on a Section 40 Certificate that requirements be complied with and/or acknowledged.

Appendix 4 contains a list of issues that the Department of Racing, Gaming and Liquor can address through conditions. These conditions are a guide only. The Council may request other relevant conditions as it sees fit.

4.4.5 Delegation

Where an application for Section 40 Certificate for a licensed premises has been the subject of a process of community consultation and substantial objections are received, the Section 40 Certificate application will be referred to the Council for determination.

Where a Section 40 Certificate application is consistent with a Development Approval (where applicable), and/or complies in all respects with the objectives and provisions of this Policy, it will be determined under delegated authority by the Manager, Statutory Planning. Prior to doing so, legal advice on the content of the Section 40 Certificate may be sought.
Unless otherwise determined by the Manager, Health Services, all responses relating to proposed Extending Trading Permits requiring Section 39 certificates will be referred to the Council for consideration.

4.5 Occasional Liquor Licenses for Events on Council Public Reserves, Beaches and Public Open Space

4.5.1 Interpretation

Events to be held on reserves, beaches or public open space that must be approved by the City.

An Occasional Liquor License may be required when a gathering, occasion or event, including a sporting contest, show, exhibition, trade or other fair or reception is proposed.

An Occasional Liquor License can be granted for a function being held over a few hours or a number of days. Each license, however, cannot cover a period of more than 21 days between the start of the first function and the end of the last function.

The City will generally not support having alcohol available for sale at public or private events or supplied or consumed on or around Council owned or managed property, such as:

- Road reserves;
- Parks;
- Beach areas; or
- Designated open spaces;

except for occasions or events where approval has been granted by the City and a license to serve alcohol has been obtained from the Department of Racing, Gaming and Liquor.

4.5.2 Application Requirements and Procedure

All applications for Occasional Liquor Licenses are lodged with the Director of Racing, Gaming and Liquor or with the Managing Registrar at the local court.

A letter of consent from the City must accompany the Occasional Liquor Licence application.

The following information is required to be lodged with the City to receive a letter of consent:

- A site plan indicating the size and location of the proposed licensed area;
- A House Management Policy, Code of Conduct and Management Plan (see Appendix 3);
- The event organiser shall have applied for a Public Building Approval, and have submitted an Emergency Evacuation Plan incorporating a Risk Management Plan.
- A copy of any conditions imposed or sought to be imposed by the WA Police in relation to the event.

An Outdoor Events Permit may also be required from the City. Please refer to the City’s Outdoor Events Policy for further information.

Note: The City’s Outdoor Events Policy defines an event as any outdoor festival, concert or entertainment activity or any event defined as a public building under the Health Act 1911. These events require a Public Building Approval. It is the responsibility of the event organiser to ensure all relevant approvals have been obtained from the City and other approving agencies.

4.5.3 Assessment Criteria

In providing a letter of consent for an Occasional Liquor License application, the Council will consider the nature of the event, venue, social aspects, public safety and any other matters it feels are appropriate.

4.5.4 Conditions

The Liquor Control Act 1988 gives the Council the ability to seek conditions be placed on the Occasional Liquor License that requirements be complied with and/or acknowledged.

In addition to those issues listed in Appendix 4, the following requirements may be requested to apply to the Liquor License:

- The availability of alcohol at the event should be ancillary to the event and not the main reason for it;
The licensee will promote the consumption of non-alcoholic and low alcohol beverages. Coffee, tea and soft drinks should be available throughout the event. The bar shall be closed if for any reason low alcohol beverages and/or tea and coffee become unavailable;

Water shall be available free of charge to all patrons within the licensed area;

The pricing of alcoholic drinks should have a relationship to the alcohol content of the beverage;

Competitions that involve the actual consumption of alcohol will not be permitted;

The licensee and staff serving shall have a full understanding of their responsibilities and obligations when serving alcohol;

The liquor license is to apply for the same or lesser period as the event. Applications for liquor licenses are likely to be opposed by the Council if they are greater than 10 hours duration or apply after the conclusion of the event. The Council may insist on a requirement for the licensee to incorporate a period where liquor sales are suspended to enable patrons to consume food or other refreshments.

4.5.5 Delegation
A letter of consent from the City will be provided by the Manager, Recreation and Cultural Services under Delegated Authority.

4.6 Special Facility Liquor Licenses on Private Marine Vessels
4.6.1 Interpretation
A Special Facility License may be granted for the purpose of allowing the sale of liquor to passengers and their guests on a private marine vessel.

4.6.2 Application Requirements and Procedure
A Section 40 Certificate is required (see section 4.1.2 – Section 40 Certificate of this Policy for requirements to obtain this Certificate).

4.6.3 Assessment Criteria
In addition to the Assessment Criteria for Section 40 Certificates outlined in 4.1.2, the following will also be taken into consideration when assessing a Special Facility Licence:

Consent may be required from the Council for the use of a jetty for the operation of any ferry/charter services. Consideration is to be given to Part 7 – Jetties of the City of Rockingham – Local Government Property Local Law;

Consideration should be given to carparking for those who intended to board the vessel. This issue should be addressed at the time of considering the operation of any ferry/charter service.

Note: Moorings and jetties are located on a reservation for 'Waterways' under the Metropolitan Region Scheme; the mooring and jetty, however, lie outside the jurisdiction of the City's TPS. Notwithstanding, the Department of Racing, Gaming and Liquor has advised that if a vessel is docked at a jetty, licensed by the Council, a Section 40 Certificate is still required from the Council.

4.6.4 Conditions
The Liquor Control Act 1988 gives the Council the ability to seek that conditions be placed on the Section 40 Certificate that requirements be complied with and/or acknowledged.

4.6.5 Delegation
Where a Section 40 Certificate application is consistent with a Development Approval (where applicable), and/or complies in all respects with the objectives and provisions of this Policy, it will be determined under delegated authority by the Manager, Statutory Planning. Prior to doing so, legal advice on the content of the Section 40 Certificate may be sought.

5. Harm Minimisation
One of the primary objects under section 5(1) of the Liquor Control Act (the Act) is “to minimise harm or ill health caused to people, or any group of people, due to the use of liquor”.

Section 64(3) of the Act also empowers the licensing authority to impose conditions on a licence that are in the public interest and reflect local issues. Those conditions are primarily aimed at ensuring that liquor is sold and consumed in a responsible manner.
In view of these legislative requirements, there is a need for licensees to demonstrate a strong commitment to the way in which their premises are being managed. For this reason, applicants and licensees under the Act need to demonstrate to the licensing authority that:

- Liquor will be sold and consumed in a responsible manner; and
- Harm or ill health caused to people or any group of people, due to the use of liquor will be minimised.

Accordingly, on the lodgement of any application under the Act (except where the application relates to wholesalers and occasional licences) the applicant will not only be required to meet the statutory requirements in respect of the application, but will also be required to address the principles of harm minimisation.

Applicants will be required to lodge with their application a copy of the premises’ House Management Policy, Code of Conduct, and Management Plan.

Note: The Council is particularly interested in how the licensees addresses such issues as:

- How patrons are encouraged to respect the rights of neighbours and not to disturb the amenity of the local area; and
- The procedures in place to respond to complaints about the premises.

Appendix 3 contains a copy of the Department of Racing, Gaming and Liquor – Harm Minimisation Policy.

6. Public Interest Assessment

Applications for new liquor licenses, the removal of existing licenses, and applications for permits such as “Liquor without a meal” permits and “on-going hours” (extended trading) permits, must be accompanied by a Public Interest Assessment (PIA).

The purpose of the PIA is based on the principle that all licensed premises operate within the “public interest” of the affected individual community/s.

To satisfy the PIA test, an applicant will need to consider and find solutions to any negative impact that may be suffered by sections of the community through the operation of their licensed premises.

The following factors are taken into consideration as part of the PIA:

- The harm, or ill-health that may be caused to people from the use of liquor;
- The impact on the amenity of the locality where the licensed premises, or proposed licensed premises, is situated;
- Whether offence, annoyance, disturbance or inconvenience might be caused to people who live or work in the vicinity; and
- Any other matters stipulated in the Liquor Control Regulations 1988.

Applicants can complete their own PIA by following the guidelines provided within the Department of Racing, Gaming and Liquor – Public Interest Assessment Policy contained in Appendix 5.

7. Managing Complaints / Advocacy

7.1 Intervention

Section 69 of the Act allows the Commissioner of Police, Executive Director Public Health and Local Government Authorities the right to intervene in proceedings and make representations to the licensing authority on limited matters.

The Council may intervene in proceedings before the licensing authority and introduce evidence or make presentations to outline whether a premises is suitable for a liquor license; whether an alteration or redefinition of a premises should be approved; or whether people who work or live in the vicinity of a premises would be impacted upon negatively.

The Council can also intervene in proceedings to supply information relating to legislation and regulations within its jurisdiction.

Examples of grounds for intervention may include:

- The building is not safe according to the Public Building Regulations or Building Code of Australia;
- The location of the building is not suitable according to zoning requirements under the Town Planning Scheme;
- The building is not equipped to cater for the license. For example, there is not adequate
sound proofing to ensure that noise from the premises will be contained and that surrounding businesses or residents will not be adversely affected;
- Complaints or concerns have been raised by nearby residents, schools, hospitals, businesses and community groups;
- Submission letters of concern from residents or businesses in the affected area; and
- Data from community safety surveys that outline community concerns about the license or other licenses in the area.

Interventions are usually provided in the form of a report to the Licensing Authority.

7.2 Objections
Any person, including the Council, has the ability to object to any application for a license, as outlined in Section 73 (1) of the Act.

The general grounds for objection are:
- The granting of the licenses would not be in the public interest;
- The granting of the license would cause undue harm or ill health to people, of any other group of people, due to the use of liquor;
- If the license was granted, undue offence, annoyance, disturbance or inconvenience would likely occur to people who reside or work in the vicinity, or to people in or travelling to an existing or proposed place of worship, hospital or school;
- That if the license was granted, the amenity, quiet or good order of the locality in which the premises is, or will be, would in some way be lessened; and
- That the granting of the license would contravene that Liquor Control Act.

The Department of Racing, Gaming and Liquor requires that objections are lodged using a Form 17 – Notice of Objection. The form requires that the objector documents the grounds for objection and the particulars in support of each ground.

7.3 Process for Dealing With Complaints
Should complaints be received or the Council otherwise became aware of issues, the Council will undertake an assessment of the situation and determine if intervention is required.

Intervention may include:
- Conducting discussions with the licensee;
- Lodging an intervention or objection with the Department of Racing, Gaming and Liquor.

If a complaint is to be lodged with the Department of Racing, Gaming and Liquor, the following procedure shall be followed:
- The objectors shall elect a committee of not more than six people which will include a minimum of one Councillor;
- This committee must elect a spokesperson to liaise with the Council;
- The Council will nominate an officer to deal with the matter;
- All contact between the Committee and City's solicitor (if a solicitor is instructed) must be via the nominated City Officer;
- If the City Officer is invited to attend a committee meeting, the City’s solicitor can also be invited at the officer’s discretion;
- If the Committee decides to proceed against the City Officer/solicitor’s advice, the complaint will be referred back to the Council for resolution.

Residents or other license holders, are able to object to liquor license applications according to the grounds set out in Section 74 (1) of the Act.

8. Authority
This Planning Policy has been adopted by the Council and whilst it is not part of TPS2 and does not bind the Council in respect of any application for Development Approval, the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 NOVEMBER 2016

PRESIDING MEMBER

Note: Those aspects of this Planning Policy requiring the planning approval of the Council have been adopted under **clause 4 of the deemed provisions.**

9. Interpretations

For the purposes of this Policy, the following terms shall have the same meaning as in the Liquor Control Act 1988 (as amended):

**Liquor Control Act:** Western Australia’s liquor law which regulates the sale, supply and consumption of liquor, the use of premises on which liquor is sold, and the services and facilities provided in conjunction with the sale of liquor.

**Section 39 Certificate:** A Section 39 Certificate confirms that the premises comply/s with all relevant requirements of:
- the Health Act 1911;
- the Food Act 2008;
- any written law applying to the sewerage or drainage of those premises;
- the Local Government Act 1995; and
- the Building Act 2011.

The Section 39 Certificate can also state the manner in which a premises can be made to comply with the relevant requirements or that the premises could not reasonably be made to comply.

**Section 40 Certificate:** A Section 40 Certificate confirms that the proposed use of the premises:
- will comply with the requirements of the relevant planning laws (i.e. Town Planning Scheme); or
- would comply with the requirements specified if consent were to be given by a specific authority (i.e., the Council), if it is known whether that authority will give the consent and what specified conditions or specifications should be, or are likely to be, imposed.

The Section 40 Certificate can also state that the premises would not comply for reasons specified.

**House Management Policy:** A policy that comprises a generic statement of intent about the way in which the licensee wishes to operate the premises. It should be supported by the Code of Conduct and the more detailed Management Plan. See Appendix 3 – Department of Racing, Gaming and Liquor – Harm Minimisation Policy.

**Public Interest:** an interest in common to the public at large or a significant portion of the public which may, or may not involve the personal or proprietary rights of individual people.

For the purposes of this Policy, the following term shall have the following meaning as in Town Planning Scheme No.2:

**Council:** means the Council of the City of Rockingham.

For the purposes of this Policy, the following other term shall have the following meaning:

**Deemed Provisions:** means the Schedule 2 - Deemed Provisions for local planning schemes in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015.

10. Adoption

This Policy was adopted by the Council at its ordinary Meeting held on the _____.

11. Amendment

This Planning Policy was amended by the Council at its ordinary Meeting held on the _____.

12. Revocation

This Policy supersedes the Council’s Alcohol Policy and the Council’s Procedures for Assessing Applications for Liquor Licenses.

Appendices

1. Definitions and Permitted Trading Hours
2. Extended Trading Permits
3. Department of Racing, Gaming and Liquor – Harm Minimisation Policy
4. Conditions of Approval

5. Department of Racing, Gaming and Liquor – Public Interest Assessment

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### Purpose of Report


### Background

In March 2009, Council adopted PP3.3.20 which provides for alternative acceptable development provisions to the R-Codes.

In March 2011, Council amended PP3.3.20 to include additional alternative acceptable development provisions for ‘Buildings up to a Boundary’ for lots coded R30 and above and a new design element for 'Interaction with Public Spaces'.

### Details

In August 2016, Council resolved to approve the amendment. The following amendments to PP3.3.20 for public comment. At the conclusion of the advertising period, no submissions had been received.
Implications to Consider

a. Consultation with the Community
The draft PP3.3.20 was advertised for a period of 21 days commencing on 26 August 2016 and expiring on 16 September 2016. Public advertising was carried out in the following manner:
- Notice was placed in the Sound Telegraph on 10, 17 and 24 June 2015.
- Public information was placed on the City’s website giving formal notice of the proposed Policy changes.
Advertising was undertaken in accordance with the requirements of clause 5 of the deemed provisions of Town Planning Scheme No. 2. (TPS2).
Upon the close of the submission period, no submissions had been received.

b. Consultation with Government Agencies
Nil

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

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

d. Policy
The Policy changes include operational improvements to the Policy measures.

e. Financial
Nil

f. Legal and Statutory
Planning and Development (Local Planning Schemes) Regulations 2015
Under the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations) deemed provisions, the Council may prepare, modify or revoke a Local Planning Policy.
PP3.3.20 is not part of TPS2, and does not bind the Council in respect of any application for development approval, but the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

g. Risk
All Council decisions are subject to risk assessment according to the City's Risk Framework.
Implications and comment will only be provided for the following assessed risks.

Customer Service / Project management / Environment: High and Extreme Risks
Finance / Personal Health and Safety: Medium, High and Extreme Risks
Nil

Comments
The proposed amendments to PP3.3.20 will ensure the terminology and provisions of the Policy are consistent with the amended R-Codes and the Regulations. The provisions relating to secondary street setbacks and outbuildings will also be amended to allow greater flexibility and the design element relating to ‘Interaction with Public Spaces’ will be removed. As no submissions were received on the revised PP3.3.20, it is recommended that Council adopt revised PP3.3.20.

Voting Requirements
Simple Majority
Officer Recommendation

That Council ADOPT the revised (modifications in bold and red) Planning Policy 3.3.20 Residential Design Codes Alternative Deemed-to-Comply Provisions, pursuant to clause 5(2) the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations) deemed provisions.

Committee Recommendation

Moved Cr Sammels, seconded Cr Whitfield:

That Council ADOPT the revised (modifications in bold and red) Planning Policy 3.3.20 Residential Design Codes Alternative Deemed-to-Comply Provisions, pursuant to clause 5(2) the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations) deemed provisions:

PLANNING POLICY 3.3.20

RESIDENTIAL DESIGN CODES - ALTERNATIVE ACCEPTABLE DEEMED-TO-COMPLY PROVISIONS

1. Introduction

The City of Rockingham Town Planning Scheme No.2 requires that unless otherwise provided for in the Scheme, all residential development is to be dealt with by the Residential Design Codes ("R-Codes") and is to conform with the R-Codes.

The purpose of this Planning Policy is to set out the objectives and policy provisions which the 'Council' shall have regard to in the assessment and determination of applications for Development Approval and/or a Building Permit, that seek to apply the 'Design Principles' of the R-Codes.

2. Background

The R-Codes incorporate a performance-oriented approach, which includes 'deemed-to-comply' provisions and 'design principles'. For instances where a proposal does not comply with the 'deemed-to-comply' provisions, a proposal may be approved if the relevant 'design principles' are satisfied. Design Principles provide different ways of achieving acceptable design outcomes, if consistent with the objectives of the R-Codes.

3. Policy Application

This Policy:

(a) varies certain Deemed-to-Comply provisions applying to all residential development to which the R-Codes apply;

(b) augments the R-Codes by providing additional Deemed-to-Comply provisions; and

(c) does not exempt compliance with other requirements of the R-Codes, the City of Rockingham Town Planning Scheme No. 2, other City Policies and the Building Code of Australia.

Any variations to the Deemed-to-Comply requirements of the R-Codes will be dealt with in the assessment of an application for a Building Permit and applications for Development Approval.

This Planning Policy complies with the scope of Local Planning Policies that may vary or replace the Deemed-to-Comply provisions set out in Part 5 of the R-Codes.

Planning Policy No.3.3.22 - Medium-Density Single House Development Standards - Development Zones (R-MD Codes) outlines acceptable variations to the Residential Design Codes (R-Codes) for medium-density Single Houses in Development Zones. This Planning Policy 3.3.20 does not apply to areas where the R-MD Codes are included in approved Structure Plans, as shown in Appendix 2 of Planning Policy 3.3.22.

4. Policy Objective

The objectives of this Planning Policy are as follows:

(a) To promote the orderly and proper development of land by making suitable provisions relating to the design and siting of residential development.

(b) To secure the privacy and amenity of the locality through appropriate development requirements.
(c) To vary the **Deemed-to-Comply** provisions of the R-Codes and augment the R-Codes by providing additional variations in the circumstances described in the policy statement.

5. **Policy Statement**

5.1 Where a proposal meets as relevant the following alternative **Deemed-to-Comply** provisions, the City will consider the **Design Principles** relating to that aspect of the development under the R-Codes as being satisfied, without the need for consultation with adjoining/adjacent owners.

5.2 Where a proposal for a Single House or two Grouped Dwellings, including any outbuildings meets the additional **Deemed-to-Comply** provisions of this policy, and/or the **Deemed-to-Comply** provisions of the R-Codes, the proposal will not require Development Approval (clause 6.1.2(c) of TPS2).

5.3 Where a proposal as relevant does not meet all of the following alternative **Deemed-to-Comply** provisions, the City will consider the proposal at its discretion, in accordance with the relevant **Design Principles** under the R-Codes, having regard to Clause 2.5.1 of the R-Codes.

