



City of Rockingham

AGENDA

Planning and Engineering Services Committee Meeting

To be held on Monday 16 July 2018 at 4:00pm
City of Rockingham Boardroom



Notice of Meeting



Dear Committee members

The next Planning and Engineering Services Committee Meeting of the City of Rockingham will be held on Monday 16 July 2018 in the Council Boardroom, City of Rockingham Administration Centre, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.

A handwritten signature in blue ink, appearing to read "R M Jeans".


R M JEANS
A/CHIEF EXECUTIVE OFFICER

12 July 2018

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the City. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The City of Rockingham expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the City.

<p>City of Rockingham Planning and Engineering Services Committee Meeting Agenda 4:00pm Monday 16 July 2018</p>		
1.	Declaration of Opening	
	<p>Acknowledgement of Country This meeting acknowledges the traditional owners and custodians of the land on which we meet today, the Nyungar people, and pays respect to their elders both past and present.</p>	
2.	Record of Attendance/Apologies/Approved Leave of Absence	
	<p>2.1 Members</p> <p>Cr Chris Elliott Cr Matthew Whitfield Cr Barry Sammels (Mayor) Cr Deb Hamblin (Deputy Mayor) Cr Katherine Summers</p> <p>2.2 Executive</p> <p>Mr Bob Jeans Mr Peter Ricci Mr Sam Assaad Mr Brett Ashby Mr Mike Ross Ms Erica Scott Mr David Caporn Mr Ian Daniels Mr Manoj Barua Mr Kelton Hincks Mr James Henson Mr Adam Johnston Mr Aiden Boyham Ms Melinda Wellburn</p> <p>2.3 Members of the Gallery:</p> <p>2.4 Apologies:</p> <p>2.5 Approved Leave of Absence:</p>	<p>Deputies</p> <p>Cr Mark Jones Cr Lee Downham Cr Andrew Burns Cr Leigh Liley Cr Joy Stewart</p> <p>A/Chief Executive Officer A/Director Planning and Development Services Director Engineering and Parks Services Manager Strategic Planning and Environment Manager Statutory Planning A/Manager Health and Building Services Manager Compliance and Emergency Liaison Manager Infrastructure Project Delivery Manager Engineering Services Manager Asset Services Manager Land and Development Infrastructure Manager Parks Services City Media Officer PA to Director Planning and Development Services</p>
3.	Responses to Previous Public Questions Taken on Notice	
4.	Public Question Time	
	<p>Members of the public are invited to present questions to the Chairperson about matters affecting the City of Rockingham and its residents.</p>	

5.	<p>Confirmation of Minutes of the Previous Meeting</p>
	<p>Recommendation:</p> <p>That Committee CONFIRMS the Minutes of the Planning and Engineering Services Committee Meeting held on 18 June 2018, as a true and accurate record subject to the following amendment:</p> <p>PD-029/18 Notice of Motion - Karnup Locality Boundary</p> <p>The Committee recommendation should read:</p> <p>Moved Cr Whitfield, seconded Cr Summers:</p> <p><i>“That Council SUPPORTS three options (maps attached) being explored in relation to the Singleton/Karnup locality boundary changes as follows:</i></p> <ul style="list-style-type: none"> <i>(a) Option One - (Merge) the land known as “Vista Private Estate”, including the area bounded by Mandurah Road, Paganoni Road, Mandurah Railway line and the City of Rockingham district boundary being included in the suburb of “Singleton”, or</i> <i>(b) Option Two - (Status Quo) the land known as “Vista Private Estate”, including the area bounded by Mandurah Road, Paganoni Road, Railway line and the City of Rockingham district boundary as shown on the attached map remaining as “Karnup”; or</i> <i>(c) Option Three - (Rename) the land known as “Vista Private Estate”, including the area east of Mandurah Road, south of Paganoni Road, west of the Kwinana Freeway and to the southern boundary of the City of Rockingham, being included in the new locality of “Paganoni.”</i> <p><i>Subject to public consultation with the following:</i></p> <ul style="list-style-type: none"> <i>(a) A preferential vote being carried out to all affected owners and residents within the “Vista Private Estate” and east of Mandurah Road via letter with self-replied envelopes;</i> <i>(b) Rockingham District Historical Society Inc;</i> <i>(c) Singleton Residents Association; and</i> <i>(d) Baldivis Residents Association.</i> <p style="text-align: right;"><i>Carried 4/1 (Cr Hamblin voted against)”</i></p> <p><u>Reason for Varying the Officer Recommendation</u></p> <p>The Committee believed that the concept had merit and deserved community consultation and investigation. The Baldivis Residents Association was included as some Karnup residents are members.</p>
6.	<p>Matters Arising from the Previous Minutes</p>
7.	<p>Announcement by the Presiding Person without Discussion</p>
	<p>The Chairperson to announce 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.</p>
8.	<p>Declarations of Members and Officers Interests</p>
9.	<p>Petitions/Deputations/Presentations/Submissions</p>
10.	<p>Matters for which the Meeting may be Closed</p>

11.	Bulletin Items	
	Planning and Development Services Information Bulletin - July 2018 Engineering and Parks Services Information Bulletin - July 2018	
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16.	Notices of Motion for Consideration at the Following Meeting	
17.	Urgent Business Approved by the Person Presiding or by Decision of the Committee	
18.	Matters Behind Closed Doors	
19.	Date and Time of Next Meeting	
	The next Planning and Engineering Services Committee Meeting will be held on Monday 20 August 2018 in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.	
20.	Closure	

12. Agenda Items

Planning and Development Services

**Planning and Development Services
Compliance & Emergency Liaison**



Reference No & Subject:	PD-031/18	Proposed Parking Controls - Central Promenade, Rockingham
File No:	LWE/1-99	
Applicant:		
Owner:		
Author:	Mr Amos Dolman, Inquiry and Appeals Officer	
Other Contributors:	Mr David Caporn, Manager Compliance and Emergency Liaison	
Date of Committee Meeting:	16 July 2018	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:	Central Promenade Rockingham (Parking stalls adjacent to the Icon Cancer Treatment Centre)	
Lot Area:		
LA Zoning:		
MRS Zoning:		
Attachments:		
Maps/Diagrams:	1. Location Plan 2. Aerial Photo - Proposed Parking Control (February 2018)	



1. Location Plan

Purpose of Report

To seek Council approval for a change in parking controls to five parking bays on Central Promenade, Rockingham.

Background

The Icon Cancer Treatment Centre (ICTC) is a newly established medical treatment facility specifically for cancer treatment. It is located at No.2 Civic Boulevard, Rockingham.

Parking bays outside the main entrance to the ICTC on Central Promenade are time restricted to one hour currently. This restriction is not suitable as a convenient pick-up or drop-off point for patients.

It is timely to introduce suitable parking controls to the bays located outside the centre which will serve as a convenient ingress and egress point for patients who are undergoing treatment.

Details

The ICTC Management Team approached the City seeking this change.

A 15 minute time restriction Monday to Friday, 8.00am to 6.00pm is proposed as it supports the request and coincides with the Centre's operating hours. The five bays would be open for general parking on the weekend and the change has minimal impact to the area's parking capacity. There are over 1,400 untimed bays within five minutes' walk of this location.

Signage has already been installed to support the Centre, however, the time restriction is not being policed until the matter is resolved before Council.

The precinct is subject to daily enforcement patrols to increase compliance with all local parking laws.

Violation of the proposed restriction would be punishable by the local law with modified penalty currently set at \$65.

Implications to Consider

a. Consultation with the Community

The 15 minute timed parking restriction is supported by the Icon Management Team as an appropriate parking control, given the adjoining centres previously mentioned function.

The tenants of all adjoining office complexes of the Icon Centre, which are occupied by South Coastal Woman's Health, Chorus and Lotteries House, were canvassed for feedback that included the provision of a map depicting the proposed changes as well as a parking options in the vicinity. Representatives from each business area were supportive of the change in restriction.

All were advised and provided with a direct email address to provide any additional feedback. No further feedback has been received in relation to the proposed change in restriction.

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 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

Nil

e. Financial

The cost of implementing this change is minimal given the area already has existing posts and sign plates in place. A total of \$77.32 for sign plate sticker replacement with labour cost of \$46.50 for installation. The total overall cost involved was \$123.82.

f. Legal and Statutory

The *City of Rockingham Parking and Parking Facilities Local Law 2004* provides the following local laws:

"1.10 The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this Local Law."

3.1 Determination of parking stalls and parking stations

The local government may by resolution constitute, determine and vary and also indicate by signs:

- (a) parking stalls;
- (b) parking stations;
- (c) permitted time and conditions of parking in parking stalls and parking stations which may vary with the locality;
- (d) permitted classes of vehicles which may park in parking stalls and parking stations;
- (e) permitted classes of persons who may park in specified parking stalls or parking stations; and
- (f) the manner of parking in parking stalls and parking stations.

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

In order to provide a safe and convenient drop off and pick up point for patients undergoing treatment at the nearby facility, it is considered appropriate to apply the proposed parking controls to the nominated parking stalls on Central Promenade Rockingham.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** restricted parking of 15 minute duration Monday to Friday 8.00am to 6.00pm for the five parking stalls located on Central Promenade, Rockingham directly outside of the Icon Cancer Treatment Management Centre as shown on the following aerial photograph.

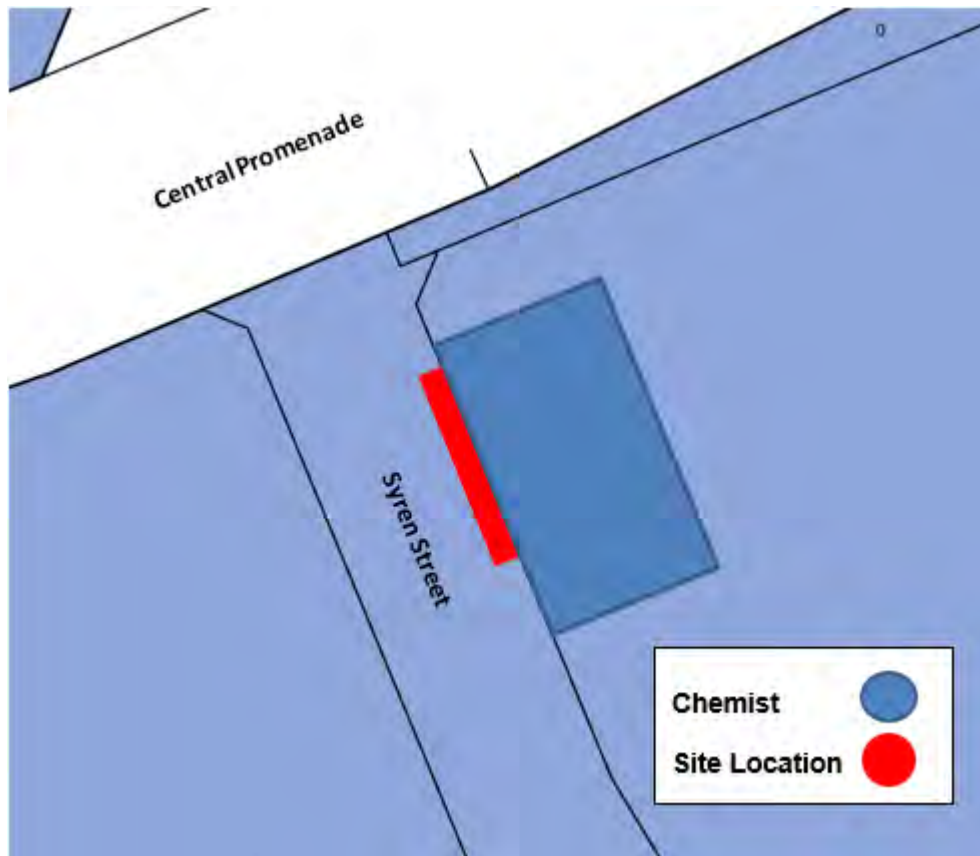


Aerial Photo - Proposed Parking Control (Image Taken February 2018)

Planning and Development Services Compliance & Emergency Liaison



Reference No & Subject:	PD-032/18 Proposed Parking Controls - Syren Street, Rockingham
File No:	LWE/1-99
Applicant:	
Owner:	
Author:	Mr Amos Dolman, Inquiry and Appeals Officer
Other Contributors:	Mr David Caporn, Manager Compliance and Emergency Liaison
Date of Committee Meeting:	16 July 2018
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	Syren Street, Rockingham
Lot Area:	
LA Zoning:	
MRS Zoning:	
Attachments:	
Maps/Diagrams:	1. Location Plan 2. Aerial Photo - Proposed Parking Control (February 2018)



1. Location Plan

Purpose of Report

To seek Council approval of the recommended parking controls for Syren Street, Rockingham.

Background

The Proprietor of Greg's Discount Chemist, Syren Street, Rockingham contacted the City requesting a reduction in the time restriction of the three parking bays located directly outside the chemist.

The representative outlined in correspondence to the City the nature of his business and the age of his clientele in general was the reason for his submission. In most cases, clients of the chemist were elderly, frail and walking long distances to access the chemist was difficult. The current time limit restriction of 30 minutes reduced vehicle turnover and thus availability of the parking bays.

Details

It is proposed to introduce 15 minute parking restrictions to the three parking stalls directly outside the Greg's Discount Chemist located on Syren Street, Rockingham.

This will serve as a convenient short-stay parking option for customers of the chemist and increase the turnover of vehicles accessing the amenity.

The precinct is subject to daily enforcement patrols to increase compliance with all local parking laws.

Violation of the proposed restriction would be punishable by the local law with modified penalty currently set at \$65.

Implications to Consider

a. Consultation with the Community

The Compliance and Emergency Liaison Team have consulted with the author of the request.

The Retail Manager of Rockingham Centre has distributed the City's correspondence to all tenants occupying businesses on Syren Street seeking feedback in relation to the proposed

changes. A 'Share Your Thoughts' page was created and posted on the City's website from 15/6/2018 to 29/6/2018.

The following table reflects submissions received:

Community Feedback – Via The Share Your Thoughts Page	
1) Submission	Comment: <i>Good Idea</i>
1) City's Response	Comment: Concur.
2) Submission	Comment: <i>Yes I think 15 minute parking outside the pharmacy is a great idea.</i>
2) City's Response	Comment: Concur.
3) Submission	Comment: <i>Dear Sir, Thank you for the opportunity to comment on the parking changes proposed for Syren Street. I do not think the Council should reduce the time limit in this area as 15 minutes is often not enough time to do shopping, particularly if the shops are busy. It is difficult to park, find what you need and get back in 15 minutes. Please reconsider this proposal.</i>
3) City's Response	Comment: There are over 1400 'untimed parking bays' within a five minute walk of Syren Street, the proposed change in restriction to the three bays outside the chemist will have minimal impact on longer term parking.
4) Submission	Comment: <i>While the changes are a sensible idea to allow better access to the chemist, I am curious as to whether the actual enforcement of this change will be achievable. And whether additional resources required to properly enforce the change will in fact be allocated. If not, then it will serve no purpose other than increase complaints to the City because it is not being enforced.</i>
4) City's Response	Comment: The City's Ranger Service actively enforce the time limit restriction on Syren Street daily. Infringements are issued if vehicles over stay the permissible limits.
5) Submission	Comment: <i>No opposition to this proposal, and would recommend that all parking bays from Syren Street are removed and the road closed off completely to allow for better eateries, and pedestrian atmosphere.</i>
5) City's Response	Comment: The closure of Syren Street to vehicles is not under consideration.
6) Submission	Comment: <i>If there is 1400 park bays within 5 mins walk don't waste time and resource changing the 30 to 15. Its (sic) not like anyone can actually park and go for dinner in this time period. It's always going to be someone nipping into the chemist or shop etc. It's a chemist not an ER. Also if the pharmacy is busy 15 mins might not be long enough anyway.</i>
6) City's Response	Comment: The proposed changes are to benefit unwell and elderly people who are customers of the chemist with additional convenient parking options. The time limit was proposed on the information the City received including estimated waiting times at the chemist. The new time limit restriction will increase vehicle turnover and access to the amenity.

Community Feedback – Via The Share Your Thoughts Page (Continued)	
7) Submission	Comment: <i>I agree I think this would be a good change. In addition it would be nice to see a review of priority parking around Syren Street, there seems to be little available for those with low mobility (seniors etc).</i>
7) City's Response	Comment: The proposed change is in addition to the four disability parking stalls provided approximately 36 metres from the Chemist. There are also a large number of disability parking stalls all of which are conveniently located close to entry points to the shopping centre.
8) Submission	Comment: <i>Main issue in Rockingham are too many taxi ranks that aren't used by taxis and no convenient and safe ride sharing areas for safe pick up and drop off of passengers. Syren Street would have over 100 people picked up in an Uber or Ola daily. There is almost never a place to pullover to allow passengers safe exit or entry to the vehicle. I've never seen a taxi on the street but they have 2 bays on the same side. Either make one or both for ride sharing, but better to have one on the other side too. A 5 minute max share be enough with driver needing to remain behind the drivers (sic) wheel. Rockingham foreshore needs similar as well as Baldivis shops, Waikiki shopping village, And (sic) Warnbro.</i>
8) City Response	Comment: The above submission has no relevance to this report and will be answered by a City Officer independently of this process.
9) Submission	Comment: <i>I have no objection to a reduced time limit from 30 minutes to 15 minutes on any portion of Syren Street.</i>
9) City Response	Comment: Concur.
10) Submission	Comment: <i>Thanks for asking about this. I have absolutely no objection to the 15min parking time limit affecting 3 bays in Syren Street.</i>
10) City Response	Comment: Concur.
11) Submission	Comment: <i>It would be better to prohibit all parking in siren (sic) st (sic) and turn it into an open space for pedestrians only in a court yard style of design to incorporate both sides café's (sic) and restaurants. By taking away the parking in this street could allow for stand-alone food carts in the middle and for pedestrians to roam freely in this area. There no reason to have road dissecting this busy area.</i>
11) City Response	Comment: The closure of Syren Street to vehicles is not under consideration.
12) Submission	Comment: <i>Just do it, you don't need to waste rate payers money on such issue as conducting surveys and all the crap and monies involved in cutting 15min of time for benefit of a big company that 99% of rate payers don't use.</i>
12) City Response	Comment: The above submission has no relevance to this report and will be answered by a City Officer independently of this process.

Community Feedback – Via The Share Your Thoughts Page (Continued)	
13) Submission	Comment: <i>Too few bays for the proposed change to affect the majority of shoppers regardless of it being beneficial or detrimental. Therefore it should be approved.</i>
13) City Response	Comment: Concur.
14) Submission	Comment: <i>I think 15 mins (sic) is plenty of time to pop into the chemist and welcome the change.</i>
14) City Response	Comment: Concur.
15) Submission	Comment: <i>I believe that 15 minutes is sufficient time and will deter long term 'parkers' clogging up the area.</i>
15) City Response	Comment: Concur.

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 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

Nil

e. Financial

The cost of implementing this change is minimal given the area already has existing posts and sign plates in place. A total of \$57.99 for sign plate sticker replacement is estimated with labour costs of \$46.50 for installation. The estimated total overall cost involved is \$104.49. This can be funded from existing Budget allocations.

f. Legal and Statutory

The *City of Rockingham Parking and Parking Facilities Local Law 2004* includes the following local laws:

"1.10 The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this Local Law."

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- (f) the manner of parking in parking stalls and parking stations.

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

In order to increase vehicle turnover and access to amenity for customers of the chemist, it is considered appropriate to apply the reduced time limit controls to the nominated parking stalls on Syren Street, Rockingham.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** the installation of 15 minute restricted parking to three Parking Stalls in Syren Street, Rockingham as shown on the following aerial photograph.



Aerial Photo - Proposed Parking Control (Image Taken February 2018)

Planning and Development Services Strategic Planning and Environmental Services



Reference No & Subject:	PD-033/18	Proposed Amendments to Planning Policy 3.1.2 - Local Commercial Strategy - Parkland Heights Neighbourhood Centre
File No:	LUP/1596	
Applicant:	The Trustee for The Everett Bennett Unit Trust (CLE Town Planning and Design)	
Owner:	Rockingham Park Pty Ltd.	
Author:	Mr Chris Parlane, Senior Planning Officer	
Other Contributors:	Ms Katrina Shoobridge, Acting Coordinator Strategic Planning Mr Brett Ashby, Manager Strategic Planning	
Date of Committee Meeting:	16 July 2018	
Previously before Council:	September 2017 (PDS-046/17)	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:	Parent Lot: Lot 1507 Eighty Road, Baldvis Balance Lot: Lot 9010 Sixty Eight Road, Baldvis	
Lot Area:	78.8240ha	
LA Zoning:	Development	
MRS Zoning:	Urban, Other Regional Roads, Rural	
Attachments:	<ol style="list-style-type: none"> 1. Parkland Heights Retail Sustainability Assessment, Pracsys August 2017 2. Schedule of Submissions 	
Maps/Diagrams:	<ol style="list-style-type: none"> 1. Current Activity Centre Hierarchy Map for Baldvis 2. Estimated Impact of PHNC on Baldvis Centres 3. Scenario 2 Growth in Floorspace Productivity Compared to Scenario 1 4. Extent of Advertising Map 	

Purpose of Report

To consider a proposed amendment to the City's *Planning Policy 3.1.2 – Local Commercial Strategy* (LCS), to facilitate the development of a Neighbourhood Centre in the Parkland Heights Estate, comprising up to 10,000m² of retail floor area, following the completion of public advertising.

Background

At its Ordinary meeting on 26 September 2017, the Council resolved to approve the publishing of a notice that it prepared the following amendments to *Planning Policy 3.1.2 - Local Commercial Strategy* for public inspection:

1. Replace the Precinct 4 Baldvis row of Table 1.2 - 'Centres in Rockingham Related to the Metropolitan Centres Policy Hierarchy' with the following:

City of Rockingham	Strategic Regional Centres	Regional Centres	District Centres	N'hood and Local Centres	Traditional "Main Street" Centres (all levels of the hierarchy)
Precinct 4 Baldvis	None	None	Baldvis Town Centre	6 N'hood 5 Local Centres	All centres as per SPP4.2

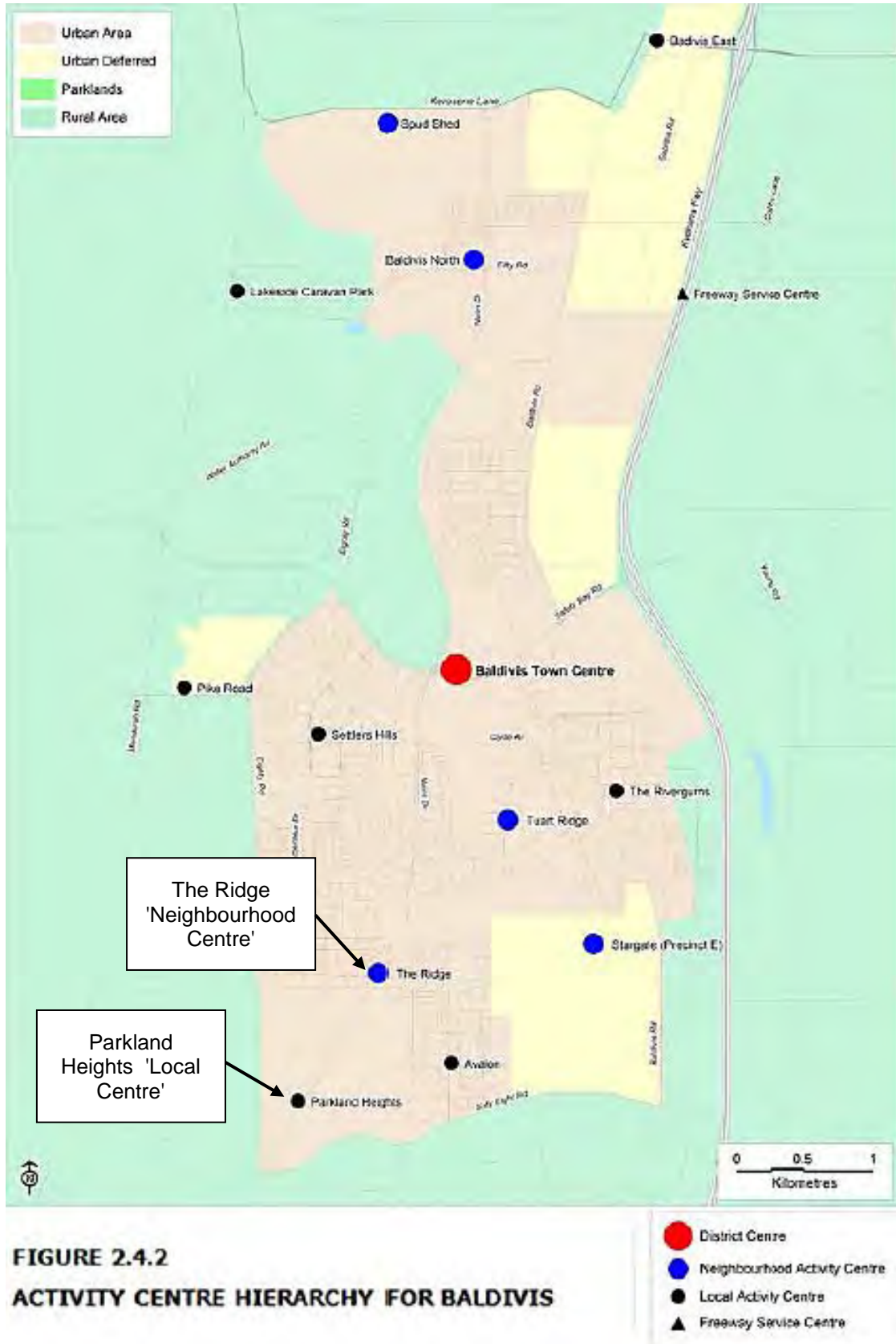
2. Replace the Baldvis Centres row of Table 2.8 - 'Neighbourhood and Local Centre Descriptions in the Baldvis Precinct' with the following:

Level in hierarchy	Neighbourhood Centre (NC)	Local Centre (LC)
Baldvis Centres	<p>NC's play an important 'community' based role in servicing the every-day needs of residents who live within close proximity to the centre.</p> <p>Existing and Proposed Centres in Baldvis include:</p> <ul style="list-style-type: none"> - Tuart Ridge - Stargate (Precinct E) - Baldvis North - The Spud Shed - Settlers Hill - Parkland Heights 	<p>LC's provide convenience shops or a small strip of shops serving a walkable catchment.</p> <p>Further LC development within Baldvis will not impact on the achievement of an appropriate hierarchy, and is encouraged as an overall net community benefit will result if additional LC's are established.</p> <p>It is noted that the development feasibility of LC's is very difficult to achieve, and any development without a major anchor (such as a supermarket) should be viewed favourably.</p>

3. Modify Figure 2.4.2 – 'Activity Centre Hierarchy for Baldvis' by:
- (i) changing the designation of the Parkland Heights "Local" centre to "Neighbourhood" centre.
 - (ii) Changing the designation of The Ridge "Neighbourhood" centre to "Local" centre.