5.4 **Design Element 5.1.2, C2.2 and Table 1- Secondary Street Setbacks**

<table>
<thead>
<tr>
<th>Existing Deemed-to-Comply provisions:</th>
<th>Alternative Deemed-to-Comply provisions:</th>
</tr>
</thead>
<tbody>
<tr>
<td>In areas coded R15 – R35, buildings set back 1.5m from the secondary street boundary.</td>
<td>For Grouped Dwellings and Single Houses in areas coded R15 and higher, flat roofed and pitched roofed patios and carports with wall lengths not exceeding 9.0m and wall heights not exceeding 2.7m may be setback a minimum of 0.5m from the secondary street boundary. Eaves not to project into the 0.5m setback.</td>
</tr>
<tr>
<td><strong>In areas coded R40 and higher, buildings setback 1m from the secondary street boundary.</strong></td>
<td></td>
</tr>
</tbody>
</table>

5.5 **Design Element 5.1.3, C3.2- Building up to a Lot Boundary**

<table>
<thead>
<tr>
<th>Existing Deemed-to-Comply provisions:</th>
<th>Alternative Deemed-to-Comply provisions:</th>
</tr>
</thead>
<tbody>
<tr>
<td>In areas coded R20 and R25, walls built up to a lot boundary behind the street setback line. The street setback line in areas coded R20 and R25 is 6m from the primary street.</td>
<td>In areas coded R20 and R25, garage walls may be built up to a lot boundary, a minimum of 4.5m from the primary street.</td>
</tr>
</tbody>
</table>

5.6 **Design Element 5.1.3 - Buildings up to a Lot Boundary**

**Note:** *The term 'up to a lot boundary' means a wall, on or less than 600mm, from any lot boundary, other than a street boundary.*

<table>
<thead>
<tr>
<th>Existing Deemed-to-Comply provisions:</th>
<th>Alternative Deemed-to-Comply provisions:</th>
</tr>
</thead>
<tbody>
<tr>
<td>In areas coded R20 and above, walls not higher than 3.5m with an average height of 3m or less, up to a maximum length of the greater of 9m or one-third the length of the balance of the lot boundary behind the front setback, to one side boundary only.</td>
<td>In areas coded R20 and R25, walls not higher than 3.5m with an average height of 3m or less, up to a maximum length of the greater of 9m or one-third the length of the balance of the lot boundary behind the front setback, to one side boundary.</td>
</tr>
<tr>
<td>In areas coded R30 and higher, walls not higher than 3.5m with an average height of 3m for two-thirds the length of the balance of the lot boundary behind the front setback, to one side boundary only.</td>
<td>In areas coded R30 and higher, walls not higher than 3.5m with an average height of 3m for two-thirds the length of the balance of the lot boundary behind the front setback, to one side boundary.</td>
</tr>
</tbody>
</table>

5.7 **Design Element 5.4.3 - Outbuildings**

<table>
<thead>
<tr>
<th>Existing Deemed-to-Comply provisions:</th>
<th>Alternative Deemed-to-Comply provisions:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Collectively do not exceed 60m² or 10 percent in aggregate of the site area, whichever is lesser.

Do not exceed a wall height of 2.4m

Are not within the primary or secondary street setback area and are setback in accordance with Tables 2a and 2b.

In areas coded R5 to R25, collectively do not exceed 75m².

Do not exceed a wall height of 2.7m.

Are not within the primary or secondary street setback area.

Walls may be built up to a lot boundary behind the street setback, not higher than 2.7m up to a maximum length of the greater of 9m or one-third the length of the balance of the lot boundary behind the front setback, to two boundaries.

6. Application Procedure

Where an application for Development Approval or an application for a Building Permit complies with this policy, an R-Codes approval application form is not required.

7. Authority

This Planning Policy has been adopted by the Council under Clause 4 of the deemed provisions in the Regulations and whilst it is not part of the Town Planning Scheme No.2 and does not bind the Council in respect of any application for Development Approval, the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

8. Interpretations

For the purposes of this Planning Policy, the following terms shall have the same meaning as in Town Planning Scheme No.2:

Council means the Council of the City of Rockingham.

Residential Design Codes (R-Codes) means State Planning Policy 3.1 Residential Design Codes, as amended from time to time.

For the purposes of this Planning Policy, the following term shall have the same meaning as in the Residential Design Codes:

Deemed-to-Comply means a proposal, or a component of a proposal, that complies with the Deemed-to-Comply provisions of the R-Codes, or an adopted local planning policy.

Buildings up to a Lot Boundary means a wall, on or less than 600mm, from any lot boundary, other than a street boundary.

Garage means any roofed structure, other than a carport, designed to accommodate one or more motor vehicles and attached to the dwelling.

Outbuilding means an enclosed non-habitable structure that is detached from any dwelling.

Design Principles means specific design objectives for each element of the R-Codes which are to be met by all residential development in Western Australia and are to be used in the preparation, submission and assessment of proposals for the purpose of determining their compliance with the R-Codes. A proposal is required to demonstrate compliance with Design Principles where it does not satisfy the corresponding Deemed-to-Comply provisions.

9. Consultation

Consultation with neighbours is not required where an application complies with this policy.

10. Delegation

Applications for a Single House or two Grouped Dwellings that comply in all respects with the objectives and provisions of the Planning Policy are Codes Approval exempt and will be determined under delegated authority, pursuant to the Delegated Authority Register.

11. Adoption

This Planning Policy was originally adopted by the Council at its ordinary Meeting held on 24 March 2009.
12. Amendment
This Planning Policy was amended by the Council at its ordinary Meeting held on 22 March 2011 and ____________.

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-071/16 Proposed Building Envelope Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD024.2016.00000010.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Charles and Mrs Tamala Bosveld</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr Charles and Mrs Tamala Bosveld</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Keara Freeley, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr David 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 October 2016</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>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1025 Gaze Grove, Golden Bay</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lot Area:</th>
<th>2,514m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>LA Zoning:</td>
<td>Special Residential</td>
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<tr>
<td>MRS Zoning:</td>
<td>Rural</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Attachments:</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Maps/Diagrams:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Location Plan</td>
</tr>
<tr>
<td>2. Aerial Photograph</td>
</tr>
<tr>
<td>3. Existing and Proposed Building Envelope Plan</td>
</tr>
<tr>
<td>4. Consultation Plan</td>
</tr>
</tbody>
</table>
1. Location Plan

2. Aerial Photograph
Purpose of Report

To consider an application to vary the approved Building Envelope at Lot 1025 Gaze Grove, Golden Bay.

Background

In June 2014, the Western Australian Planning Commission (WAPC) granted approval to subdivide Lots 135-137, 151 and 9004 Gaze Grove, Lots 133,138, 140-145 Peelfold Glen and Lots 146-150 and 9003 Ayrton Court, Golden Bay into 31 lots. As part of the subdivision process Building Envelopes were identified for the proposed lots.

In October 2014, the Council approved a modification to the Building Envelope to amend its shape to accommodate the construction of a shed. The approved Building Envelope is setback 3m from the southern boundary, 4.5m from the western boundary, 4m from the northern boundary and 29m from the eastern boundary.

There are a number of mature trees on the lot, adjacent to Gaze Grove and the topography of the lot is generally level.

Details

The applicant seeks approval to amend the shape and increase the size of the Building Envelope from 609m² to 660m². This is to allow for the construction of an alfresco and swimming pool and to include the full extent of the shed inside the Building Envelope, which was built in a slightly different location than was approved.

The Building Envelope was originally proposed to be setback 5.5m from the northern boundary. This was not supported by the City as it would encroach into the tree protection zone of the Eucalypt tree located in the north western corner of the lot and would therefore impact the health of the tree.

The amended Building Envelope will be setback 8m from the northern boundary, 1.7m from the western boundary and 2.8m from the southern boundary.
3. Existing and Proposed Building Envelope Plan
Implications to Consider

a. Consultation with the Community
In accordance with clause 6.3.3 of Town Planning Scheme No.2 (TPS2) and Planning Policy 3.3.17 - Variations to Building Envelopes, Building Envelopes may be varied at the discretion of the Council, only after consultation with the owners of affected or adjoining properties. The application was referred to the adjacent landowners by the applicant, as shown on the Consultation Plan below. The landowners of the five adjoining properties have all provided support for the proposed modification.

4. Consultation Plan

b. Consultation with Government Agencies
Not Applicable

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

Aspiration D: Sustainable Environment

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

**Planning Policy 3.3.17 – Variations to Building Envelopes (PP3.3.17)**

The following is an assessment against the relevant requirements of PP3.3.17:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application complies with TPS2.</td>
<td>Schedule No.5 of TPS2 provides that the size and location of an approved Building Envelope may be varied with the approval of Council.</td>
<td>Yes</td>
</tr>
<tr>
<td>It is demonstrated that the varied Building Envelope will not result in an adverse environmental impact.</td>
<td>The Building Envelope modification is to allow for the construction of an alfresco and pool and to include the eaves of the existing shed inside the Building Envelope. The proposed location of the alfresco and swimming pool will not require the removal of any vegetation and will not impact the health of the existing Eucalypt tree located in the north western corner of the lot.</td>
<td>Yes</td>
</tr>
<tr>
<td>It is demonstrated that the varied Building Envelope will not result in an unacceptable level of bushfire risk.</td>
<td>There is one mature Eucalypt tree adjacent to the proposed location of the pool. With the exception of this tree, there is no vegetation within the vicinity of the proposed development. As such, the level of bushfire risk will not increase.</td>
<td>Yes</td>
</tr>
<tr>
<td>There are no unacceptable amenity impacts to neighbours.</td>
<td>The amendment was referred to the adjoining neighbours and no objections were received. The modification for the alfresco and swimming pool will have minimal effect on the neighbouring properties.</td>
<td>Yes</td>
</tr>
<tr>
<td>The variation results only in a minor increase in the size of the approved Building Envelope. An increase up to a maximum of 10% of the area of the original approved Building Envelope will be considered.</td>
<td>The Building Envelope variation proposes an increase of 10%.</td>
<td>Yes</td>
</tr>
<tr>
<td>Building Envelopes are to be of a regular shape and comprise one single contiguous area.</td>
<td>The proposed Building Envelope is of an irregular shape. Considering that there will be no adverse environmental impact, and the bushfire risk is not increasing, this is considered to be acceptable.</td>
<td>No</td>
</tr>
</tbody>
</table>

## e. Financial

Nil

## f. Legal and Statutory

Schedule No.5 of TPS2 provides that the size and location of an approved Building Envelope may be varied with the approval of Council.

## g. Risk

All Council decisions are subject to risk assessment according to the City’s Risk Framework.

Implications and comment will only be provided for the following assessed risks.

- Customer Service / Project management / Environment: High and Extreme Risks
- Finance / Personal Health and Safety: Medium, High and Extreme Risks

Nil
Comments

The proposed Building Envelope complies with TPS2 and PP3.3.17 with the exception of the requirement for the Building Envelope to be of a regular shape. It is considered that this is acceptable as the proposed location of the pool and alfresco will not result in an adverse environmental impact or an increased bushfire risk. The impact of the proposed Building Envelope in comparison to the approved Building Envelope on the amenity of neighbouring properties is considered minimal given no vegetation is required to be removed and no objections were raised to the proposal by neighbours. It is recommended that the proposed Building Envelope be approved.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVES the application to vary the Building Envelope at Lot 1025 Gaze Grove, Golden Bay.

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council APPROVES the application to vary the Building Envelope at Lot 1025 Gaze Grove, Golden Bay.

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><strong>Reference No &amp; Subject:</strong></th>
<th>PDS-072/16 Proposed Restaurant</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>File No:</strong></td>
<td>DD020.2015.00000227.001</td>
</tr>
<tr>
<td><strong>Applicant:</strong></td>
<td>Mrs Helen Hawken</td>
</tr>
<tr>
<td><strong>Owner:</strong></td>
<td>Mr Greg Hawken</td>
</tr>
<tr>
<td><strong>Author:</strong></td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
</tr>
<tr>
<td><strong>Other Contributors:</strong></td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
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<td><strong>Date of Committee Meeting:</strong></td>
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<td></td>
</tr>
<tr>
<td><strong>Disclosure of Interest:</strong></td>
<td>tribunal</td>
</tr>
<tr>
<td><strong>Nature of Council’s Role in this Matter:</strong></td>
<td>Tribunal</td>
</tr>
<tr>
<td><strong>Site:</strong></td>
<td>Lot 54 (No.903) Mandurah Road, Baldivis</td>
</tr>
<tr>
<td><strong>Lot Area:</strong></td>
<td>6,121m²</td>
</tr>
<tr>
<td><strong>LA Zoning:</strong></td>
<td>Special Residential</td>
</tr>
<tr>
<td><strong>MRS Zoning:</strong></td>
<td>Rural</td>
</tr>
<tr>
<td><strong>Attachments:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Maps/Diagrams:</strong></td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photo</td>
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<tr>
<td></td>
<td>3. Subdivision Guide Plan</td>
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<tr>
<td></td>
<td>4. Revised Site Plan</td>
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<tr>
<td></td>
<td>5. North and South Elevations</td>
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<td></td>
<td>6. East and West Elevations</td>
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<td></td>
<td>7. Floor Plan</td>
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<td></td>
<td>8. Consultation Plan</td>
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<tr>
<td></td>
<td>9. Existing Vegetation</td>
</tr>
<tr>
<td></td>
<td>10. Access Arrangements</td>
</tr>
</tbody>
</table>
1. Location Plan

2. Aerial Photo
Purpose of Report

To consider an application seeking Development Approval for a proposed Restaurant at Lot 54 (No.903) Mandurah Road, Baldivis.

Background

In June 2008, the Council adopted for Final Approval Amendment No.47 to Town Planning Scheme No.2 (TPS2) to rezone Lot 50 Mandurah Road and Lot 51 Cudliss Close, Baldivis from 'Rural' and 'Special Use S8 - Caravan Park and Ancillary Uses' to 'Special Residential' and 'Special Use S8 - Caravan Park and Ancillary Uses'.

Further, the following clause was inserted into Schedule No.5 - Special Residential Zones (Portion of Planning Unit 4 of the Rural Land Strategy) as follows:

"Notwithstanding the above, for Lot 2 on the corner of Mandurah Road and Cudless Close, Baldivis, a Restaurant is a use that is not permitted unless the Council, at its discretion, permits the use after notice of application has been given in accordance with clause 6.3 (A)."

The specific location of the Restaurant was not identified on the approved Subdivision Guide Plan as part of the Amendment (see figure 3), however, the boundaries of the lot to accommodate the future Restaurant were not delineated.

In March 2009, the Western Australian Planning Commission (WAPC) granted conditional Subdivision Approval to create 5 lots over Lots 1 and 10 Mandurah Road, Baldivis, which included the subject site.
3. Subdivision Guide Plan

**Details**

The applicant seeks approval to develop a Restaurant on the subject site. Details of the proposal are as follows:

- A restaurant building constructed of tilt up concrete panel walls, colorbond roof and a verandah area;
- Seating capacity for 138 patrons;
- A kitchen, freezers and storage areas;
- Ablution facilities and bin store area;
- The proposed hours of operation are between 11:00am to 10:00pm Monday to Friday and 7:00am to 10:00pm Saturdays and Sundays;
- A maximum of eight staff members are proposed;
- Deliveries will be made to the Restaurant twice per week in a small delivery truck; and
- Construction of 37 carparking bays, including one bay for the exclusive use of people with disability.
4. Revised Site Plan
5. North and South Elevations

6. East and West Elevations
7. Floor Plan

**Implications to Consider**

a. **Consultation with the Community**

In accordance with Clause 64 of the deemed provisions in Town Planning Scheme No.2 (TPS2), the application was referred to the 10 nearby and adjacent property owners for a period of 24 days, concluding on the 22nd July 2016, as shown on the Consultation Plan below. At the close of the advertising period, no submissions were received.
b. Consultation with Government Agencies
   Not applicable

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following
   Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
   
   **Aspiration D:** Sustainable Environment
   **Strategic Objective:** Land Use and Development Control - Planning for population
growth and guiding development and land use to ensure that future generations enjoy a sustainable city and a genuinely
desirable lifestyle.

d. Policy
   **State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7)**
   SPP3.7 seeks to guide the implementation of effective risk-based land use planning and
development to preserve life and reduce the impact of bushfire on property and
infrastructure.

   Portions of the site have been designated bushfire prone under the *Fire and Emergency
   Services Act 1998 (as amended)* and therefore the requirements of SPP3.7 are applicable.
   The objectives of SPP3.7 are to:
   
   • “Avoid any increase in the threat of bushfire to people, property and
     infrastructure. The preservation of life and the management of bushfire impact are
     paramount.
   • Reduce vulnerability to bushfire through the identification and consideration of
     bushfire risks in decision-making at all stages of the planning and development
     process.
   • Ensure that higher order strategic planning documents, strategic planning proposals,
     subdivision and development applications take into account bushfire protection
     requirements and include specified bushfire protection measures.
   • Achieve an appropriate balance between bushfire risk management measures and,
     biodiversity conservation values, environmental protection and biodiversity
     management and landscape amenity, with consideration of the potential impacts of
     climate change.”

   As the land is designated as a bushfire prone area and is classified as a vulnerable land
   use, the applicant submitted a Bushfire Management Plan (BMP) in support of the
   application, as per the requirements of SPP3.7. Given a ’Method 2’ Assessment has been
   used, the BMP was referred to the Department of Fire and Emergency Services, who
   supported the BMP subject to a 15.9m separation distance to the Restaurant from the
   classified vegetation to the west, which has been achieved.

   The BMP has been assessed and is considered acceptable. Requirements of the BMP are
   recommended as conditions of approval.

   **Guidelines for Planning in Bushfire Prone Areas (GfPBPA)**
   The Department of Planning’s GfPBPA provide supporting information to assist in the
   interpretation of the objectives and policy measures outlined in SPP3.7. The following is an
   assessment against the relevant requirements of the GfPBPA.

   **Bushfire Protection Criteria**
   **Element 1 - Location**
   The development complies with the relevant Performance Solution for this Element, which
   states:
   
   "The subdivision, development or land use is located in an area where the bushfire hazard
   assessment is or will, on completion, be moderate or low, or a BAL-29 or below, and the
   risk can be managed."
The applicant has demonstrated, through a Bushfire Attack Level (BAL) assessment and the implementation of an Asset Protection Zone, that the maximum BAL level that buildings will be required to be constructed to will be BAL-29 of *Australian Standard 3959 - Construction of Buildings in Bushfire Prone Areas* (AS3959). A condition of approval is recommended in this regard.

**Element 2 - Siting and Design of Development**

The applicant has proposed compliance with the Performance Criteria of this Element, which states:

> "The siting and design of the strategic planning proposal, subdivision or development application, including roads, paths and landscaping, is appropriate to the level of bushfire threat that applies to the site. That is minimises the bushfire risk to people, property and infrastructure, including compliance with AS 3959 if appropriate."

The applicant has proposed an Asset Protection Zone (APZ) and construction to the BAL-29 requirements of AS3959 to satisfy this requirement. An APZ of only 1m has been provided to the north eastern boundary in lieu of the 20m standard APZ side. This matter was referred to DFES who raised no objections given the BAL rating of BAL 29 can still be achieved. Conditions of development approval are recommended to ensure the APZ is provided prior to the occupation of the development, and buildings are constructed to the requirements of AS3959.

**Element 3 - Vehicular Access**

The applicant has proposed compliance with the Acceptable Development and Performance Criteria for this Element, which states:

> "Two different vehicular access routes are provided, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents/the public at all times and under all weather conditions".

Cudliss Close provides access to the site from the north, which directly connects onto Mandurah Road which provide access and egress to the north and south.

**Element 4 - Water**

The development will comply with the relevant Acceptable Solution as the site will be connected to a reticulated water supply and including a fire hydrant system in accordance with Water Corporation, Department of Fire and Emergency Services and City of Rockingham requirements. A condition of approval is recommended in this respect to ensure the connection to reticulated water is maintained at all times.

**Planning Policy 3.1.1 - Rural Land Strategy (PP3.1.1)**

The subject site is located within Planning Unit 4A of PP3.3.1. The primary objective for this Planning Unit is to encourage special rural/special residential development which recognises and enhances the landscape and natural resource attributes of the unit and provides a rural context to proposed urban development to the east.