The amendments proposed to the LCS are intended to facilitate the development of a Neighbourhood Centre comprising up to 10,000m² retail floor area within the Parkland Heights residential estate, located in the south-western corner of the Baldvis urban corridor.

The LCS currently identifies the Parkland Heights centre as a "Local Centre" in the hierarchy of activity centres for Baldvis (refer Figure 1).



1. Current Activity Centre Hierarchy Map for Baldvis

In conjunction with the request to amend the LCS, the proponent submitted a proposed amendment to the Parkland Heights Structure Plan, to zone the centre “Commercial” and introduce land use planning controls. Following the Council’s resolution, the City liaised with the applicant to receive additional information, and the proposed LCS amendment was advertised concurrently with the proposed Structure Plan amendment. The proposed amendment to the Parkland Heights Structure Plan is the subject of a separate report to the Council (Item PD-034/18).

Details

The proposed LCS amendment is based on a review conducted by the landowner of activity centres within and beyond Baldivis.

As required by the LCS, a Retail Sustainability Assessment (“RSA”) report was submitted in support of the requested amendment, which states:

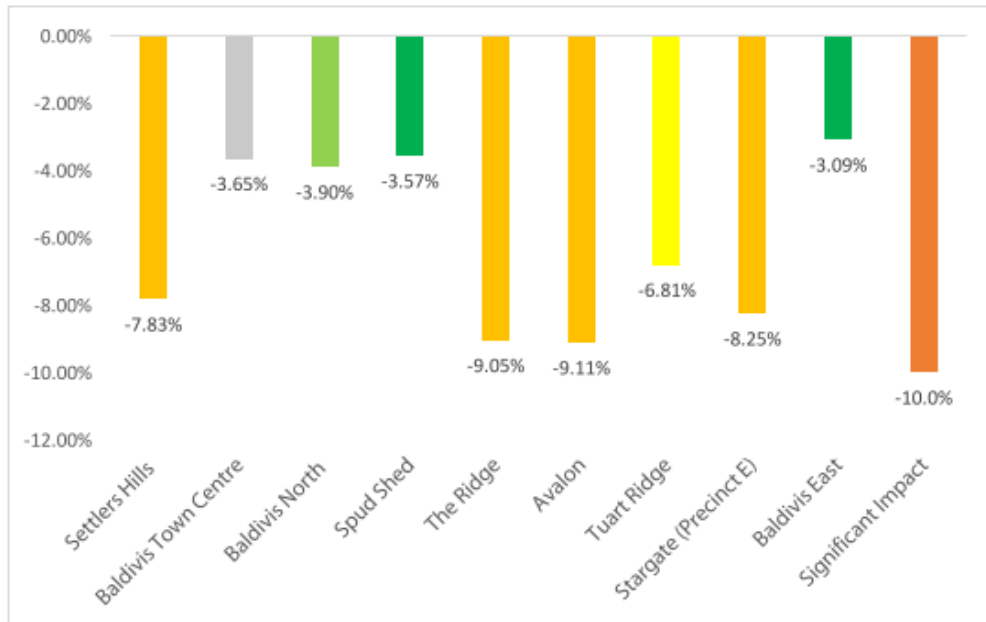
“As a newly established and fast growing area, Baldivis currently relies heavily on the Baldivis Town Centre for retail trade, however, as the area expands to the south the development of other Local and Neighbourhood centres (as planned under the CRLCS) will become important to the lifestyle of residents, easing of congestion and creation of local employment opportunities. A review of the surrounding Local and Neighbourhood centres has found that, critically, under capacity is expected to exist in South Baldivis based largely on the lack of land availability at The Ridge (Neighbourhood centre)”.

The Ridge is currently identified in the LCS as a Neighbourhood Centre. The spatially restricted nature of The Ridge (comprising 5,132m² of land area) and the land use arrangement (medical centre/dental surgery/pharmacy) on the site, however, means this centre will not reach Neighbourhood Centre status, being more akin to a Local Centre.

The RSA analyses the potential impacts of a Neighbourhood Centre at Parkland Heights on other centres, and concludes:

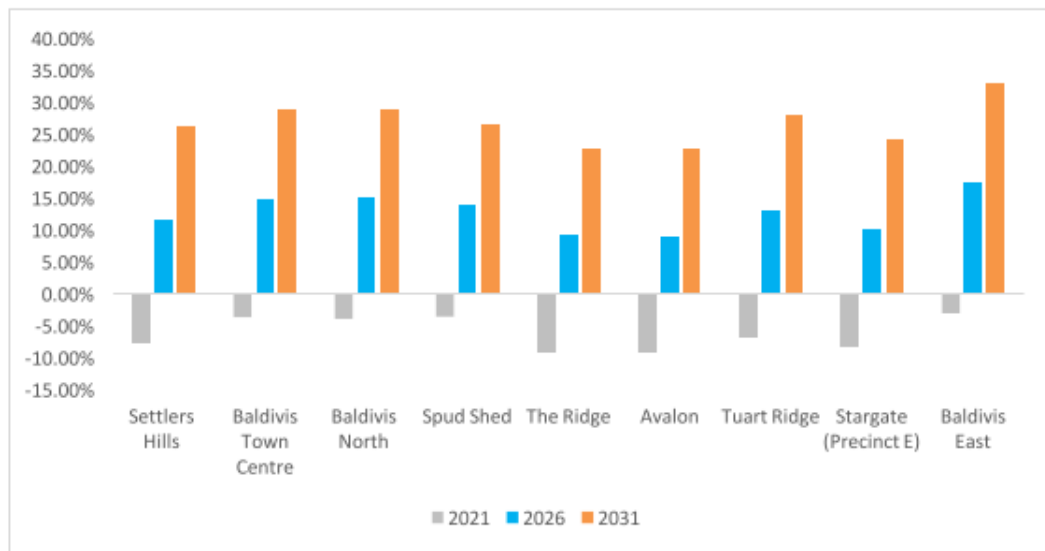
- *A 10,000m² Parkland Heights Neighbourhood Centre (PHNC) development would not negatively impact on the viability of existing or future potential surrounding centres as planned under the LCS.*
- *The PHNC offers the opportunity to increase the local ability to capture retail spend. Total expenditure in the primary catchment (ie Baldivis) increases by approximately 6%, which equates to an estimated \$29 million in 2021 alone.*
- *Overall catchment floorspace productivity levels remain at a relatively high average of \$6,700/m² (in 2021), indicating a healthy mix of total floorspace to expenditure. This is despite the inclusion of all potential expansions within the primary catchment.*
- *This points to a large undersupply should expansions not be allowed to go ahead, to the detriment of the local catchment. The healthy trading levels in the catchment are expected to increase with potential population growth, and by 2026, the catchment is expected to provide enough expenditure to increase productivity levels by 19%, with a further 12% increase by 2031.*
- *With an estimated \$45 million construction cost, the PHNC would create approximately 57 full time jobs over the course of its construction.*
- *The PHNC would contribute an additional 294 permanent employment opportunities, 89 of which would be diverted from other centres and 161 which would be new jobs for the primary catchment.*
- *The PHNC will be directly accessible via Nairn Drive, facilitating shopping trips for passing traffic. There is currently a planned bus route through the Local Structure Plan, which would facilitate the increased use of public transport.*
- *The PHNC will provide a mix of both supermarkets and specialty stores which can meet the daily and weekly shopping needs for its catchment. This reduces the number of trips residents of the neighbourhood will need to make in order to satisfy their usual shopping needs.*
- *In addition, it will be located across from a primary school, enabling local families to create multi-purpose visits to the area, further reducing the need to travel.*

To investigate the effect of the proposed PHNC on other centres in the catchment, the RSA analysed hypothetical development scenarios of all centres by 2021. The results show that, even with conservative assumptions applied, the relative impact of the proposed PHNC on the surrounding centres is less than 10%, with the most affected centres being The Ridge and Avalon (refer Figure 2). The RSA notes the sustainability of a centre is typically considered significantly impacted when profitability is reduced by more than 10%.



2. Estimated Impact of PHNC on Baldvis Centres

The RSA states that despite the impacts, the modelling shows the centres to be trading at healthy and profitable levels, implying that there will be no impact to consumer amenity. The modelling indicates that by 2026, estimated total retail turnover in the catchment will be higher than if Parkland Heights were only to be developed as a Local Centre (1,500m²), with productivity further increasing up to 2031 (refer Figure 3).



3. Scenario 2 Growth in Floorspace Productivity Compared to Scenario 1

The modelling indicates that a 10,000m² Neighbourhood Centre is required at Parkland Heights to meet the future increase in retail demand generated by the forecasted rapid population growth in Parkland Heights and South Baldvis. Without developing Parkland Heights to the scale of a Neighbourhood Centre, the RSA concludes it is likely there will be a large gap in the local capacity to provide retail services for South Baldvis and the greater primary catchment.

The RSA report was peer reviewed by consultants MacroPlan Dimasi at the request of the City. The report reviewed the general methodology, data and assumptions adopted in the proponent's RSA report, confirming items for clarification and identifying that the analysis and conclusions in the RSA were generally suitable, given the bounds of the modelling and the information submitted.

Implications to Consider

a. Consultation with the Community

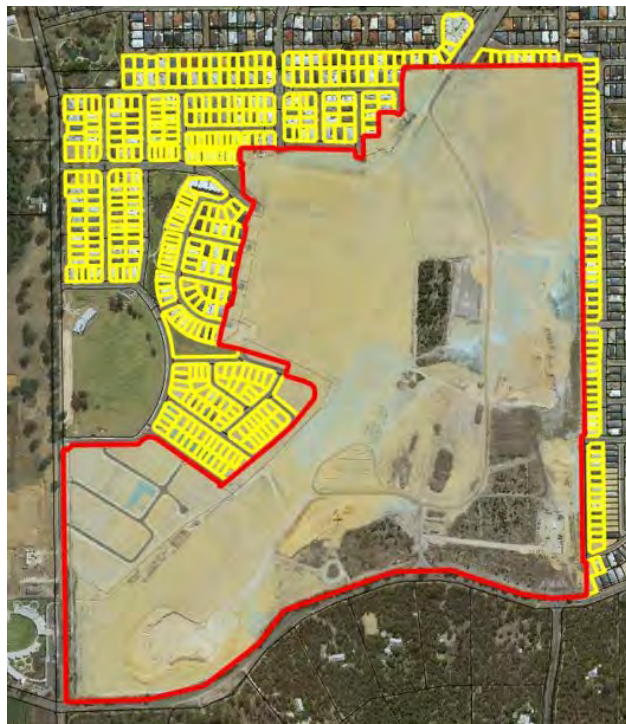
The proposed amendments to the LCS were advertised for public comment for a period of 28 days from 6 April 2018 to 4 May 2018.

Advertising was conducted concurrently with the advertising of the proposed amendment to the Parkland Heights Structure Plan, to ensure maximum community awareness.

Consultation was undertaken as follows:

- Adjacent/nearby landowners (properties highlighted in yellow on Figure 4 below), servicing agencies and the Baldivis Residents Association were notified of the proposal in writing and invited to comment;
- Written notice was provided to the owners of the following existing or proposed activity centres in Baldivis:
 - The Ridge Neighbourhood Centre;
 - Settlers Hill Neighbourhood Centre;
 - Stargate (Paramount) Neighbourhood Centre;
 - Baldivis District Centre;
 - Tuart Ridge Neighbourhood Centre;
 - Baldivis North (Spires Estate) Neighbourhood Centre;
- Signs (3) were erected around the Parkland Heights Estate, on Furnivall Parade, Arpenteur Drive and Regency Avenue;
- A notice was placed in the Weekend Courier on 6 April 2018;
- Copies of the proposed amendments and supporting documents were made available for inspection at the City's Administration Offices and placed on the City's website; and
- The Department of Planning, Lands and Heritage was notified of the proposed amendments.

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



4. Extent of Advertising

At the conclusion of the advertising period, a total of twelve (12) submissions were received on both planning proposals, in addition to submissions received from state agencies and servicing authorities. The submissions can be grouped as follows:

- 4 submissions in support of the proposals;
- 8 submissions objecting to, or raising concerns about, the proposals;
- Of the submissions objecting to the proposals, 4 were received from local residents and 4 were received from other activity centre owners.

A summary of the comments raised by the submitters, and the City's comment with respect to each submission, is included in the tables below¹.

A full copy of each submission is set out in the Schedule of Submissions, attached to this report.

1. Submission:

The proposal does not address the residential density requirements in *Table 3: Activity Centre Functions, Typical Characteristics and Performance Targets* as set out in SPP4.2.

Applicant's Response:

SPP 4.2 outlines 'performance targets for residential density' which are not a requirement, rather a target that should be pursued in the context of planning for activity centres. The current LSP identifies a number of R40 and R60 density sites as well as R40 cottage lots within a walkable catchment of the Centre to provide for increased densities. Based on the current staging plan, Parkland Heights will deliver a residential density of 15 dwellings per gross urban hectare in accordance with the minimum target specified in SPP 4.2 for Neighbourhood Centres. It should be noted that a 2.32 ha portion of the primary school site is located within this catchment and when this is excluded from the density calculation, it increases to 16.5 dwellings per urban hectare.

Notwithstanding that SPP 4.2 sets targets rather than minimum requirements and that Parkland Heights is capable of satisfying the target minimum, the density around the Centre has already been approved under the previous structure plan and a Centre has always been planned in this location. Whilst this proposal seeks to increase the retail NLA for the Centre, it does not alter the fundamental principle in relation to density around the Centre, which was considered and approved as part of the current LSP.

City's Comments:

Residential density requirements outlined in SPP4.2 are expressed as 'target' densities, not 'requirements'. SPP4.2 outlines the Residential density target for a Neighbourhood Centre of 15 (minimum) and 25 (desirable) dwellings per gross hectare.

The residential density of the catchment surrounding the proposed Neighbourhood Centre has been determined through the previous amendments to the Parkland Heights Structure Plan (PHSP). Table 1 (in the Structure Plan Amendment Implementation report (September 2017)) indicates Parkland Heights achieves 15.7 dwellings per gross hectare, which is consistent with the target density range outlined in SPP4.2.

2. Submission:

The proposed amendment will significantly undermine the express purpose of the long term planning described in the Baldivis District Structure Plan and the Local Commercial Strategy.

¹ The submissions received relating to the proposed amendment to the Parkland Heights Structure Plan are addressed in the Council report on that matter.

Applicant's Response:

The proposed centre meets the requirements of the Local Commercial Strategy (LCS), specifically with regards to its stated purpose in the Baldivis area (Precinct 4 in the LCS):

- The proposed centre is a development that will provide commercial floorspace based on projected community needs
- It responds to the lack of viable Neighbourhood Centres in the south-west of Baldivis given the inability for the Ridge to be developed to Neighbourhood Centre scale
- It responds to the increase in density within the immediate vicinity, with a density approximately 60% higher than the surrounding Baldivis area
- It will cater for a full range of needs from convenience and comparison offerings to commercial and community services
- It will help provide a more equitable distribution of shopping floorspace which is currently concentrated towards the centre, north and east of Baldivis (see Figure 1 below.)
- It will also promote the walkable neighbourhoods principle of pedestrian and bicycle access to employment, retail and community facilities, instead of access by motor vehicle, by appropriately distributing activity centres
- It will provide important new employment opportunities for the local community.

Further, the LCS plans for a Neighbourhood Centre in south-west Baldivis in the form of The Ridge. The Ridge, however, is not capable of developing as a Neighbourhood Centre based on its existing non-retail land use (medical centre) and constrained land area for growth. Given that the order of centres is proposed to be reassigned (i.e. The Ridge becomes a Local Centre and Parkland Heights becomes a Neighbourhood Centre) rather than an additional Neighbourhood Centre being added, there is no disruption to the retail hierarchy established under the LCS.

City's Comments:

Section 5.1(2) of SPP4.2 states that "*The responsible authority should not support activity centre structure plans or development proposals that are likely to undermine the established and planned activity centre hierarchy*".

The LCS amendment proposed specifically changes the designation of The Ridge Neighbourhood Centre to a Local Centre and the Parkland Heights Local Centre to a Neighbourhood Centre in the planned activity centre hierarchy. Accordingly, the proposed Parkland Heights development will not result in any net impact on the long-term planning for retail centres, outlined by the amended LCS.

3. Submission:

The population of the area is serviced by adequate and sufficient existing shopping centres such as Stockland Baldivis and Baldivis Square which cater for the needs of the population.

Applicant's Response:

SPP 4.2 states that centres should be developed to 'Maximise access to activity centres by walking, cycling and public transport while reducing private car trips'. Two specific purposes of the LCS in Baldivis are to: 'Provide sufficient development opportunities to enable a diverse supply of commercial and residential floorspace to meet projected community needs' and 'Mitigate the potential for an over-concentration of shopping floorspace in large activity centres at the expense of a more equitable level of service to communities'.

The current total quantum and distribution of retail floorspace forces residents in the south western area of Baldivis to drive to large centres for their daily and weekly shopping needs, contradicting the objectives of SPP 4.2.

City's Comments:

The proponent's RSA determines that by 2021 the population will be sufficient to support all existing and proposed developments as per the Local Commercial Strategy. The City received further peer review advice considering the findings of the RSA and the submitter concerns raised. No substantive issues were identified as a result of that review. The City accepts the proponent's findings as reasonable, in accordance with the requirement of SPP4.2 and the LCS.

4. Submission:

The increase in retail floorspace proposed at the PHNC will have a significant and detrimental impact on the viability of the Paramount Neighbourhood Centre planned for South Baldivis. An Economic Impact Assessment prepared by Taktics4 (not provided with the submission) indicates that if even one of the major supermarkets is developed at Parkland Heights, this will almost certainly mean that a comparable facility cannot be attracted to the Paramount Neighbourhood Centre. This would result in a number of negative impacts for future residents of South Baldivis, including diminishing the chances of attracting and maintaining attendant specialty shops, with implications for the success of the centre.

Applicant's Response:

No evidence has been provided to support this claim and the assumptions on which it is based are unclear.

With regards to the Paramount Neighbourhood Centre, the projected dwelling estimate of the surrounding residential development based on the Rockingham Future Growth Plan 2009 is up to approximately 1,800 dwellings. This increase in population will likely create the required demand for the centre. The timing of the Paramount residential development, according to the Growth Plan, was to begin development sometime between 2017 and 2021 with completion expected towards 2031. The Paramount centre will be reliant upon uptake of dwellings at the site; the prior RSA analysis found that the proposed centre would not impact the centres viability given the project growth in the area.

Given the Parkland Heights development started in 2011, it is understandable that it should require a centre before the Paramount area requires one. Furthermore, a future investment proposal that may or may not happen (Paramount) should not impede an investment that is ready to be delivered and meets the needs of an existing and growing population.

City's Comments:

SPP4.2 does not cap or limit the amount of shop/retail floorspace.

The relevant tests under section 6(3) of SPP4.2 are whether the proposal will have an unacceptable impact that will not be made good by the proposed development and (section 6.5) that "competition between businesses of itself is not considered to be a relevant planning consideration."

Given that the comment considers the proposed Paramount and Parkland Heights centres to be a 'comparable facility', this would indicate that the proposed development of Parkland Heights would 'make good' (albeit in a different geographical location) and therefore comply with the policy.

No firm timing for the Paramount centre is indicated and therefore any 'loss' or 'detriment' to the community is theoretical. The competition principle would suggest that the community will benefit from a development sooner rather than later, therefore any competition between centres to develop first will deliver a net benefit to the community.

The broader community will get a benefit from earlier development of at least one of the two centres (Paramount or Parkland Heights).

5. Submission:

Failure of the Paramount Neighbourhood Centre will leave future residents without convenient access to a major Neighbourhood Centre. Residents will be obliged to drive in order to take advantage of day to day amenities and services, which is contrary to the proponent's stated justification for the floorspace expansion at Parkland Heights.

Applicant's Response:

At a distance of approximately 2km (or 30 minute walk) it is important that each area has sufficient access to amenity and daily to weekly retail offerings. The decision to develop the Paramount centre should be made based on the level of residential growth achieved in the Paramount development, and should not be reliant on what is essentially a separate catchment of residents. While the Paramount centre is still to be developed, the Parkland Heights development is currently underway and faces a lack of supply in terms of shopping retail to meet the needs of current residents. The proposed Neighbourhood Centre at the Ridge cannot accommodate sufficient retail floorspace and could not develop to a Neighbourhood Centre based on the current non-retail land use (medical centre) and limited land area available. The proposed amendment will provide day to day amenities for the current population while ensuring that the projected population's needs will be met.

City's Comments:

SPP2.4 does not preclude competing developments, even if the development of one centre delays the development of another.

The submission does not demonstrate that the Paramount Neighbourhood Centre will fail. In contrast, the proponent's RSA determines that the development of the Parkland Heights Neighbourhood Centre will not have sufficient impact on the Paramount Neighbourhood Centre to make it unviable.

The City received further peer review advice considering the findings of both the RSA and the submitter concerns raised. No substantive issues were identified as a result of that review. The City accepts the proponent's assessment that the proposal will not have sufficient impact on the Paramount Neighbourhood Centre to make it unviable.

6. Submission:

Development of the Settlers Hill Neighbourhood Centre is ongoing, and the owner has plans for expansion. As such, there is concern that variations of the magnitude proposed to the hierarchy of centres will be highly detrimental to the completion of Settlers Hills.

Applicant's Response:

The feedback from the representative for Settlers Hill Neighbourhood Centre has indicated there is a proposed expansion of 280m² for the centre which would accommodate a café/retail use (i.e. book café). The proposed amendment will not affect the viability of the centre or its proposed floorspace as the Settlers Hill centre serves a local catchment given its size (even with the expansion it will be approximately 1,500 NLA (or less) in total floorspace). Customers of Settlers Hill are not likely to shop at Parkland Heights Neighbourhood Centre as it will be:

- Approximately 5 - 6 minutes away by car - PHNC will not compete with the daily offering provided; and
- Baldivis Town Centre is approximately 3 - 4 minutes away by car - customers from Settlers Hill would already be doing their weekly shop at Baldivis Town Centre, this is not likely to change.

A new cafe at the Settlers Hill centre would continue to draw upon the centre's local catchment and not from outside the catchment. PHNC is not likely to attract persons from this catchment, as such, the PHNC is not likely to affect the viability of the Settlers Hill centre in its current or proposed future form.

City's Comments:

SPP2.4 does not preclude competing developments, even if the development of one centre delays the development of another.

SPP4.2 encourages development of a *network* of centres in parallel, rather than an existing centre expanding at the expense of a new centre developing.

The proponent's RSA indicates that the development of the Parkland Heights Neighbourhood Centre will not have sufficient impact on the Settlers Hill Neighbourhood Centre to make it unviable.

The City received further peer review advice considering the findings of both the RSA and the submitter concerns raised. No substantive issues were identified as a result of that review. The City accepts the proponent's assessment that the proposal will not have sufficient impact on the Settlers Hill Centre to make it unviable.

7. Submission:

The ability of the District Centre at Baldivis to fully develop to the character and function intended by the City of Rockingham would be fundamentally constrained by the introduction of a full line supermarket and a smaller supermarket less than 3km to the south. It will also impact on the viability of the undeveloped centres to be able to attract a supermarket tenant that would create a feasible local or Neighbourhood Centre, undermining the whole activity centre network in the locality.

Applicant's Response:

It is noted that the straight line distance between Baldivis District Centre (Town Centre) and PHNC is 3km and travel distance (not straight line) are in excess of 3km.

No evidence is provided to support the claim that a full line and smaller supermarket would fundamentally constrain the Baldivis Town Centre from achieving its intended function. The LCS has plans for at least three or four supermarkets of various sizes (assuming the proposed Neighbourhood and Local Centres attract at least a supermarket each) within 2 - 3 km of the Baldivis Town Centre. The impact of the proposed centre on Baldivis District Centre (Town Centre) has been investigated and is expected to be -3.64%, which is not significant. Other undeveloped Neighbourhood Centres will have their own expenditure catchment and should not rely on residents from Parkland Height. Similarly Parkland Heights residents should not be forced to drive to access their daily to weekly retail needs.

Further, the LCS plans for a Neighbourhood Centre in south-west Baldivis in the form of The Ridge. The Ridge however, is not capable of developing as a Neighbourhood Centre based on its existing non-retail land use (medical centre) and constrained land area for growth. Given that the order of centres is proposed to be reassigned (i.e. The Ridge becomes a Local Centre and Parkland heights becomes a Neighbourhood Centre) rather than an additional Neighbourhood Centre added, there is no disruption to the retail hierarchy established under the LCS.

The proposed centre will be within the designated floorspace range as defined by the LCS (4,500 m² to 10,000 m²). Given these limits have been developed specifically for Baldivis, with the full development of the Baldivis Town Centre in mind, a centre of this size fits within the LCS and would not disrupt the activity centre hierarchy. In addition, it is likely that less than 40% of the floorspace at the proposed PHNC centre will be comparison orientated, limiting the potential impact on Baldivis Town Centre as it is predominantly comparison orientated centre.

City's Comments:

SPP4.2 explicitly aims to protect Neighbourhood and Local Centres from the impacts of centres higher in the activity centre hierarchy. The policy aims to "mitigate the potential for an over-concentration of shopping floorspace in large activity centres at the expense of a more equitable level of service to communities".

As the proposed Neighbourhood Centre at Parkland Heights is lower in the hierarchy than the higher-level centre (District Centre) at Baldivis, the proposed development is not inconsistent with the objectives of SPP4.2 (sections 5.1.2 and 6.2.1) as they relate to the role and function of that centre.

As indicated above, the proposed Parkland Heights Neighbourhood Centre will not result in any net change to the retail centre hierarchy.

8. Submission:

Concerns the proposed amendment promotes a centre hierarchy that will compromise the higher order centres, which is inconsistent with the intent of State Planning Policy 4.2 – Activity Centres for Perth and Peel.

Applicant's Response:

It is important to note that the proposal does not result in an additional Neighbourhood Centre within south-west Baldivis due to the reassignment of the hierarchy proposed by the concurrent amendment to the LCS. The role of the The Ridge and Parkland Heights as a Neighbourhood Centre and Local Centre respectively will be switched, thereby maintaining the hierarchy.

The proposed Neighbourhood Centre meets the definition of Neighbourhood Centres in SPP 4.2:

- Stopping Transfer point for bus network
- Supermarket(s)
- Specialty retail offering
- Local professional services
- Between 2,000 and 15,000 persons residing within approximately 1km of the centre (approximately 9,000 projected are projected to live within a 1km radius of the centre upon full residential development)
- A desirable dwelling density of R25 (the average density achieved on residential land within the parkland heights development is 26.3 per net hectare - Rcodes are calculated per net developable hectare.

A balanced network of competitive centres is required to ensure that centres are both viable and that daily to weekly needs can be met at local and walkable distance, reducing local congestion issues.

City's Comments:

Sections 5.1.2 and 6.2.1(3) of SPP4.2 explicitly aim to protect Neighbourhood and Local Centres from the impacts of centres higher in the activity centre hierarchy.

As indicated above, the proposed Parkland Heights Neighbourhood Centre will not result in any net change to the retail centre hierarchy.

9. Submission:

Modelling the proposed Parkland Heights Neighbourhood Centre on the large shopping centre fronting Read Street Waikiki is inappropriate because there is little similarity between the urban context of the Waikiki centre compared to that of Parkland Heights.

Applicant's Response:

The Waikiki comparison was used to generally assist in the understanding of the proposed floorspace mix (comparison vs convenience) but is immaterial to the estimated impact of the analysis.

City's Comments:

SPP4.2 Table 3 provides general guidelines as to the floorspace composition of activity centres at different levels in the hierarchy. The use of the Waikiki example is to understand the floorspace quantum and mix of the proposed development.

The situational context and role of the Waikiki Village Shopping Centre is considered reasonably aligned with the intended role of the Parkland Heights Neighbourhood Centre to warrant such a comparison.

10. Submission:

The proponent's RSA is based on an assumption that full development of all existing and planned centres as at 2021 within a real world context, where physical development of the South Baldivis activity centres, though occurring, is lagging well behind the area's residential development. Thus, notwithstanding the hypothetical 2021 percentage impacts, the actual impacts are more likely to involve the abandonment of various developments or expansion plans on the part of other centres.

Applicant's Response:

The inclusion of all planned centres is required to investigate the effect on the activity centre hierarchy in its entirety. The suggestion that impacts should be assessed against only existing centres is not practical as it will not provide the expected impact on future planned centres, such as the Paramount, which is critical to an RSA. Activity centre planning requires a long-term outlook and their concern relates to the timing of future development, not the overall viability - as assessed in the RSA provided.

Based on the analysis, even with all projected floorspace developed the Baldivis activity centre network would have an average turnover of \$6,700/m², which is approximately the average turnover productivity expected for an activity centre network (Urbis 2012, see http://www.joondalup.wa.gov.au/Libraries/Whitford_Activity_Centre/Appendix_J_-_Whitford_City_RSA.pdf).

City's Comments:

SPP4.2 requires an impact assessment of the proposal on existing and proposed centres. The submission states that "...development of the South Baldivis activity centres, though occurring, is lagging well behind the area's residential development". The City notes the collective concerns of both the proponent and the submitter that existing centres are not currently being developed in pace with population growth. Approval of the proposed LCS amendment will provide the opportunity to achieve full development of the activity centres hierarchy earlier, in line with submitter and proponent concerns, and consistent with the objectives of SPP4.2 and the LCS.

11. Submission:

The RSA is flawed in that it doesn't provide an accurate analysis of the potential social and economic impact of the proposed amendment on other centres. Additional analysis and clarification is required, including further consideration of the key inputs and assumptions used in the analysis.

Applicant's Response:

There is no evidence provided to support the claim that the RSA does not provide an accurate analysis of the potential social and economic impact of the proposed amendment on other centres. Pracsys has supplied all critical assumptions and data sources used in prior submissions. If there is a specific request this can be addressed.

With regards to the impacts identified through the analysis, SPP4.2 provides that an RSA is limited to considering the effects on potential loss of services and any associated detriment caused by a proposed development.

The proposed centre will provide much needed services in an area that is currently and is projected to grow significantly. The centre will have a minimal impact on surrounding centres with no single centre impacted greater than 10%. The RSA is therefore consistent with the provisions of SPP 4.2.

City's Comments:

The City received further peer review advice considering the findings of both the RSA and the submitter concerns raised. No substantive issues were identified as a result of that review. MacroPlan confirms that the inputs and assumptions of the proponent's RSA are within acceptable industry standards, and that any refinements would likely not have a material impact on the outcome. The City accepts the proponent's assessment that the proposal will not have unacceptable impacts on other centres.

12. Submission:

Out of date information used in the RSA includes 2011 Census population projections that do not account for the recent Perth slowdown. More up to date 2016 versions of this data are available.

Applicant's Response:

At the time the RSA was conducted, the most up to date information was used including forecasts of population growth. The latest ABS Census 2016 data will not materially impact the results of the RSA. The dwelling growth assumptions used in the model are conservative - the dwelling growth used in the analysis is less than it would be if current forecast.id dwelling projections were used for Baldivis South and North.

Primary Catchment Growth:

- Modelled dwellings for the Primary Catchment: 12,000 dwellings in 2016 and 24,000 in 2031, annual growth of approximately 4.73%

- Current Forecast.id Dwellings for Baldivis (South and North) - the Primary Catchment: 12,000 dwellings in 2016 and 26,000 in 2031 (rounded figures), an average annual growth rate of approximately 5.49%

Sources:

Baldivis South Forecast.id: <https://forecast.id.com.au/rockingham/population-households-dwellings?WebID=110>

Baldivis North Forecast.id: <https://forecast.id.com.au/rockingham/population-households-dwellings?WebID=100>

Rockingham Forecast.id: <https://forecast.id.com.au/rockingham/population-households-dwellings>

City's Comments:

The City received further peer review advice considering the findings of both the RSA and the submitter concerns raised. The advices identified that dwelling counts used in place of the population data does not meet the requirements of section 6.5.1(1) of SPP4.2, and that this has a potentially significant impact on the RSA which may result in overstating the actual population in the trade area and therefore overestimating retail expenditure and supportable shop-retail floorspace.

The proponent subsequently provided a comparison of the original projections against ABS 2016 Census data and Forecast.id data, including an allowance for vacant dwellings in satisfaction of the concerns raised by MacroPlan. The comparisons show no significant difference between data sets when comparing population projections and the overall expenditure pool available to 2031.

The City acknowledges that the projections are an estimate of what may or may not occur in the trends of population growth, dwelling occupancy and retail expenditure over an extended period of time. On the balance of the technical information provided by the proponent and the specialist peer review reports prepared by MacroPlan, the City is satisfied that the RSA and subsequent supporting projections satisfy the intent of section 6.5 of SPP4.2 for the preparation of a RSA that appropriately '*assesses the potential economic and related effects*' of the proposed development '*on the network of activity centres in [the] locality*'.

13. Submission:

The use of input data that is not accurate for the gravity model is likely to have significantly impacts the results. In addition to outdated population and retail spending figures, reported shopping centre sales are also not accurate.

Applicant's Response:

Please see above regarding population.

Retail expenditure estimates were based on the most current expenditure estimates available at the time (Household Expenditure Survey 2008/09). The latest expenditure estimates (2015/16) will not materially affect the results as national averages are not likely to change significantly.

In fact, the results may be more conservative as expenditure between the two surveys was estimated to have increased by 15% while CPI increased at approximately 14% (see ABS:

<http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/6530.0Main%20Features32015-16>).

With regards to shopping centre sales: The feedback includes reference to a figure of approximately \$18,000/m² productivity at Baldivis Town centre, this figure was used to illustrate how well Baldivis centre had been turning over prior to its expansion and was not used to calibrate the model (in other words, it is taken out of context).

Floorspace productivity at Baldivis Town Centre in the model at 2021 in the base scenario was \$7,500/m². The feedback indicated the current productivity of Stockland Baldivis as \$8,700/m². Given the town centre was modelled on its full build out (36,000 m² of retail floorspace) and all proposed centres were included in the model, the calibration of the model has achieved an accurate representation of the productivity of the Baldivis Town Centre.

City's Comments:

SPP4.2, section 6.5.1(3) states "The methodology, assumptions and data used in such analysis must be specified and be appropriate, transparent and verifiable."

The City's independent advice indicates that while the proponent's RSA does not meet the requirement of section 6.5.1(3) of SPP4.2, the assumptions that were available in the RSA were within a reasonable industry range and that they would not materially affect the outcome. The City is satisfied that on the balance of the information available, the proposal's findings are reasonable and relevant, satisfying the intent of section 6.5 of SPP4.2 for the preparation of a RSA that appropriately 'assesses the potential economic and related effects' of the proposed development 'on the network of activity centres in [the] locality'.

14. Submission:

The downturn of the Perth economy does not seem to have been factored into the RSA.

Applicant's Response:

The current population projections provided by forecast.id for the area do not agree with this statement. See response to (12) and (13) above. As expenditure and CPI have remained comparable over the period it is not expected that there has been a drop in purchasing power in the area.

City's Comments:

Refer response to Item 12, above.

15. Submission:

The study area adopted for the PHNC has no specific local catchment area adopted. The trade area served by the PHNC would be significantly smaller than indicated.

Applicant's Response:

Pracsys agree that it is less likely that residents will travel to South Baldivis from North Baldivis given the relative size of the centres in each area and this is reflected in the approach applied to the RSA. Under the gravity modelling approach advocated by the City's LCS, the definition of a 'hard' local catchment boundary is not required as expenditure is distributed based on the size of centres and distance relative to population. This has the following effects:

- Most expenditure at the PHNC comes from within the Parkland Heights development (i.e. the 'real potential catchment'), which alone has a total retail expenditure pool of approximately \$54 million based on the expected number of households and household retail expenditure.
- The effect of including much larger centres over an extended area is that these centres draw expenditure away from the proposed PHNC resulting in lower and more conservative turnover levels for the PHNC and key adjacent centres.

It is noted that the City of Rockingham's Local Commercial Strategy was developed using a gravity model in 2004 and is in current use with amendments².

City of Rockingham, Planning Policy No.3.1.2 Local Commercial Strategy (last amended 25 June 2013)

City's Comments:

SPP4.2, Table 3 defines an indicative service population (trade) consisting of between 2,000 and 15,000 persons (about 1km radius). The proponent's RSA utilises a gravity modelling approach, consistent with the City's LCS, which identifies an alternative catchment model. The City received independent specialist advice from MacroPlan confirming that the alternative catchment model includes insufficient detail to determine a 'verifiable' local catchment area per s6.5.1(3) of SPP4.2.

The proponent subsequently provided additional information confirming the findings of the RSA that there is an estimated population of 9,000 people within a 1 km radius (being the 'retail trade area' identified for neighbourhood centres at Table 3 of SPP 4.2). The submission noted that the population within this 1 km radius should be within the range provided in Table 3 of SPP4.2 (ie 2,000 – 15,000 persons), which in this instance, it squarely is (9,000).

The City is satisfied that on the balance of the information available, the proponent's findings are reasonable and relevant, satisfying the intent of section 6.5 of SPP4.2 for the identification of an anticipated trade area that provides for an appropriate assessment of '*the potential economic and related effects*' of the proposed development '*on the network of activity centres in [the] locality*'.

16. Submission:

A 2-3km travel distance in the Australian retail hierarchy could hardly be considered a long distance to travel for food and grocery shopping. Stockland's Baldivis, Tuart Ridge IGA and the Ridge Neighbourhood Centre site are all within 500m-3km drive.

Applicant's Response:

The Ridge currently cannot develop to Neighbourhood Centre size (4,500 m to 10,000 m) and currently provides no retail offering. SPP 4.2 identifies an approximate 1km catchment for Neighbourhood Centres. This does not necessarily mean a person could not drive 2 to 3 km, but indicates that community services should be provided within relatively walkable catchments. A two to three kilometre distance for a daily-weekly shop is not walkable.

City's Comments:

SPP4.2, Table 3 defines the catchment of Neighbourhood Centres as a 1km radius (therefore indicating an average separation of Neighbourhood Centres of 2km).

The existing (and proposed) LCS separation of centres is consistent with SPP4.2.

17. Submission:

The ability of proposed uses to be provided at other appropriate zoned sites and proof why the subject site is preferred is a requirement of an RSA as noted in the City's LCS. This analysis has not been undertaken.

Applicant's Response:

There are no other appropriate alternative sites for the purpose of meeting the needs of the relevant population. This aspect of the proposal was addressed in the RSA. The Ridge has no shop retail floorspace and does not have sufficient floorspace capacity to develop to a Neighbourhood Centre. The other surrounding centres are not within a walkable distance of local residents and reliance on these centres would be in contradiction of the objectives of SPP4.2 and the City of Rockingham's Local Commercial Strategy.

² City of Rockingham, Planning Policy No.3.1.2 Local Commercial Strategy (last amended 25 June 2013)

City's Comments:

The proposed Parkland Heights Neighbourhood Centre is on an existing site already defined in the LCS, and where its designation in the hierarchy of centres will be swapped with a neighbouring centre. Having regard to these circumstances, the City is satisfied that the RSA submitted achieves the scope of requirements for a RSA, outlined in section 2.4.4 of the LCS.

18. Submission:

A significant amount of retail spending leakage is modelled for the primary catchment. This is not substantiated and is not relevant for a proposed supermarket based centre which would not be expected to capture a large amount of leakage.

Applicant's Response:

Please also refer to (15) above.

The purpose of modelling a larger extent and including large regional centres is to investigate the effect of these centres on the attraction of expenditure, particularly if there is a lack of local offerings.

Based on the model, \$29 million of the spend that is lost through a reduction in size of the centre would be lost to centres outside of the immediate area. This reflects the fact that residents would need to travel by car to alternative centres. It also reflects the fact that larger regional centres are likely to attract expenditure to some extent due to the possibility of multi-purpose trips and/or commuting.

These assumptions do not alter the key results of the RSA, which are the relative impact of the proposed centre on other centres, as all centres are treated under the same rules within the model (i.e. all centres within South Baldivis are affected equally by other larger regional centres).

City's Comments:

SPP4.2 defines that the impacts need to demonstrate that impacts on other existing or proposed centres within the trade area are not unacceptable. By definition, leakage affects centres outside the trade area.

The independent advices commissioned by the City agree with the information provided by the proponent and confirm that leakage in the primary catchment can largely be attributed to activity centre development lagging behind residential development in the area. The development proposed will address this lag, providing a net benefit to the community.

19. Submission:

If the level of leakage that is retained is not as high as indicated in the RSA, then projected impacts on centres in the primary catchment will be larger.

Applicant's Response:

Gravity modelling provides an objective distribution of expenditure based on centre size and distance from consumers and has been endorsed by the WAPC and the Department of Planning, Lands and Heritage through the acceptance of numerous RSA's. Further, gravity modelling is advocated by the City's LCS which states that *'the model has been in use for many years and has proved reliable when properly used as a strategic planning tool'*. While important for centre floorspace productivity estimation, leakage rates do not materially affect the relative centre impact as the available expenditure pool is reduced for all centres proportionally. If leakage rates are not as high as indicated then all centres will experience greater floorspace productivity than that estimated.

City's Comments:

The City's peer review assessment concurred that the leakage of expenditure from the area was a logical consequence of the activity centre development in Baldivis not keeping pace with the high rate of residential development.

Whilst projected impacts on centres in the primary catchment may be larger if the projections are not as high as anticipated, both the proponent's RSA and the City's third party peer review conclude that this is not a 'significant' factor that would affect or alter the core impacts to a sufficient level that any other centre would become unviable. Accordingly, the City is satisfied that the development proposed will:

- Improve the level of service to the local community;
- Provide opportunities for public investment in infrastructure and services; and
- Not unreasonably affect the amenity of the locality through traffic or other impacts in the primary catchment, in compliance with sections 6(2) and 6(3) of SPP4.2.

20. Submission:

The RSA has not adequately addressed the key considerations in determining the market need, demand and impact of the proposed 10,000 sqm PHNC.

Applicant's Response:

There is no evidence provided to support this claim.

The analysis evaluated the expenditure within the area (the demand) and quantified the impact of increasing floorspace of the Parkland Heights centre on surrounding centres, expressed as a percentage of turnover. Furthermore the analysis projected the future floorspace productivity of centres based on forecast population growth (Figure 16 of Pracsys RSA dated August 2017). It was found that the impact on the surrounding centres was minimal and that all centres experience significant growth in productivity over time. The methodology used is sound and consistent with the Department of Planning requirements as evidenced through many accepted RSAs. The methodology used is sound and consistent with the DPLH requirements as evidenced through countless other RSAs.

City's Comments:

Independent advice received by the City confirms that the proponent's RSA adequately determines 'need', 'demand' and 'impact' by assessing population, expenditure and both existing and proposed centres in the catchment area. Accordingly, the City is satisfied that the development proposed meets the requirements of SPP4.2 and the LCS in relation to these matters.

21. Submission:

There are a number of omissions and clarifications that need to be addressed in the RSA, including:

- **More information and explanation of the key inputs and assumptions used, including turnover levels of existing centres, reporting measures of expenditure and turnover levels, reported existing and future floorspace figures of individual centres, provision of expenditure estimates for convenience categories etc.**

Applicant's Response:

Key inputs and assumptions are included and/or referenced in the RSA and RSA Peer Review Response (12 July 2017), including total estimates of expenditure and data sources applied. Turnover levels are estimated through the model which is calibrated based on published centre turnover within the modelled area using the Property Council Shopping Centre Directory, which provides MAT (moving annual turnover) and shopping retail floorspace. Comparison and convenience expenditure is accounted for in the model with impacts calculated for each type of floorspace and reported as a combined total.

Information has been provided regarding:

- Methodology
- Critical assumptions
- Input data sources
- Model calibration, including specific centre turnover levels used
- All centre floorspace figures applied within the model

This level of information is sufficient for a third party to replicate the modelling used, or apply their own preferred approach.

City's Comments:

The City's independent advice indicates that while the proponent's RSA does not meet the requirements of section 6.5.1(3) of SPP4.2, the assumptions that were available in the RSA were within a reasonable industry range such that they would not materially affect the outcome. The City is satisfied that on the balance of the information available, the proposal's findings are reasonable and relevant, satisfying the intent of section 6.5 of SPP4.2 for the preparation of a RSA that appropriately '*assesses the potential economic and related effects*' of the proposed development '*on the network of activity centres in [the] locality*'.

22. Submission:

There are a number of omissions and clarifications that need to be addressed in the RSA, including:

- **The provision of more detail pertaining to population and expenditure forecasts at a category and smaller geographic levels.**

Applicant's Response:

Expenditure data is based on the combination of Statistical Area level 1 (SA1) population data and household expenditure income quintile distribution, which is a fine grain level of detail. The impact on floorspace productivity is based on separate calculation of convenience and comparison retail impact, which is then combined to provide a summary figure.

Geographical levels of data and expenditure are explained within the 'Data Sources' section of the RSA (Section 9.2 pg. 31)

City's Comments:

The City notes that the population and expenditure forecasts are an estimate of what may or may not occur in the trends of population growth, dwelling occupancy and retail expenditure over an extended period of time. On the balance of the technical information provided by the proponent and the specialist peer review reports prepared by MacroPlan, the City is satisfied that the RSA and subsequent supporting projections satisfy the intent of section 6.5 of SPP4.2 for the preparation of a RSA that appropriately '*assesses the potential economic and related effects*' of the proposed development '*on the network of activity centres in [the] locality*'.

23. Submission:

There are a number of omissions and clarifications that need to be addressed in the RSA, including:

- **The definition of a relevant trading area for the PHNC and the capability of the PHNC to serve a trade area large enough to support 10,000sqm of floorspace.**

Applicant's Response:

SPP4.2 provides that an RSA is limited to considering the effects on potential loss of services and any associated detriment caused by a proposed development.

Gravity models, as advocated in the City's LCS, do not rely on the definition of a discrete 'trade area', which is their key strength as the definition of a trade area is largely subjective. Distribution of expenditure to centres is instead based on a rules bases system with the key variables being centre size and distance of residents to centres.

Supporting commentary has been provided regarding the local population and available local expenditure pool within Parkland Heights (see RSA Section 5.2 and Item 6 pg. 6 of RSA Peer Review Response respectively). There will be 9,000 residents within a 1km radius of the centre, and Parkland Heights alone provides approximately \$54 million of retail expenditure potential per annum – demonstrating the need for a Neighbourhood Centre within the locale given that The Ridge cannot serve this function.

City's Comments:

Refer response to Item 15, above.

24. Submission:

There are a number of omissions and clarifications that need to be addressed in the RSA, including:

- **Benchmarking of supermarket supply and assessment of the supportable provision of supermarkets in the Baldivis region, including whether the market can support two supermarkets proposed for PHNC.**

Applicant's Response:

Supermarket supply is captured within the 'convenience' floorspace data included in the gravity model. This aspect of the approach is explained within 'Appendix 2 – Gravity Model Assumptions and Input Data' provided in the RSA. By analysing the impact of the proposed centre on all surrounding centres, as well as the expected average turnover levels, the RSA meets the requirements outlined in SPP4.2, namely:

- The maximum impact on any surrounding existing or planned centres is 9.1%
- Post development of PHNC, the overall productivity levels of centres within Baldivis remain at a relatively high average of \$6,700/m² (also see item 2 above)

See extract from SPP4.2 below:

6.5 Retail Sustainability Assessment

A Retail Sustainability Assessment (RSA) assesses the potential economic and related effects of a significant retail expansion on the network of activity centres in a locality. It addresses such effect from a local community access or benefit perspective, and is limited to consideration potential loss of services, and any associated detriment caused by a proposed development. Competition between businesses of itself is not considered a relevant planning consideration.

City's Comments:

The proponent's RSA uses retail turnover density as a basis for the assessment which MacroPlan advises is based on national benchmarks (albeit the source is not explicitly stated in the RSA). The City is satisfied that on the balance of the information available, the proposal's findings are reasonable and relevant, satisfying the intent of section 6.5 of SPP4.2.

25. Submission:

There are a number of omissions and clarifications that need to be addressed in the RSA, including:

- **The sustainability of trading levels of the affected centres post impact of the proposed Parkland Heights development.**

Applicant's Response:

Similar to the above.

The level of turnover in the model is based on both comparison and convenience turnover. The average productivity estimated by the model in 2021 for the primary catchment is approximately \$6,700/m² (\$2016). In a report by Urbis 2012³ the average trading density (\$/m²) was estimated for the North West Sub-region as \$6,000/m². This was escalated by Urbis to \$2016 and came to approximately \$6,200/m², less than the modelled turnover for the primary catchment. The turnover for the catchment with all centres included by 2021 is therefore at or slightly above estimated average turnover levels. Given a significant proportion of the modelled floorspace will not be developed until after 2021, it is likely the centres within the area will turnover at higher than these expected average levels. This is demonstrated by the turnover levels of Stockland Baldivis of \$8,700/m² provided within the feedback.

² http://www.joondalup.wa.gov.au/Libraries/Whitford_Activity_Centre/Appendix_J_-_Whitford_City_RSA.pdf

City's Comments:

The proponent's RSA determines that the impacts on other centres are not unacceptable (ie. the impacts do not exceed 10% of estimated total turnover for any one centre). The City received further peer review advice considering the findings of the RSA and the submitter concerns raised. No substantive issues were identified as a result of that review. The City accepts the proponent's findings as reasonable, in accordance with the requirements of SPP4.2 (specifically section 6(3)).

26. Submission:

The proposed elevation in centre classification and quantum of additional floorspace proposed represents a significant shift from the planned hierarchy for the Baldivis region.

Applicant's Response:

No basis is provided for this claim. The proposal is for the shifting the Neighbourhood Centre status from the Ridge to Parkland heights, which is viable as the Ridge cannot grow to the specified size of a Neighbourhood Centre (4,500 to 10,000 m2).