The following is an assessment against the relevant guidelines for Planning Unit 4A of PP3.3.1:

<table>
<thead>
<tr>
<th>Guideline</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings to setback a minimum of 40m from Mandurah Road, 30m from other subdivisional roads and 10m from all other boundaries with no clearing in the setback area except for fire management or for vehicular access as approved by Council.</td>
<td>The proposed Restaurant will be setback 15.9m from the Mandurah Road (western) lot boundary, 3m from the eastern boundary, 54m from the northern boundary and 53m from the southern boundary. The land to the east and north-east of the subject site is owned by the applicant. The variation to the Mandurah Road setback is considered acceptable given the site steeps greatly upwards towards the location of the proposed</td>
<td>No - variation can be supported.</td>
</tr>
<tr>
<td>Guideline</td>
<td>Provided</td>
<td>Compliance</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Restaurant, which will largely screen the location of the Restaurant from</td>
<td>Restaurant, which will largely screen the location of the Restaurant from Mandurah Road despite the reduced setback. There is an existing shed, which is proposed to be removed, within the street setback area. The proposed carpark will have a nil setback to the Mandurah Road lot boundary and a 16m setback to the northern boundary. The setback variation to Mandurah Road is considered acceptable given the area proposed for carparking is already largely devoid of vegetation and the site also steeply slopes upwards towards the carparking area, and therefore the construction of a carpark in this location unlikely to have an adverse visual impact from Mandurah Road.</td>
<td></td>
</tr>
<tr>
<td>Mandurah Road despite the reduced setback. There is an existing shed,</td>
<td></td>
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<tr>
<td>which is proposed to be removed, within the street setback area. The</td>
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<tr>
<td>proposed carpark will have a nil setback to the Mandurah Road lot</td>
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<tr>
<td>boundary and a 16m setback to the northern boundary. The setback variation</td>
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<tr>
<td>to Mandurah Road is considered acceptable given the area proposed for</td>
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<tr>
<td>carparking is already largely devoid of vegetation and the site also</td>
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</tr>
<tr>
<td>steeply slopes upwards towards the carparking area, and therefore the</td>
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<tr>
<td>construction of a carpark in this location unlikely to have an adverse</td>
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<tr>
<td>visual impact from Mandurah Road.</td>
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<tr>
<td>No clearing being permitted without the specific approval of Council.</td>
<td>The proposal requires the removal of vegetation as detailed on the site plan provided with the application. The local significance of this vegetation was assessed at the time of subdivision, where it was not considered significant enough to warrant restriction on development and vegetation clearing through the provision of Building Envelopes on the site. Approval of this application will constitute approval for the removal of vegetation. The City recommends revegetation in the Mandurah Road verge area adjacent the subject site to offset the vegetation required to be cleared.</td>
<td>Yes</td>
</tr>
<tr>
<td>Development shall be of a scale that minimises intrusion into the</td>
<td>The proposed Restaurant is located behind a steeply vegetated sandy slope which slopes upwards to the site (see Figure 9), which will shield the impact of development on the rural viewshed. The proposed development is not considered to intrude into the landscape.</td>
<td>Yes</td>
</tr>
<tr>
<td>landscape.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provision of an Aerobic Treatment Unit (ATU) for effluent disposal</td>
<td>The existing on-site effluent disposal system is likely to need upgrading to accommodate the proposed development. A separate application to the City's Health Services is required in this respect. Should the application be approved, a footnote advising the applicant of this requirement is recommended.</td>
<td>Yes</td>
</tr>
<tr>
<td>purposes.</td>
<td></td>
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</tr>
</tbody>
</table>
Guideline | Provided | Compliance
--- | --- | ---
Fire Management is to be addressed in accordance with the Western Australian Planning Commission Planning for Bushfire Protection Guidelines – Edition 2 (May 2010). | The applicant has provided a compliant Bushfire Management Plan in accordance with State Planning Policy 3.7 (SPP3.7) and associated guidelines, which supersede the Planning for Bushfire Protection Guidelines – Edition 2 (May 2010). An assessment of the development against SPP3.7 and associated guidelines is contained in the Policy section of this report, where the development was found to be compliant. | Yes

The proposal is considered to comply with the requirements of PP3.1.1 with the exception of building setbacks. This variation has been assessed and is considered acceptable.

e. Financial
Nil

f. Legal and Statutory
Planning and Development (Local Planning Scheme) Regulations 2015 (The Regulations)
Schedule 2
Clause 67 - Matters to be considered by local government
Clause 67 of Schedule 2 of the Regulations outlines the matters to which the Local Government is to have due regard when considering an application for development approval.

The following is an assessment of the proposed development against the relevant matters the Council is required to have due regard to in accordance with the Regulations.
Vegetation
Clause 67(p) of the Regulations requires the Council to consider whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.

The portion of the site where development is proposed is largely devoid of vegetation. As previously advised, the vegetation required to be removed to facilitate the development is not considered to be of regional significance and therefore the City has no objection to its removal.

Whilst it is acknowledged that the slope of the land will largely screen the development from Mandurah Road, a condition of Development Approval requiring a Landscaping Plan is recommended, including revegetation of the street setback area to Mandurah Road. This will ensure the rural amenity of the locality is maintained as the rural viewshed to the site from Mandurah Road will be maintained.

Access
Clause 67(s) of the Regulations requires Council to consider the adequacy of the proposed means of access to and egress from the site.

The City supports the proposed access to the Restaurant from Cudliss Close as there is an existing slip lane from Mandurah Road to Cudliss Close, ensuring safe access.

The applicant requested that the existing access from Mandurah Road also be maintained. Given this accessway services the dwelling, the City has no concerns with it being retained, however, given there is no guarantee patrons of the Restaurant will not utilise this access, no vehicle access between the carpark and this accessway, or a third existing crossover from Mandurah Road, should be provided.
Traffic

Clause 67(t) of the Regulations requires the Council to consider the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.

The applicant submitted a Traffic Impact Statement which demonstrates the traffic generated as a result of the development is within the capacity of Mandurah Road to accommodate. The City is satisfied that the proposed development is acceptable with respect to the effect on traffic flow and safety given a new accessway will be created to the site via Cudliss Close, which has an existing slip lane.

**Metropolitan Region Scheme (MRS)**

The subject property is affected by Clause 32 (Resolution No.55 – Development in the Rural Zone) under the Metropolitan Region Scheme (MRS).

The application must therefore be determined by the WAPC, pursuant to the MRS. The City will provide its comments and recommendations to the WAPC following the Council’s decision on the proposal under the TPS2.

Development Approval is therefore required from the WAPC (MRS) and the Council (TPS2) in order for the applicant to proceed with the development.
City of Rockingham Town Planning Scheme No.2 (TPS2)

Clause 3.2 - Zoning Table

The subject site is zoned 'Special Residential' under TPS2 and is located within Schedule No.5 - Special Residential Zones, Portion of Planning Unit No.4 of the Rural Land Strategy. A Restaurant is an 'A' use on the subject site, which means the use is not permitted unless the Council, at its discretion, permits the use after notice of the application has been given in accordance with Clause 6.3 of TPS2.

The application was advertised in accordance with Clause 6.3 of TPS2, as discussed in the Consultation section of this report.

Clause 4.13 - Special Residential Zone

Clause 4.13.1 - Objectives

Clause 4.13.1 of TPS2 outlines the objectives of the Special Residential zone as follows:

"(a) To set aside areas where the retention of vegetation and landform or other features which distinguish the land, warrant a larger residential lot size than that expected in a standard residential zone.

(b) To ensure that all development within Special Residential zones is in accordance with the Provisions Relating to Specified Areas as set out in Schedule No.5 of the Scheme that has due regard to the objectives and principles outlined in the Rural Land Strategy and supported by any other Plan or Policy that the Council and the Commission may adopt from time to time as a guide to future development within the Zone."

Clause 4.13.3 - Planning Control

Clause 4.13.3 establishes the planning controls for the Special Residential zone, and requires Council to take into account the objectives of the Special Residential zone, the principles and policies set out in the Rural Land Strategy and the provisions relating to Specified Areas as set out in Schedule No.5 of TPS2. The provisions relating to the Rural Land Strategy are discussed in the Policies section of this report. Clause 4.14.4 below contains an assessment of the proposed development against the requirements of Schedule No.5 of TPS2.

Clause 4.13.4 - Special Provisions

The following is an assessment of the proposed development against the relevant requirements of Schedule No.5 of TPS2.

<table>
<thead>
<tr>
<th>Provision</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>3a - Notwithstanding the above, for Lot 2 on the corner of Mandurah Road</td>
<td>Community consultation has been undertaken in accordance with Clause 64(3) of the Regulations. No submissions were received.</td>
<td>Yes</td>
</tr>
<tr>
<td>and Cudliss Close, Baldivis (as depicted on the Subdivision Guide Plan),</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Restaurant is a use that is not permitted unless the Council, at its</td>
<td></td>
<td></td>
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<tr>
<td>discretion, permits the use after notice of application has been given</td>
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<tr>
<td>in accordance with clause 6.3 ('A');</td>
<td></td>
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<tr>
<td>5. In addition to a Building Permit, the Council's prior approval to</td>
<td>This application constitutes an application for Development Approval.</td>
<td>Yes</td>
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<tr>
<td>commence development shall be required and such application shall be made</td>
<td></td>
<td></td>
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<tr>
<td>on the form prescribed by the Council.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provision</td>
<td>Provided</td>
<td>Compliance</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>6. At the time of applying for development approval, a plan of the site shall be submitted by the applicant to the satisfaction and specification of the Council, which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting.</td>
<td>The applicant has provided a site plan detailing contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained.</td>
<td>Yes</td>
</tr>
<tr>
<td>8. All lots shall be connected to a reticulated water supply.</td>
<td>The subject site is connected to reticulated water.</td>
<td>Yes</td>
</tr>
<tr>
<td>10. Where lots are not required to be connected to a reticulated sewer supply, the method of on-site effluent disposal servicing development on the lots shall be to the satisfaction of the Council. In the event that a nutrient fixing effluent disposal system is not required, every dwelling shall have connected an effluent disposal system that:</td>
<td>The existing on-site effluent disposal system is likely to need upgrading to accommodate the proposed development. A separate application to the City’s Health Services is required in this respect. Should the application be approved, a footnote advising the applicant of this requirement is recommended.</td>
<td>Yes</td>
</tr>
<tr>
<td>(a) has a vertical separation of 2 or more metres between the base of the effluent disposal system or the irrigation area, and the highest recorded groundwater level;</td>
<td>Should the application be approved, a condition of Development Approval is recommended requiring all stormwater to be contained and disposed of on-site.</td>
<td>Noted</td>
</tr>
<tr>
<td>(b) has at least a 100 metre horizontal separation between the effluent disposal system and the existing drains, water courses and water bodies; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) has been approved in writing by the Council.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council.</td>
<td>Should the application be approved, a condition of Development Approval is recommended requiring all stormwater to be contained and disposed of on-site.</td>
<td>Noted</td>
</tr>
<tr>
<td>13. No indigenous trees or substantial vegetation shall be removed, including from within a building envelope, where applicable, without the prior approval of the Council, except where:-</td>
<td>The proposal requires the removal of vegetation as detailed on the site plan provided with the application. The local significance of this vegetation was assessed at the time of subdivision, where it was not considered significant enough to warrant restriction on development and vegetation clearing through the provision of Building Envelopes on the site.</td>
<td>Noted</td>
</tr>
<tr>
<td>(a) The trees are dead, diseased or dangerous;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) The establishment of a fire break as required under regulation or local law;</td>
<td></td>
<td></td>
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</tbody>
</table>
Provision | Provided | Compliance
--- | --- | ---
(c) Fire protection within a building protection zone as defined in the Western Australian Planning Commission publication "Planning for Bushfire Protection"; | Approval of this application will constitute approval for the removal of vegetation. |  
(d) Access to an approved development site is required; |  
(e) Subdivisional works require the removal of vegetation. |  
18. All buildings and outbuildings are to be sympathetic in design, materials and colour to compliment surrounding landscape elements and be sited away from focal points and located where screening vegetation or landform can be utilised. | The Restaurant is proposed to be constructed of colorbond metal roofing and til up concrete panel walls. The final colours of the building are yet to be determined. The design of the building includes a verandah wrapping around the northern and western elevations of the building, which is considered to be sympathetic in design to the rural characteristic of the locality. Should the development be approved, a condition requiring a final schedule of colours and materials to the satisfaction of the City is recommended. | Yes

\textit{Clause 4.15 - Carparking}

The following is an assessment of the proposed development against the requirements of Clause 4.15 and Table No.2 - Carparking of TPS2:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>TPS2 Requirement</th>
<th>Bays Required</th>
<th>Bays Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restaurant (138 patrons/8 staff)</td>
<td>1 bay for every 4 persons the building is designed to accommodate.</td>
<td>37</td>
<td>37</td>
</tr>
<tr>
<td>Total</td>
<td>37</td>
<td>37</td>
<td></td>
</tr>
</tbody>
</table>

The carparking provided is in accordance with TPS2.

g. Risk

\textit{All Council decisions are subject to risk assessment according to the City's Risk Framework.}

Implications and comment will only be provided for the following assessed risks.

\textit{Customer Service / Project management / Environment: High and Extreme Risks}

\textit{Finance / Personal Health and Safety: Medium, High and Extreme Risks}

Nil

\textbf{Comments}

The City is satisfied that the proposed development is unlikely to adversely impact the rural character of the locality, and acknowledges that TPS2 provides for the development of a Restaurant on this site.
The applicant has adequately addressed bushfire risk associated with the proposed development, and is generally compliant with Policy requirements.

The City considers that the means of access can be resolved via conditions of approval, and therefore recommends conditional Development Approval for the proposed Restaurant.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **APPROVES** the application for a proposed Restaurant at Lot 54 (No.903) Mandurah Road, Baldivis, subject to the following conditions:

1. Prior to applying for a Building Permit, a schedule of the colour and texture of the building materials, demonstrating that the proposed development complements the surrounding area, must be provided to the satisfaction of the City.
   The development must be finished in accordance with the Schedule provided and approved by the City, prior to occupation of the development.

2. Prior to applying for a Building Permit, all stormwater generated by the development shall be designed to be contained on-site and certified by a suitably qualified engineer. The design shall be implemented and maintained for the duration of the development.

3. Earthworks over the site associated with the development must 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 of Rockingham in the event that sand or dust is blown from the site.

4. The accessway must be constructed in accordance with the following requirements:
   (i) minimum trafficable surface of 4 metres;
   (ii) minimum horizontal clearance of 6 metres;
   (iii) minimum vertical clearance of 4.5 metres;
   (iv) maximum grade over <50 metres of 1 in 10;
   (v) minimum weight capacity of 15 tonnes;
   (vi) maximum crossfall of 1 in 33;
   (vii) curves minimum inner radius of 8.5 metres;
   (viii) turn around area for 3.4 fire appliance as shown on the plan;
   (ix) all weather surface (i.e. sealed).

The accessway must be maintained in accordance with these requirements and in a good and safe condition at all times for the duration of the development.

5. Prior to the occupation of the development, the existing crossover closest to the intersection of Cudliss Close marked in RED on the approved plans must be removed and the verge reinstated to the satisfaction of the City.

6. Prior to the occupation of the development, suitable arrangements being made for preventing access between the carpark and the existing driveway to the dwelling being approved and implemented to the satisfaction of the City.

7. The carpark must:
   (i) provide a minimum of 37 parking spaces;
   (ii) be designed in accordance with User Class 2 of 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;
(iii) include 1 car parking space(s) dedicated to people with disabilities designed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off-street parking for people with disabilities, linked to the main entrance of the development by a continuous accessible path of travel designed in accordance with Australian Standard AS 1428.1—2009, Design for access and mobility, Part 1: General Requirements for access—New building work;

(iv) 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.

8. Materials, sea containers, goods or bins must not be stored within the carpark at any time.

9. A Sign Strategy must be prepared and include the information required by Planning Policy 3.3.1, Control of Advertisements, to the satisfaction of the City, prior to applying for a Building Permit and implemented as such for the duration of the development.

10. Prior to occupation, the dwelling must be connected to a reticulated water supply in accordance with the specifications of the Water Corporation.

At all times, the reticulated water supply must be maintained in accordance with those requirements and in working condition.

11. The development must be designed, constructed and maintained to BAL-29, with the exception of the eastern elevation, which is to be designed, constructed and maintained to BAL-19, as specified in Australian Standard AS3959-2009: Construction of Buildings in Bushfire-Prone Areas (AS3959).

Prior to issuing a Building Permit, amended plans must be submitted to the City of Rockingham demonstrating the building has been designed to the required BAL as specified in AS3959. The building must be maintained in accordance with the specified requirements of the BAL for the life of the development.

12. Prior to occupation of the development, the Asset Protection Zone (APZ), as depicted in the Bushfire Management Plan prepared by Bushfire Prone Planning, dated 30 May 2016, must be installed on the site in accordance with the following requirements:

(i) maximum fine fuel load of 2 tonnes per hectare;

(ii) Trees crowns a minimum of 10m apart, not located within 2 metres of a building or overhanging a building, and no dead material within the trees crown or on the bole;

(iii) Shrubs not located within 2 metres of a building;

(iv) Fences and sheds are to be constructed of non-combustible material; and

(v) Sheds must not contain flammable materials

The APZ must be maintained in accordance with these requirements and in a good and safe condition at all times.

13. Floodlighting must not be illuminated after 10:00pm or before 7:00am.

All illumination must be confined to the land in accordance with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting, at all times, for the duration of the development.

14. Prior to applying for a Building Permit, a Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City of Rockingham:

(i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;

(ii) Any lawns to be established and areas to be mulched;

(iii) Any natural landscape areas to be retained;

(iv) Those areas to be reticulated or irrigated; and

(v) The street setback area and all verge areas including landscaping must be upgraded to the satisfaction of the City of Rockingham.
The landscaping must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City of Rockingham.

15. Prior to applying for a Building Permit, a Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:-

(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 and maintained at all times.

16. Prior to applying for a Building Permit, a bin storage area must be designed with a size suitable to service the development, be refrigerated and sealed to ensure the suppression of odour and screened from view of the street to the satisfaction of the City of Rockingham.

The bin storage area must be constructed prior to the occupation of the development and must be retained and maintained in good condition at all times.

17. Prior to the issue of a Building Permit, exhaust facilities associated with the proposed restaurant must be designed in accordance with Australian Standard AS 1668.2—2002, The use of ventilation and air conditioning in buildings, Part 2: Ventilation design for indoor air containment control (excluding requirements for the health aspects of tobacco smoke exposure) and be fitted with filtration and odour suppression devices to the satisfaction of the City of Rockingham.

The exhaust facilities must be installed prior to the occupation of the development and must be maintained at all times thereafter to the satisfaction of the City of Rockingham.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Sammels:

That Council APPROVES the application for a proposed Restaurant at Lot 54 (No.903) Mandurah Road, Baldivis, subject to the following conditions:

1. Prior to applying for a Building Permit, a schedule of the colour and texture of the building materials, demonstrating that the proposed development complements the surrounding area, must be provided to the satisfaction of the City.

The development must be finished in accordance with the Schedule provided and approved by the City, prior to occupation of the development.

2. Prior to applying for a Building Permit, all stormwater generated by the development shall be designed to be contained on-site and certified by a suitably qualified engineer. The design shall be implemented and maintained for the duration of the development.

3. Earthworks over the site associated with the development must 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 of Rockingham in the event that sand or dust is blown from the site.

4. The accessway must be constructed in accordance with the following requirements:

(i) minimum trafficable surface of 4 metres;
(ii) minimum horizontal clearance of 6 metres;
(iii) minimum vertical clearance of 4.5 metres;
(iv) maximum grade over <50 metres of 1 in 10;
(v) minimum weight capacity of 15 tonnes;
(vi) maximum crossfall of 1 in 33;
(vii) curves minimum inner radius of 8.5 metres;
(viii) turn around area for 3.4 fire appliance as shown on the plan;
(ix) all weather surface (i.e. sealed).

The accessway must be maintained in accordance with these requirements and in a good and safe condition at all times for the duration of the development.

5. Prior to the occupation of the development, the existing crossover closest to the intersection of Cudliss Close marked in RED on the approved plans must be removed and the verge reinstated to the satisfaction of the City.

6. Prior to the occupation of the development, suitable arrangements being made for preventing access between the carpark and the existing driveway to the dwelling being approved and implemented to the satisfaction of the City.

7. The carpark must:
   (i) provide a minimum of 37 parking spaces;
   (ii) be designed in accordance with User Class 2 of 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;
   (iii) include 1 car parking space(s) dedicated to people with disabilities designed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off-street parking for people with disabilities, linked to the main entrance of the development by a continuous accessible path of travel designed in accordance with Australian Standard AS 1428.1—2009, Design for access and mobility, Part 1: General Requirements for access—New building work;
   (iv) 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.

8. Materials, sea containers, goods or bins must not be stored within the carpark at any time.

9. A Sign Strategy must be prepared and include the information required by Planning Policy 3.3.1, Control of Advertisements, to the satisfaction of the City, prior to applying for a Building Permit and implemented as such for the duration of the development.

10. Prior to occupation, the dwelling must be connected to a reticulated water supply in accordance with the specifications of the Water Corporation.

At all times, the reticulated water supply must be maintained in accordance with those requirements and in working condition.

11. The development must be designed, constructed and maintained to BAL-29, with the exception of the eastern elevation, which is to be designed, constructed and maintained to BAL-19, as specified in Australian Standard AS3959-2009: Construction of Buildings in Bushfire-Prone Areas (AS3959).

Prior to issuing a Building Permit, amended plans must be submitted to the City of Rockingham demonstrating the building has been designed to the required BAL as specified in AS3959. The building must be maintained in accordance with the specified requirements of the BAL for the life of the development.

12. Prior to occupation of the development, the Asset Protection Zone (APZ), as depicted in the Bushfire Management Plan prepared by Bushfire Prone Planning, dated 30 May 2016, must be installed on the site in accordance with the following requirements:
   (i) maximum fine fuel load of 2 tonnes per hectare;
   (ii) Trees crowns a minimum of 10m apart, not located within 2 metres of a building or overhanging a building, and no dead material within the trees crown or on the bole;
   (iii) Shrubs not located within 2 metres of a building;
   (iv) Fences and sheds are to be constructed of non-combustible material; and
   (v) Sheds must not contain flammable materials
The APZ must be maintained in accordance with these requirements and in a good and safe condition at all times.

13. Floodlighting must not be illuminated after 10:00pm or before 7:00am.

All illumination must be confined to the land in accordance with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting, at all times, for the duration of the development.

14. Prior to applying for a Building Permit, a Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City of Rockingham:
   (i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
   (ii) Any lawns to be established and areas to be mulched;
   (iii) Any natural landscape areas to be retained;
   (iv) Those areas to be reticulated or irrigated; and
   (v) The street setback area and all verge areas including landscaping must be upgraded to the satisfaction of the City of Rockingham.

The landscaping must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City of Rockingham.

15. Prior to applying for a Building Permit, a Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:
   (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 and maintained at all times.

16. Prior to applying for a Building Permit, a bin storage area must be designed with a size suitable to service the development, be refrigerated and sealed to ensure the suppression of odour and screened from view of the street to the satisfaction of the City of Rockingham.

The bin storage area must be constructed prior to the occupation of the development and must be retained and maintained in good condition at all times.

17. Prior to the issue of a Building Permit, exhaust facilities associated with the proposed restaurant must be designed in accordance with Australian Standard AS 1668.2—2002, The use of ventilation and air conditioning in buildings, Part 2: Ventilation design for indoor air containment control (excluding requirements for the health aspects of tobacco smoke exposure) and be fitted with filtration and odour suppression devices to the satisfaction of the City of Rockingham.

The exhaust facilities must be installed prior to the occupation of the development and must be maintained at all times thereafter to the satisfaction of the City of Rockingham.

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's approval of a submission on the Department of Transport's *Perth Transport Plan for 3.5 Million People and Beyond* (*Perth Transport Plan*).

## Background

Over recent years, the State Government has been progressing a new strategic land use planning framework for Metropolitan Perth and Peel.

### Maps/Diagrams:

1. Freeway Network Plan
2. Road Network Plan – Lanes 2031
3. Road Network Plan – Lanes 2050
4. Kulija Road/Nairn Drive Interchange
5. Perth Freight Link/Roe Highway Extension
6. Rail Network Plan
7. On-Road Public Transport Plan
8. Cycling Network Plan
In May 2015, the Western Australian Planning Commission released the draft *Perth and Peel @ 3.5 Million* and *South Metropolitan Peel Sub-Regional Planning Framework* to provide strategic land use planning direction into the future, which included urban infill targets and land for future urban development.

The City’s submission in the above documents was lodged in August 2015. Notably, in the context of the draft *Perth Transport Plan*, the submission recommended that:

(i) a detailed public transport strategy be prepared that provides certainty on infrastructure delivery to support the proposed land use outcomes;

(ii) the City’s ‘Rockingham Peel Transport Network Plan’ be adopted;

(iii) the employment projections for the Rockingham Strategic Metropolitan Centre be increased;

(iv) the following regional road connections be included:
   - an extension of Nicholson Road from Mundijong Road to south of Pinjarra Road;
   - an extension of Safety Bay Road eastwards to connect with the Nicholson Road connection;
   - improved east/west connection from Port Kennedy to Serpentine; and
   - an extension of Paganoni Road to connect to the South West Highway; and

(v) an additional ‘Key Principle’ be included, as follows:
   ‘Align new urban development and public transport to ensure that all major retail, mixed use and activity centres, and 80% of residential development, is located within 800m of a high frequency public transport station’.

In December 2015, the State Government, through the Department of Premier and Cabinet, released the draft *Perth and Peel Green Growth Plan for 3.5 Million*, providing a strategic assessment of environmental values in the region, and impact of the planning proposal contained in the *Perth and Peel @ 3.5 Million* document.

The submission on the *Green Growth Plan* was endorsed by the Council March 2016. Given the relationship with the outcomes within *Perth and Peel @ 3.5 Million*, the submission on the *Green Growth Plan* reiterated the matters listed above.

### Details

In late July 2016, the Department of Transport released the draft *Perth Transport Plan for 3.5 Million People and Beyond* for public comment.

The *Perth Transport Plan* essentially provides the transport response to the urban growth proposals within *Perth and Peel @ 3.5 Million*. It contains recommendations on the transport network to service Perth and Peel, and is informed by the following technical reports:

- Road Network Plan
- Perth Freight Transport Network Plan
- Public Transport Plan
- Cycling Network Plan
- Travel Demand Management Plan

The recommendations within the *Perth Transport Plan* essentially address regional transport proposals across all transport modes covering the movement of general traffic and freight.

In terms of implementation, the *Perth Transport Plan* contains three broad timeframes based on population thresholds for the study area; ‘by 2.7 million, by 3.5 million and beyond 3.5 million’. Current population projections suggest that 2.7 million will be achieved by 2031 and 3.5 million by 2050.

The delivery of the *Perth Transport Plan* is seeking to achieve the following outcomes:

(i) increase public transport use to:
   - 11% of all-day trips, including 65% of peak period trips to the Perth CBD; and
   - 32% of person kilometres travelled by motorised vehicles during peak periods;
(ii) increase cycling and walking to 18% of all-day trips; and
(iii) reduce the mode share of car driver trips to 50% of all-day trips, and to 29% of peak period trips to the CBD.

As eluded to above, the *Perth Transport Plan* recommendations are underpinned by the growth proposals within the draft *Perth & Peel @ 3.5 Million* including the employment targets assigned to the high-order Activity Centres, including the Rockingham Strategic Metropolitan Centre.

The aspiration to change ‘mode share’, or the percentage of travellers using a transportation type, is a key consideration in the process. For example, the *Perth Transport Plan* aspires to increase the mode share of public transport from an existing 6% to 11% and non-motorised travel from 13% to 18% whilst reducing ‘car driver’ mode share from 58% to 50%.

The proposed transport network was iteratively developed with the assistance of transport modelling which had the future land use and mode share matters described above as its primary inputs. The recommendations within the *Perth Transport Plan* are described and assessed in the ‘Comments’ section.

The document notes that many of the projects are ‘new and conceptual’ and will be subject to further examination with regard to ‘design, cost, funding and timing’. Further, the *Perth Transport Plan* will be reviewed every five years and additional modelling and analysis will be required as new information becomes available.

The *Perth Transport Plan* documentation can be sourced from www.transport.wa.gov.au/projects

### Implications to Consider

<table>
<thead>
<tr>
<th>a.</th>
<th>Consultation with the Community</th>
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<tr>
<td></td>
<td>The Department of Transport released the <em>Perth Transport Plan</em> for comment on the 28 July 2016 for a three month period concluding on 28 October 2016.</td>
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<tr>
<th>b.</th>
<th>Consultation with Government Agencies</th>
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<tr>
<td></td>
<td>Nil</td>
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<th>c.</th>
<th>Strategic Community Plan</th>
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<tr>
<td></td>
<td>This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:</td>
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<tr>
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<td><strong>Aspiration D:</strong> Sustainable Environment</td>
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<tr>
<td></td>
<td><strong>Strategic Objective:</strong> Land Use and Development Control – Planning for population growth and guiding development and land use to ensure that future generations enjoy a sustainable city and a genuinely desirable lifestyle.</td>
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<th>d.</th>
<th>Policy</th>
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<th>e.</th>
<th>Financial</th>
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<tr>
<td></td>
<td>Nil</td>
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<th>f.</th>
<th>Legal and Statutory</th>
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<tr>
<td></td>
<td>Nil</td>
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<th>g.</th>
<th>Risk</th>
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<tbody>
<tr>
<td></td>
<td>All Council decisions are subject to risk assessment according to the City’s Risk Framework. Implications and comment will only be provided for the following assessed risks.</td>
</tr>
<tr>
<td></td>
<td><strong>Customer Service / Project management / Environment:</strong> High and Extreme Risks</td>
</tr>
<tr>
<td></td>
<td><strong>Finance / Personal Health and Safety:</strong> Medium, High and Extreme Risks</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
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</tbody>
</table>

### Comments

The relevant content and recommendations within the *Perth Transport Plan* are described below, along with the City’s assessment and recommendations.
1. **Road Network Plan**

The *Road Network Plan* addresses the various tiers of the regional road hierarchy comprising the freeway network and arterial road network. It also contains recommendations on the road freight network, on-road public transport priority and key infrastructure improvements such as grade separations (i.e. overpasses, interchanges).

(i) **Freeway Network**

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Comment</th>
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<tbody>
<tr>
<td>Stock Road tunnel connecting the Fremantle Rockingham Highway to Mitchell Freeway at Stirling - by 2050.</td>
<td>Noted but question the alternative in the event that the option is not viable.</td>
</tr>
<tr>
<td>Mundijong Road upgraded to Freeway standard - by 2050.</td>
<td>Noted but the road requires re-classification to ‘Primary Regional Road’, as per the FRCAH comments below.</td>
</tr>
<tr>
<td>New tunnel to replace function of Riverside Drive - by 2050.</td>
<td>Noted.</td>
</tr>
</tbody>
</table>

**Sub-Regional**

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fremantle Rockingham Highway (FRCAH), connecting to Kwinana Freeway via Kulija Road – full construction by 2050.</td>
<td>Main Roads WA has been investigating alternative alignments for FRCAH between Thomas Road and Kulija Road. In March 2016, Council considered two alignments for this section and resolved to support the option that met a number of criteria, including directly access to the Rockingham Strategic Metropolitan Centre. When built, FRCAH will be classified as a ‘strategic freight road’ which are ‘high-productivity routes in terms of tonnage, volume and value’ which is consistent with the City’s understanding of the role proposed for the route. Although FRCAH and Mundijong Road are identified for construction ‘by 3.5M’, under ‘Strategic Investment Priorities by 2.7 million’, Kulija Road is to be ‘widened to 4 lanes with median’ and the FRCAH is classified as ‘partial upgrade/expansion’. These timeframes, suggesting that this investment will occur prior to 2031, is sooner than the City anticipated. At present, Kulija Road is classified as an ‘Other Regional Road’ and needs to be re-classified as a ‘Primary Regional Road’ and under the jurisdiction of the State Government.</td>
</tr>
<tr>
<td>Extension of Tonkin Highway south to Forrest Highway, south of Pinjarra – by 2050.</td>
<td>Noted and supported to improve north-south connectivity in the region.</td>
</tr>
</tbody>
</table>
1. Freeway Network Plan
(ii) Arterial Road Network

The Arterial Road Network essentially addresses the ‘Other Regional Roads’, under local government jurisdiction, which are secondary to the Freeway Network. The Road Network Plan contains two scenarios for these roads, being 2031 and 2050, which forecasts the number of lanes required to effectively accommodate the expected traffic volumes. Figures 2 and 3 illustrate the lane requirements.

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Comment</th>
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<tbody>
<tr>
<td>Baldivis Road, north of Karnup Road, expanded to four lanes – by 2050</td>
<td>The proposed expansion of Baldivis Road responds to it being forecast to carry 40,000 – 80,000 vehicles per day by 2050. As a guide, this volume is equivalent to existing traffic on parts of Ennis Avenue. A road profile in excess of 50m is required to accommodate this volume of traffic. Previous modelling undertaken by Main Roads in 2014 forecast Baldivis Road to carry a much reduced volume (approximately 15,000 vpd). The significant increase in forecasted traffic volumes seems to be without basis and should be questioned. There is no ability to achieve a four lane road profile for the majority of Baldivis Road without the Baldivis Tramway Reserve being substantially reduced in width. Given the regionally significant nature of the Tramway Reserve, and the recreational and conservation benefits it brings, it is recommended that the City register its concern with the proposal to expand Baldivis Road.</td>
</tr>
<tr>
<td>Northern extension of Baldivis Road, to Bertram Drive, Kwinana over the existing freight railway – 2 lanes by 2031 and 4 lanes by 2050.</td>
<td>The proposed north extension of Baldivis Road to Bertram Drive, Kwinana is generally supported, as it will improve connectivity between adjacent urban precincts and reduce use of the Kwinana Freeway for shorter local trips. As noted above, the ability to achieve a four lane road profile is questioned.</td>
</tr>
<tr>
<td>Extension of Dampier Drive, east of Mandurah Road, to intersect with Nairn Drive - 2 lanes by 2050.</td>
<td>This proposal is an outcome from the Karnup Transit Oriented Design planning exercise which concluded in 2014. This project will provide better connection to Karnup Station and Kwinana Freeway from the coastal corridor and reduce traffic volumes on Paganoni Road. Supported subject to the Mandurah Road overpass being constructed simultaneously.</td>
</tr>
<tr>
<td>Paganoni Drive extension east of Kwinana Freeway – 4 lanes by 2050.</td>
<td>Not supported. This four lane road is proposed to service about 2,000 proposed lots in Keralup Stage One. The City’s submission on Perth and Peel @ 3.5Million did not support Keralup Stage One being developed without the balance of Keralup as it will be isolated and unsustainable.</td>
</tr>
<tr>
<td>Proposal</td>
<td>Comment</td>
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</tr>
<tr>
<td>Extension of Anstey Road, east of Kwinana Freeway to South West Highway - 2 lanes by 2050.</td>
<td>Supported as part of the <em>Perth and Peel @ 3.5 Million</em> submission.</td>
</tr>
<tr>
<td>Southern extension of Baldivis Road from Stakehill Road to Anstey Road - 2 lanes by 2050.</td>
<td>Supported as part of the <em>Perth and Peel @ 3.5 Million</em> submission.</td>
</tr>
<tr>
<td>Western extension of Stakehill Road to Warnbro Sound Avenue - 2 lanes by 2050.</td>
<td>Supported as part of the <em>Perth and Peel @ 3.5 Million</em> submission.</td>
</tr>
<tr>
<td>The full alignment of Nairn Drive (Kulija Road/FRCAH to Paganoni Road) - 4 lanes by 2050.</td>
<td>Supported – the City is progressively upgrading Nairn Drive based on its level of service and this process will continue.</td>
</tr>
<tr>
<td>Stakehill Road, between Nairn Drive and Mandurah Road - 4 lanes by 2050.</td>
<td>Supported. Given the long-term nature of the proposal, the timing and need for the upgrade will be subject to review in the future.</td>
</tr>
</tbody>
</table>
2. Road Network Plan - Lanes 2031
3. Road Network Plan - Lanes 2050
Other Considerations

It is noted that the mostly constructed portion of Nairn Drive, between Stakehill Road and Kerosene Lane, is not shown on the ‘2031 Road Network Plan’, whilst the unconstructed portion between Stakehill Road and Paganoni Road is shown. This matter should be raised and could be a factor which contributed to the forecasted traffic volumes for Baldivis Road being excessive.

The City’s submission on the South Metropolitan Peel Sub-Regional Planning Framework recommended that additional regional road connections be shown east of Kwinana Freeway to improve connectivity in the sub-region and improve road accessibility to Rockingham. These additional road connections included:

- Nicholson Road extension from Mundijong Road to Pinjarra Road.
- Extension of Safety Bay to the new Nicholson Road.
- Eastward extension of Anstey Road and Paganoni Road to South West Highway.

The benefit associated with these connections should be reiterated in the submission on the Perth Transport Plan.

These roads are one of a number initiatives that could be introduced to increase the ability of the Rockingham Strategic Metropolitan Centre to realise its intended purpose. Convenient road access from the catchment in south-east corridor to the Rockingham Strategic Metropolitan Centre can only aid its viability as an employment destination and improve self-sufficiency (further discussed in section 6.2 below). The same applies to eastern movement to the south-east corridor.

In March 2016, the Council considered draft plans prepared by Main Roads for the Fremantle Rockingham Controlled Access Highway (FRCAH), which incorporated an extension of Nairn Drive north of Kulija Road, connecting through to Millar and Wellard Roads, with a full interchange at Kulija Road (see Plan 2 below). The Council supported the planned northern extension of Nairn Drive and full interchange.

4. Kulija Road/Nairn Drive Interchange

The northern extension of Nairn Drive has not been identified in the Perth Transport Plan and it is recommended that it be included consistent with draft plans for the FRCAH prepared by Main Roads.

2. Freight Network Transport Plan

The Freight Network Transport Plan responds to the State Government’s current position on the Fremantle Inner and Outer Harbours. In this regard, the approach seeks to facilitate an increase in freight capacity at the Inner Harbour (the document suggests that container traffic through the Inner Harbour could almost double by 2031) prior to progressing the Outer Harbour at the Western Trade Coast.
The recommendations respond to a number of broad outcomes including a doubling of freight on rail, from about 15% of all shipping containers to 30%.

The *Freight Network Transport Plan* contains recommendation on expansion of the rail and road freight network and supporting infrastructure such as intermodal and logistics terminals.

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<th>Sub-Regional</th>
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<tr>
<td><strong>Proposal</strong></td>
</tr>
<tr>
<td>Perth Freight Link, connecting Muchea to Fremantle via Roe 8, Fremantle Tunnel and Port Connection – by 2031.</td>
</tr>
<tr>
<td>Fremantle Rockingham Highway, including upgrading Kulija Road to 4 lane divided standard – by 2050.</td>
</tr>
<tr>
<td>Additional rail access corridor to Kwinana Industrial Area to overcome capacity limits at Kwinana Triangle – by 2031.</td>
</tr>
<tr>
<td>Intermodal terminals, including Latitude 32 Logistics Centre – by 2050.</td>
</tr>
<tr>
<td>Rowley Road, Anketell Road and Mundijong Road – 4 lane divided standard - by 2050. Rowley Road being a ‘Transport Corridor’ containing a new rail alignment linking the existing freight line with the Latitude 32 Intermodal and Outer Harbour.</td>
</tr>
<tr>
<td>Southern Link Road, connecting Mundijong Road with Brookton and Albany Highways – beyond 2050.</td>
</tr>
<tr>
<td>Transfer System to Container Port Outer Harbour – by 2050.</td>
</tr>
<tr>
<td>Duplicate Track Cockburn Triangle to Latitude 32 and Latitude 32 to Kwinana Triangle – by 2050</td>
</tr>
</tbody>
</table>
2.1 Outer Harbour/Perth Freight Link

The timing of the FRCAH does not appear to be directly influenced by the State Government’s intentions with respect to the Outer Harbour relative to the future of the Inner Harbour.

The proposed timing of the freight transport routes to the general location of the proposed Outer Harbour, however, provides an insight into when the State Government is contemplating its delivery. By 2050, the east-west roads servicing the Outer Harbour (Rowley Road and Anketell Road) will be constructed to ultimate capacity along with the intermodal logistics centre at Latitude 32. None of this infrastructure is proposed to be completed by 2031.

The Kulija Road portion of the FRCAH is proposed to be widened to four lanes with median by 2031 along with the northern (unconstructed) balance being four lanes within this timeframe. By 2050, the section of the FRCAH between Thomas Road and Roe Highway will be six lanes with full grade separation at the intersecting roads.

It can be concluded from the above that freight access to the Inner Harbour requires the construction of the FRCAH and that the Outer Harbour, and other activities within the Western Trade Coast, does not effectively influence this outcome. The FRCAH will also be a means by which general traffic in the sub-region can be more effectively distributed.