City's Comments:

The proposal results in no net change to the activity centre hierarchy in Baldivis and, as such, is unlikely to undermine the established and planned activity centre hierarchy, in accordance with section 5.1 of SPP4.2.

27. Submission:

While some degree of flexibility in the LCS is necessary, it is considered an error was made when the LCS was amended that potentially enabled a Neighbourhood Centre of 10,000sqm to be contemplated in Baldivis. It is considered the proposed change in the hierarchy status and the large size of the PHNC is pushing the flexibility in the LCS well beyond it's limits.

Applicant's Response:

The conclusion reached in the RSA, that there is in general an undersupply of retail floorspace provision, was supported both in commentary to the LCS amendments and more recently in the RSA Peer Review process.

Commentary regarding the LCS amendment stated⁴:

"Some of the key concerns raised about the LCS surround the quantum of floorspace allowed at a number of the Centres at capacity. This has caused concerns for the City of Rockingham, the relevant developers and the community which require access to retail provision..."

Peer Review comments on the RSA stated⁵:

"We concur that the rapid population growth in Baldivis has led to an under provision of retail facilities, including for a daily and weekly food and grocery shopping needs, in the locality..."

We contend that the most effective way to meet the objectives of SPP4.2, and specifically decreasing vehicular travel and associated congestion, is to provide a competitive environment where Neighbourhood Centres provide a mixed offering that can compete with the dominance of larger District Centres.

³ Minutes of Ordinary Meeting of Council Minutes Held on Tuesday 11 December 2012 at 6.00pm, City of Rockingham

⁴ MacroPlan Dimasi, Parkland Heights Neighbourhood Centre, Peer Review of Retail Sustainability Assessment (June 2017)

⁴ Minutes of Ordinary Meeting of Council Minutes Held on Tuesday 11 December 2012 at 6.00pm, City of Rockingham

⁵ MacroPlan Dimasi, Parkland Heights Neighbourhood Centre, Peer Review of Retail Sustainability Assessment (June 2017)

City's Comments:

SPP4.2 provides significant flexibility with the removal of strict floor space caps. This increases the potential for centres to compete based on their offering. The degree to which some centres have exercised the flexibility afforded by SPP4.2 and the LCS provides a key element of competition into the market. Provided the development proposed can comply with the intent of the relevant policies (SPP4.2 and LCS), the City is satisfied that the development as proposed can be approved.

28. Submission:

The currently planned size of activity centres already provides for the overall amount of retail floorspace for the forecast population of South Baldivis. The current hierarchy of centres in Baldivis valid and should be retained.

Applicant's Response:

The hierarchy is being maintained, a Neighbourhood Centre is planned at the Ridge, however the Ridge does not have the required floorspace capacity. As such it is being proposed that the Ridge be made a Local Centre and Parkland Heights be made a Neighbourhood Centre.

City's Comments:

The proposed change to the LCS makes no net change to the current hierarchy of centres in Baldivis.

29. Submission:

Rather than proceed with the current amendment, it is recommended the City consider the activity centres planning for Baldivis within a framework of a complete overhaul of its LCS.

Applicant's Response:

It is unclear what aspects of the LCS the feedback is referring to. The analysis undertaken indicates that the current floorspace proposed at all centres is appropriate for the needs of Baldivis residents as the population grows. This in line with the prior findings of the original modelling exercise conducted by others to support the development of the Local Commercial Strategy. There is no evidence to suggest that this strategy required a complete overhaul.

City's Comments:

As there has been no significant change to the structure planning or development of the area, there is no rationale for a wholesale review of the LCS. The area is developing generally in accordance with the relevant policy framework..

30. Submission:

Reclassification from Local Centre to Neighbourhood Centre would unduly and unnecessarily disrupt the balance of the long standing retail hierarchy in the locality, and unravel the distribution of Local Centres required under the State planning framework.

Applicant's Response:

The hierarchy is being maintained, a Neighbourhood Centre is planned at the Ridge, however the Ridge does not have the required floorspace capacity. As such it is being proposed that the Ridge be made a Local Centre and Parkland Heights be made a Neighbourhood Centre.

More broadly, it should be considered that if surrounding centres are relying on an extended pool of residents (well over 1km) then the explicit goals of SPP4.2 are not being met.

City's Comments:

As the proposal does not result in any net change to the activity centre hierarchy, the proposed development is considered consistent with the 'long standing retail hierarchy' established in the LCS.

31. Submission:

At the proposed scale of 10,000sqm, the PHNC would perform the function of a District Centre, and undermine the ability of the Baldivis District Centre to operate effectively, to achieve the agglomeration that will create critical mass to support the intended role of the centre.

Applicant's Response:

No evidence was provided to support the claim that the proposed centre would undermine the ability of the Baldivis Town Centre to operate effectively and achieve sufficient mass to fulfil its intended role.

Modelling shows that at 2021, even with all proposed floorspace included, the impact on Baldivis Town Centre would be -3.64%. Given the historically high turnover the centre has achieved it is expected the centre will have little to no impact on the Baldivis Town Centre's ability to operate effectively or fulfil its intended role.

The proposed centre will be within the designated floorspace range as defined by the LCS (4,500 m² to 10,000 m²). Given these limits have been developed specifically for Baldivis with the full development of the Baldivis Town Centre in mind, it is evident that the LCS considers such a development (10,000m² of retail NLA) appropriate and not detrimental to the role of the Baldivis Town Centre.

City's Comments:

SPP4.2, Table 3 provides a clear distinction between the land uses at District and Neighbourhood Centres.

The proponent's RSA determined that the impact on the Baldivis District Centre is not unacceptable. The City received further peer review advice considering the findings of the RSA and the submitter concerns raised. No substantive issues were identified as a result of that review. The City accepts the proponent's findings as reasonable, in accordance with the requirement of SPP4.2 and the LCS.

32. Submission:

The proposed change from Local to Neighbourhood Centre designation is ad-hoc and pre-emptive, which may impact on the future development of the greater region eg. Karnup. The City should take the position that no modification to the planned centre hierarchy should be undertaken until such time that the draft Karnup District Structure Plan is progressed.

Applicant's Response:

The modelling does not include any growth from Karnup as it was unclear if/when this would happen. Notwithstanding, the centre is able to sustain itself without additional population in Karnup.

Additional population in Karnup will likely require its own centre to provide retail services. It should also be noted there is currently a lack of retail supply in the south western section of Baldivis that the proposed centre will address.

Irrespectively, the ability for current residents and future residents of a commenced residential development to have access to a Neighbourhood Centre should not be based on a potential future development that will take many years to develop if and when it proceeds.

City's Comments:

The proposal is not considered to be *ad hoc*, as it operates under the assumption that there is no net change to the retail centre hierarchy under the LCS.

Any decision to delay activity centre development while a new policy is being prepared, having regard to the identified and agreed lag in activity centre development vs residential development in the area, will have a net negative impact on the community, contrary to the objectives of SPP4.2.

33. Submission:

It is requested that the City defer determination until such time as a new LCS is prepared, or resolve to accept a reduction in retail NLA from that which is proposed, until such time that a new LCS is prepared.

Applicant's Response:

No basis is provided to support the need for a new LCS. With specific regards to Precinct 4 – Baldivis, the LCS has been updated to be consistent with SPP 4.2. The RSA provided meets the requirements of both the LCS and SPP 4.2 and the proposed development is consistent with both the LCS and SPP 4.2.

City's Comments:

Refer response to Item 32, above.

b. Consultation with Government Agencies

Relevant government agencies and servicing authorities were notified of the proposals in writing and invited to comment, pursuant to Schedule 2, Part 2, clause 4(1)(c) of the Regulations. In this regard, comments were invited from the following agencies:

- Department of Water and Environmental Regulation;
- Department of Transport;
- Department of Health;
- Department of Planning, Lands and Heritage - no response was received.
- Public Transport Authority;
- ATGO Gas;
- Telstra;
- Water Corporation;
- Western Power- no response was received.

Following the close of the submission period, the City had received seven (7) submissions from State Agencies. A full copy of all submissions received during the advertising period is set out in the Schedule of Submissions.

None of the submissions received raised concerns about the proposed amendment to the LCS.

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 4.2 – Activity Centres for Perth and Peel

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2) outlines the broad planning requirements for the planning and development of new activity centres, the key objectives of which include:

- Activity Centre Hierarchy: Distributing activity centres to meet community needs and applying an activity centre hierarchy.

- Activity: Plan activity centres to support a wide range of retail and commercial activities that promote competition and increase employment, and increase housing density and diversity to promote housing variety and to support the centre facilities.
- Movement: Maximise access to activity centres by walking, cycling and public transport while reducing car dependency.
- Urban Form: Plan activity centre development around a network of legible streets and quality public spaces.

The proposed amendment to the LCS is regarded as consistent with the above objectives.

The following is an assessment of the proposal against the requirements of section 6.2.1 of SPP4.2:

Policy Requirement	Provided	Compliance
(1) Local planning strategies should reflect the policy provisions including the activity centres hierarchy. These strategies will be used as the basis for preparing and amending local planning schemes, and for preparing and assessing activity centre structure plans, district and local structure plans and development applications.	The proposed change to the LCS will define the activity centres hierarchy. This proposed change will not have any net impact on the number of centres designated at each level of the hierarchy and therefore will not impact on any structure planning.	Yes
(2) New activity centres identified through local planning strategies may be endorsed by the WAPC, subject to this Policy.	The proposed change does not create any new centres or change the number of Neighbourhood or Local Centres in the City's LCS.	Yes
(3) Local planning strategies should guide the long-term distribution of retail and commercial floorspace and housing supply via a network of centres that:		
<ul style="list-style-type: none"> • capitalise on opportunities to revitalise activity centres in established urban areas, as a catalyst for urban renewal in the surrounding catchment; 	Not applicable within this catchment (greenfield development).	N/A
<ul style="list-style-type: none"> • provide sufficient development opportunities to enable a diverse supply of commercial and residential floorspace to meet projected community needs; 	The proposed change meets this criterion by ensuring no net change to the number of centres or to the hierarchy (number of Local Centres and number of Neighbourhood Centres remains the same). Therefore the proposed change to the LCS ensures there is sufficient opportunity for future development of Neighbourhood and Local Centres and that competing development will provide for projected community needs.	Yes

Policy Requirement	Provided	Compliance
<ul style="list-style-type: none"> cater for a full range of needs from shopping, commercial and community services from local convenience to higher-order comparison retail/goods and services; 	<p>The diversification of centres is provided by competition between centres at the same level in the hierarchy within the catchment area. Centres with a higher designation in the hierarchy are able to diversify their offering to meet higher-order community needs.</p>	<p>Yes</p>
<ul style="list-style-type: none"> mitigate the potential for an over-concentration of shopping floorspace in large activity centres at the expense of a more equitable level of service to communities; and 	<p>The proposed changes to the LCS satisfy this requirement by maintaining the same number of Local and Neighbourhood Centres in the hierarchy, and in the same location, as per the Structure Plan. This ensures a geographical distribution of these centres close to the communities, which will provide an equitable level of service.</p>	<p>Yes</p>
<ul style="list-style-type: none"> promote the walkable neighbourhoods principle of access to employment, retail and community facilities by distributing activity centres to improve access by foot or bicycle, rather than having to depend on access by car in urban areas. 	<p>The proposed changes to the LCS satisfy this requirement by maintaining designated centres in the same geographical location as per the Structure Plan. This optimises the ability of the community to access Local Centres through non-vehicle modes.</p>	<p>Yes</p>

In assessing the proposal against SPP4.2, the following is noted:

- As a fast growing area Baldivis currently relies heavily on the Baldivis Town Centre for retail trade. The RSA indicates that under capacity is expected exist in South Baldivis as development expands south, due largely to the lack of available land at The Ridge. The provision of a Neighbourhood Centre at Parkland Heights responds to a perceived need and will facilitate a more equitable distribution of service for the South Baldivis community.
- A Neighbourhood Centre at Parkland Heights will improve the range of retail and commercial services catering for local convenience and the weekly shopping needs of the surrounding community.
- Neighbourhood Centre at Parkland Heights provides an opportunity to incorporate higher density residential development within the centre, which can improve housing diversity, and which supports centre facilities.
- A Neighbourhood Centre at Parkland Heights will create local employment opportunities and reduce the need for the local population to travel to other centres to fulfil their retail needs. The centre is highly accessible for the surrounding catchment by foot, bicycle, public transport as well as by car.
- The Parkland Heights Neighbourhood Centre will be designed around Main Street principles, with development control being addressed separately via an amendment to the Parkland Heights Structure Plan, which includes a requirement for a Local Development Plan for the centre.

It is considered, for the above reasons, that the proposal is consistent with the provisions of SPP4.2.

Planning Policy 3.1.2 - Local Commercial Strategy

Planning Policy 3.1.2 - *Local Commercial Strategy* provides guidance for the distribution and hierarchy of employment centres within the District.

The objectives of the Local Commercial Strategy as it relates to Baldivis include:

- Capitalise on opportunities to revitalise activity centres in established urban areas, as a catalyst for urban renewal in the surrounding catchment;
- Provide sufficient development opportunities to enable a diverse supply of commercial and residential floorspace to meet community needs;
- Cater for a full range of needs from shopping, commercial and community services from local convenience to higher-order comparison retail/goods and services;
- Mitigate the potential for an over-concentration of shopping floorspace in large activity centres at the expense of a more equitable level of service to communities; and
- Promote the walkable neighbourhoods principle, of access to employment, retail and community facilities by distributing activity centres to improve access by foot or bicycle, rather than having to depend on access by car in urban areas.

The LCS states that expansion outside of the designation for Activity Centres should be considered in cases which:

- There is an assessment of the expected impact/trading effect on existing centres;
- There is a demonstration of the extent to which the proposal is expected to lead to an overall improvement in the provision of facilities;
- An assessment is undertaken of the estimated employment outcome, including any loss of employment within other Centres;
- Significant net employment during the construction period;
- The Centre contributes to public transport usage;
- There is an increase in the choice and competition provided to the community – particularly for retail uses;
- There is a contribution to other community-related goals such as the social interaction and safety; and
- There has been a consideration where appropriate of the other factors such as traffic and parking impacts, amenity etc.

Based on the RSA conclusions and third party peer review advice, the proposal is considered to satisfy the above criteria as:

- The viability of other centres within the catchment will not be significantly impacted in the short term, with the most affected centres likely to be The Ridge and Avalon, which in 2021 are modelled to be impacted at 9.0% and 9.11% respectively.
- The proposal will reduce leakage in retail spending from within the local area as residents can commute shorter distances to access their retail needs.
- The proposal will facilitate delivery of a diverse supply of commercial and residential floorspace and increase the consumer choice and competition available to the community.
- A Neighbourhood Centre at Parkland Heights would contribute an additional 294 permanent employment opportunities, and create 57 jobs during construction.
- Located on Nairn Drive and near a public transport bus route, the centre is highly accessible, facilitating shopping trips for passing traffic and increased public transport usage.
- Land use planning control and issues such as parking, traffic will be addressed in the Structure Plan Amendment and Local Development Plan processes to ensure the development of a high quality, safe and connected Neighbourhood Centre.

Significantly, the assessment considers the net impact of amending the LCS as follows:

- Changing the designation of The Ridge from Neighbourhood Centre to Local Centre;
- Changing the designation of Parkland Heights from Local Centre to Neighbourhood Centre.

Therefore, under the proposed amendment to the LCS, the Baldivis area retains six Neighbourhood and five Local Centres, meaning there is no net change in the activity centre hierarchy.

e. Financial

Nil

f. Legal and Statutory

In accordance with Clauses 4(3) and (5) of the deemed provisions of TPS2, following the expiry of the advertising period, the Council is to review the proposed amendment to the LCS in light of the submissions received and resolve to adopt the proposed amendment to the policy with or without modifications, or not to proceed with the proposed policy amendment.

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

In assessing the proposal, the City sought advice in the form of a third party peer review.

Conclusions from the peer review indicated:

- the proponent's development proposal for Parkland Heights complies substantively with the requirements of SPP4.2, and the provisions of the City's LCS;
- the project will deliver a net community benefit by increasing competition (which improves the retail offering available to the community and creates local jobs); and
- that while the population assumptions and projections used in the proponent's RSA are not consistent with the Australian Bureau of Statistics data or the City of Rockingham's projections (prepared by forecast.id), this does not amount to a 'fatal flaw'. This may however weaken the validity of the RSA's assessed impacts on other centres. In effect this may mean that some impacts are higher than the 'acceptable' 10 per cent threshold in the short term, when the proposed Parkland Heights Neighbourhood Centre opens. Given that Baldivis is (still) one of the fastest growing suburbs in Australia, any initial trading impacts will be ameliorated relatively quickly (with one-to-two years at most) and therefore are not sufficient to justify a refusal under the provisions of SPP4.2.

On balance, it is considered there is sufficient valid justification for adopting the proposed Policy amendments.

It is recommended that the Council adopts the proposed amendment to the LCS accordingly.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ADOPTS** the following amendments to Planning Policy 3.1.2 - Local Commercial Strategy (amendments to the proposed modifications advertised for public comment are shown in red):

- (i) Replace the Precinct 4 Baldivis row of Table 1.2 - 'Centres in Rockingham Related to the Metropolitan Centres Policy Hierarchy' with the following:

City of Rockingham	Strategic Regional Centres	Regional Centres	District Centres	N'hood and Local Centres	Traditional "Main Street" Centres (all levels of the hierarchy)
Precinct 4 Baldivis	None	None	Baldivis Town Centre	6 N'hood 5 Local Centres	All centres as per SPP4.2

- (ii) Replace the Baldivis Centres row of Table 2.8 - 'Neighbourhood and Local Centre Descriptions in the Baldivis Precinct' with the following:

Level in hierarchy	Neighbourhood Centre (NC)	Local Centre (LC)
Baldivis Centres	<p>NC's play an important 'community' based role in servicing the every-day needs of residents who live within close proximity to the centre.</p> <p>Existing and Proposed Centres in Baldivis include:</p> <ul style="list-style-type: none"> - Tuart Ridge - Stargate (Precinct E) - Baldivis North - The Spud Shed - Settlers Hill - Parkland Heights 	<p>LC's provide convenience shops or a small strip of shops serving a walkable catchment.</p> <p>Further LC development within Baldivis will not impact on the achievement of an appropriate hierarchy, and is encouraged as an overall net community benefit will result if additional LC's are established.</p> <p>It is noted that the development feasibility of LC's is very difficult to achieve, and any development without a major anchor (such as a supermarket) should be viewed favourably.</p>

- (iii) Modify Figure 2.4.2 – 'Activity Centre Hierarchy for Baldivis' by:
- (a) changing the designation of the Parkland Heights "Local" Centre to "Neighbourhood" Centre.
 - (b) Changing the designation of The Ridge "Neighbourhood" Centre to "Local" Centre.

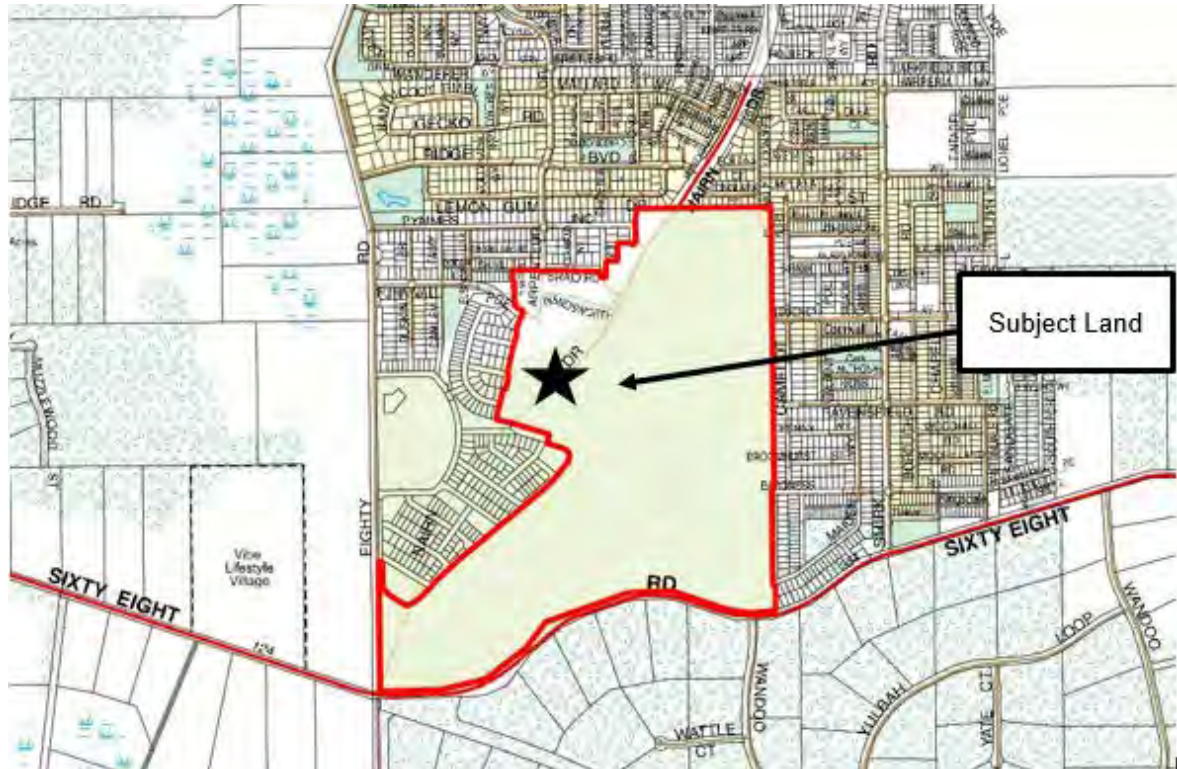
Planning and Development Services Strategic Planning and Environment



Reference No & Subject:	PD-034/18 Proposed Amendment to Structure Plan - Lot 1507 Eighty Road, Baldivis
File No:	LUP/866-06
Applicant:	The Trustee for The Everett Bennett Unit Trust (CLE Town Planning & Design)
Owner:	Rockingham Park Pty Ltd
Author:	Mr Chris Parlane, Senior Planning Officer
Other Contributors:	Ms Katrina Shoobridge, Acting Coordinator Strategic Planning Mr Brett Ashby, Manager Strategic Planning
Date of Committee Meeting:	16 July 2018
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Legislative
Site:	Parent Lot: Lot 1507 Eighty Road, Baldivis Residual Lot: Lot 9010 Sixty Eight Road, Baldivis
Lot Area:	Parent Lot: 120.8249ha Residual Lot: 78.8240ha
LA Zoning:	Development, Other Regional Road
MRS Zoning:	Urban, Other Regional Road
Attachments:	Schedule of Submissions
Maps/Diagrams:	<ol style="list-style-type: none"> 1. Location Plan 2. Updated Baldivis South District Structure Plan 3. Endorsed Comprehensive Development Plan 4. Structure Plan as Advertised in 2012 5. Current Structure Plan Map 6. Advertised Structure Plan Map 7. Preliminary Concept Plan 8. Extent of Advertising Map

Purpose of Report

To consider a proposed amendment to the approved Parkland Heights Structure Plan (PHSP) over Lot 9010 Sixty Eight Road (the residual balance of the original land holding Lot 1507 Eighty Road), Baldivis following the completion of public advertising (refer Figure 1).



1. Location Plan

Background

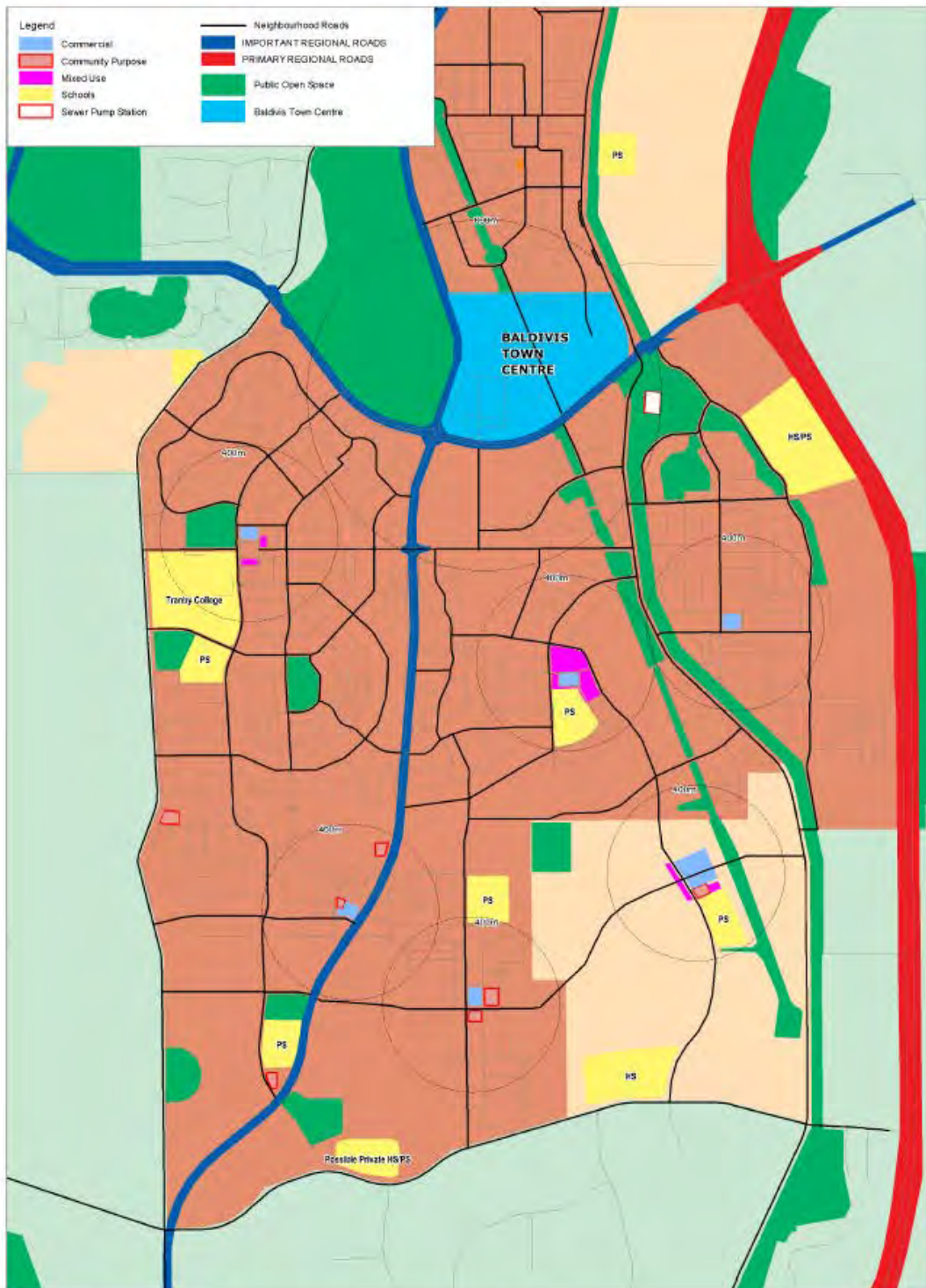
District Structure Plan:

In October 2004, following a process of public advertising, the Council resolved to endorse the *Baldvis South District Structure Plan* ("BSDSP") for the purpose of guiding Comprehensive Development Plans (subsequently referred to a Structure Plans under Town Planning Scheme No.2) and planning generally for the South Baldvis area, subject to certain modifications being undertaken.