The FRCAH provides direct connection to the Inner Harbour. For the purpose of this report, the portion between Kwinana Freeway and Stock Road will be referred to as the ‘Roe Highway Extension’ (also known as ‘Roe 8’) and the portion from Stock Road to Inner Harbour will be referred to as the ‘Perth Freight Link’, as shown below.

The Perth Freight Link starts at the intersection of Stock Road and Forest Road then follows Stock Road to Winterfold Road from where it tunnels to High Street/Stirling Highway.

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5. Perth Freight Link/Roe Highway Extension

The Perth Freight Link and Roe Highway Extension remains a divisive project which has been actively debated at all levels of government. The supporters of the Perth Freight Link essentially believe that it will assist in the efficient movement of freight to the Fremantle Inner Harbour thereby reducing traffic and increasing safety on existing roads such as Leach Highway and Kwinana Freeway. Additionally, it is seen to enhance the capacity of the road network to accommodate the increased traffic brought about by natural growth.
The opponents hold the view that the Perth Freight Link/Roe Highway Extension will damage sensitive environmental assets, work against the objective of moving more freight by rail and divide communities, amongst other concerns. Those that oppose the project believe that the funding should be directed towards progressing the Outer Harbour with the City of Kwinana going to the extent of promoting an option for its delivery (land-backed option).

The South West Group, which advocates on behalf of the Cities of Rockingham, Kwinana, Cockburn, Melville and Fremantle and Town of East Fremantle, will include the member Council’s position on the Outer Harbour and Perth Freight Link in its submission on the Perth Transport Plan. The South West Group has requested that the City of Rockingham’s position on these projects be provided for inclusion in its submission.

Without the construction of the Perth Freight Link, or an equivalent north-south arterial road, the ability of the existing road network to accommodate additional traffic (freight and general traffic) is likely to be limited. There is no evidence to suggest that the existing or planned regional road network can efficiently function without this connection.

The modelling within the Road Network Plan shows that roads such as Canning Highway and Leach Highway will carry traffic volumes between 40,000 – 80,000 vehicles per day in 2050 with the Perth Freight Link fully constructed. At this time, the Perth Freight Link is forecast to also carry 40,000 – 80,000 vehicles per day.

By not constructing the Perth Freight Link, the vehicles forecast to use this arterial road will be distributed to the existing roads most of which have limited ability for expansion.

It is therefore reasonable to expect that the Perth Freight Link, or an equivalent north-south arterial road, is required to alleviate congestion on the existing network and this congestion is likely with or without the Inner Harbour reaching the capacity targets published by the State Government. In this regard, it is noted that freight vehicles will only comprise less than 5% of vehicles that are forecast to use the Perth Freight Link.

With respect to the Outer Harbour, the City contributed to the environmental processes conducted by the State Government in 2005 – 2008 with the focus of the input being regional transport, Cockburn Sound water quality and amenity considerations.

From a project perspective, the Council should recognise that the Inner Harbour will reach capacity and that additional capacity for freight movement will be achieved at the Outer Harbour within the Western Trade Coast. Further, the Outer Harbour will markedly change the economic environment within the region and present opportunities from which the City of Rockingham should derive benefit.

It is proposed that Council support the development of the Outer Harbour and acknowledge the significant benefits this facility would bring to the region.

The City of Kwinana recently convened a gathering of the local governments of Kwinana, Cockburn, Fremantle, East Fremantle, Serpentine Jarrahdale and Armadale to discuss the development of the Outer Harbour and consider a lobbying campaign based upon raising the development of the facility as an issue central to the 2017 State Government election to be held in March. It is understood that the City of Melville and representatives of the South West Group were not invited.

It was agreed at that meeting that all participants would seek an adopted policy position on the issue prior to taking further action.

The “fast tracked” development of the Outer Harbour became topical in the context of the proposed sale of the Fremantle Port and the extension of the Roe Highway between the Kwinana Freeway and Stock Road (Roe Highway Extension). The City of Kwinana also released the ‘Indian Ocean Gateway’ proposal which was not supported by Council due to concerns with governance arrangements, land use planning and the location of heavy rail corridors.

Whilst it could appear that the development of the Outer Harbour, sale of Fremantle Port, construction of Roe Highway Extension and the ‘Indian Ocean Gateway’ project are intrinsically linked, it is considered that a more objective project by project analysis is necessary in order to come to a policy position that is beneficial to stakeholder interests including all tiers of government, industry and the community at large.

This report has already discussed the merits of the Perth Freight Link, and in the absence of any other viable alternative that might alleviate current and future congestion issues in the Cities of Melville and Fremantle, the concept is supported.
This report has also discussed and proposed that Council support the development of the Outer Harbour acknowledging the economic benefits of such a major infrastructure project. The timing of the development of the Outer Harbour will be contingent upon the life and capacity of the Fremantle Port and its ability to effectively serve the best economic development interests of the State. The State Government considers that the Inner Harbour has future capacity for 25 or more years. In light of the “softening economy” and the commensurate downturn in trade generally (the container trade from 2015/16 was almost 4% less than in 2014/15, which is the only time trade has decreased apart from post GFC) it seems unlikely that capacity will be an issue for the existing port in the short to medium term. The significant investment that would be required from Federal, State and private sector sources to construct the infrastructure necessary to facilitate a new port (and decommission the existing facility) in the current economic climate, is once again in the short to medium term, considered to be unlikely.

The South West Group member local governments all have different policy positions and motivations on these issues and that has seen them being combined to validate the relative “for and against” arguments on both the Outer Harbour and Perth Freight Link/Roe Highway Extension. The complexity of the issue goes deeper when differences of opinion exist as to the location of the intermodal terminal between its current planned location in the Latitude 32 (Cockburn’s preference) or in the immediate vicinity of the Outer Harbour (Kwinana’s preference). Further differences of opinion exist with the land backed port proposal (City of Kwinana) and offshore based (island) proposals supported by the State Government. These issues, whilst critically important to the establishment of a new Outer Harbour are technical and complex and in reality well outside of the aegis or influence of local government. Key Federal and State agencies and major stakeholders in the maritime and logistic industries will play a major role in determining their preferred options notwithstanding that some local governments will chose to take positions in support or otherwise.

It is proposed that the City does not adopt a policy position on either of these two issues. Irrespective of the life of the Fremantle Port, the need for immediate and extensive planning for the establishment of a new Outer Harbour is necessary. Land use and transport planning issues remain unresolved as does the actual form and function of any new facility. The South West Group is considered to be the best and most appropriate vehicle in which to lead South Metropolitan Local Governments through this very important planning phase.

In summary it is proposed that the Council adopt the following policy:

- Support the construction of the Perth Freight Link/Roe Highway Extension, in the absence of any legitimate or viable alternative that might relieve current and predicted heavy freight and domestic traffic congestion in the vicinity of Melville and Fremantle.
- Support the development of the Outer Harbour acknowledging the significant economic benefit such a project would bring to the region.
- Support the commencement of planning for the new facility which should include resolution of issues relating to regional land use and transport planning.
- Request all member local governments of the South West Group to support the planning and development of the Outer Harbour and for the South West Group to lead State and Federal Government engagement in the planning process on relevant regional issues.

The process to select the configuration and resolve the technical detail of the Outer Harbour should be thorough and inclusive.

The planning for the Outer Harbour is a significant undertaking in its own right and the process should not be compromised to satisfy other political agendas. As mentioned above, there is no evidence to suggest that the regional road network can effectively function without the construction of the Perth Freight Link, or an equivalent north-south arterial road, regardless of the freight capacity ultimately reached at the Inner Harbour.

The notion of linking the delivery of the Outer Harbour to the Perth Freight Link is flawed and the two projects should be progressed independently.
3. Public Transport Plan

The Public Transport Plan provides recommendations on both rail and on-road public transport infrastructure. Rail proposals consist of a range of conventional and underground routes intended to connect with growing urban centres or improve connectivity between existing services. On-road public transport proposals consist of higher level services such light rail, bus rapid transit, and key strategic routes for high frequency or high priority services.

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>A new train line from the Perth central area underground to Morley, with longer term extension north to service East Wanneroo, with a spur line to Ellenbrook - by 2050 and beyond.</td>
<td>Noted.</td>
</tr>
<tr>
<td>An underground train line from Murdoch to Stirling, connecting with Booragoon, EWA, QEII Hospital, and the Stirling Strategic Metropolitan Centre - by 2050.</td>
<td>Noted and supported; improves public transport connectivity to other centres via Mandurah rail line.</td>
</tr>
<tr>
<td>Extension of the Thornlie spur line to Cockburn Central - by 2031.</td>
<td>Noted and supported; improves public transport connectivity to other centres via Mandurah rail line.</td>
</tr>
<tr>
<td>Extension of the Joondalup line to Yanchep - by 2031.</td>
<td>Noted.</td>
</tr>
<tr>
<td>A Subway network linking Perth central area, East Perth and West Perth - beyond 2050.</td>
<td>Concern raise that this may replicate other proposed services proposed before 3.5 million.</td>
</tr>
<tr>
<td>An underground train line linking Stirling and Morley - beyond 2050.</td>
<td>Noted and supported; improves public transport connectivity to other centres.</td>
</tr>
<tr>
<td>Other matters - Karnup Station</td>
<td>The plan has not identified the location of future rail stations as it considers more detailed work is required to identify the location of such. The failure to identify stations represents a flaw in the strategic planning process as sub-regional and local land use planning cannot then account for the location of stations. For instance, the City’s Local Planning Strategy is currently being prepared that should be responding to future station locations. The lack of guidance on future station timing and location has also impacted on the preparation and assessment of Local Structure Plans along the Mandurah line. Whilst it is accepted that the specific location and land requirements of stations cannot be identified in some instances without more detailed work, the plan should identify indicative location and timing of stations to provide a guide for local and sub-regional planning. It is recommended that the plan identify the development of a station at Paganoni Road in Karnup. The development of a station at this location was factored into the design of the Mandurah line, acknowledged in the draft Public Transport for Perth in 2031 and the surrounding land is under State Government ownership.</td>
</tr>
<tr>
<td>Proposal</td>
<td>Comment</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>There is therefore certainty regarding the location and ability to construct a station in this location. The development of a station at Paganoni Road should occur as soon as possible, given the existing separation between the existing Warnbro and Mandurah Stations (22.5km) in an area of substantial urban growth. The existing provision of stations in this area is already inadequate, and will only be exacerbated by future growth in the area.</td>
<td></td>
</tr>
</tbody>
</table>

6. Rail Network Plan
### Other Public Transport

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bus rapid transit or light rail:</strong></td>
<td></td>
</tr>
<tr>
<td>- Ellenbrook to Bassendean Station, Midland and future East Wanneroo Rail Link - by 2.7M;</td>
<td>Noted. Improvements to public transport connectivity between centres is generally supported.</td>
</tr>
<tr>
<td>- Glendalough Station to Scarborough Beach - by 2.7M;</td>
<td></td>
</tr>
<tr>
<td>- Canning Bridge to Booragoon - beyond 3.5M; and</td>
<td></td>
</tr>
<tr>
<td>- Murdoch Station to the Cockburn Coast via Fremantle - beyond 3.5M.</td>
<td></td>
</tr>
<tr>
<td><strong>Perth Light Rail:</strong></td>
<td></td>
</tr>
<tr>
<td>- UWA to Curtin Uni via Perth - by 2.7M; and</td>
<td>Noted and supported; improves public transport connectivity to other centres.</td>
</tr>
<tr>
<td>- Curtin Uni to Canning Bridge - by 3.5M</td>
<td></td>
</tr>
<tr>
<td><strong>High priority public transit corridors:</strong></td>
<td></td>
</tr>
<tr>
<td>- Cockburn Coast to Rockingham,</td>
<td>Supported.</td>
</tr>
<tr>
<td>- Baldivis to Warnbro Station</td>
<td></td>
</tr>
<tr>
<td><strong>High frequency public transit corridor:</strong></td>
<td></td>
</tr>
<tr>
<td>- Read Street / Warnbro Sound Avenue</td>
<td>Read Street/Warnbro Sound Avenue is supported as a public transit corridor, however, it has the potential to accommodate higher order transit (Bus Rapid Transit or Light Rail Transit in the long term):</td>
</tr>
<tr>
<td>- Baldivis Road (south of Safety Bay Road)</td>
<td>• Long corridor (over 17km in length) connecting a significant number of centres and community facilities.</td>
</tr>
<tr>
<td></td>
<td>• Substantial capacity for growth through redevelopment in accordance with TOD principles.</td>
</tr>
<tr>
<td></td>
<td>Nairn Drive should be identified as the primary north-south transit corridor through Karnup and Baldivis, instead of Baldivis Road. It is a larger and less constrained road reserve, and provides better connection to existing and planned centres and facilities.</td>
</tr>
<tr>
<td></td>
<td>Consideration should be given to extending the transit corridor north of Safety Bay Road, potentially connecting through to Rockingham via Dixon Road.</td>
</tr>
<tr>
<td>Other matters – No Rockingham City Centre Transit System (RCCTS)</td>
<td>The City has developed and implemented a planning framework for the Strategic Metropolitan Centre which supports the future provision of street based transit, by encouraging medium to high density development.</td>
</tr>
<tr>
<td></td>
<td>The RCCTS alignment should be identified on the plan for a future BRT or LRT.</td>
</tr>
</tbody>
</table>
7. On-Road Public Transport Plan

Bus rapid transit (BRT) or light rail
1. Ellenbrook to Bassendean Station, Midland and East Wanneroo Rail Link
   - by 2.7 million
2. Glendalough Station to Scarborough Beach
   - by 2.7 million
3. Canning Bridge to Booragoon
   - beyond 3.5 million
4. Murdoch Station to the Cockburn Coast via Fremantle
   - beyond 3.5 million

Perth Light Rail
5. Stage 1 UWA-QLF to Curtin-Bentley
   - by 3.7 million
6. Stage 2 Curtin-Bentley to Canning Bridge
   - by 3.5 million

LEGEND
- Light Rail @ 3.5 million
- Bus Rapid Transit or Light Rail @ 3.5 million
- Bus Rapid Transit or Light Rail beyond 3.5 million
- High Priority Public Transit Corridor
- High Frequency Public Transit Corridor
- Passenger Rail @ 3.5 million
- Passenger Rail beyond 3.5 million
- Perth Central Business District

*Maps for illustration purposes only.

Further work to be undertaken to assess additional rail lines in this area.
4. Cycling Network Plan

The Cycling Network Plan provides recommendations on regional cycling infrastructure intended to cater for commuting and recreational cycling needs and support cycling as an alternate travel option. Infrastructure identified in the plan includes expansion of the Principal Shared Path (‘PSP’) network along major transport corridors, the provision of additional river and lake crossings to reduce travel times between significant destinations, as well as additional regional on and off-road cycling routes. It is noted that much of the cycling infrastructure identified will also benefit pedestrians by improving access.

The improvements to cycling and pedestrian infrastructure throughout the metropolitan, improving desirability as an alternative transport option, are generally supported. With respect to the specific proposals of relevance to the City, further comments are provided below.

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connection between Rockingham Station and Kwinana Freeway principal shared path at Thomas Road</td>
<td>This connection is identified as an off-road route to a PSP standard following the alignment of the Mandurah rail line. The route is supported as it would improve access between Kwinana and Rockingham and access to the Kwinana Freeway PSP.</td>
</tr>
<tr>
<td>Ennis Avenue</td>
<td>This route has been identified as an off-road route and would function as a PSP. The route is supported as it would provide a higher speed, long distance, cycling route connecting to the Rockingham and Warnbro Stations.</td>
</tr>
<tr>
<td>Safety Bay Road</td>
<td>This route has been identified as an off-road route connecting the Kwinana Freeway PSP to Warnbro Station through Baldivis. A portion of this route is currently under construction. The route is supported and is essential to connecting the rapidly growing Baldivis urban corridor to Warnbro Station and the wider Rockingham area.</td>
</tr>
<tr>
<td>Kulija Road</td>
<td>This route has been identified as an off-road route connecting the Kwinana Freeway PSP to Dixon Road and the Rockingham coastline. This route is supported as it will provide a direct connection between Rockingham Strategic Metropolitan Centre and the Kwinana Freeway PSP.</td>
</tr>
<tr>
<td>Rockingham Coastline</td>
<td>Off-road cycling routes have been identified along the City’s coastline and would primarily function as a recreational route. The route is supported.</td>
</tr>
<tr>
<td>Read Street / Warnbro Sound Avenue</td>
<td>Read Street and Warnbro Sound Avenue have been identified for on-street cycling. Given the regional nature of Read Street and Warnbro Sound Avenue, and its role in connecting significant activity centres and community facilities, it is recommended that the corridor be identified as an off-road route in order to improve the safety and convenience of cycling to these places.</td>
</tr>
</tbody>
</table>
8. Cycling Network Plan

The Cycling Network @ 3.5 Million and Beyond
Perth and Peel

Cycling Network River and Lake Crossings:
1. Three Points Bridge, connecting Chidley Point, Point Walter and Point Resolution — by 2.7 million
2. Hillary Island Bridge — by 2.7 million
3. Racecourse Bridge — by 3.5 million
4. Maylands bus bridge — by 3.5 million
5. Sather Point Bridge — by 3.5 million
6. Pipeline River Crossing — by 3.5 million
7. Canning River Elevated Boardwalk — by 3.5 million
8. Lake Joondalup Bridge — by 3.5 million
9. Lake Coodelel bridge — by 3.5 million

LEGEND
- Off Road Cycling Routes
- On Road Cycling Routes
- Perth Central Business District

*Maps for illustration purposes only.

All new routes are subject to further work on exact alignment and detailed design.

8.  Cycling Network Plan
5. **Travel Demand Management Plan**

The travel and demand management (TDM) measures are intended to make more efficient use of infrastructure, reduce congestion and improve reliability of the transport system, reducing the need for significant new infrastructure.

The key benefits identified are:
- reduction of congestion cost and growth
- efficient use of existing transport infrastructure and services
- reduction or deferral of transport infrastructure investment
- improved accessibility for the transport disadvantaged
- increased physical activity and public health
- improved liveability and amenity
- road safety benefits including reduced personal trauma, injuries and other costs
- improved air quality and reduced emissions.

The plan identifies six key TDM measures as follows:
- travel plans for new developments, identifying actions to encourage safe, healthy and sustainable options.
- travel behaviour programs, including education, information and incentives.
- walking and cycling infrastructure
- parking strategies
- public transport time of day pricing
- road use pricing reforms to control road use demand.

International experience shows that TDM measures have the potential to encourage significant reductions in private car use. The intent of investigating a range of options to manage car travel demand is supported.

6. **Project Methodology**

The policy and strategy settings for the *Perth Transport Plan* have not been consistently communicated. The document concentrates on the upfront infrastructure projects without the case being made for its recommendations.

The information within the *Perth Transport Plan* is presented in a way that is difficult to interpret given the scale of the plans and the inability to determine how one mode relates to another. Consideration should be given to presenting the combined proposals by sub-region consistent with the format of *Perth and Peel @ 3.5 Million*. The land use proposals within *Perth and Peel @ 3.5 Million* should also be made available with the transport mode plans.

The close relationship between the *Perth Transport Plan* and *Perth and Peel @ 3.5 Million* brings into question the ability to alter the fundamentals of the transport network in the event that the urban form or planning settings change. It has not been demonstrated that there is enough robustness in the *Perth Transport Plan* to achieve the same outcomes if the planning approach is amended.

The *Perth Transport Plan* reacts to the land use recommendations within *Perth & Peel @ 3.5 Million*. It iteratively established a transport network, with insight from its modelling. Unfortunately there was a lack of consultation through this process and there is no understanding of what alternative modes of transport or different networks could deliver. There is likely to be more efficient alternatives to the transport proposals within the *Perth Transport Plan*, however, the discussion was not held.

Further to the above, consultation during the preparation of the *Perth Transport Plan* was non-existent. Given that many of the recommendations rely upon local government involvement, it is disappointing that the sector was not involved early and throughout the four year preparatory process.
6.1 **Alignment with Perth & Peel @ 3.5 Million**

As mentioned above, the *Perth Transport Plan* is based on the land use recommendations within the draft *Perth and Peel @ 3.5 Million* and its various Sub-Regional Planning Frameworks.

The City’s submission on the draft *South Metropolitan and Peel Sub-Regional Planning Framework* contained a number of recommendations that sought specific outcomes that would represent different inputs to the modelling that informed the Perth Transport Plan. These outcomes involved increased urban infill, specifically associated with the proposed Read Street/Warnbro Sound Avenue Activity, and higher employment targets within the Rockingham Strategic Metropolitan Centre.