Since its endorsement, the BSDSP has been used to guide the preparation of Local Structure Plans. The structure plans have generally followed the 'district' level footprint set out on the BSDSP.

In June 2012, the Council resolved to endorse an update to the BSDSP in order for it to reflect the contemporary planning for the area, in particular, to reflect approved structure plans with respect to the general location of Neighbourhood Roads, Activity Centres and significant POS.

The updated District Structure Plan is shown in Figure 2 below.



Baldvis South District Structure Plan



2. Updated Baldvis South District Structure Plan

Local Structure Plan:

A Comprehensive Development Plan (CDP) for Lot 1507 was approved by the WAPC on 2 November 2002.

The CDP was limited to land west of Nairn Drive and provided for conventional residential development across the site. An indicative road network was depicted over land east of Nairn Drive.

The endorsed CDP is shown in Figure 3 below.



3. Endorsed Comprehensive Development Plan – Last Modified 21 March 2011

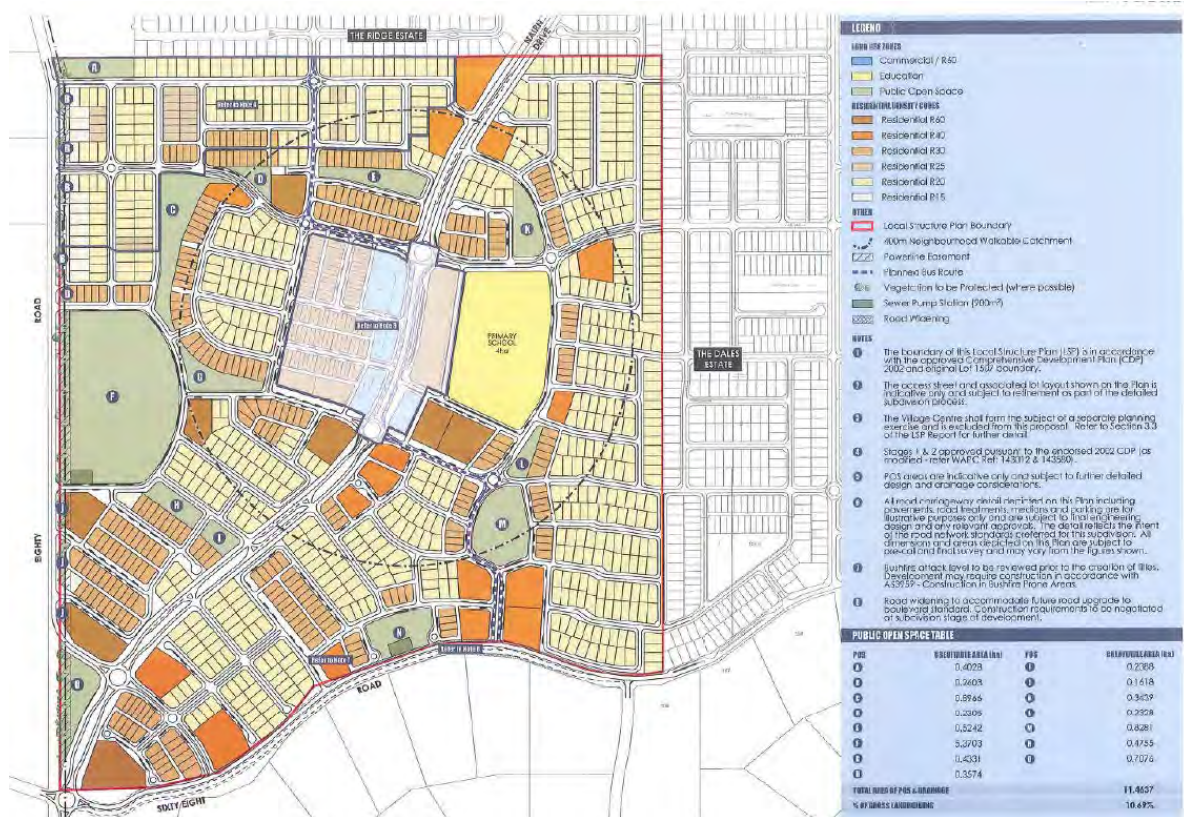
Following a review of the planning for the Parkland Heights estate, the WAPC approved the Parkland Heights Structure Plan (PHSP) over Lot 1507 Eighty Road, Baldvis on 13 February 2013.

The PHSP comprises an area of 120.82ha, and provides the overarching planning framework for the estate being developed by Rockingham Park Pty Ltd.

Key elements of the approved structure plan include:

- Overall yield of approximately 1600 dwellings;
- A variety of R-Code densities, increasing towards the centre of the structure plan area and abutting areas of high amenity (POS);
- 1 Primary School (4ha);
- 1 District Open Space (5.77ha);
- 15 areas of Public Open Space (POS) totalling 11.46ha.

When preparing the PHSP, the developer had indicated a desire to include 700m² of Commercial zoned land within a “Village Centre” precinct abutting Nairn Drive at the centre of the Estate. This is indicated on the Structure Plan map (as advertised) shown in Figure 4, below.



4. Structure Plan – As Advertised in 2012

The village centre, however, was excluded from the PHSP as no commercial floor space was allocated to the site in the City’s Local Commercial Strategy (LCS). As the LCS was under review, the proposal was considered to be premature.

Reflecting this history, the endorsed PHSP map shows approximately 6.6ha of unzoned land at the centre of the structure plan area, and includes a note stating “*The Village Centre shall form the subject of a separate planning exercise and is excluded from this approval*”.

Since its initial endorsement, the PHSP has been subject to subsequent amendments, as follows:

- On 31 October 2013 the Council adopted Amendment No.1 which proposed Stage 4 and 5 Lot product alterations;
- On 3 August 2015 the Council adopted Amendment No. 2 which proposed Stage 6 Lot product alterations, and introduced Part 1 and RMD code provisions;
- On 13 October 2015 Council adopted Amendment No.3, which incorporated the following provisions providing for greater housing variety and increased dwelling yield:
 - Increase residential density from ‘R20’ to ‘R25’ in select locations over portion of the Structure Plan area east of Nairn Drive;
 - Increased residential density from ‘R30 to ‘R40’ for lots with laneway access over portion of the Structure Plan area east of Nairn Drive; and
 - Introduce ‘RMD’ notation on the Structure Plan Map over lots east of Nairn Drive designated ‘R25’ and ‘R40’ to be developed for a single house.



5. Current Structure Plan Map

Details

The City has received an application to amend the PHSP, to facilitate the development of a Neighbourhood Centre on the “excluded” land at the centre of the estate.

The Neighbourhood Centre is intended to comprise up to 10,000m² Net Lettable Area (NLA) of commercial floorspace, sufficient in size to accommodate uses including supermarket(s), specialty and convenience retail, and local professional services.

Parkland Heights was allocated “Local” Centre status in the LCS hierarchy of activity centres in 2012, when the City reviewed the LCS for Baldivis.

To facilitate the development of a 10,000m² Neighbourhood Centre, there is a requirement to modify the Activity Centre Hierarchy in the City’s LCS to change the designation of the Parkland Heights site from “Local” Centre to “Neighbourhood” Centre.

The proposed amendment to the LCS is the subject of a separate report to Council (Item PD-033/18), the outcome of which will inform the Council’s consideration of the proposed Structure Plan amendment the subject of this report.

Site Description and Context

The subject land is located at the corner of Sixty Eight Road and Eighty Roads, Baldivis (refer Figure 1).

The land is bound to the east and north by residential subdivisions nearing completion. The land to the south of the structure plan area is zoned Special Rural in Town Planning Scheme No.2 (TPS2) and the land to the west is zoned "Rural".

Nairn Drive divides the site diagonally within a 40m wide reservation, and is identified as "Other Regional Roads" in the Metropolitan Region Scheme. Nairn Drive is a major north-south transportation route through Baldivis, connecting Kulija Road in the north with Paganoni Road to the south.

Nairn Drive is currently unconstructed as it passes through Parkland Heights, while a section immediately to the north of Parkland Heights has been constructed as the western carriageway of a future dual carriageway road (two lanes each way) through "The Ridge" subdivision.

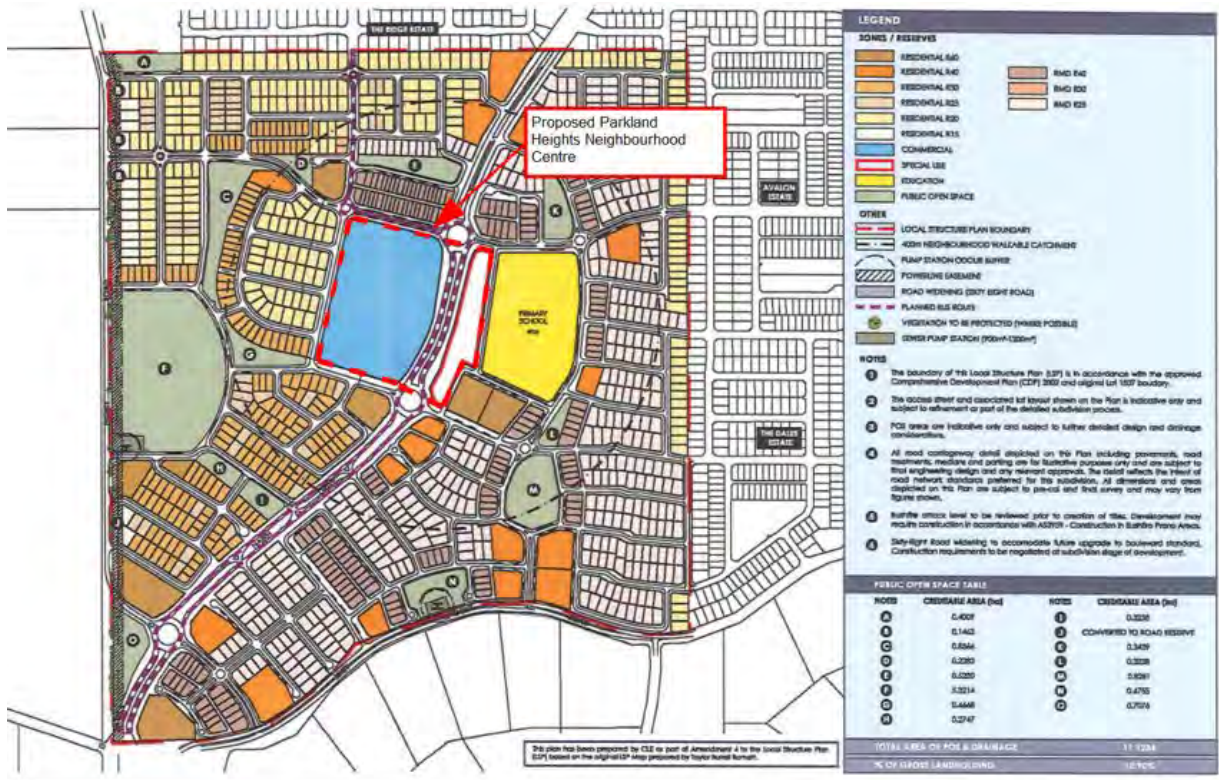
Stages 1 to 5 of the Parkland Heights estate have been subdivided with housing constructed west of Nairn Drive. WAPC approval has been granted for the creation of the Primary School site.

The majority of the remainder of the site has been cleared, with bulk earthworks commenced in anticipation of future subdivision staging.

Description of Proposal (As Advertised)

The proposed amendment to the Structure Plan includes the following elements (refer Figures 6 and 7):

- The previous 'Village Centre' land abutting the western side of Nairn Drive to be included in the "Commercial" zone under TPS2, with land use permissibility in accordance with the corresponding zone under TPS2;
- A base residential density coding of R60 on the Centre site, west of Nairn Drive;
- The previous 'Village Centre' land abutting the eastern side of Nairn Drive to be included in the "Special Use" zone under TPS2;
- Within the "Special Use" zone, permissible land uses to include:
 - Grouped Dwelling
 - Multiple Dwelling
 - Short Stay Accommodation
 - Child Care Premises
 - Club Premises
 - Consulting Rooms
 - Health Studio
 - Medical Centre
 - Office
 - Private Recreation
 - Restaurant
 - Shop
 - Veterinary Clinic
 - Educational Establishment.
- Requirement to prepare Local Development Plan(s) over the land zoned "Commercial" and "Special Use";
- Administrative updates to:
 - Delete Table 1 – Single House (RMD) Standards for Medium Density Housing;
 - Update terms of reference and structure of Part 1 – Implementation Report consistent with the *Planning and Development (Local Planning Scheme) Regulations 2015* and the WAPC's 'Structure Plan Framework' (August 2015).



6. Advertised Structure Plan Map

A preliminary Concept Plan was submitted with the proposal, demonstrating the ability of the Centre to accommodate a range of commercial uses (refer Figure 7 below).



7. Preliminary Concept Plan

Implications to Consider

a. Consultation with the Community

The proposed Structure Plan amendment was advertised for public comment for a period of 28 days from 6 April 2018 to 4 May 2018.

Advertising was conducted concurrently with the advertising of proposed amendments to the City's Planning Policy 3.1.2 *Local Commercial Strategy*, to ensure maximum community awareness and transparency.

Advertising was conducted as follows:

- Adjacent/nearby landowners (properties highlighted in yellow on Figure 8 below), servicing agencies and the Baldivis Residents Association were notified of the proposal in writing and invited to comment;
- Written notice was provided to the owners of the following existing or proposed activity centres in Baldivis:
 - The Ridge Neighbourhood centre;
 - Settlers Hill Neighbourhood centre;
 - Stargate (Paramount) Neighbourhood centre;
 - Baldivis District centre;
 - Tuart Ridge Neighbourhood centre;
 - Baldivis North (Spires Estate) Neighbourhood centre;
- Signs (3) were erected around the Parkland Heights estate, on Furnivall Parade, Arpenteur Drive and Regency Avenue.
- A notice was placed in the Weekend Courier on 6 April 2018;
- Copies of the proposed amendments and supporting documents were made available for inspection at the City's Administration Offices and placed on the City's website;
- The Department of Planning, Lands and Heritage was notified of the proposed amendments.

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



8. Extent of Advertising Map

At the conclusion of the advertising period, a total of twelve (12) submissions were received, in addition to submissions received from state agencies and service authorities.

The submissions can be broken down as follows:

- 4 submissions in support of the proposals;
- 8 submissions objecting to or raising concerns about the proposals;
- Of the submissions objecting to the proposals, 4 were received from local residents and 4 were received from the owners of other existing or proposed activity centres.

A summary of the comments raised by the submitters, and the City's comments with respect to each submission, is included in the table below⁶.

A full copy of each submission is set out in the Schedule of Submissions attached to this report.

<p>1. <u>Submission:</u></p> <p>The development will introduce crime and anti-social behaviour to the area.</p>
<p><u>Applicant's Response:</u></p> <p>The proposed Neighbourhood Centre will serve as a valuable community asset by not only providing for the convenient day-to-day shopping needs of local residents, it will also become a focal point for community interaction and engagement. Development of the main street as planned will encourage interaction and activity, fostering a sense of place and identity that all members of the community can enjoy.</p> <p>'Crime and anti-social behaviour' are an unfortunate fact of life however, no supporting evidence has been provided as to why this proposal specifically will introduce crime and anti-social behaviour. Were this position reflected in planning decision making, we would have no activity centres in proximity to residential areas which is not practical or reasonable.</p> <p>The design of the Neighbourhood Centre that will be detailed as part of the future development application processes will seek to employ design measures aimed at 'designing-out crime' in accordance with established principles. Further measures can also be taken to minimise opportunities for crime such as lighting, activation of building frontages and CCTV camera's. These are all standard measures that will be implemented in the development of the Neighbourhood Centre.</p>
<p><u>City's Comments:</u></p> <p>The centre will be designed to minimise opportunities for anti-social behaviour through the application of established urban design principles.</p> <p>The design of the Neighbourhood Centre will be resolved through the preparation of Local Development Plans as a separate planning exercise prior to development or subdivision of land within the centre.</p> <p>The structure plan amendment simply seeks to establish the framework to facilitate development of the Centre.</p>
<p>2. <u>Submission:</u></p> <p>The development will increase traffic and create a hazard for young people playing in the area.</p>
<p><u>Applicant's Response:</u></p> <p>Traffic volumes are discussed in detail within the Traffic Impact Assessment which supports the proposed LSP Amendment. In summary, the additional traffic volumes that are expected to be generated by the Neighbourhood Centre can be appropriately managed by the planned network of roads intersections.</p>

⁶ The submissions received relating to the proposed amendment to the Local Commercial Strategy are addressed in the Council report on that matter.

As demonstrated in the TIA, the majority of traffic will access the proposed Neighbourhood Centre via Nairn Drive and Furnivall Parade. There is no reason why 'young people' would be playing around these roads and the increased traffic along them is not considered to introduce an unreasonable level of risk were pedestrians to observe general road safety measures. Nairn Drive is classified as an 'other regional road' and will ultimately carry substantial regional or 'through-traffic' in its own right whether the proposed LSP amendment proceeds or not.

City's Comments:

The Traffic Impact Assessment (TIA) submitted with the application indicates the surrounding street network can adequately and safely accommodate the volume and type of traffic attributable to the development of a Neighbourhood Centre.

The TIA addresses access considerations to the Centre land, which will guide the detailed design at the later planning stages, including the LDP's, subdivision and development applications.

3. Submission:

Concerns that this proposal will shift the Parkland Heights centre closer to houses to the west, resulting in increased noise impact on residents from the operation of the centre.

Applicant's Response:

The western boundary of the Neighbourhood Centre is not proposed to change as part of this LSP amendment and is consistent with the western boundary of the 'Village Centre' shown on the current approved LSP Map.

Notwithstanding, the proponent is conscious of the potential impact of noise from service vehicles and this will need to be addressed as part of the detailed design at the development application stage. The design will endeavour to locate service/loading areas away from adjoining residential uses where possible. Where this is unavoidable, adequate noise attenuation measures will need to be implemented such as restrictions on delivery times and/or the installation of acoustic walls. Both are standard practices for addressing the interface between centres and adjoining residential uses. Ultimately, the development and operation of the centre will be required by to comply with the *Environmental Protection (Noise) Regulations 1997*.

The proponent, Rockingham Park, is the developer for the Neighbour Centre as well as the broader estate. Given this ultimate control, Rockingham Park have, and are resolved to, withholding the four lots on the end of each street block closest to the western edge of the Centre until that portion of the Centre has been developed. This way the future residents within closest proximity to the Centre will have purchased their lots knowing the final development outcome for the Centre.

City's Comments:

A key consideration of the Centre design will be to address amenity impacts on surrounding residential land.

The developer's intent to withhold from sale the Lots nearest the centre is acknowledged, but irrespective, the design of the Centre, as it relates to surrounding land, is a matter appropriately resolved during the LDP and development application planning processes. There are a number of design solutions that can be employed to mitigate noise and amenity impacts.

The submission is acknowledged, however the purpose of the Structure Plan amendment is to create the framework for more detailed planning to occur at a later stage.

4. Submission:

Concern that the R60 density proposed will result in taller buildings on vacant residential lots adjoining existing residential lots, which will restrict light and affect the amenity of surrounding property.

Applicant's Response:

The Centre does not adjoin or directly abut residential land and is separated by a road reserve on all sides.

R60 allows a maximum building height of 3 storeys in the case of multiple dwellings which is only 1 storey greater than what is permitted on standard residential lots. Were residential development to be in the form of grouped dwellings, the maximum building height would be 2 storeys consistent with the rest of the estate.

Should residential development proceed within the Centre at 3 storeys, all overshadowing would be contained within the Centre or over adjoining road reserves and will not encroach over surrounding residential lots. The separation provided by the road reserves will provide an effective buffer and transition between the surrounding lots and any R60 multiple dwelling development within the Centre.

City's Comments:

As above, the detailed design of the Centre will be resolved during the LDP and development application planning processes in the future.

Notwithstanding, it is noted the proposed Neighbourhood Centre is separated from surrounding residential Lots by a network of public streets. This physical separation, combined with proposed planning controls, will ensure residential development within the centre will have no adverse amenity impacts on the surrounding residential land.

5. Submission:

The 'preliminary concept plan' provides for poor urban design resolution and the 'main street' does not meet modern expectations of these environments.

Applicant's Response:

This LSP amendment proposes to allow for development of a Neighbourhood Centre up to a maximum of 10,000m² NLA. It does not seek approval for the design of the Neighbourhood Centre which is subject to separate detailed design and approval processes. Should the LSP be amended as proposed, a Local Development Plan (LDP) will first be required to coordinate the overall development of the Centre. Once an LDP has been approved by the City, the project would then proceed to the development application stage whereby the full design drawings (floor plans, elevations etc) will be prepared and lodged with the City for approval. Approval of the LSP Amendment does not pre-determine any design outcomes, it merely provides the basis and certainty by which more detailed design and approval processes can proceed.

The Preliminary Concept plan was prepared to provide a visual aid in support of the LSP Amendment and represents only one potential way development of the Centre could be progressed.

Notwithstanding, this submission is an opinion that is not substantiated. Focussing active facades onto the main street rather than the carparks and Nairn Drive is a principle that was discussed at length with the City prior to lodgement of the LSP amendment. A strong internal main street with activation that creates a pedestrian environment is a key principle that has driven the preliminary design of the Centre and is advocated by *Liveable Neighbourhoods*. Nairn Drive as an 'Other Regional Road' with a 40m reserve width is clearly an environment that caters for vehicles rather than pedestrians and therefore does not warrant building activation that encourages pedestrian activity. Were the Centre to be designed so as to provide additional building frontage and activation to the car park areas as suggested in this submission, it would require additional floorspace which was the main objection from this submitter.

City's Comments:

The preliminary Concept Plan submitted with the Structure Plan amendment was intended to be indicative in nature, and should not be construed to have the support of the City.

Local Development Plans will be prepared in accordance with the principles contained in 'Liveable Neighbourhoods', which strongly advocates the development of quality "Main Street" centres.

6. Submission:

The structure plan should contain staging requirements for the delivery of non-retail and residential uses.

Applicant's Response:

Staging details are required to be outlined within Activity Centre Plans however Neighbourhood Centres such as Parkland Heights are explicitly exempt from the requirement to prepare an Activity Centre Plan (ACP) under clause 6.4(1) of SPP 4.2. Activity Centre Plans are only required for higher order centres and are therefore not applicable to this proposal.

The LSP requires an LDP to be prepared and lodged prior to development occurring within the Centre. The LDP will provide more guidance and coordination for the future development of the Centre than what a staging plan for an ACP would.

City's Comments:

There is no requirement in SPP4.2 or in Liveable Neighbourhoods for staging to be provided for the development of a Neighbourhood Centre.

b. Consultation with Government Agencies

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 comment from the following agencies:

- Department of Water and Environmental Regulation;
- Department of Transport;
- Department of Health;
- Department of Planning, Lands and Heritage.
- Public Transport Authority;
- ATGO Gas;
- Telstra;
- Water Corporation;
- Western Power- no response was received.

Following the close of the submission period, the City had received eight (8) 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:

1. Department of Water and Environmental Regulation

Submission:

The Department of Water and Environmental Regulation (DWER) has reviewed the proposals and wishes to advise it has no objections to the proposed amendments.

Water Resource Advice Only.

The Department of Water has recently merged with the Department of Environment Regulation and Office of the Environmental Protection Authority to create the new agency Department of Water and Environmental Regulation.

The former agencies are in the process of amalgamating their functions. Until this fully occurs, please note that the advice in this correspondence pertains only to water resource matters previously dealt with by the Department of Water.

City's Comment:

The submission is noted.

2. Department of Transport

Submission:

The Department of Transport (DoT) has the following comments with respect to this proposal:

- Nairn Drive has been identified as an important route in the Transport @ 3.5 Million Bicycle Network Plan;
- The proposed Parkland Heights Centre can be expected to generate a substantial volume of cycling trips;
- The proposed 2-lane roundabouts along the Nairn Drive extension are expected to form a barrier to pedestrian and cycling movements along the Nairn Drive corridor.