The City subsequently modelled the transport outcomes of the City’s preferred growth scenario against the proposals released in the draft *South Metropolitan and Peel Sub-Regional Planning Framework*.

The modelling demonstrated that significant benefits are associated with the City’s preferred growth scenario with traffic being reduced by 27% or 30,000 less trips per day and mode share alters whereby the amount of public transport and active transport trips double. Additionally, more vehicle trips remain in Rockingham and cover shorter distances. These outcomes are entirely consistent with the aspirations within the *Perth Transport Plan*.

The alignment between the *Perth Transport Plan* and *Perth and Peel @ 3.5 Million* is acknowledged, but the uncertainty surrounding the ultimate land use outcomes brings into question the broader process. It is apparent that the *Perth and Peel @ 3.5 Million* documents will be finalised in the coming months in advance of the *Perth Transport Plan*.

The manner in which the ultimate land use configuration, presuming that there are variations from the published draft *Perth and Peel @ 3.5 Million*, is reconciled inclusively in a transport sense requires clarification.

6.2 **Rockingham Strategic Metropolitan Centre**

*Perth and Peel @ 3.5 Million*, and its various regional strategic planning predecessors, seek outcomes that reduce the reliance on the Perth CBD as the major attractor for employment and other services. The hierarchy of activity centres is predicated on the basis that high-order centres will evolve such that employment and services that have traditionally located in the Perth CBD will be available closer to the major population catchments.

Rockingham is one such high-order centre being the Strategic Metropolitan Centre within Perth’s south-west corridor. The City of Rockingham has invested significant resources in building a platform upon which its Strategic Metropolitan Centre can reach its intended potential. The enabling planning framework, being the WAPC endorsed ‘Rockingham Strategic Metropolitan Centre Activity Centre Structure Plan’, is the mechanism that will continue to guide change.

The success of these high-order centres can not be driven by local government alone and unless all tiers of government recognise the challenges and contribute to implementation, the decentralisation agenda will not be realised.

The provision of transport infrastructure is a critical component to fast-tracking the growth of high-order centres. As eluded to above, the employment target for the Rockingham Strategic Metropolitan Centre are low and there is capacity to double the provision of jobs within the 2050 timeframe (from 12,000 to 24,000).

In this regard, the *South Metropolitan and Peel Sub-Regional Planning Framework* recommends that employment growth in Rockingham should effectively ‘keep pace’ with population growth. This ‘business as usual approach’ suggests that the State Government is not committed to realising its own objective to improve employment self-sufficiency within the outer growth regions.

The *Perth Transport Plan* should ensure that access to Strategic Metropolitan Centres is improved, across all modes of transport, and that transformational public transport initiatives are programmed to accelerate growth. The influence of government intervention is clearly evident in projects such as Cockburn Central which has successfully leveraged expedited growth from significant transport investment and other assistance.

The focus of the *Public Transport Plan* is geared towards relieving congestion on the approaches to and within the Perth CBD. De-constraining access to the CBD by improving traffic flow contradicts the State Government’s decentralisation objectives. Of the listed recommendations within the *Perth Transport Plan* summary document, more than 75% have CBD access benefits at their core.
On the other hand, the outer growth regions and the high-order activity centres have been largely ignored other than through the provision of standard transport improvements aligned to growth. For the outer growth centres to realise potential, a concerted government effort is needed to not simply set planning aspirations but to provide complementary investment in infrastructure such as transport.

7. Project Implementation

The *Perth Transport Plan* fails to effectively communicate how its recommendations will be delivered. Similar criticisms were levelled at *Perth and Peel @ 3.5 Million* and the *Green Growth Plan*.

The City’s submission on *Perth and Peel @ 3.5 Million* recommended that its ‘aspirations and actions’ be less ambiguous and result in tangible outcomes. Also, that the governance framework be defined along with parties responsible for implementation.

The following observations are provided on the delivery of the *Perth Transport Plan*:

(i) The document states that following adoption, more detailed design work will be carried out to ‘determine their effectiveness and priority’.

It is currently not possible to determine the relative merits of one proposal against another and get an insight into which project will be delivered early within the broad timeframes. There should be a strategic merit test (or similar) to assist in prioritisation.

(ii) Following project planning and evaluation, as described above, it is proposed to submit ‘approved projects’ to Government as part of the annual Budget process. This practice is short-sighted and lacking in certainty.

Ideally, the *Perth Transport Plan* would have bi-partisan support to create confidence in its delivery. Whilst bi-partisan support is recognised as being a difficult aspiration, the priority projects should at least be included in the Government’s five year forward estimates.

(iii) The mention of the annual Budget cycle is the only reference to funding. A document of this nature should explore alternative and innovative methods of funding that challenge the current paradigm.

(iv) The connection between transport and land use outcomes is essentially lacking. The modelling, which informs the *Perth Transport Plan*, is a ‘blunt tool’ that simply predicts how the proposed network will service the proposed land use outcomes.

The *Perth Transport Plan* fails to recognise that transport infrastructure can be the catalyst for change and advance many of the State Government’s broader planning aspirations particularly with respect to realising the objectives for high-order activity centres.

(v) Many of the road network proposals are reliant upon local government intervention given its jurisdiction over the roads. Local government will require assistance to align their local transport strategies and to fund the improvements. There should also be increased clarity about the role of local government in implementing the *Perth Transport Plan*.

(vi) Effective governance of the *Perth Transport Plan* post-adoption is critical to its success. An independent governance structure is required to evaluation and prioritise each project against tangible outcomes, and facilitate their delivery.

It is therefore recommended that the Council endorse a submission on the *Perth Transport Plan* that addresses the following:

(i) the focus on transport initiatives that improve accessibility to the Perth CBD at the expense of investment that support the State Government’s objectives to promote self-sufficiency in the regions;

(ii) failure to provide for adequate public transport connection to the Rockingham Strategic Metropolitan Centre;

(iii) development of Read Street/Warnbro Sound Avenue as a higher order public transport corridor;

(iv) identification of a rail station at Paganoni Road, Karnup for construction in the short term; and
(v) the technical comments within the Officer Report on the transport delivery recommendations, project methodology and implementation.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **APPROVES** the lodgement of a submission addressing the following matters:
   
   (i) The focus on transport initiatives that improve accessibility to the Perth CBD at the expense of investment that support the State Government’s objectives to promote self-sufficiency in the regions;
   
   (ii) Failure to provide for adequate public transport connection to the Rockingham Strategic Metropolitan Centre;
   
   (iii) Development of Read Street/Warnbro Sound Avenue as a higher order public transport corridor;
   
   (iv) Identification of a rail station at Paganoni Road, Karnup for construction in the short term; and
   
   (v) The technical comments within the Officer Report on the transport delivery recommendations, project methodology and implementation.

2. **ADOPTS** the following policy positions:
   
   (i) Support the construction of the Perth Freight Link/Roe Highway Extension, in the absence of any legitimate or viable alternative that might relieve current and predicted heavy freight and domestic traffic congestion in the vicinity of Melville and Fremantle.
   
   (ii) Support the development of the Outer Harbour acknowledging the significant economic benefit such a project would bring to the region.
   
   (iii) Support the commencement of planning for the new facility which should include resolution of issues relating to regional land use and transport planning.
   
   (iv) Request all member local governments of the South West Group to support the planning and development of the Outer Harbour and for the South West Group to lead State and Federal Government engagement in the planning process on relevant regional issues.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Sammels:

That Council:

1. **APPROVES** the lodgement of a submission addressing the following matters:
   
   (i) The focus on transport initiatives that improve accessibility to the Perth CBD at the expense of investment that support the State Government’s objectives to promote self-sufficiency in the regions;
   
   (ii) Failure to provide for adequate public transport connection to the Rockingham Strategic Metropolitan Centre;
   
   (iii) Development of Read Street/Warnbro Sound Avenue as a higher order public transport corridor;
   
   (iv) Identification of a rail station at Paganoni Road, Karnup for construction in the short term;
   
   (v) Failure to recognise that investment in transport infrastructure can be the catalyst for realising the State Government’s aspirations for high-order centres such as the Rockingham Strategic Metropolitan Centre; and
(vi) The technical comments within the Officer Report on the transport delivery recommendations, project methodology and implementation.

2. **ADOPTS** the following policy positions:

(i) Support the construction of the Perth Freight Link/Roe Highway Extension, in the absence of any legitimate or viable alternative that might relieve current and predicted heavy freight and domestic traffic congestion in the vicinity of Melville and Fremantle.

(ii) Support the development of the Outer Harbour acknowledging the significant economic benefit such a project would bring to the region.

(iii) Support the commencement of planning for the new facility which should include resolution of issues relating to regional land use and transport planning.

(iv) Request all member local governments of the South West Group to support the planning and development of the Outer Harbour and for the South West Group to lead State and Federal Government engagement in the planning process on relevant regional issues.

(v) Support the construction of the Karnup Train Station as a high priority State Government project.

Committee Voting – 4/1

(Cr Summers voted against)

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

1(v). To emphasise that point within the City's submission.

2(v). To establish the City's policy position on the Karnup Train Station.

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

Not Applicable
Planning and Engineering Services Committee Minutes
Monday 17 October 2016
PDS-074/16

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 NOVEMBER 2016

PRESIDING MEMBER

Planning and Development Services
Directorate, Planning Services

Reference No & Subject: PDS-074/16 Transformation of Baldivis Volunteer Bush Fire Brigade to Volunteer Fire and Emergency Service (Department of Fire and Emergency Services Controlled)

File No: EMS/29-08
Applicant: Mr Bob Jeans, Director Planning and Development Services
Owner:
Author:
Other Contributors:
Date of Committee Meeting: 17 October 2016
Previously before Council: June 2016 (PDS-034/16)
Disclosure of Interest: Executive
Nature of Council’s Role in this Matter:

Site:
Lot Area:
LA Zoning:
MRS Zoning:
Attachments:
Maps/Diagrams:

Purpose of Report

To confirm "in principle" positions for the City to adopt in its negotiations with the Department of Fire and Emergency Services (DFES) with respect to the transformation of the Baldivis Volunteer Bush Fire Brigade (VBFB) to a Volunteer Fire and Emergency Service (VFES).

Background

In June 2016, Council resolved to support the transformation of the Baldivis VBFB to a VFES, under the control of DFES.

The reason for the transformation is to provide both structural fire-fighting and bush fire-fighting capability for Baldivis.

Discussions between the City, the Department and Baldivis VBFB have been progressing constructively since June, with all parties showing a willingness for the transformation to occur. The ability for the Brigade to provide structural fire-fighting capabilities is recognised as a prior for the local Baldivis community.

Liaison with Tranby College regarding changes to the existing lease have also been examined. This is necessary as the existing Baldivis Fire Station is subject to a lease between the City and Tranby College and should the transformation proceed, the City will need to assign its responsibilities under the lease to DFES.
Details

Regular meetings between the various parties have been proceeding and matters relating to changes to the Baldivis Fire Station, in particular, changes to station infrastructure that would be required to facilitate the transformation are now under consideration.

The final scope of the station modification will be by agreement between DFES and the Baldivis Bush Fire Brigade members. Any agreed modifications must meet DFES Occupational Safety and Health requirements.

Discussions between the City and DFES have occurred to ensure negotiations continue with respect to potential station changes and the funding thereof. In this regard, it is proposed that the Council confirm the "in principle" position to enable negotiations to continue:

1. The City contribute 50% of the funding necessary to extend the buildings by no more than 100m².
2. The City will undertake the procurement and project management of the extensions.
3. DFES must be satisfied that the internal layout of the facility, both operationally and in accordance with its statutory responsibilities.

Implications to Consider

a. Consultation with the Community
   Negotiations with Baldivis VBFB are ongoing.

b. Consultation with Government Agencies
   Negotiations with DFES are ongoing.

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

   **Aspiration B:** Strong Community
   **Strategic Objective:** Safety and Support - A community that feels safe and secure in home, work and leisure environments, and has access to a range of effective support services and partnerships when encountering challenging or difficult times.

d. Policy
   Not Applicable

e. Financial
   To be determined following design costings of agreed extensions to infrastructure.

f. Legal and Statutory
   Nil

g. Risk
   All Council decisions are subject to risk assessment according to the City's Risk Framework.
   Implications and comment will only be provided for the following assessed risks.

   *Customer Service / Project management / Environment:* High and Extreme Risks
   *Finance / Personal Health and Safety:* Medium, High and Extreme Risks

   Nil

Comments

Council confirmation of the "in principle" position as outlined above will enable negotiations to proceed.

The proposed modifications to the Baldivis Fire Station have been requested by the Baldivis VBFB, however, the changes will need to be subject to financial approval by DFES.
It is clear, however, that the City's "in principle" position is also required to enable negotiations to progress.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council *ENDORSES* the following position be applied to ongoing negotiations with respect to the transformation of the Baldivis Volunteer Bush Fire Brigade to a Volunteer Fire and Emergency Service under the control of the Department of Fire and Emergency Services:

1. The City contribute 50% of the funding necessary to extend the buildings by no more than 100m².
2. The City will undertake the procurement and project management of the extensions.
3. The Department of Fire and Emergency Services must be satisfied that the internal layout of the facility, both operationally and in accordance with its statutory responsibilities.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Sammels:

That Council *ENDORSES* the following position be applied to ongoing negotiations with respect to the transformation of the Baldivis Volunteer Bush Fire Brigade to a Volunteer Fire and Emergency Service under the control of the Department of Fire and Emergency Services:

1. The City contribute 50% of the funding necessary to extend the buildings by no more than 100m².
2. The City will undertake the procurement and project management of the extensions.
3. The Department of Fire and Emergency Services must be satisfied that the internal layout of the facility, both operationally and in accordance with its statutory responsibilities.

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

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-034/16 Tender T16/17-21 – Period maintenance of various parks, reserves and streetscape areas in Secret Harbour</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>T16/17-21</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Adam Johnston, Parks Services Manager</td>
</tr>
<tr>
<td>Author:</td>
<td>17 October 2016</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Executive</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 October 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive</td>
</tr>
<tr>
<td>Site:</td>
<td></td>
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<td>Lot Area:</td>
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<td>LA Zoning:</td>
<td></td>
</tr>
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<td>MRS Zoning:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td>Secret Harbour Estate Site Reference Map</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>Secret Harbour Estate Site Reference Map</td>
</tr>
</tbody>
</table>
**Purpose of Report**

Provide Council with details of the tenders received for Tender T16/17-21 – Period maintenance of various parks, reserves and streetscape areas in Secret Harbour, document the results of the tender assessment and make recommendations regarding award of the tender.

**Background**

Tender T16/17-21 – Period maintenance of various parks, reserves and streetscape areas in Secret Harbour was advertised in the West Australian on Saturday, 20 August 2016. The Tender closed at 2.00pm, Wednesday, 7 September 2016 and was publicly opened immediately after the closing time.

**Details**

The scope of the contract is for the maintenance of all landscape treatments including turf areas, garden beds, arboriculture works, lakes and irrigation within Secret Harbour Estate.

The period of the contract shall be from the date of award for a period of 12 months (1 year).

Submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th>Lump Sum Price – GST Excl</th>
</tr>
</thead>
<tbody>
<tr>
<td>MCL Commercial Services Pty Ltd</td>
<td>$595,000</td>
</tr>
<tr>
<td>Colin &amp; Christopher Richardson, Skyline Landscape Services Group trading as Skyline Landscape Services (WA)</td>
<td>$626,723</td>
</tr>
<tr>
<td>Gemlodge Pty Ltd trading as Cobey Maintenance Services</td>
<td>$700,000</td>
</tr>
<tr>
<td>GLG GreenLife Group Pty Ltd as trustee for the GLG GreenLife Group Unit Trust trading as GLG GreenLife Group</td>
<td>$707,868</td>
</tr>
</tbody>
</table>
Planning and Engineering Services Committee Minutes  
Monday 17 October 2016  
EP-034/16 PAGE 132

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 NOVEMBER 2016

<table>
<thead>
<tr>
<th>Company</th>
<th>Lump Sum Price – GST Excl</th>
</tr>
</thead>
<tbody>
<tr>
<td>LLS Aust. Pty Ltd trading as Lochness Landscape Services</td>
<td>$732,354</td>
</tr>
<tr>
<td>Landscape and Maintenance Solutions Pty Ltd</td>
<td>$981,718</td>
</tr>
<tr>
<td>Sanpoint Pty Ltd trading as LD Total</td>
<td>$1,673,824</td>
</tr>
<tr>
<td>Horizon West Landscape &amp; Irrigation Pty Ltd</td>
<td>$2,043,886</td>
</tr>
</tbody>
</table>

A panel nominated by the Director Engineering and Parks Services, and comprising of Manager Parks Services, Contract Management Supervisor and A/Contract Compliance Officer undertook tender evaluations.

In accordance with the general conditions of Tendering, clause 1:17 Alternative Tender – the Principal may in its absolute discretion reject any such Alternative Response as invalid. Gemlodge Pty Ltd’s Alternate tender was deemed invalid as it did not meet the special conditions of Contract in that the term of the contract period was reduced from 12 months to 9 months with the view to aligning the contract expiry with the end of financial year. There was no advantage to the City in doing this and was therefore not assessed.

Skyline Landscape Services offered an alternate pricing proposal reducing the contract value by 5% based on being awarded the separate Tender T16/17-19 Baldivis South Estate period maintenance but were unsuccessful for that tender. Therefore the discount offered is not valid.

Evaluation of the tender, in accordance with the advertised tender assessment criteria, produced the following weighted scores:

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Level of Service (30 Pts)</th>
<th>Understanding Tender Requirements (40 Pts)</th>
<th>Tendered Price/s (30 Pts)</th>
<th>Total Weighted Scores (100 Pts)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gemlodge Pty Ltd trading as Cobey Maintenance Services</td>
<td>25.1</td>
<td>27.3</td>
<td>25.5</td>
<td>77.9</td>
<td></td>
</tr>
<tr>
<td>LLS Aust. Pty Ltd trading as Lochness Landscape Services</td>
<td>25.8</td>
<td>27.0</td>
<td>24.3</td>
<td>77.1</td>
<td></td>
</tr>
<tr>
<td>Colin &amp; Christopher Richardson, Skyline Landscape Services Group trading as Skyline Landscape Services (WA)</td>
<td>22.0</td>
<td>21.8</td>
<td>28.5</td>
<td>72.3</td>
<td></td>
</tr>
<tr>
<td>MCL Commercial Services Pty Ltd</td>
<td>20.0</td>
<td>20.7</td>
<td>30.0</td>
<td>70.6</td>
<td></td>
</tr>
<tr>
<td>Sanpoint Pty Ltd trading as LD Total</td>
<td>27.3</td>
<td>32.5</td>
<td>10.7</td>
<td>70.5</td>
<td></td>
</tr>
<tr>
<td>GLG GreenLife Group Pty Ltd as trustee for the GLG GreenLife Group Unit Trust trading as GLG GreenLife Group</td>
<td>21.0</td>
<td>21.2</td>
<td>25.2</td>
<td>67.4</td>
<td></td>
</tr>
<tr>
<td>Landscape and Maintenance Solutions Pty Ltd</td>
<td>19.7</td>
<td>23.2</td>
<td>18.2</td>
<td>61.0</td>
<td></td>
</tr>
<tr>
<td>Horizon West Landscape &amp; Irrigation Pty Ltd</td>
<td>18.3</td>
<td>20.2</td>
<td>8.7</td>
<td>47.2</td>
<td></td>
</tr>
</tbody>
</table>

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 and Strategic Objective contained in the Community Plan 2015-2025:
Aspiration C: Quality Leadership

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

d. Policy

In accordance with the City's Purchasing Policy, for purchases above $150,000, a public tender process is to be conducted in accordance with the provision of 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

Expenditure will be in accordance with the City's Annual Budgets.

Expenditure for the service in 2015/2016 financial year was $599,691. The scope of the contract is essentially the same as previous however it has an increased level of reporting and administration requirements.

f. Legal and Statutory


‘Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $150,000 unless sub regulation (2) states otherwise’.

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

Customer Service / Project management / Environment: High and Extreme Risks
Finance / Personal Health and Safety: Medium, High and Extreme Risks

Nil

Comments

Tenderers were required to supply information on the assessment qualitative criteria which required addressing such items as company structure, relevant experience, qualified personal, available resources, methodology for undertaking works and quality accreditation systems. Tender submissions varied in the depth and detail of the qualitative criteria information received demonstrating different levels of capability to undertake the contract requirements. Cobey Maintenance Services, Lochness Landscape Services and LD Total provided quality submissions and satisfactorily addressed the majority of the qualitative criteria requirements. Cobey Maintenance Services is the City's current contractor for period maintenance of public open space at Secret Harbour Estate and has provided good levels of service.

Following consideration of the submissions in accordance with the tender assessment criteria, Cobey Maintenance Services represents best value to the City and is therefore recommended as the preferred tenderer.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ACCEPTS the tender submitted from Gemlodge Pty Ltd trading as Cobey Maintenance Services, for Tender T16/17-21 – Period maintenance of various reserve and streetscape areas in Secret Harbour in accordance with the tender documentation for the lump sum value of $700,000 (excl GST).
Committee Recommendation

Moved Cr Summers, seconded Cr Whitfield:

That Council \textit{ACCEPTS} the tender submitted from Gemlodge Pty Ltd trading as Cobey Maintenance Services, for Tender T16/17-21 – Period maintenance of various reserve and streetscape areas in Secret Harbour in accordance with the tender documentation for the lump sum value of $700,000 (excl GST).

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
Reference No & Subject:

EP-035/16 Proclamation of ramps Melville Mandurah Highway (H002) and Port Kennedy Drive intersection

File No:

Proponent/s:
Main Roads WA

Author:
Mr Stuart McCarthy, Senior Infrastructure Management Officer

Other Contributors:

Date of Committee Meeting:
17 October 2016

Previously before Council:

Disclosure of Interest:
Executive

Nature of Council’s Role in this Matter:

Site:

Lot Area:

LA Zoning:

MRS Zoning:

Attachments:

Maps/Diagrams:
1. Main Roads WA Plan 201021-0205-01
2. Main Roads WA Plan 201621-0041-00

Purpose of Report

For Council to consider a request from Main Roads WA who seek formal endorsement to proclaim the ramps which form part of the Melville Mandurah Highway (H002) (Ennis Avenue) and Port Kennedy Drive intersection as shown on drawings 201021-0205-01, 201621-0041-00 as a main road.

Background

The City received correspondence from Main Roads WA dated 16 September 2016 in respect to the proclamation of ramps H298, H786 and H787 at the intersection of Melville Mandurah Highway (H002) and Port Kennedy Drive. The following is an extract of the correspondence.

In 2014 works were completed on Melville Mandurah Highway (H002) on-ramps and off-ramps to Port Kennedy Drive. This requires the proclamation of the new sections as Main Roads road. These actions will require the gazetting of the relevant sections of the road.

“In accordance with Section 13 of the Main Roads Act, the Commissioner of Main Roads intends to make a recommendation to the Hon. Minister of Transport to proclaim the road shown on Drawings 201621-0041-00 and 201021-0205-01 as a ‘main road’. Footpaths will be excluded from the proclamation. Such paths, if any will therefore be the responsibility of your Council.”
Before making the recommendation to the Minister, The Commissioner requires endorsement by Council of the enclosed proclamation drawings, in duplicate. Endorsement by the Chief Executive Officer without a Council resolution is acceptable providing relevant delegated authority has been given.

Subject to Council’s agreement or delegated authority, will you please endorse the drawing with details of the Council’s resolution number and date of meeting in support of the proposal and return one original signed set to Main Roads East Perth Office, marked for the attention of the Road Classification Manager, Ron Tolliday. The other set should be retained as the Council’s internal record, pending formal proclamation. Following proclamation, a copy of the final drawings showing gazettal details will be sent to Council for its records.

In the event that Council does not support the changes, section 13A(2) of the Main Roads Act makes the provision for Council to lodge an objection with the Commissioner of Main Roads. Any objection needs to be lodged with Main Roads by 30 November 2016.”

Details

In accordance with the Main Roads Act 1930 the Governor, following recommendation by the Commissioner of Main Roads, may by proclamation declare that any section or part of a road shall be a highway or a main road and declare that the footpaths of any such road shall, or shall not, be excluded from the road.

In this particular proclamation of ramps H298, H786 and H787 shown on drawings 201021-0205-01 and 201621-0041-00 there are no footpaths and therefore this is not an issue.

1. Proclamation Plan for ramps H298, H786 and H787 from Main Roads WA
2. Insert area of Proclamation Plan for ramps H298, H786 and H787 from Main Roads WA

**Implications to Consider**

a. **Consultation with the Community**
   Nil

b. **Consultation with Government Agencies**
   Main Roads WA

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

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

d. **Policy**
   Nil

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

Main Roads Act 1930

Part 4 - Highways and main roads
Section 13 - Proclamation of highways and main roads

(1) On recommendation of the Commissioner the Governor may by proclamation declare that any section or part of a road shall be—

(a) a highway; or

(b) a main road,

or shall cease so to be and may by the same or a subsequent proclamation declare that the footpaths of any such road shall, or shall not, be excluded from the road.

g. Risk

All Council decisions are subject to risk assessment according to the City’s Risk Framework.

Implications and comment will only be provided for the following assessed risks.

- Customer Service / Project management / Environment: High and Extreme Risks
- Finance / Personal Health and Safety: Medium, High and Extreme Risks

Nil

Comments

The proclamation of ramps H298, H786 and H787 as a Main Road road shown on drawings 201021-0205-01 and 201621-0041-00 has been reviewed and it is noted that no footpaths exist at this location. Main Roads WA will be responsible for all other aspects of the ramps. Therefore it is recommended that Council support the proclamation of ramps H298, H786 and H787.

Voting Requirements

Simple Majority

Officer Recommendation

That Council SUPPORTS the proclamation of ramps H298, H786 and H787 as a main road shown on drawings 201021-0205-01 and 201621-0041-00.

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council SUPPORTS the proclamation of ramps H298, H786 and H787 as a main road shown on drawings 201021-0205-01 and 201621-0041-00.

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 Services

Reference No & Subject: EP-036/16 Safe pedestrian crossing on Settlers Avenue between the Baldivis Shopping Centre and Mary Davies Library

File No: RDS/5-08
Proponent/s: Cr Matthew Whitfield
Author: Ms Elaine Chan, Transport Engineer
Other Contributors: Mr Stuart McCarthy, Senior Infrastructure Management Officer
Date of Committee Meeting: 17 October 2016
Previously before Council:
Disclosure of Interest:
Nature of Council’s Role in this Matter: Executive

Site: Settlers Avenue, Baldivis
Lot Area:
LA Zoning:
MRS Zoning:
Attachments:
Maps/Diagrams:
1. Settlers Avenue indicating locations of the pedestrian crossing points
2. Concept design of the pedestrian refuge island option
3. Concept design of the shared zone option

Purpose of Report
For Council to consider the results from the pedestrian safety investigation and options that could improve the safety of pedestrians crossing Settlers Avenue, between the Baldivis Shopping Centre and Mary Davies Library.

Background
In July 2016 the following Notice of Motion by Cr Matthew Whitfield was supported by Council:

“That Council DIRECTS the Chief Executive Officer to investigate all options that would make it safer for pedestrians to cross on Settlers Avenue between the Shopping Centre and the Mary Davies Library and present those options to Council for consideration.”
Details

Settlers Avenue is a two lane local access road with on-street parallel parking on both sides. The road sits between Mary Davies Library and the Baldivis Shopping Centre. On-street parallel parking consists of 30 minutes parking bays and two loading zones (one outside Mary Davies Library and one outside DB Dental). Three pedestrian crossing points have been identified on Settlers Avenue for the purpose of this investigation.

Crossing Point 1 is located between Mary Davies Library and the Baldivis Shopping Centre entrance (it is a raised table with flush pedestrian kerbs). Crossing Point 2 is located at the north of the Settlers Avenue / Atwick Terrace junction (no raised table). Crossing Point 3 is located at the south of the Settlers Avenue / Atwick Terrace junction (it is a raised table with flush pedestrian kerbs). These crossing points are identified in Figure 1 below.
Assessment on the Existing Usage for Pedestrian Crossings

Manual pedestrian and vehicle counts have been conducted at the pedestrian crossing points. Time periods chosen for the counts include AM peak 11am-12pm, afternoon school peak 3pm-4pm and PM peak 5pm-6pm on a Thursday. Thursday has longer shopping hours (late night) which we expect to have a higher number of pedestrians in the PM peak. Pedestrian and vehicle counts have also been conducted on a Saturday to assess the midday peak 12pm-1pm.

Main Roads WA (MRWA) has minimum requirements for pedestrian and traffic demand before pedestrian priority crossing facilities can be considered. A zebra crossing is generally required if in two separate hours on an average weekday, the number of pedestrians exceeds 60 per hour within 30 metres of the site and the number of vehicles exceeds 600 per hour (both directions). Also, the product of the number of pedestrians and vehicles is required to exceed 90,000 in the same hour.

Below is a summary of the count data and calculation on the product of the two counts.

<table>
<thead>
<tr>
<th>Date / Time Periods</th>
<th>Crossing Point 1</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Pedestrian Counts</td>
<td>Vehicle Counts</td>
<td>Pedestrian x Vehicle</td>
<td></td>
</tr>
<tr>
<td>Thursday 21/7/16</td>
<td>11-12pm (AM peak)</td>
<td>159</td>
<td>146</td>
<td>23,214</td>
</tr>
<tr>
<td></td>
<td>3-4pm (School peak)</td>
<td>213</td>
<td>221</td>
<td>47,073</td>
</tr>
<tr>
<td></td>
<td>5-6pm (PM peak)</td>
<td>141</td>
<td>267</td>
<td>37,647</td>
</tr>
<tr>
<td>Saturday 23/7/16</td>
<td>12-1pm (midday peak)</td>
<td>145</td>
<td>220</td>
<td>31,900</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date / Time Periods</th>
<th>Crossing Point 2</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Pedestrian Counts</td>
<td>Vehicle Counts</td>
<td>Pedestrian x Vehicle</td>
<td></td>
</tr>
<tr>
<td>Thursday 28/7/16</td>
<td>11-12pm (AM peak)</td>
<td>69</td>
<td>146</td>
<td>10,074</td>
</tr>
<tr>
<td></td>
<td>3-4pm (School peak)</td>
<td>61</td>
<td>221</td>
<td>13,481</td>
</tr>
<tr>
<td></td>
<td>5-6pm (PM peak)</td>
<td>35</td>
<td>267</td>
<td>9,345</td>
</tr>
<tr>
<td>Saturday 23/7/16</td>
<td>12-1pm (midday peak)</td>
<td>94</td>
<td>220</td>
<td>20,680</td>
</tr>
</tbody>
</table>

Note: Crossing Point 2 vehicle count is based on crossing point 1 vehicle count of 21/7/16.

<table>
<thead>
<tr>
<th>Date / Time Periods</th>
<th>Crossing Point 3</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Pedestrian Counts</td>
<td>Vehicle Counts</td>
<td>Pedestrian x Vehicle</td>
<td></td>
</tr>
<tr>
<td>Thursday 28/7/16</td>
<td>11-12pm (AM peak)</td>
<td>11</td>
<td>411</td>
<td>4,521</td>
</tr>
<tr>
<td></td>
<td>3-4pm (School peak)</td>
<td>26</td>
<td>486</td>
<td>12,636</td>
</tr>
<tr>
<td></td>
<td>5-6pm (PM peak)</td>
<td>17</td>
<td>548</td>
<td>9,316</td>
</tr>
<tr>
<td>Saturday 23/7/16</td>
<td>12-1pm (midday peak)</td>
<td>27</td>
<td>533</td>
<td>14,391</td>
</tr>
</tbody>
</table>
As calculated above, the pedestrian and traffic volumes at all three locations do not meet MRWA requirements for controlled pedestrian crossing facilities.

During the counts, it has been observed that pedestrians were able to cross almost immediately or a few seconds delay in most occasions. There were no vehicles driving at excessive speed, however a number of people parked across the No Stopping yellow line at the Crossing Point 1. These people were either dropping off or picking up passengers, went out of their vehicle to use the ATM, or went out to get takeaway food. There were also some people undertaking u-turns at this location.

It is also noted that the existing No Stopping yellow lines have started fading and there is no relevant signage to indicate the No Stopping restriction. Therefore it is considered that repainting the lines and installing No Stopping signage will enforce the No Stopping restriction.

Pedestrian signal crossing requires higher demand on both pedestrian and traffic volumes. Therefore this type of treatment has not been further assessed as it would not be supported by MRWA.

Assessment of the Crash History

MRWA crash history indicated that there is no recorded pedestrian related incidents that have occurred along Settlers Avenue in the past five year period from 2011 to 2015. All recorded crashes were vehicle-vehicle crashes with the majority occurring at the signalised intersection with Safety Bay Road.

Assessment on the Level of Service

The crossing opportunity along Settlers Avenue has also been assessed on the level of service, in accordance with the Guidelines for the Selection of Pedestrian Facilities. Below is a summary of the calculation.

<table>
<thead>
<tr>
<th>Location</th>
<th>Pedestrian Crossing Time (seconds)</th>
<th>Traffic Volume (vehicles per hour)</th>
<th>Average Pedestrian Delay (seconds)</th>
<th>Level of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crossing Point 1</td>
<td>7.63</td>
<td>267</td>
<td>2.15</td>
<td>A</td>
</tr>
<tr>
<td>Crossing Point 2</td>
<td>7.63</td>
<td>267</td>
<td>2.15</td>
<td>A</td>
</tr>
<tr>
<td>Crossing Point 3</td>
<td>7.63</td>
<td>548</td>
<td>4.16</td>
<td>A</td>
</tr>
</tbody>
</table>

Notes:
1. Pedestrian crossing time is calculated based on assessing on the crossing distance, mean walk speed, and proportion of elderly and children in Baldivis.
2. The highest traffic volume from all peak periods has been used for each location as the worst case scenario.
3. An average pedestrian delay of 5 seconds or less equates to a Level of Service A.

All three locations have a Level of Service A, meaning an excellent level for pedestrian crossing opportunity. Pedestrians are considered to be able to cross almost immediately on arrival.

Implications to Consider

a. Consultation with the Community
   Consultation with the Baldivis Shopping Centre and shop owners along Settlers Avenue will be required for any proposed modification.

b. Consultation with Government Agencies
   Consultation with MRWA will be required for modification to the road layout. Consultation with Public Transport Authority (PTA) will also be required to consider any impacts to their future planning on bus routes.

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

**Aspiration C:** Quality Leadership

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

d. **Policy**

Nil

e. **Financial**

There are no financial implications to undertake the investigation and analysis of upgrading the pedestrian crossing. There will, however, be a cost implication attached to any modification that may come out of the investigation. Indicative cost estimate has been provided for the options considered in this investigation.

f. **Legal and Statutory**

Nil

g. **Risk**

All Council decisions are subject to risk assessment according to the City’s Risk Framework.

Implications and comment will only be provided for the following assessed risks.

- Customer Service / Project management / Environment: High and Extreme Risks
- Finance / Personal Health and Safety: Medium, High and Extreme Risks

Nil

**Comments**

Assessment of the pedestrian and traffic volumes clearly indicates that Crossing Points 1, 2 and 3 do not meet the requirements against MRWA standards.

Furthermore, the level of service has been calculated as Level of Service A in accordance with the Guidelines for the Selection of Pedestrian Facilities. Intervention for the provision of pedestrian treatment is Level of Service D/E, as indicated in the table below.

<table>
<thead>
<tr>
<th>Average Pedestrian Delay (sec)</th>
<th>Level of Service</th>
<th>Definition</th>
<th>Description</th>
<th>Appropriate Situation</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;5</td>
<td>A</td>
<td>Excellent</td>
<td>Pedestrians able to cross almost immediately on arrival</td>
<td>Local Streets Collector Roads</td>
</tr>
<tr>
<td>5-10</td>
<td>B</td>
<td>Very Good</td>
<td>Most pedestrians able to cross with little delay 95th percentile delay ≈40 secs</td>
<td></td>
</tr>
<tr>
<td>10-15</td>
<td>C</td>
<td>Satisfactory</td>
<td>Most able to cross with acceptable period 95th percentile delay ≈60 secs</td>
<td>Minor Arterial Major Arterial</td>
</tr>
<tr>
<td>15-20</td>
<td>D</td>
<td>Some Concern</td>
<td>Some pedestrians must wait longer than desirable for an acceptable gap 95th percentile delay ≈80 secs</td>
<td></td>
</tr>
<tr>
<td>20-40</td>
<td>E</td>
<td>Major Concern</td>
<td>Most pedestrians must wait longer than desirable for an acceptable gap 95th percentile delay ≈80 secs</td>
<td>Inappropriate All Situations</td>
</tr>
<tr>
<td>&gt;40</td>
<td>F</td>
<td>Unsatisfactory</td>
<td>Almost all pedestrians must wait longer than desirable for an acceptable gap 95th percentile delay ≈80 secs</td>
<td></td>
</tr>
</tbody>
</table>

Site observations also correspond to the level of service assessment that pedestrians were able to cross almost immediately or a few seconds delay in most occasions.
The issue of people parking across the No Stopping yellow line requires monitoring.

To further improve the safety of pedestrians undertaking crossing on Settlers Avenue at the Crossing Point 1, the following options could be considered.

**Option 1 – Existing conditions with enhancements**

**Description:** Traffic control devices such as signage and line marking are an effective way to enforce parking restriction. Regular patrol service will assist in enforcing the parking restriction.

It is noted that the existing No Stopping yellow lines have started fading and there is no relevant signage to indicate the No Stopping restriction. Therefore it is recommended to repaint the line marking and install No Stopping signage at suitable locations.

Pedestrian safety will be improved by increasing pedestrian sight lines by the removal of parked vehicles.

**Cost:** The cost is minimal and is expected to be allocated from the maintenance budget.

**Impact to the existing layout:** It is not expected there will be any impact to the existing layout.

Internal requests have been created to undertake the above.

This is the recommended option.

**Option 2 – Zebra crossing**

**Description:** MRWA is the approving authority for zebra crossing. The current pedestrian and traffic volumes on Settlers Avenue are too low to warrant for this type of treatment, and therefore it will not be supported by MRWA for further consideration.

This option is not recommended.

**Option 3 – Pedestrian refuge island**

**Description:** Pedestrian refuge island will avoid people undertaking u-turns and is likely to reduce the number of people stopping for various reasons as vehicles behind will not be able to overtake them with the presence of the island. This will also provide refuge for pedestrians and allow them to cross one direction of traffic at a time.

A sketch of the concept design for this option is provided in Figure 2 below. Further investigation and design will be required for the consideration of this treatment.

**Cost:** The indicative construction cost for this option is approximately $150,000, as suggested by the Austroads Guide to Traffic Management Part 8: Local Area Traffic Management guideline. This estimate is based on the concept design only. Further investigation and design will need to be undertaken to get a more accurate cost estimate on the actual works required.

**Impact to the existing layout:** Widening this section of road will be required in order to accommodate the island. Existing structures and landscaping will need to be removed or relocated.

This option is not recommended as the proposed kerbline will come too close to the existing structures and the modification does not warrant the expenditure.
2. Concept design of the pedestrian refuge island option
Option 4 – Shared zone

Description: Shared zone can be considered at the section between Atwick Terrace and Nancy Alley. Vehicles must give way to pedestrians at all times within a shared zone. This option requires careful design to change the characteristic of this section of road with special attention to the change in driving environment. Common modifications include surface treatment, entrance treatment, landscaping, signage and line marking, speed reduction devices etc.

A sketch of the concept design for this option is provided in Figure 3 below. Further investigation and design including traffic analysis of the surrounding intersections will be required for the consideration of this treatment.

Cost: The indicative construction cost for this option is approximately $130,000, as suggested by the Austroads Guide to Traffic Management Part 8: Local Area Traffic Management guideline. This estimate is based on the concept design only. Further investigation and design will need to be undertaken to get a more accurate cost estimate on the actual works required.

Impact to the existing layout: The driving environment on this section of road will need to be modified so that it will carry low speed and low traffic volume.

This option is not recommended as the road is already low speed, and has low volumes of pedestrian and vehicular traffic.
Based on all options the officer recommends Option 1 as the preferred treatment.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council APPROVES the retention of the existing treatments on Settlers Avenue with minor enhancements to signage, line marking and undertaking enforcement of parking restrictions.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Summers:

That Council APPROVES the retention of the existing treatments on Settlers Avenue with minor enhancements to signage, line marking and undertaking enforcement of parking restrictions.