Therefore, the following recommendation is provided:

- As an important route to the proposed Neighbourhood Centre and Primary School, with connection through to Sixty Eight Road and Safety Bay Road, a consistent network of high-quality pedestrian and cycling infrastructure is needed.

It is therefore recommended that the Proponent work together with the City of Rockingham and Department of Transport to resolve the safety, accessibility and quality of proposed pedestrian and cycling infrastructure within the Parkland Heights Local Structure Plan area.

Applicant's Response:

The detailed design of pedestrian and cycling infrastructure will be undertaken as part of the subdivision process and in liaison with the City of Rockingham when detailed civil engineering drawings are prepared. This design will be in accordance with *Liveable Neighbourhoods* and other relevant standards. The proposed Structure Plan amendment does not affect the ability for quality pedestrian and cycling infrastructure to be delivered and this comment is considered to apply regardless of whether the LSP Amendment were being proposed or not.

City's Comment:

Nairn Drive is identified in the TIA as an "Intergrator B" road adjacent to the Neighbourhood centre, with predicted traffic volumes in the vicinity of 13,200 vehicles per day.

Without appropriate treatment, Nairn Drive may create a barrier for the safe and convenient movement of pedestrians and cyclists attending the Primary School to the east of the Centre and for residents in the east attending the Neighbourhood Centre to the west of Nairn Drive.

This issue is discussed further later in this report.

3. Department of Health

Submission:

The DoH has no objection to the proposed amendments to either the Structure Plan or Planning Policy 3.1.2.

City's Comments:

The submission is noted.

4. Transperth

Submission:

Please find Transperth's comments regarding the proposed structure plan amendment to Planning Policy No.3.1.2 – Local Commercial Strategy and Proposed Amendment to Parkland Heights Local Structure Plan – Lot 9009 Sixty Eight Road, Baldivis.

- Transperth are supportive of the increase in residential and development of a Neighbourhood Centre as this is conducive to the operation and growth of the Transperth network.
- Transperth has future plans to extend the existing 564 bus service via Nairn Road to a terminus on Sixty Eight Road. This service will be in close proximity to the subject site. Unfortunately, Transperth is unable to provide a conclusive time frame for the implementation of this project as it is currently unfunded and is dependent on the continued development of the area, completion of the road network and securing of a terminus location still to be determined on Sixty Eight Road.

City's Comments:

The submission is noted.

5. Telstra

Submission:

At present, Telstra Corporation Limited has no objection. I have recorded this in our Development database and look forward to further correspondence in the future. Should you require any more information regarding Telstra's new infrastructure policy, please read below or contact me.

City's Comments:

The submission is noted.

6. ATCO Gas

Submission:

ATCO Gas does not have any objection to the proposal to amend the Planning Policy 3.1.2- Local Commercial Strategy and the proposed amendment to the Parkland Heights Structure Plan.

ATCO Gas operates gas mains (DN63PE 1.5PEHP 350kPa) and associated infrastructure within the road reserve of Arpenteur Drive immediately to the south of the identified portion of Lot 9009 for the Neighbourhood Centre.

ATCO Gas in this instance will not be lodging a written submission.

City's Comments:

The submission is noted.

7. Water Corporation

Submission:

The Water Corporation offers the following comments in regard to this proposal.

Water and Wastewater Servicing

Reticulated water and sewerage is currently available throughout the subject area. All water and sewer main extensions, if required for the development site, must be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.

General Comments

The principle followed by the Water Corporation for the funding of subdivision or development is one of user pays. The developer is expected to provide all water and sewerage reticulation if required. A contribution for Water, Sewerage and Drainage headworks may also be required. In addition the developer may be required to fund new works or the upgrading of existing works and protection of all works. Any temporary works needed are required to be fully funded by the developer. The Water Corporation may also require land being ceded free of cost for works.

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, the Water Corporation should be contacted to confirm if the information is still valid.

<u>City's Comments:</u> The submission is noted.
8. WAPC
<u>Submission:</u> Structure plan lodgement confirmation letter received
<u>City's Comments:</u> Noted.

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 2015-2023.8:

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 land surrounding the proposed Neighbourhood Centre comprises a range of residential densities, approved previously as indicated on the current Structure Plan map.

The current Structure Plan delivers an estimated 15.7 dwellings *per gross hectare*, exceeding the minimum required by Directions 2031. In the event that residential development occurs within the Centre, the density figure will increase.

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 Structure Plan and the supporting documentation needs to consider. The requirements are intended to facilitate assessment against 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.

Given that the approved structure plan has previously been assessed against LN requirements, the following comments are limited to those elements of LN directly applicable to the development of a Neighbourhood Centre.

Element 1 – Community Design

The proposed Neighbourhood Centre integrates appropriately with its surroundings. The Centre is adjoined on three sides by an appropriate range of residential densities and dwelling typologies. A Primary School abuts the Centre to the east.

Under Liveable Neighbourhoods, the Structure Plan is required to achieve a target density of 12-20 dwellings per site hectare outside 400m of a Neighbourhood Centre; and 20-30 dwellings per site hectare within 400m of a Neighbourhood Centre and within 250m of main bus routes.

With an estimated 1,581 dwellings across 60.15ha of residential lots, a density of 26.3 dwellings per site hectare is achieved. This is consistent with Liveable Neighbourhoods.

Element 2 – Movement Network

An updated Transport Impact Assessment (TIA) has been submitted in support of the Structure Plan amendment.

The TIA indicates the proposed change from a “Village Centre” to the Neighbourhood Centre will result in some traffic increases on the surrounding road network, but states that traffic can be accommodated within the planned road network of the current LSP without any significant changes.

While this is generally accepted by the City, the following matters have been identified as requiring attention:

Nairn Drive Profile:

Liveable Neighbourhoods suggests that an “Integrator B” is designed to allow for a maximum of 15,000 vehicles per day (vpd). The TIA (dated 12th March 2018) has classified Nairn Drive between the realigned Eighty Road and Furnivall Parade to be an “Integrator B” profile with an estimated 2031 future daily vehicle traffic volume of 13,200 near the Neighbourhood Centre.

The City is of the view that the traffic volume estimates submitted by the Applicant are conservative and close to the capacity of an “Integrator B” profile. Should the traffic model submitted underestimate future volumes, any increase not currently anticipated by the model would trigger an “Integrator A” standard.

It should be noted that the sections of Nairn Drive from Furnivall Parade to the north and the portion south of the realigned Eighty Road, have anticipated volumes of between 17,500vpd and 19,500vpd respectively. As such, both have been classified as “Integrator A” profiles. Based on the available information, the City is therefore of the view, that an “Integrator A” would be required for Nairn Drive in the long term.

The City would typically recommend a condition that requires the developer to provide the cost of constructing a single carriageway for the “Integrator A” profile. This equates to delivering two lanes of the standard four lane cross-section. In this case however, it represents better value in the short term; e.g. visual amenity, improved linkage between the two commercial areas; to have the developer provide the full cost for constructing a dual-carriageway “Integrator B”. The design of the dual-carriageway “Integrator B” must then consider the provision of an adequate central median as well as the design of drainage and utility services to allow future upgrade to an “Integrator A’ profile. This would minimise unnecessary modification when the road is widened.

Nairn Drive Intersections:

The TIA also recommends roundabouts be installed for the main four-way intersections along Nairn Drive through the estate. To provide a safe location for pedestrians (particularly students) crossing Nairn Drive in the vicinity of the proposed Neighbourhood centre, the City recommends constructing a traffic signalised intersection on the northern approach to the centre.

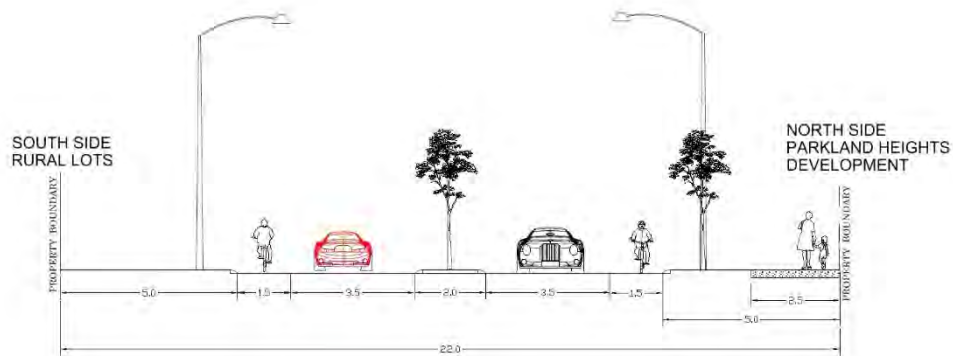
It is noted that WAPC approval (ref:155055) has been granted for the creation of the primary school site, which includes land for a roundabout at the northern intersection adjacent the centre. Despite this, it is recommended the intersection be developed to a standard to accommodate a signalised intersection treatment.

Sixty Eight Road:

The Local Structure Plan fronts Sixty Eight Road, and accordingly the current modelling suggest the road should be upgraded to a Neighbourhood Connector 'A' (NCA) profile. This upgrade requires a 2.2m road widening to northern side of Sixty Eight Road to deliver the full NCA boulevard treatment.

This assumption is also supported by the Technical Note (t16.337) provided by the applicant, and as a result the City recommends a cross-section of 22 metres, which includes a centre median with no parking embayments.

Sixty Eight Road is considered to be an important east-west link following the review and removal of the Karnup Road extension as part of the WAPC's South Metropolitan Peel Sub-regional Planning Framework. Consequently, it is recommended that this section of Sixty Eight Road be constructed with a similar cross section currently in progress for the new Baldivis South Senior School (WAPC Ref. 15805), Lot 19 (WAPC Ref. 152961) and Lot 20 (WAPC Ref. 152913).



In addition, Austroads' *Guide to Traffic Management Part 6 – Intersections, Interchanges and Crossings* provides warrants for turn treatments at unsignalised intersections. Based on turning movements obtained from the SIDRA outputs for the intersection of Sixty Eight Road/SE3, it suggests that a right turn pocket is required at this location. The previous version of the TIA (dated 17 March 2017) report also recommended that a turning pocket be provided at this location. It is recommended the TIA be amended to allow for a turning pocket at this location.

Recommendation:

That the Structure Plan TIA be modified to provide for :

- **Nairn Drive to be constructed to an "Integrator B" standard and funded entirely by the developer.**
- **2.2m of road widening to Sixty Eight Road abutting the southern boundary of the structure plan.**
- **The four way intersections on Nairn Drive adjacent the center to be designed for traffic signals.**
- **The intersection of Sixty Eight Road/SE3 is to be designed to provide a right turning pocket at this location.**

Element 3 – Lot Layout

The indicative layout shown on the Preliminary Concept Plan submitted with the application indicates the site can effectively accommodate a Neighbourhood Centre, on generally regular-shaped lots.

While the Preliminary Concept Plan does not adequately respond to key, and in the City's view, important design elements, it is useful to the extent of demonstrating the suitability and capacity of the site to accommodate a Neighbourhood Centre.

The framework proposed in the Structure Plan amendment allows for the Neighbourhood Centre design to evolve and be resolved at the LDP and development application stages.

Element 4 – Public Parkland

There is sufficiently distributed public open space (POS) in the surrounding approved structure plan area within 400m walking distance of all dwellings in the estate.

The latest subdivision staging information provided indicates the provision of 10.88% of land as POS, which exceeds (by 906m²) the 10% minimum required by Liveable Neighbourhoods.

The subdivision of residential lots within the centre may generate the requirement for additional POS. If this is the case, an updated POS schedule can be provided at the time of subdivision.

Element 5 – Urban Water Management

A Local Water Management Strategy (LWMS) was approved for the Parkland Heights estate in December 2011.

To account for the potential drainage implications of the development of a Neighbourhood centre at Parkland Heights, an Addendum to the approved LWMS has been submitted with this structure plan amendment application.

The area west of Nairn Drive had previously been assumed as residential in the approved LWMS. The LWMS Addendum identifies the stormwater management strategy for the Neighbourhood Centre and demonstrates that there will be no adverse impacts on downstream existing drainage infrastructure within the Parkland Heights Estate.

The LWMS Addendum has been updated to describe how stormwater quality will be managed. Specific to the Neighbourhood Centre, the Addendum states that treatment of events up to the 1 year 1 hour Average Recurrence Interval (ARI) will be in form of planted swales or tree pits within car park areas.

The City's assessment of the LWMS Addendum has identified a minor technical modification required in relation to the need to specify indicative areas (m²) to provide treatment for the first 15mm in accordance with DWER requirements.

Recommendation:

That the Addendum to the Local Water Management Strategy be updated to address matters raised within the City's technical assessment.

Element 6 – Utilities

The Structure Plan provides appropriate documentation of the utilities requirements to be implemented at subdivision stage.

Element 7 – Activity Centres and Employment

This Element outlines requirements for a greater level of detail than Element 1 on both activity centres and employment.

Liveable Neighbourhoods strongly advocates the development of Neighbourhood centres:

- incorporating main street-fronting retail layouts, instead of enclosed or parking lot dominated retail formats;
- with a key focus being on the quality of the public realm;
- designed to facilitate and encourage walking, cycling and public transport access;
- with adequate on-street and off-street parking, potentially shared between uses;
- with an appropriate range of higher density housing, both in and around the centre.

In this instance the intention is for the Structure Plan amendment to establish the planning framework in order for detailed design of the centre to be resolved via LDP's, prior to subdivision or development occurring.

To this extent, the Structure Plan includes planning controls mandating the need for LDP's over the Centre land both west and east of Nairn Drive, addressing matters including:

- location of vehicle access points
- the alignment of a 'Main Street' and other key internal vehicle circulation routes, service and loading areas;
- siting and orientation of key buildings and their interface with the street;
- key pedestrian routes and linkages through the site;
- provisions to ensure that ground level buildings appropriately address adjoining roads, footpaths and public spaces; and
- variations to any built form development controls contained within any City or Rockingham Local Planning Policy the R Codes.

Liveable Neighbourhoods (R12) states:

"Large single supermarket-scale neighbourhood centres (generally over 6,000m²) should not be provided unless it can be demonstrated that such centres will not adversely affect the provision and location of successful larger town centres, or constrain the distribution of neighbourhood centres in walking distance of most residents".

The proponent has provided a Retail Sustainability Assessment in support of the structure plan amendment, which reports on the potential economic impact of a 10,000m² Neighbourhood Centre on other activity centres within the area. The RSA and the merit of upgrading Parkland Heights to a Neighbourhood Centre in the City's Local Commercial Strategy is the subject of a separate report for consideration by the Council.

Council adoption of the proposed changes to the LCS will reflect the extent to which the structure plan amendment is consistent with R12.

Element 8 – Schools

The approved LSP contains a Primary School abutting the proposed centre, east of Nairn Drive.

State Planning Policy No.4.2 – Activity Centres for Perth and Peel

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2) outlines the broad planning requirements for the planning and development of new activity centres, the key objectives of which include:

- Activity Centre Hierarchy: Distributing activity centres to meet community needs and applying an activity centre hierarchy.
- Activity: Plan activity centres to support a wide range of retail and commercial activities that promote competition and increase employment, and increase housing density and diversity to promote housing variety and to support the centre facilities.
- Movement: Maximise access to activity centres by walking, cycling and public transport while reducing car dependency.
- Urban Form: Plan activity centre development around a network of legible streets and quality public spaces.

The proposed structure plan amendment is consistent with the objectives of SPP4.2 in that it will facilitate the development of a Neighbourhood centre in South Baldvis, which:

- Will cater for the daily to weekly shopping needs of the surrounding area;
- Generate local employment opportunities;
- Improve housing diversity, through incorporating medium density residential development in the centre.

Planning Policy 3.1.2 Local Commercial Strategy

The LCS currently identifies Parkland Heights as a "Local" Centre within the hierarchy of activity centres in Baldvis.

Development of a 10,000m² "Neighbourhood" centre for Parkland Heights constitutes expansion outside the Local Centre status currently designated.

The LCS states that expansion outside of the designation for Activity Centres should be considered in cases which:

- There is an assessment of the expected impact/trading effect on existing centres;
- There is a demonstration of the extent to which the proposal is expected to lead to an overall improvement in the provision of facilities;
- An assessment is undertaken of the estimated employment outcome, including any loss of employment within other Centres;
- Significant net employment during the construction period;
- The Centre contributes to public transport usage;
- There is an increase in the choice and competition provided to the community – particularly for retail uses;
- There is a contribution to other community-related goals such as the social interaction and safety; and
- There has been a consideration where appropriate of the other factors such as traffic and parking impacts, amenity etc.

For the structure plan amendment to be endorsed by the City, the Council must first resolve to amend the LCS to upgrade Parkland Heights from a Local Centre to a Neighbourhood Centre in the hierarchy of centres for Baldivis. This is the subject of a separate report for consideration by the Council.

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, notwithstanding the Council's resolution. 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

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

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 matters being addressed:

- (a) That the Structure Plan "Transport Impact Assessment" be modified to provide for :
 - Nairne Drive to be constructed to an "Integrator B" standard and funded entirely by the developer.
 - 2.2m of road widening to Sixty Eight Road abutting the southern boundary of the structure plan.
 - The four way intersections on Nairn Drive adjacent the center to be designed for traffic signals.
 - The intersection of Sixty Eight Road/SE3 is to be designed to provide a right turning pocket at this location.
- (b) That the Addendum to the Local Water Management Strategy be updated to address matters raised within the City's technical assessment.

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

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** the following recommendation to the Western Australian Planning Commission, with respect to the proposed Amendment No.4 of the Parkland Heights Structure Plan prepared over Lot 1507 Eighty Road, Baldivis:

1. That the proposed Structure Plan be approved subject to the following matters being addressed:
 - (a) That the Structure Plan "Transport Impact Assessment" be modified to provide for :
 - Nairn Drive to be constructed to an "Integrator B" standard and funded entirely by the developer.
 - 2.2m of road widening to Sixty Eight Road abutting the southern boundary of the structure plan.
 - The four way intersections on Nairn Drive adjacent the center to be designed for traffic signals.
 - The intersection of Sixty Eight Road/SE3 is to be designed to provide a right turning pocket at this location.

- (b) That the Addendum to the Local Water Management Strategy be updated to address matters raised within the City's technical assessment.
2. That the advice and recommendations as outlined in the City's Report be considered by the Western Australian Planning Commission in its determination.

Planning and Development Services Statutory Planning Services



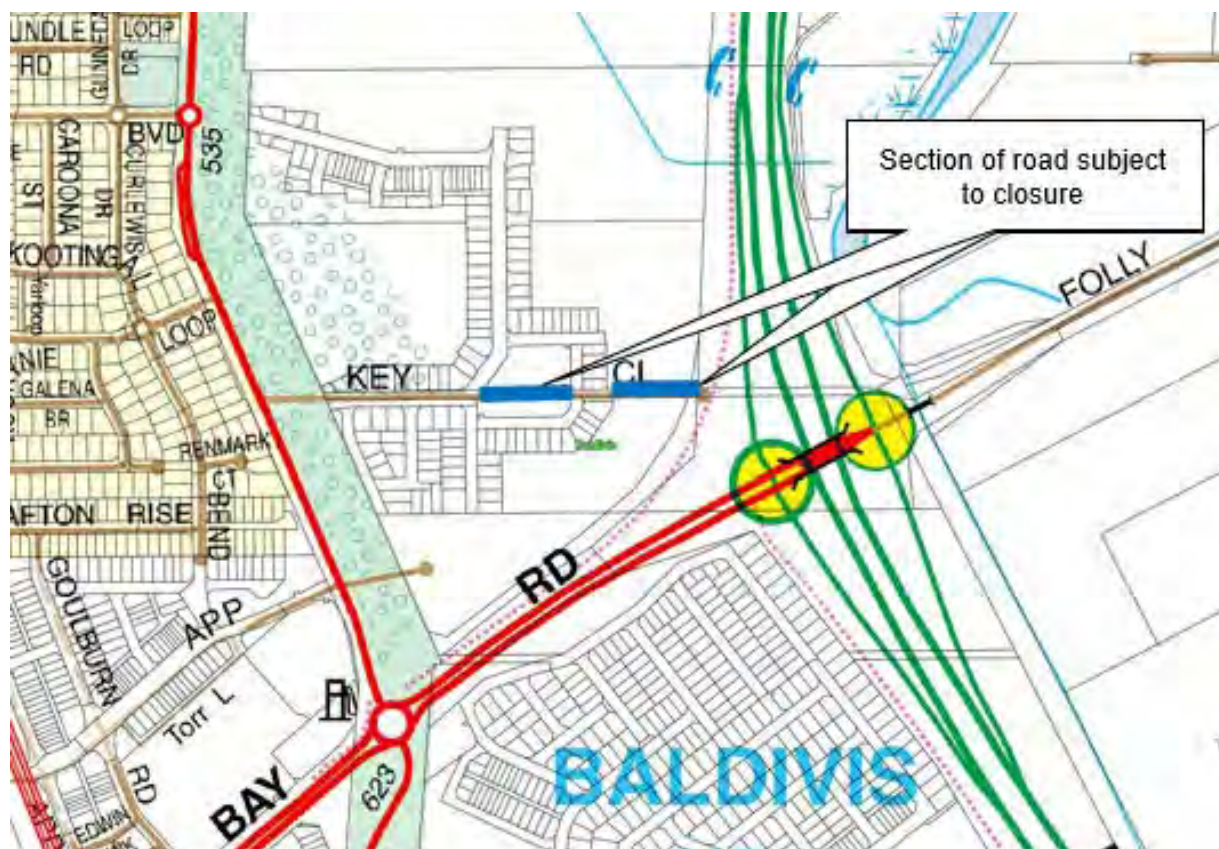
Reference No & Subject:	PD-035/18 Proposed Road Closure – Portions of Folly Road, Baldivis
File No:	LUP/1937
Risk Register No:	Nil
Applicant:	McMullen Nolan Group Pty Ltd
Owner:	Crown
Author:	Ms Gayle O'Leary, Planning Officer
Other Contributors:	Mr David Waller, Coordinator Statutory Planning Mr Mike Ross, Manager Statutory Planning
Date of Committee Meeting:	16 July 2018
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	Folly Road, Baldivis
Lot Area:	1,517m ²
LA Zoning:	Development
MRS Zoning:	Urban
Attachments:	
Maps/Diagrams:	<ol style="list-style-type: none"> 1. Aerial Plan 2. Location Plan 3. Adopted Structure Plan 4. Subdivision Approval (WAPC Ref# 153402) 5. Proposed Road Closure

Purpose of Report

To consider proceeding with a minor road closure for two sections of Folly Road, Baldivis, to enable its amalgamation with Public Open Space and create a Pedestrian Access Way (PAW).



1. Aerial Plan



2. Location Plan

Background

The Local Structure Plan for Lots 921 and 922 Baldivis Road and Lot 3 Key Close, Baldivis, known as 'The Edge' estate, was approved by the Western Australian Planning Commission on 15 September 2015.

In July 2015, the City received the application for the proposed road closure, with additional information provided in August 2015. The applicant sought to close the 372m² portion of Folly Road adjacent to the Kwinana Freeway reserve to enable the development of additional residential lots. The City did not support this proposal as it was inconsistent with the approved Structure Plan and on the basis the portion should be maintained as a Public Access Way between The Edge estate and the Freeway.

In September 2015, the WAPC granted Subdivision Approval over Lot 3 Key Close and Lot 922 Baldivis Road, Baldivis, which excluded the two lots adjoining the 372m² portion of Folly Road.

The application for road closure was subsequently placed on hold while the applicant pursued an amendment to the approved Structure Plan, which ultimately did not proceed.

In March 2016, the applicant submitted a new application for subdivision over No.575 Baldivis Road for a four-lot subdivision, with the remaining portion of Folly Road adjoining the Kwinana Freeway to be converted to a Public Access Way to accommodate service infrastructure and provide a pedestrian and cyclist connection from the development through to the dual use path abutting the eastern boundary of the site next to the freeway reserve. In June 2016, the WAPC granted subdivision approval over No.575 Baldivis Road subject to a condition of approval requiring a Public Access Way from the Kwinana Freeway through Folly Road.