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>
<th></th>
<th>Reports of Councillors</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Addendum Agenda</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
</tbody>
</table>
15. **Motions of which Previous Notice has been given**

### Planning and Development Services

**Directorate, Planning Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-075/16 Notice of Motion – Signage on the Kwinana Freeway, or at the Freeway Service Centre that promote Rockingham</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1347-03 D16/130529</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Cr Matthew Whitfield</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Mark Tidman, Manager Investment Attraction</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 October 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Advocacy</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
</tbody>
</table>

**Site:**

**Lot Area:**

**LA Zoning:**

**MRS Zoning:**

**Attachments:**

**Maps/Diagrams:**

### Purpose of Report

To consider options for signage on the Kwinana Freeway or at the Freeway Service Centres on Kwinana Freeway, that would positively promote Rockingham.

### Background

In September 2016 Council resolved to:

“**DIRECT** the Chief Executive Officer to investigate options that would see Signage on the Kwinana Freeway, or at the Service Stations on Kwinana Freeway, that would positively promote Rockingham.”
This report focuses on the statutory planning implications of signage on the Kwinana Freeway and at the Freeway Service Centres, together with the investment attraction aspects of promoting Rockingham.

**Implications to Consider**

a. **Consultation with the Community**
   
   Nil

b. **Consultation with Government Agencies**
   
   The approval of the Commissioner of Main Roads is required to erect an advertising device within the Kwinana Freeway. The City is also required to consult Main Roads WA in relation to roadside advertising directed at or visible from, the State road network, which includes the Kwinana Freeway. Main Roads WA must be satisfied that such roadside advertising does not pose a potential safety hazard to road users, or who may suffer injury as a result of colliding with advertising devices, or who may be prevented from observing traffic signs and other traffic control devices because of the location of advertising signs.

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

   **Aspiration A:** Tourism Lifestyle

   **Strategic Objective:** Investment Attraction – A Strategic and focussed approach to attracting major investment to the City’s coastal nodes, City Centre and inland settlements that promotes quality retail, Commercial and residential development, improved civic infrastructure and leisure tourism experiences for residents and visitors.

d. **Policy**
   
   The primary policy that provides the City with guidance on how to assess applications for advertisements is Planning Policy 3.3.1, Control of Advertisements (PP3.1.1) (November 2009, as amended). PP3.3.1 does not include any specific advertising requirements to advertising devices within the Kwinana Freeway, as this is addressed by the Main Roads (Control of Advertisements) Regulations 1996.

e. **Financial**
   
   The financial costs have not been determined at this stage. Costs will be associated with erecting Main Roads WA signage. Other costs that have not yet been determined relate to the report recommendations for the Freeway Service Centres. Council direction is needed on the recommendations in this report, before the feasibility and costings of the project is detailed.

f. **Legal and Statutory**
   
   Development Approval is required for all signage pursuant to cl.60 of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, except for Exempted Advertisements listed in Schedule 6 of TPS2. All advertising devices at the Freeway Service Centres is administered through a condition of the Metropolitan South-West Joint Development Assessment Panel (SWJDAP) Development Approval relating to a Signage Strategy. The approved Signage Strategy would need to be amended by the SWJDAP to permit additional on-site signage. Development Approval for directional signage within the Kwinana Freeway is not required as this is administered by Main Roads WA, as follows.

   Main Roads (Control of Advertisements) Regulations 1996

   Under the Main Roads (Control of Advertisements) Regulations 1996, a person must not erect or construct, or cause to be erected or constructed, a hoarding or other advertising structure; or exhibit, or cause to be exhibited, an advertisement, on or in the vicinity of a highway or a main road without approval to do so from the Commissioner of Main Roads.
The procedures for applying for approval, determining and application, appealing a determination and revoking an approval are set out in the Regulations.

Within the City, the Kwinana Freeway is gazetted as a ‘highway’ or ‘main road’, which are State roads controlled by Main Roads WA.

Directional signs to Tourist Attractions have white lettering and symbols on a Brown background. Directional signs to Tourist Services and Facilities have white lettering or symbols on a Blue background.

Main Roads WA also provide for ‘Gateway Sign’ for signs located on the approach to a state/territory boarder, a state or local tourism region, a local government or town site boundary, or at the beginning of themed tourist way, that is displayed for the sole purpose of promoting a ‘welcome’ and ‘thank you’ message for arriving or leaving travellers, or promoting a tourist way or a regional theme and that is designed and used in accordance with Appendix E of Australian Standard 1742.6 – 2004 Manual of Uniform Traffic Control Devices – Tourist and Service Signs.

1.7.2 General Series: MR-VG

<table>
<thead>
<tr>
<th>Sign Description</th>
<th>Name</th>
<th>Sign No.</th>
<th>Size (mm)</th>
<th>Drawing No.</th>
<th>Amdt No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forests and Water Catchments</td>
<td>MR-VG-1</td>
<td>2100 x 800</td>
<td>0023-0277</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Turn off for Resort, Town</td>
<td>MR-VG-2</td>
<td>VARIES</td>
<td>0720-0609</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Welcome to Town, Shire, City of</td>
<td>MR-VG-4</td>
<td>VARIES</td>
<td>0023-0110</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Welcome to Wanneroo</td>
<td>MR-VG-5</td>
<td>VARIES</td>
<td>0431-1654</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Ribbons of Green</td>
<td>MR-VG-6</td>
<td>1727 x 700</td>
<td>0023-0223</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

**g. Risk**

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

Customer Service / Project management / Environment: High and Extreme Risks

Finance / Personal Health and Safety: Medium, High and Extreme Risks

Nil

**Comments**

Statutory Planning (Signage)

Signage within the Kwinana Freeway is administered by Main Roads WA.
Signage within the Freeway Service Centres is administered by the City but approvals are required by the JDAP.

The City supports installing ‘Welcome to the City of Rockingham’ arrival signage and ‘Thank you for visiting the City of Rockingham’ messages for leaving travellers in relation to Tourist Signage in the Kwinana Freeway, subject to approval being obtained from Main Roads WA.

The Signage Strategy for the Freeway Service Centres would need to be amended by the JDAP to include Rockingham Interpretive Signage.

**Freeway Service Centres**

In addition to Freeway Tourist Signage, there is also an opportunity for Rockingham to be promoted within the BP Freeway Service Centres. In 2009, a BP Australia representative and their consultants advised the Council that a Rockingham Interpretive (Promotional) Centre was a component of the Freeway Service Centre rezoning proposal when the Council resolved to support the rezoning of the land under TPS2 to ‘Special Use – Freeway Service Centres’. At that time the proposal still included a Rockingham Interpretive Centre and it was included in the Scheme Amendment No.89 to Town Planning Scheme No.2 in 2009, which formed the basis for the rezoning of the land from Rural to Special Use – Freeway Service Centre. In 2008, the Rockingham Interpretive (Promotional) Centre was also included in an application seeking Planning Approval for a “Travellers Plaza and Interpretive Centre”.

Subject to BP Australia confirming its undertaking, a Rockingham Interpretive (Promotional) Centre within the BP Freeway Service Centres could be established to promote Rockingham.

**Investment Attraction**

The Investment Attraction team activities focus and promote investment that adds value based on both economic and community benefit to the City of Rockingham region.

The target market and drivers of direct economic activity benefiting industry and the community are:

- Visitors to the region (tourists);
- Business operators;
- Occupiers of commercial space;
- Investors; and
- Defence related organisations.

The positive promotion of Rockingham to these groups is important and may differ within their requirements.

The investors and developers within the region are interested in a Gateway. This enables them to present their product and/or investments to third parties in the best possible light. The presentation of a City entrance and the image of an entrance is considered to be of “marketing” and “promotional image” importance.

The above is also true for many business and accommodation operators, however, directional signage for visitors from outside the region is also necessary for these groups. First time visitors, whether for tourism or business purposes, can benefit from clear signage giving a positive and user friendly vibe to the region.

A well-presented entrance and clear signage supports a “positive image” of the region in terms of visitation and via promotional material within the commercial and community sectors.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **DIRECTS** the Chief Executive Officer to investigate the feasibility and costing of Main Roads Western Australia signage to erect ‘Welcome to the City of Rockingham’ arrival signage and ‘Thank you for visiting the City of Rockingham’ messages for leaving travellers on the Kwinana Freeway.
2. **SUPPORTS** further investigations and costing, to establish a Rockingham Promotional Centre within the BP Freeway Service Centres, subject to BP Australia confirming its previous undertaking to allow a Rockingham Promotional Centre.

**Notice of Motion from Cr Whitfield**

That Council **DIRECT** the Chief Executive Officer to investigate options that would see Signage on the Kwinana Freeway, or at the Service Stations on Kwinana Freeway, that would positively promote Rockingham.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Sammels:

That Council:

1. **DIRECTS** the Chief Executive Officer to investigate the feasibility and costing of Main Roads Western Australia signage to erect ‘Welcome to the City of Rockingham’ arrival signage and ‘Thank you for visiting the City of Rockingham’ messages for leaving travellers on the Kwinana Freeway.

2. **SUPPORTS** further investigations and costing, to establish a Rockingham Promotional Centre within the BP Freeway Service Centres, subject to BP Australia confirming its previous undertaking to allow a Rockingham Promotional Centre.

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

Reference No & Subject: PDS-076/16 Notice of Motion - Karnup Station
File No: LUP/2057
Applicant: Cr Matthew Whitfield
Owner:
Author: Mr Peter Ricci, Manager Major Planning Projects
Other Contributors: 
Date of Committee Meeting: 17 October 2016
Previously before Council: September 2016 (PDS-065/16)
Disclosure of Interest: Advocacy
Nature of Council’s Role in this Matter:
Site: 
Lot Area: 
LA Zoning: 
MRS Zoning: 
Attachments: 
Maps/Diagrams: Extract from draft South Metropolitan Peel Sub-Regional Planning Framework

Purpose of Report

To consider a Notice of Motion from Cr Matthew Whitfield, as follows:

“That Council DIRECT the Chief Executive Officer to write to the main political parties asking the question; if elected to State Government in 2017 what is your timeframe for delivering the Karnup Train Station?”

Background

The Mandurah passenger railway (‘Mandurah line’) opened in 2007 linking the Perth CBD to Mandurah over a distance of approximately 70km. The construction process delivered ten stations including Rockingham and Warnbro within the City of Rockingham. An additional station, referred to as ‘Aubin Grove’, is currently being constructed at the intersection of Kwinana Freeway and Russell Road in Success.

Various State Government initiatives have identified future station locations on the Mandurah line, including the draft Public Transport for Perth in 2031, released by the Department of Transport in 2011. It referenced the future Karnup Station at the corner of Mandurah and Paganoni Roads.

The draft Public Transport for Perth in 2031 states that the Karnup Station “would be constructed to serve the rapidly expanding population between Warnbro and Mandurah, as well as the proposed urban development at Keralup, east of the Kwinana Freeway. This station will be a transit interchange and needs to be constructed in the next 5 to 10 years” (from 2011).
In its submission on the draft *Public Transport for Perth in 2031*, the City linked the construction of the Karnup Station to the first stage of Keralup being released along with a ‘fixed route priority transit network’ (ie. light rail) connecting the Station to Keralup.

The draft *Public Transport for Perth in 2031* was never adopted by the State Government.

In 2014, the State Government decided not to proceed with the Keralup proposal which was reflected in the Western Australian Planning Commission’s *Perth and Peel @ 3.5 Million* suite of documents released in 2015.

The draft *South Metropolitan Peel Sub-Regional Planning Framework*, being a component of *Perth and Peel @ 3.5 Million*, states that the ‘anticipated timing’ of the Karnup Station is ‘by-2015’ (extract from document below).

*Perth and Peel @ 3.5 Million* is yet to be adopted by the State Government.

Extract from draft *South Metropolitan Peel Sub-Regional Planning Framework*

Whilst the approvals for Keralup were being progressed prior to 2014, the City participated in a WAPC process to establish the feasibility of developing Transit Oriented Development on the land surrounding the site of the Karnup Station. With the demise of the Keralup proposal, the WAPC ceased the Karnup TOD exercise.

In July 2016, the Department of Transport released the draft *Perth Transport Plan* (also referred to as *Transport @ 3.5 Million*) for public comment.

The *Perth Transport Plan* essentially provides the transport response to the urban growth proposals within *Perth and Peel @ 3.5 Million* and the *Perth and Peel Green Growth Plan*. It contains recommendations on the transport network to service Perth and Peel, under the following headings:
- Public Transport
- Road
- Active Transport (Walking, Cycling etc)
- Freight

The recommendations within the *Perth Transport Plan* essentially address regional transport proposals with the majority requiring reservation under the Metropolitan Region Scheme. In terms of implementation, the *Perth Transport Plan* contains three broad timeframes based on populations thresholds for the study area; ‘by 2.7 million, by 3.5 million and beyond 3.5 million’. Current population projections suggest that 2.7 million will be achieved in 10 -15 years and 3.5 million in 35 – 40 years.

In September 2016, the Council resolved to defer consideration of the Notice of Motion pending consideration of its submission on the draft *Perth Transport Plan* in October 2016.

### Details

Agenda Item PDS-073/16 assesses the content of the *Perth Transport Plan* and recommends the matters to be contained in a submission on the document.

The assessment acknowledges that the *Perth Transport Plan* does not identify the location of future rail stations as it considers more detailed work is required to confirm the location of such.

The City concludes that the failure to identify stations represents a flaw in the strategic planning process as sub-regional and local land use planning cannot then account for the location of stations.

It recommends that the *Perth Transport Plan* identify the development the Karnup Station acknowledging that the station location was factored into the design of the Mandurah line, and the surrounding land is under State Government ownership.

The Agenda Item also states that the Karnup Station should be built as soon as possible given the existing separation between the existing Warnbro and Mandurah Stations (22.5km) in an area of substantial urban growth. The existing provision of stations in this area was seen as being already inadequate, and will only be exacerbated by future growth in the area.

### Implications to Consider

a. **Consultation with the Community**
   The Department of Transport has released the draft *Perth Transport Plan* for public comment over a three month period closing 28 October 2016.

b. **Consultation with Government Agencies**
   All government agencies have been invited to lodge a submission on the draft *Perth Transport Plan*.

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

   **Aspiration D:** Sustainable Environment

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

d. **Policy**
   Nil

e. **Financial**
   Nil

f. **Legal and Statutory**
   Nil
g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework. Implications and comment will only be provided for the following assessed risks.

- Customer Service / Project management / Environment: High and Extreme Risks
- Finance / Personal Health and Safety: Medium, High and Extreme Risks

Nil

<table>
<thead>
<tr>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>The assessment of the <em>Perth Transport Plan</em> confirms the lack of attention given to rail station planning, including the Karnup Station. It also recognises the need for the Karnup Station to be built to service the rapidly expanding urban catchment.</td>
</tr>
<tr>
<td>In the circumstances, the intent of the Notice of Motion is supported.</td>
</tr>
<tr>
<td>It is considered that simply writing to the relevant political parties seeking their construction timeframe will not convey the City’s position on the issue nor provide a convincing argument on the importance of the facility. The ALP’s position is clear in that it proposes to construct the station within the next term of Government if elected as part of its ‘Metronet’ strategy. The Government’s approach at this time, as highlighted by the absence of the Karnup Station in the <em>Perth Transport Plan</em>, is not clear.</td>
</tr>
<tr>
<td>If the recommended motion is adopted, a more strategic approach will be taken which will include written communication with both parties, the development of a prospectus and the enlistment of the South West Group and Growth Alliance Peel and Perth (GAPP) to lobby on the City’s behalf.</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 <em>SUPPORTS</em> the construction of the Karnup Train Station as a high priority State Government project.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Notice of Motion from Cr Matthew Whitfield</th>
</tr>
</thead>
<tbody>
<tr>
<td>That Council <em>DIRECTS</em> the Chief Executive Officer to write to the main political parties asking the question; if elected to State Government in 2017 what is your timeframe for delivering the Karnup Train Station.</td>
</tr>
</tbody>
</table>

Cr Whitfield withdrew this item as the Karnup Train Station was dealt with in Item PDS-073/16 - *Perth Transport Plan for 3.5 Million People and Beyond*. 
### Purpose of Report

To provide officer comment and advice on Cr Leigh Liley’s Notice of Motion.

### Background

Cr Leigh Liley submitted the following motion for consideration at the October 2016 Council Meeting:

“That Council **STOPS** the Pedestrian Island Access works along Safety Bay Road and undertake a thorough investigation to determine the level of current need and report back to Council.”

### Details

In 2015/2016 the City’s budget included funds to install a number of pedestrian refuge islands along Safety Bay Road from Rand Avenue, Waikiki through to Arcadia Drive, Safety Bay.

This project was included due to concerns being raised by a number of residents in these suburbs about the increase in traffic on Safety Bay Road and the difficulty in crossing this busy road in a safe manner to access the bus stops, foreshore and beach.
The original concept design of the islands attempted to maximise the funds available and provide safe crossing points that linked the path networks but with minimum road widening. These islands were marked out onsite to see the impact and there was considerable feedback from the cyclists and cycling clubs that they had not been fully catered for.

Subsequently concepts have been developed that fully take into account all road users including cars, buses, cyclists and pedestrians. These new designs will work exactly the same as the current pedestrian refuge islands that exist in a number of locations on Safety Bay Road (These are shown in photographs below). They are not designed to restrict any vehicle movement or to slow any vehicle. They are designed in accordance with relevant Austroads and Main Roads WA standards to allow a protected refuge point in the centre of the road to enable pedestrians to cross the road safely.

1. Islands near Waimea Road looking East

2. Islands near Waimea Road looking West
3. Island near Bent Street looking East

4. Island near Bent Street looking West
5. Island near June Road looking East

Due to the concerns regarding the original designs of the islands the funds for this project were not carried forward into the 2016/2017 financial year. It was considered appropriate to consult with the community and finalise designs first. This will enable up to date cost estimates to be completed on each treatment and these figures to be included in future budgets in a staged process.

Implications to Consider

a. Consultation with the Community

The City has received many requests from the community to provide pedestrian refuges along Safety Bay Road to enable safe crossing points at regular locations.

The City received a petition from cycling clubs concerned about the original designs. Subsequent to the designs being altered to cater for all road users the cycling clubs have been consulted. To date the City has not received any feedback from these clubs regarding the new concept designs.

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

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

**Aspiration C:** Quality Leadership

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

d. Policy

Nil

e. Financial

There are no funds in the 2016/2017 budget. The updated Business Plan will include these projects in the 2018/2019 and 2019/2020 financial years.
f. **Legal and Statutory**

Nil

g. **Risk**

All Council decisions are subject to risk assessment according to the City's Risk Framework. Implications and comment will only be provided for the following assessed risks:

- Customer Service / Project management / Environment: High and Extreme Risks
- Finance / Personal Health and Safety: Medium, High and Extreme Risks

Nil

**Comments**

As the Safety Bay Road Islands are not included in the current financial year’s budget and officers are working towards formatting designs that will allow appropriate access for all road users it is officer’s recommendation to allow the current design and consultation work to continue with the thought of including these projects in future budgets.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Councillor Liley's Notice of Motion not be supported.

**Notice of Motion from Cr Leigh Liley**

That Council **STOPS** the Pedestrian Island Access works along Safety Bay Road and undertake a thorough investigation to determine the level of current need and report back to Council.

**Committee Recommendation**

Moved Cr Sammels, seconded Cr Summers:

That Councillor Liley’s Notice of Motion not be supported and results of the redesign be referred back to Council prior to works being commenced.

Committee Voting – 3/2

(Crs Hamblin and Whitfield voted against)

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

To enable City Officers to review the works undertaken and report back to Council.

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

Not Applicable
<table>
<thead>
<tr>
<th>16.</th>
<th>Notices of Motion for Consideration at the Following Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td>17.</td>
<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td>18.</td>
<td>Matters Behind Closed Doors</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td>19.</td>
<td>Date and Time of Next Meeting</td>
</tr>
<tr>
<td></td>
<td>The next Planning and Engineering Services Committee Meeting will be held on <strong>Monday 14 November 2016</strong> in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
</tr>
<tr>
<td>20.</td>
<td>Closure</td>
</tr>
<tr>
<td></td>
<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>5:20pm</strong>.</td>
</tr>
</tbody>
</table>