LEGEND

ZONES

- Residential - R25 (RMD)
- Residential - R40 (RMD)

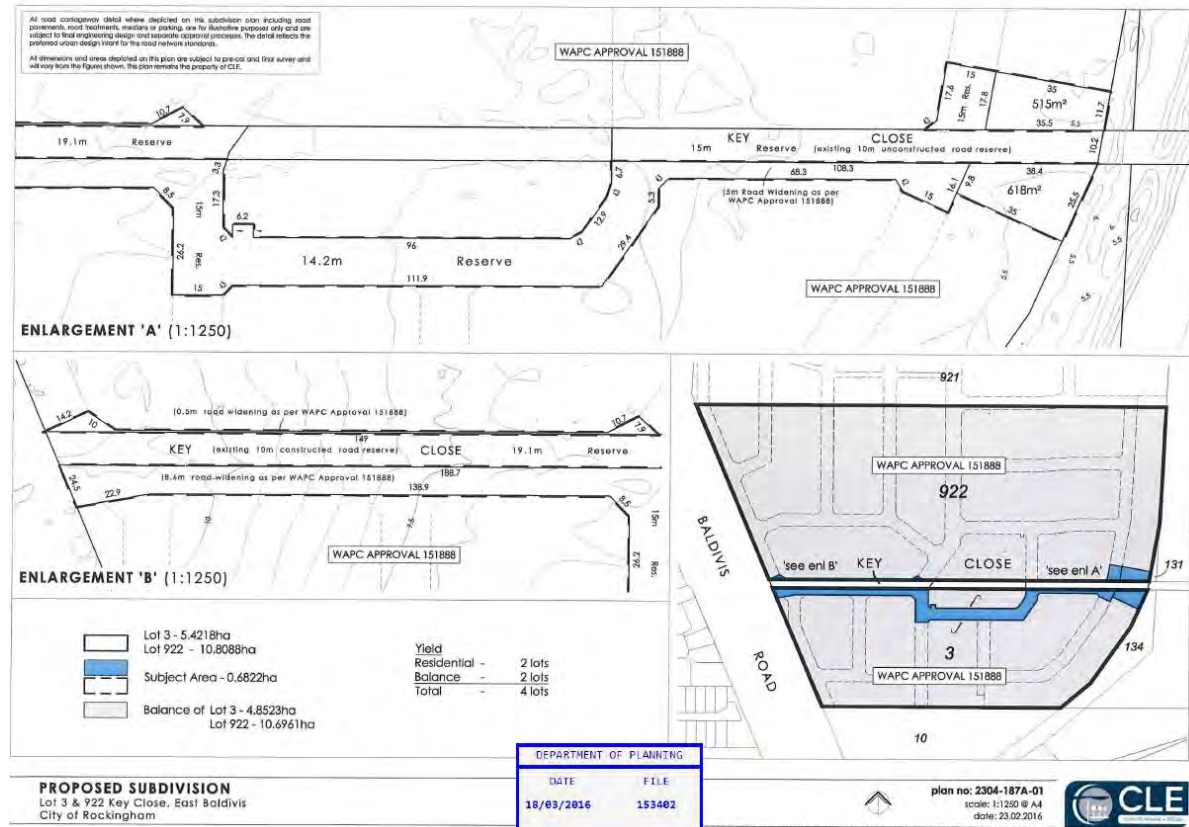
RESERVES

- Public Open Space
- Public Purposes
- Primary School
- Primary Regional Road
- Other Regional Road

OTHER

- Structure Plan Boundary
- District Distributor B
- Neighbourhood Connector
- Local Access Streets
- Noise Wall (1.8 - 2.2m)
- Quiet House Design (Package A)
- Road Closure
- Retained Road Reserve

3. Adopted Structure Plan



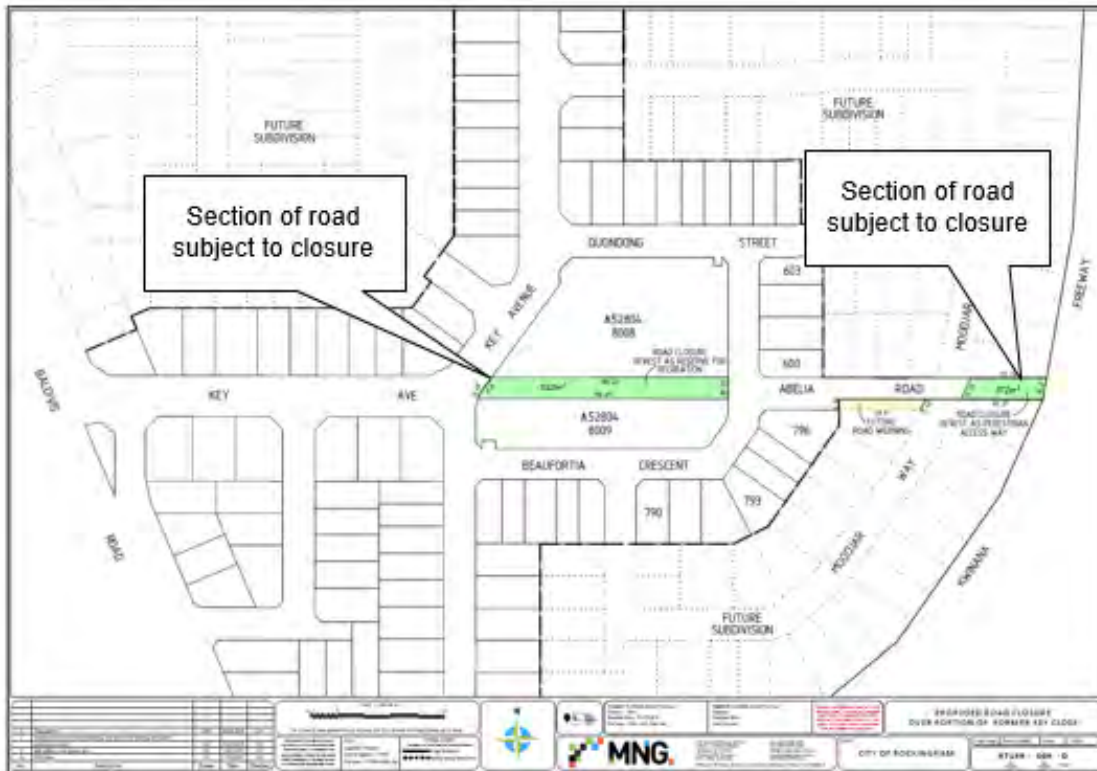
4. Subdivision Approval (WAPC Ref# 153402)

Details

The applicant seeks Council's support to close two portions of Folly Road, Baldavis, to facilitate the development of the land in accordance with the adopted Structure Plan and approved plan of subdivision.

The section of Folly Road dividing the local park (Reserve 52804) needs to be ceded back to the Crown as a reserve for recreation, and the section adjacent to the Kwinana Freeway will be reclassified to a Pedestrian Access Way (PAW).

The location of the proposed road closure sections is depicted below:



5. Proposed Road Closure

Implications to Consider

a. Consultation with the Community

In order to comply with section 58 of the *Land Administration Act 1997* (the Act), a resolution of the Council is required to progress the closure of the portions of road reserve. Under the Act, the City is required to advertise the proposed road closure by way of a publication in a local newspaper seeking public comment for a period of 35 days.

b. Consultation with Government Agencies

The following government agencies will be consulted during the advertising period:

- (i) Department of Planning, Lands and Heritage;
- (ii) Main Roads WA;
- (iii) Western Power;
- (iv) Water Corporation;
- (v) Department of Water and Environmental Regulation; and
- (iv) Telstra.

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

The responsibility for determining applications for the closure of road reserves rest with the Minister for Lands on advice from the Department of Planning, Lands and Heritage (State Land Services).

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

Various portions of Folly Road have already been re-named to Key Close and Key Avenue. The proposed road closure of the remaining portion will facilitate urban development, in accordance with the adopted Structure Plan and approved plan of subdivision.

It is recommended that the City initiate road closure proceedings by advertising the proposal.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **SUPPORTS** the proposed closure of two portions of Folly Road, Baldivis, subject to seeking public comment.

Planning and Development Services Statutory Planning Services



Reference No & Subject:	PD-036/18 Final Adoption - <i>Planning Policy No.3.3.7 – Display Home Centres</i>
File No:	LUP/1265-05
Applicant:	
Owner:	
Author:	Ms Gayle O’Leary, Planning Officer
Other Contributors:	Mr Dave Waller, Co-ordinator, Statutory Planning Mr Mike Ross, Manager Statutory Planning
Date of Committee Meeting:	16 July 2018
Previously before Council:	May 2008 (PD81/5/08)
Disclosure of Interest:	
Nature of Council’s Role in this Matter:	Executive
Site:	
Lot Area:	
LA Zoning:	
MRS Zoning:	
Attachments:	
Maps/Diagrams:	

Purpose of Report

To consider the adoption of the amended *Planning Policy No.3.3.7 – Display Home Centres* (PP3.3.7), following public advertising.

Background

In May 2018, the Council resolved to adopt amendments to PP3.3.7 for the purpose of public advertising.

PP3.3.7 sets out the development requirements for Display Home Centres in residential estates in terms of locational criteria, car parking, signage, vehicular access, lighting and rehabilitation of land following cessation of the Display Home Centre.

Details

The amended PP3.3.7 includes updated references to legislation, terminology, signage and car parking ratio requirements.

The public advertising period for the draft amended PP3.3.7 has concluded, the details of which form the basis of this report.

Implications to Consider

a. Consultation with the Community

In accordance with clause 4(1) of the deemed provisions in the *Town Planning Scheme No.2* (TPS2), the proposed amendments to PP3.3.7 were advertised for 23 days in the following manner:

- An advertisement was published in the Sound Telegraph Newspaper on 30 May 2018;
- A copy of the draft PP3.3.7 was advertised on the City's website from 30 May 2018 to 22 June 2018; and
- Copies of the draft PP3.3.7 were made available at the City's Administration Office.

At the conclusion of the public advertising period on 22 June 2018, 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

Nil

e. Financial

Nil

f. Legal and Statutory

Under clause 2 of the deemed provisions (Local Planning Policies) in TPS2, the Council may prepare, modify or revoke a Planning Policy. If the Council resolves to amend PP3.3.7, the City is required to publicly advertise the proposed changes for a period of 21 days.

PP3.3.7 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 major change proposed to PP3.3.7 is to reduce the car parking requirements for Display Home Centres. This will enable car parking demand to be satisfied, without creating an unnecessary surplus of car parking that is typically underutilised by visitors to Display Home Centres. The balance of the amendments to PP3.3.7 are administrative in nature, to ensure consistency with legislative terminology. No submissions were received during the advertising period.

It is recommended the Council adopts the revised PP3.3.7 accordingly.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ADOPTS** the revised (amendments marked in red) Planning Policy No.3.3.7 - Display Home Centres, for the purpose of public advertising:

PLANNING POLICY 3.3.7 DISPLAY HOME CENTRES

1. Introduction

The City of Rockingham Town Planning Scheme No.2 defines a 'Display Home Centre' as a group of two or more dwellings, which are intended to be open for public inspection as examples of dwelling design.

The 'Council' recognises that Display Home Centres are an integral feature of most establishing residential estates. In anticipation of continued urban development in the City, it proposes to provide for the establishment of such centres within an orderly and safe environment.

The purpose of this Planning Policy is to set out the objectives and policy provisions which the Council shall have due regard to in the assessment and determination of applications for ~~planning approval~~ **Development Approval** for the establishment of Display Home Centres. The Planning Policy also seeks to ensure the suitable transition of the landuse from Display Home Centre to 'dwelling(s)', when the Display Home Centre has ceased operation.

In this regard, no person shall commence or carry out any development of a Display Home Centre without first having applied for and obtained the ~~planning approval~~ **Development Approval** of the Council, pursuant to the provisions of Part 6 of Town Planning Scheme No.2.

2. Policy Application

In Town Planning Scheme No.2, the Zoning Table (Table No.1) indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme Area in the various zones.

In this regard, a Display Home Centre is a permissible use in the Residential, Development¹ and Baldivis Town Centre zones, subject to the Council exercising its discretion by granting ~~planning approval~~ **Development Approval**. A Display Home Centre is a use not permitted in all other zones.

3. Policy Objectives

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 location and design of Display Home Centres;
- (b) To secure the amenity of the locality by addressing various operational matters; and
- (c) To specify rehabilitation/reinstatement techniques once the Display Home Centre have ceased operation.

1. ~~In the Development Zone, a Structure Plan imposes a classification on the land included in it by reference to reserves, zones, landuses or Residential Design Codes. Where a Structure Plan has been approved, in the areas designated as zones, the permissibility of uses is to be the same as set out in the Zoning Table as if those areas were zones under the Scheme having the same designation. Refer to Clause 4.2.9 of Town Planning Scheme No.2.~~

~~In the Development Zone, provisions of use class permissibility shall be determined in accordance with the provisions of the relevant Local Structure Plan.~~

4. Policy Statement

4.1 Location

To minimise internal, non-residential traffic, the Council prefers the establishment of Display Home Centres at the dedicated entrance of a residential estate. All display homes pertinent to a particular residential stage should be grouped together and the Council will not generally support the ad hoc siting of display homes that readily interact with existing residences.

4.2 Parking

Car parking should be provided at a minimum ratio of ~~four (4)~~ **one (1)** parking bays per display home with a minimum of ten (10) bays per display village. In addition, one accessible car parking bay to be provided as per *Australian Standard AS 2890.6 Parking Facilities – Off-street parking for people with disabilities* and the *Building Code of Australia*. The Council will not consent to parking on the ~~Council~~ verge under any circumstances.

4.3 Site Development

Prior to the commencement of operation of a Display Home Centre, the following will generally be required as conditions of ~~planning approval~~ **Development Approval**:

- (a) All car parking areas are to be developed by the installation of hardstand materials (as a minimum standard) to the satisfaction of the Council's Manager, Engineering Services. In this regard, the minimum acceptable standard is 100mm of compacted crushed rock or road base. The carparking area should also be contoured in such a manner that it adequately drains.
- (b) All crossovers are to be designed and constructed to the satisfaction of the Manager, Engineering Services, at the applicant's cost.
- (c) Where a Display Home Centre does not directly abut a car parking area, a dedicated pedestrian access will be required, to the satisfaction of the Manager, Engineering Services, from the nearest car parking area to the site. Where a dual use path has been constructed, this may be acceptable as the dedicated pedestrian access.

4.4 Operation of Display Centres

All signs and hoardings associated with the Display Home Centre will be required to be to the satisfaction of the Manager, Building Services and approved prior to erection or painting.

All signage for Display Home Centres must be in accordance with Planning Policy No.3.3.1 - Control of Advertisements.

Floodlights shall not be illuminated after 10.00 pm, and all illumination will be confined to the limits of the development.

4.5 Reinstatement and Rehabilitation

All hardstand material from the car parking areas shall be removed on the conclusion of operation of the Display Home Centre.

4.6 Building Approval

A Building Permit for all buildings associated with the Display Home Centre will be required from the Council (in addition to ~~planning approval~~ **Development Approval**).

4.7 Consultation

Where the Manager, Statutory Planning considers that an application for ~~planning approval~~ **Development Approval** for the establishment of a Display Home Centre 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 ~~6.3.3~~ **Clause 64 of the deemed provisions** of Town Planning Scheme No.2 and Planning Procedure No.1.3 - Community Consultation.

5. **Application Procedure**

Applications for ~~planning approval~~ **Development Approval** for the establishment of Display Home Centres shall be made on the form prescribed by the ~~Council~~ **City**, and shall be signed by the owner(s), and accompanied by the following information:

- (a) A written submission describing the proposal, which should include confirmation that the requirements of this Planning Policy can be achieved;
- (b) Such plans and other information that the ~~Council~~ **City** may reasonably require to enable the application to be determined. ~~Refer to clause 6.2.2 of Town Planning Scheme No.2; Refer to Clause 63 of the deemed provisions of Town Planning Scheme No.2.~~
- (c) Any specialist studies that the ~~Council~~ **City** may require the applicant to undertake in support of the application such as traffic, heritage, environmental, engineering or urban design studies;

- (d) Details of any proposed signage to be erected, together with a separate application for a sign licence permit to ~~Council's Building Department~~ the City's Health and Building Services;
- (e) The payment of an Administration Fee as detailed in the ~~Council's Planning Information Bulletin No.2.2~~ City's Scale of Fees for Planning Services.

6. Authority

This Planning Policy has been adopted by the Council under ~~clause 4 of the deemed provisions 8-9~~ of Town Planning Scheme No.2 and whilst it is not part of the Scheme and does not bind the Council in respect of any application for ~~planning approval~~ 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.

7. 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.

Dwelling means a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by:

- (a) a single person;
- (b) a single family; or
- (c) no more than six persons who do not comprise a single family.

8. Delegation

Applications for ~~planning approval~~ Development Approval that comply in all respects with the objectives and provisions of this Planning Policy will be determined under delegated authority, pursuant to clause ~~8.10~~ 83 of the deemed provisions of Town Planning Scheme No.2 and Planning Procedure 1.1 – Delegated Authority.

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

9. Adoption

This Planning Policy was adopted by the Council at its Ordinary meeting held on 27 May 2008 ~~and amended by Council on 24 July 2018.~~

10. Revocation

This Planning Policy supersedes the ~~Council's~~ City's Statement of Planning Policy No.2.5 - Display Homes and Sales Offices.

Planning and Development Services Statutory Planning Services



Reference No & Subject:	PD-037/18	Proposed Modifications Foreshore Revitalisation	Founders' - Rockingham	Memorial Beach
File No:	LUP/449-24			
Applicant:				
Owner:				
Author:	Ms Gayle O'Leary, Planning Officer			
Other Contributors:	Mr Mike Ross, Manager Statutory Planning			
Date of Committee Meeting:	16 July 2018			
Previously before Council:				
Disclosure of Interest:				
Nature of Council's Role in this Matter:	Legislative			
Site:	Railway Parade			
Lot Area:				
LA Zoning:				
MRS Zoning:				
Attachments:	<ol style="list-style-type: none"> 1. Minutes of the Heritage Reference Group Advisory Committee Meeting held on 13 June 2018 2. Municipal Heritage Inventory - Founders' Memorial, Rockingham Place Record Form No.62 3. Heritage Impact Statement Founders' Memorial, Rockingham 			
Maps/Diagrams:	<ol style="list-style-type: none"> 1. Founders' Memorial Location 2. Founders' Memorial Photograph 			

Purpose of Report

To consider an application seeking Development Approval for modifications to the Founders' Memorial on Railway Terrace.

Background

The Founders' Memorial was constructed in 1979 to commemorate the founders of Rockingham and previously housed a time capsule, which was opened in 2001.

Relocation of Founders' Memorial

In May 2017, the Heritage Reference Group (HRG) considered the proposed relocation of the Founders' Memorial, Dato Anchor, Milled Jarrah Log and Captain Stirling Landing Memorial Stone in accordance with the City's Foreshore redevelopment works and a Heritage Impact Statement prepared by the City's Heritage Advisor.

The recommendations of the City's Heritage Advisor for the relocation of the Founders' Memorial were as follows:

- *"The conservation of the heritage items is highly desirable and any alterations or extensions should reinforce the significance of the place;*
- *Any alterations of the Founders' Memorial should be aided by an artist;*
- *Consideration should be given to advertising for obtaining information relating to the Founders' Memorial artwork from former Rockingham Senior High students who were involved in original design of the Memorial;*
- *Relocation of the Founders' Memorial Clock is supported;*
- *Consideration should be given to investigating conservation of the existing plaques;*
- *Consideration should be given to investigating the inclusion of a new clock for the Memorial;*
- *Consideration should be given for appropriate lighting of the Founders' Memorial;*
- *Contemporary interpretation methods should be integrated with the site in order to aid public interpretation of the site's heritage significance."*

The HRG resolved to support the relocation of the Founders' Clock Memorial, Anchor, Jarrah Log and Memorial Stone to facilitate Stage 1 of the Rockingham Beach Foreshore Masterplan Redevelopment at the Heritage Reference Group committee meeting held on 31 May 2017.

In June 2017, the City granted Development Approval to the relocation of the Founders' Memorial. The City's Heritage Advisor was also asked if the brick plinth was an important element at the time, who advised as follows:

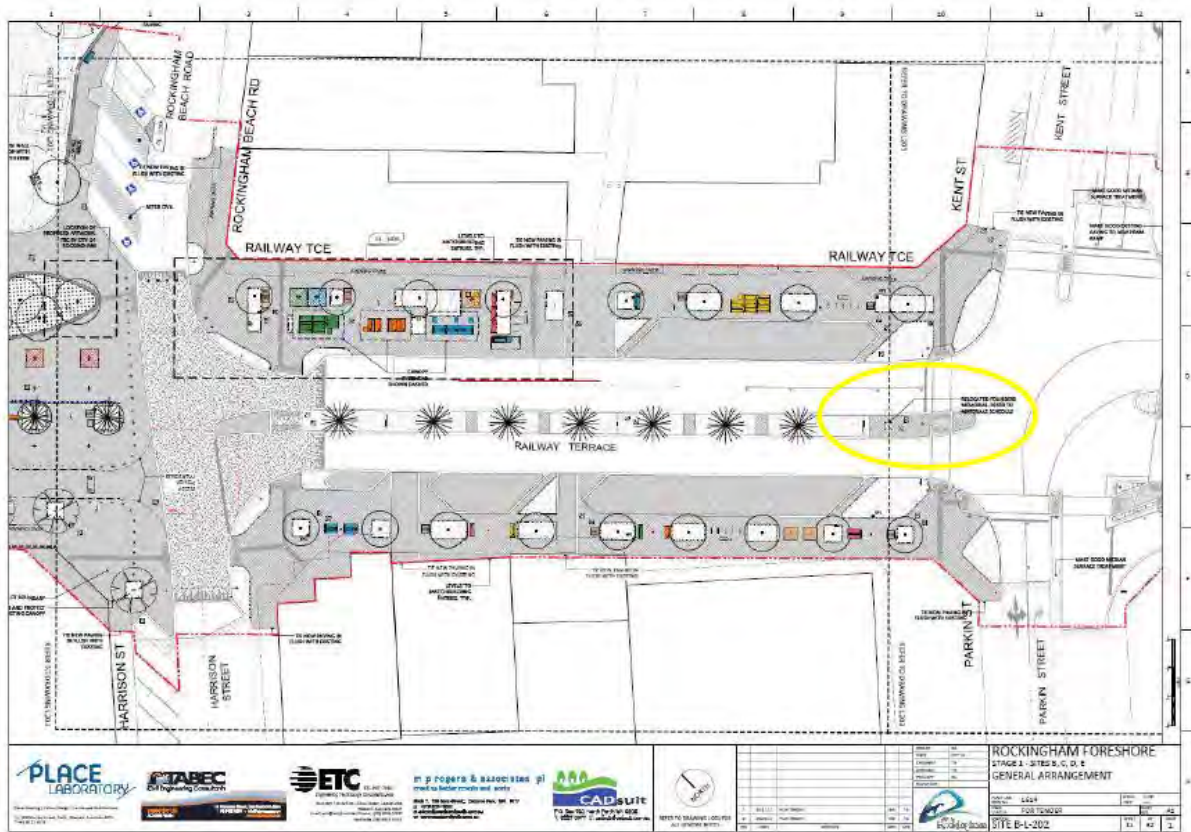
"From the evidence gathered the clock tower appears to not be an artist designed element. The two art pieces are significant items and the clock tower is of less significance. In our opinion whilst the brickwork and tower design are representative of the period they are not of the same level of significance and can be altered. Whilst the style of the alteration would need to be carefully considered it is considered that this could be undertaken without impacting on the cultural heritage values of the artwork."

Details

New Artistic Design for the Founders' Memorial

In May 2018, the City received an application for Development Approval seeking to modify the brick plinth of the Founders' Memorial. The revised design of the Founders' Memorial has not been confirmed at this stage. The modified design of the Founders' Memorial will be subject to review once design tenders are received.

The new changes to the Founders' Memorial entail replacing the existing 1979 brick plinth structure with a bespoke and sympathetic artistic structure, which will incorporate the four existing artistic panels and sails headpiece. A new clock replacement for the existing clock face is also included as part of the modified structure.



1. Founders' Memorial Location



2. Founders' Memorial Photograph

Implications to Consider

a. Consultation with the Community

In June 2018, the City's Heritage Reference Group were consulted on the proposal to replace the existing plinth structure of the Founders' Memorial with an artistic structure, when it was resolved to support the proposal subject to the following:

- “1. The design of the new plinth structure being referred to the City's Heritage Advisor, Rockingham District Historical Society [Inc.] for comment;
2. Adaptive reuse of the original 1979 bricks from the current plinth structure into the new artistic design, which also includes the bronze sail and frieze.”

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

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

- Aspiration 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 and analysis.
- Aspiration D:** Sustainability 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 3.3.21 - Heritage Conservation and Development (PP3.3.21)

The objectives of PP3.3.21 are as follows:

- "(i) To conserve and protect places of cultural heritage significance within the City of Rockingham;
- (ii) To ensure that development does not adversely affect the significance of heritage places;
- (iii) To ensure that heritage significance is given due weight in decision making for applications for planning approval; and
- (iv) To provide greater certainty to landowners and the community about the planning processes for heritage identification and protection in the City of Rockingham."

The 'Founders' Memorial' (LGA Place No.064) is listed as Management Category B under the City's Municipal Heritage Inventory (MHI) and Heritage List.

Management Category B places are defined as places being of 'considerable significance' and 'worthy of a high level of protection' under the MHI and *Planning Policy 3.3.21 – Heritage Conservation and Development*. The following required outcome applies to Category B places:

"Very important to the heritage of the locality. High degree of integrity/authenticity. Conservation of the place is highly desirable. Any alterations or extensions should reinforce the significance of the place."

A Heritage Impact Statement was provided for the relocation of the memorial in 2017, which determined that the sails headpiece and four panels are of heritage significance, but the plinth is of less significance and thus its replacement with a contemporary equivalent would not erode the heritage significance of the memorial.

The 2018 proposal for the Founders' Memorial was referred to the City's Heritage Advisor for comment, who advised as follows:

- *"A new artistic structure should be sympathetic to the cultural heritage values and artistic qualities of the bronze sails and frieze;*
- *A new artistic structure may consider to interpret the existing memorial from the Post-War and Modern Period of Rockingham's development in a contemporary manner;*
- *The existing memorial should be recorded through measured drawings and photographs and be copies be made available to the public through Library and historical Society.*

My comments with regard to the draft scope of work are:

- *That in addition to liaising with the memorial artist Daryl Jane there may be the potential to collaborate with former Rockingham Senior High School Students that were involved with the original memorial;*
- *Incorporation of the existing plaques or new plaques with the original information included;*
- *Acknowledgement of the original artist."*

The City's Heritage Advisor comments are supported as part of the consideration of the revised proposal. The City supports the replacement of the brick structure and clock, with a new plinth structure on the basis that the clock tower is considered to be of less significance, based on the heritage assessment undertaken.

e. Financial

The Founders' Memorial works are included in stage one of the Rockingham Beach Foreshore Revitalisation Project which is funded by the 2018/19 Budget.

f. Legal and Statutory

As the Founders' Memorial is a place included on the City's Heritage List pursuant to Town Planning Scheme No.2, before any changes can be made to the place that could affect its cultural heritage significance, Development Approval is required from the City.

In accordance with s5.42 of the Local Government Act 1995, when the Council delegates authority to the Chief Executive Officer to exercise of any of its powers or the discharge of any of its duties under the Act in section 5.43, an Absolute Majority decision is required. This matter is discussed further in the Comments section of this report.

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

Once the artistic design to the Founders' Memorial has been prepared the City will seek comments from the Rockingham District Historical Society Inc. on the proposed changes. The City's Heritage Advisor will also be consulted on the artistic design for the new plinth.

The City's recommendation includes the adaptive reuse of the bricks from the existing plinth as a desirable objective that will be pursued if this is practical. If the preferred artistic design outcome, however, does not include the existing bricks then it may be that they are not included. The adaptive reuse of existing bricks should be an option that is examined rather than something that should be mandated.

It is recommended that Council delegate authority to the Chief Executive Officer to grant Development Approval to the replacement of the plinth structure to the Founders' Memorial, subject to consultation with the Rockingham District Historical Society [Inc.], consideration of adaptive use of bricks where practicable and plans of the existing memorial being prepared, to facilitate the timely progress of the project.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council **DELEGATES** authority to the Chief Executive Officer the granting Development Approval for the replacement of the plinth structure to the Founders' Memorial, Railway Parade, Rockingham, subject to the following:

1. The design of the new plinth structure being referred to the Rockingham District Historical Society [Inc.] for comment.
2. Consideration being given to the adaptive reuse of original 1979 bricks from the current plinth structure into the new artistic design where practicable, which includes the bronze sail and frieze.
3. The existing memorial being recorded through measured drawings and photographs with copies being made available for public viewing at City Libraries and the Rockingham Museum.

15. Motions of which Previous Notice has been given

Planning and Development Services

**Planning and Development Services
 Directorate, Planning Services**



Reference No & Subject:	PD-038/18 Alternate Motion - Cape Peron
File No:	
Proponent/s:	Cr Joy Stewart
Author:	Mr Peter Ricci, A/Director Planning and Development Services
Other Contributors:	
Date of Committee Meeting:	16 July 2018
Previously before Council:	May 2018 (PD-022/18), June 2018 (PD-030/18)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Advocacy
Site:	Cape Peron – Lot 4319 Boundary Road; Lots 700 and 1786 Hymus Street; Lots 2055 and 4357 Safety Bay Road; Lots 1, 2, 3, 5, 301, 303, 500, 501, 2058, 2152, 2956, 2193, 2196, 2301, 2328, 2733, 2374, 2642, 2732, 2733, 2734, 2804 and 3055 Point Peron Road, Peron
Lot Area:	Approximately 180ha
LA Zoning:	Parks and Recreation (Bush Forever Site 355); Ports Installation; Other Regional Road Reserve; Waterways Reserve
MRS Zoning:	Parks and Recreation (Bush Forever Site 355); Ports Installation; Other Regional Road Reserve; Waterways Reserve
Attachments:	
Maps/Diagrams:	

Purpose of Report

To provide advice on part (ii) of Cr Stewart's Alternate Motion, as follows:

*"That Council **SUPPORTS** in principle the lobbying of State Government Departments to urgently establish a transparent and collaborative consultation process to determine the best and most sustainable long-term future use and management of Cape Peron that: aligns with the Minister of Environment's intent to convert Cape Peron Reserve (48968) into Class A, and vested for the purpose of "Conservation Park", as stated in the Rockingham Lakes Regional Park Management Plan (Department of Environment and Conservation 2010)."*

Background

In May 2018, Council resolved to defer consideration of Cr Stewart's Alternate Motion to the June 2018 meeting of the Planning and Engineering Services Committee to enable the implications of a 'Class A' Reserve and the 'Conservation Park' Purpose over Cape Peron on existing and future land use to be investigated.

In June 2018, Council considered an amended Alternate Motion from Cr Stewart and resolved to endorse part (i), and follows:

*"That Council **SUPPORTS** the lobbying of State Government Departments to urgently establish a transparent and collaborative consultation process to determine the best and most sustainable long-term future use and management of Cape Peron that aligns with the City's Community Strategic Aspirations for Environment and Tourism."*

Council also resolved to defer part (ii), as follows:

*"That Council **SUPPORTS** in principle the lobbying of State Government Departments to urgently establish a transparent and collaborative consultation process to determine the best and most sustainable long-term future use and management of Cape Peron that: aligns with the Minister of Environment's intent to convert Cape Peron Reserve (48968) into Class A, and vested for the purpose of "Conservation Park", as stated in the Rockingham Lakes Regional Park Management Plan (Department of Environment and Conservation 2010)."*

The deferral was to allow advice from the Department of Planning Lands and Heritage on the implications of a 'Class A' Reserve and the 'Conservation Park' Purpose over Cape Peron on existing and future land use.

The reasons for Cr Stewart's Alternate Motion is provided below:

"The State agreed to accept 'Cape Peron as a whole' to become an A Class Reserve in 1964, which meant the Reserve, Alfred Hines Children's Camp and the Camp School. Then in 1968, the State sought and received approval from the Commonwealth for a container terminal (Port Installation) that involved sections of the original reserve. After the Water Corporation construction for water treatment and discharge facilities, it then meant that the use for Cape Peron was then 'Reserve

the Water Corporation Facility, the proposed Port Installation, the Alfred Hines Children's Camp and the Education Department School'

Since then, there have been a number of plans, proposed projects and community based entities having made suggestions or/and been given leased term use of some sections of Cape Peron such as

**the railway and highway concepts to service the short lived container terminal idea;*

**the Mangles Bay Marina (in Mangles Bay);*

** the original 30 year leases granted to community groups and clubs (recreation, boating and ex-Service) which were periodically extended on short term conditions;*

**Aboriginal heritage efforts; Battery Complex; City input and services provision, and much more.*

Close to seven decades of concern, discussion, proposals, internal State government transfers of title responsibility of land (Transport, Recreation and Landcorp), opportunities missed for Cape Peron, which is in fact easily understood and identified as authorised use (the authorised use being the Reserve, the Water Corporation Facility, the Proposed Port Section, the Alfred Hines Children's Camp and the Education Department's Camp School).

The only challenge to the status quo that has evolved over the last seven decades is the official submission to amend the setup through the MRS Amendment process, nothing more. Now, with all encumbrances removed and the State's stated intention for the Cape made, only some simple 'stroke of pen' decisions to be made by the State remain.

What I am seeking is that the City be proactive in providing the local residents' voice regarding the outcomes to realise the original 1964 purpose for the Cape;

*We need to give support for the creation of the Regional Lakes Plan's aims and objectives. We need to **SUPPORT the lobbying of State Government Departments to urgently establish a transparent and collaborative consultation process to determine the best and most sustainable long-term future use and management of Cape Peron that:***

1. **aligns with the City's Community Strategic Aspirations for Environment and Tourism.**
2. **aligns with the Minister of Environment's intent to convert Cape Peron Reserve (48968) into Class A, and vested for the purpose of "Conservation Park", as stated in the Rockingham Lakes Regional Park Management Plan (Dept of Environment and Conservation 2010). S**
3. **aligns with 'Parks and Recreation' as the use for the remaining land on Cape Peron.**

Future council/city operators need to be provided with clear and unencumbered means to input, discuss, progress, etc. its role in the management and sustainability of Cape Peron. They should be considered as an active partner regarding any opportunities that may be on offer. A Coastal Park at Cape Peron meets the City's Strategic Community Plan 2015 – 2025 goal of a sustainable environment in which the local government and bushland reserves are well used and sustainably managed preserving them for future generations to enjoy. Preserving Cape Peron and creating a world class protected coastal park is an imperative, not just for WA and the entire City of Rockingham's Region, but also for people's physical and mental health as well as for the economy.

This Minister Dawson, the Minister for the Environment, has stated the intention of converting Cape Peron Reserve 48968 into Class A, the same as Rottnest and Kings Park. All other land can be Parks and Recreation. Cape Peron's purpose is a Conservation Park, as identified on page 14 of the RLRLMP 2010. All Government Departments, Federal, State and Local, are the Elected representatives of the people and hence should a) acknowledge the people's ownership and b) represent the people's wishes.

What I am seeking with this Motion, is that the City of Rockingham be proactive in providing the local residents a voice regarding the outcomes to realise the original 1964 purpose for Cape Peron (please read page 15 of the Rockingham Lakes Regional Park Management Plan 2010 (RLRPMP)).

*Hopefully you all realise by now, with all the information that I have given you in emails, the following ~ that Rottnest Island is a **Class A Reserve** (Reserve 16713) and is governed by the Rottnest Island Authority Act, 1987, which establishes the Rottnest Island Authority as a statutory body to control and manage the Island, reporting to the Minister for Tourism, Paul Papalia.*

*Kings Park and Botanic Garden is also a **Class A Reserve**. This Management Plan has been prepared by the Botanic Gardens and Parks Authority (BGPA) with significant consultation from key stakeholders, including government and private organisations and the general community. A draft plan was originally prepared following a review of the Kings Park and Botanic Garden Management Plan, including community feedback received via a survey of stakeholders and a public workshop, which was followed by public submissions being sought from individuals, community groups and Government Organisations. I am trying to convince you all with point 2. That Council: **AGAIN***

SUPPORTS the LOBBYING of State Government Departments to urgently establish a transparent and collaborative consultation process to determine the best and most sustainable long-term future use and management of Cape Peron that **Aligns with the Minister of Environment's intent to convert Cape Peron Reserve (48968) into Class A, and vested for the purpose of "Conservation Park", as stated in the Rockingham Lakes Regional Park Management Plan (Dept of Environment and Conservation 2010).**

Reason for Point 2 of my amended motion ~ The map on page 17 (electronic copy) of the Rockingham Lakes Regional Park Management Plan 2010. You will note the "green" area of Cape Peron is vested in the Conservation Commission, which is managed by the Minister for the Environment, Hon. Stephen Dawson MLC. This is the area the Minister says he supports being classified as class A, (in accordance with the Minister's letter of 26 March 2018). ROTTNEST ISLAND FOR INSTANCE IS A CLASS "A" RESERVE.

Reason for Point 3 of my amended Notice of Motion ~ You will note the white area (page 17 also) north of Point Peron Road, which is the 'Port Installation' section, now 50 years old. On February 25th 1985, Cabinet requested that the Metropolitan Region Scheme be amended to 'delete the Mangles Bay Port Installation Reserve as soon as possible.' This is why we are in this position today 33 years later.

The City should be involved with development and planning of the Cape Peron Plan in line with relevant legal requirements. The authority for council/city provision of time, finances, resources, etc. in tangible ways (that will realise the creation and sustainability for the Cape's use in line with State planning agreements), need to be provided.

PLAN AREA 1 (in yellow on page 18) - Future Tenure Arrangements – Reserve Purpose – CONSERVATION PARK

Management Emphasis - The management emphasis is to provide for appropriate uses of the natural environment. Areas will be managed jointly for public use, conservation and enhancement of flora and fauna, and improvement of landscape qualities. Public use must be compatible with the assigned purpose of the relevant reserve. Visible evidence of management may be moderate to high. Management will encourage uses and develop facilities that promote conservation and education.'

Acceptable Uses and Facilities

Public access restricted to nature trails, boardwalks, observation platforms, walkways and cycle paths primarily for through access. Some facilities are acceptable in certain locations (Recreation Masterplan- Appendix A) Rehabilitation of vegetation and habitat protection will be undertaken. Education, interpretation and research uses are appropriate.

PLAN AREA 2 and 3 orange (page 18 RLRMP 2010) - Management Zone – Recreation; Management Agency – DEC; Reserve Purpose - CONSERVATION PARK; Vested Authority Owner – Conservation Commission

Management Emphasis - The prime emphasis of management will be to provide a variety of recreation opportunities. The type and scale of facilities provided will depend on the values of any given area, community demand for recreation and the appropriate management of the Park. Management involves minimising the impact of visitor activities through the sensitive placement and provision of access and facilities as well as ~ 'through the provision of information and interpretive material. Visible evidence of management may be high.'

Acceptable Uses and Facilities

Public use may be high in these areas. Predominantly passive recreation pursuits, allowing for Park service and picnic facility development. Commercial concessions are considered an appropriate within this management zone. Rehabilitation, landscaping and reticulation of areas may be necessary. Management for purposes other than conservation, recreation or visitor services. Private lease or freehold land. No public access. Access for managing agencies as required. This management zone represents an emphasis on conserving the area's existing values.



RLRMP 2010



Page 17 Principal Management Directions. Page 18 Principal Management Directions."

In the period since the May 2018 Council meeting, the City has requested that the Department of Planning Heritage and Lands (DPHL) provide an interpretation of the Reserve Class and Purpose, as contained in the Alternate Motion, against the requirements of the *Land Administration Act 1997*.

Despite numerous requests for the information to be provided in sufficient time to enable the matter to be tabled before the June meeting of the Planning and Engineering Services Committee, it is yet to be received.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

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

Aspiration A: *Tourism Lifestyle*

Strategic Objective: *Rockingham Beach Foreshore Precinct: A world-class foreshore precinct capitalising on its unique location and aspect, delivering quality leisure tourism experience through contemporary design, best practice facilities and seamless linkage between beach, parkland and tourism-based commercial, retail and food and beverage outlets.*

Coastal Facilities: A range of quality and contemporary leisure tourism facilities including a "major brand" hotel, marinas, boat ramps, jetties, boardwalks and foreshore parks that contribute to the City's reputation as the premier metropolitan coastal tourism destination.

Aspiration C: *Quality Leadership*

Strategic Objective: *Community engagement and advocacy: An engaged and informed community that participates in local decision making and can rely upon the Council to advocate on its behalf when important issues challenge the best interests of the City and its residents.*

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.*

Strategic Objective: *Coastal and Bushland Reserves that are well used and sustainably managed preserving them for future generations to enjoy.*

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

Comments

The deferral of part (ii) of the Alternate Motion is consistent with the City's recommendations on Cr Stewart's previous Motions on this matter. That is, until the limitations of the proposed Class and Purpose on the existing and future landuses is confirmed, it is not possible to provide the Council with suitable advice.

The Department of Planning, Lands and Heritage (DPLH) is responsible for administering the *Land Administration Act 1997* which provides the statutory basis to the function and management of Crown Reserves. In this regard, an approach was made to DPLH on 29 May 2018, requesting advice on the implications of Reserve 48968 being 'Class A' with a 'Conservation Park' Purpose. The City has been actively following up this enquiry.

DPLH has since verbally advised that the matter has been elevated to the office of the Minister for Lands and that direction from the Minister's advisor is required prior to providing a response to the City. DPLH has not committed to a timeframe for providing this response.

Given that DPLH is responsible for administering the *Land Administration Act 1997*, its response is critical to informing any decision of Council. Therefore the City is not able to respond to the Alternate Motion and provide Council with advice on the implications of Reserve 48968 being 'Class A' with a 'Conservation Park' Purpose, until the advice is received from the DPLH.

Voting Requirements

Simple Majority

Officer Recommendation

That consideration of the Alternate Motion be **DEFERRED** pending advice from the Department of Planning Heritage and Lands on the implications of a 'Class A' Reserve and the 'Conservation Park' Purpose over Cape Peron on existing and future land use.

Alternate Motion from Cr Stewart

That Council **SUPPORTS** in principle the lobbying of State Government Departments to urgently establish a transparent and collaborative consultation process to determine the best and most sustainable long-term future use and management of Cape Peron that: aligns with the Minister of Environment's intent to convert Cape Peron Reserve (48968) into Class A, and vested for the purpose of "Conservation Park", as stated in the Rockingham Lakes Regional Park Management Plan (Department of Environment and Conservation 2010).

Planning and Development Services Statutory Planning Services



Reference No & Subject:	PD-039/18 Notice of Motion - Cape Peron - Conservation/Geo/Eco Park
File No:	LUP/805-08
Proponent/s:	Cr Lee Downham
Author:	Mr Peter Ricci, A/Director Planning and Development Services
Other Contributors:	
Date of Committee Meeting:	16 July 2018
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Advocacy
Site:	Cape Peron - Lot 4319 Boundary Road; Lots 700 and 1786 Hymus Street; Lots 2055 and 4357 Safety Bay Road; Lots 1, 2, 3, 5, 301, 303, 500, 501, 2058, 2152, 2956, 2193, 2196, 2301, 2328, 2733, 2374, 2642, 2732, 2733, 2734, 2804 and 3055 Point Peron Road, Peron
Lot Area:	Approximately 180ha
LA Zoning:	Parks and Recreation (Bush Forever Site 355); Ports Installation; Other Regional Road Reserve; Waterways Reserve
MRS Zoning:	Parks and Recreation (Bush Forever Site 355); Ports Installation; Other Regional Road Reserve; Waterways Reserve
Attachments:	
Maps/Diagrams:	Plan showing Reserve 48968

Purpose of Report

To provide Officer comment and advice to Cr Downham's Notice of Motion submitted for consideration at the June Ordinary meeting of Council, as follows:

"That Council:

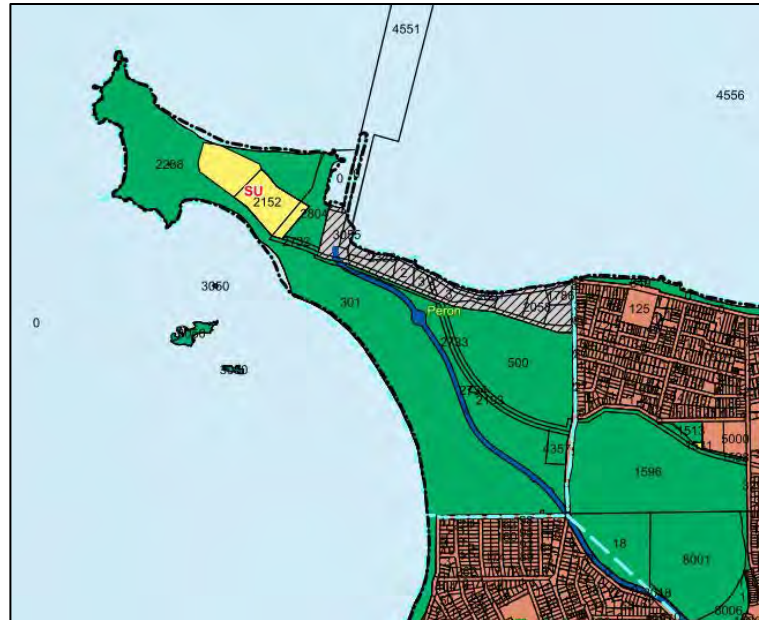
1. **DIRECTS** the CEO to produce a report of all possible options for a conservation/Geo/Eco park at Cape Peron. This should include all possible sources of revenue and economic development opportunities.
2. **DIRECTS** the CEO to put the best option from part one (selected by Council) into the Tourism strategy."

Background

Since the mid-1980's there have been a number of attempts to progress a marina at Cape Peron, east of the Garden Island Causeway.

The most recent proposal was the 'Mangles Bay Marina' which had been progressed since September 2009 when the State Government committed to seeking the necessary statutory approvals to allow the project to commence.

As part of the approvals process, a major Metropolitan Region Scheme (MRS) rezoning Amendment was initiated by the Western Australian Planning Commission (WAPC) for the project area and associated road reservations.



Extract from Metropolitan Region Scheme

On 1 March 2018, the Minister for Transport, Planning and Lands accepted the recommendation of the WAPC that the MRS Amendment not proceed, in effect refusing the application.

It was revealed through the 'Report on Submissions' issued by the WAPC that the MRS Amendment generated 496 submissions and that 67 parties took the opportunity to present their views to the WAPC's Hearings Committee. Of the submissions received, 430 were identified as objections to the proposal, 28 were in favour with the others being neutral.

The Hearings Committee, upon considering the content of the submissions and merits of the proposal, made an independent recommendation to the WAPC.

On 17 September 2017, the WAPC considered the report from the Hearings Committee and resolved not to support the MRS Amendment on the following grounds:

- (i) *The proposed scale and mix of land uses are incompatible with the planning of a connected and consolidated urban form which maximises the use of established and proposed infrastructure.*
- (ii) *The Stephenson-Hepburn Plan recognised the importance of Point Peron for recreational uses. The Rockingham Lakes Regional Park, which includes Lake Richmond, is an important link in a series of reserves and regionally significant bush land. The size and scale of the proposed development, particularly the residential component, is inconsistent with this intent.*
- (iii) *The proposal is inconsistent with State Planning Policy 2.8 – Bushland Policy for the Perth Metropolitan Region as it will result in the removal of approximately 44 ha of Bush forever Site 355. The remaining Bush Forever area is of a size and form that it is likely to negatively impact upon its ability to provide sustainable recreation and conservation outcomes in the locality.*
- (iv) *The proposal is inconsistent with State Planning Policy 2.6 - State Coastal Planning Policy as a satisfactory Coastal Hazard Risk Management Adaptation Plan for the proposal remains outstanding and coastal setback requirements have not been determined which is likely to affect the scope and scale of the proposal.*

- (v) *The proposal is inconsistent with draft State Planning Policy 4.1 – State Industrial Buffers (Amended) as it seeks to introduce odour sensitive land uses which may impact the on-going operation and potential expansion of the Point Peron WWTP. Further, no evidence has been provided that a reduction in the buffer requirements is possible and therefore to zone the land Urban Deferred would create a development expectation which is unlikely to be able to be realised.*
- (vi) *The proposal is inconsistent with Development Control Policy 1.8 – Canal Estates and Artificial Waterway Developments as the WAPC considers it critical that suitable marina management arrangements are reached prior to rezoning. Further to this, the City of Rockingham has significant concerns with marina management matters and there is no certainty that these can be resolved.*

As mentioned above, the Minister accepted the WAPC's recommendation.

In June 2018, upon considering an Alternate Motion from Cr Stewart, Council resolved as follows:

*“That Council **SUPPORTS** the lobbying of State Government Departments to urgently establish a transparent and collaborative consultation process to determine the best and most sustainable long-term future use and management of Cape Peron that aligns with the City's Community Strategic Aspirations for Environment and Tourism.”*

It was also resolved to defer consideration of the following, pending advice from the Department of Planning, Land and Heritage:

*“That Council **SUPPORTS** in principle the lobbying of State Government Departments to urgently establish a transparent and collaborative consultation process to determine the best and most sustainable long-term future use and management of Cape Peron that: aligns with the Minister of Environment's intent to convert Cape Peron Reserve (48968) into Class A, and vested for the purpose of “Conservation Park”, as stated in the Rockingham Lakes Regional Park Management Plan (Department of Environment and Conservation 2010).”*

The City was not able to respond to the Alternate Motion as the implications of Reserve 48689 being converted into 'Class A' with a 'Conservation Park' Purpose were not clear in the absence of advice from the Department of Planning, Land and Heritage.

Details

Cr Downham considers the Notice of Motion to be self-explanatory and has not provided any supporting comments or report. It was not discussed with City Officers prior to lodgement.

Implications to Consider

a. **Consultation with the Community**

Nil

b. **Consultation with Government Agencies**

Nil

c. **Strategic**

Community Plan

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

Aspiration A: *Tourism Lifestyle*

Strategic Objective: *Rockingham Beach Foreshore Precinct: A world-class foreshore precinct capitalising on its unique location and aspect, delivering quality leisure tourism experience through contemporary design, best practice facilities and seamless linkage between beach, parkland and tourism-based commercial, retail and food and beverage outlets.*

Coastal Facilities: A range of quality and contemporary leisure tourism facilities including a “major brand” hotel, marinas, boat ramps, jetties, boardwalks and foreshore parks that contribute to the City's reputation as the premier metropolitan coastal tourism destination.

Aspiration C: Quality Leadership

Strategic Objective: *Community engagement and advocacy: An engaged and informed community that participates in local decision making and can rely upon the Council to advocate on its behalf when important issues challenge the best interests of the City and its residents.*

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.*

Strategic Objective: *Coastal and Bushland Reserves that are well used and sustainably managed preserving them for future generations to enjoy.*

d. Policy

Nil

e. Financial

The process to determine options and undertake economic assessment will involve the City commissioning expert advice. It is not possible to provide an accurate forecast in the absence of a commission scope.

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 detailed above, upon considering an Alternate Motion from Cr Stewart, Council resolved to support *'the lobbying of State Government Departments to urgently establish a transparent and collaborative consultation process to determine the best and most sustainable long-term future use and management of Cape Peron that aligns with the City's Community Strategic Aspirations for Environment and Tourism.'*

Council also resolved to defer a second part to Cr Stewart's Alternate Motion, which requested support, in principle, *'the lobbying of State Government Departments to urgently establish a transparent and collaborative consultation process to determine the best and most sustainable long-term future use and management of Cape Peron that: aligns with the Minister of Environment's intent to convert Cape Peron Reserve (48968) into Class A, and vested for the purpose of "Conservation Park", as stated in the Rockingham Lakes Regional Park Management Plan (Department of Environment and Conservation 2010).'*

In the absence of advice from the Department of Planning, Land and Heritage, the implications of Reserve 48689 being converted into 'Class A' with a 'Conservation Park' Purpose were not clear.

Cr Downham's Notice of Motion recommends that the City commit resources to determine options for the use of Cape Peron under the guise of a 'Conservation/Geo/Eco Park' use along with all possible revenue sources and economic development opportunities.

The process suggested by Cr Downham is contrary to the actions contained within Council's resolution resulting from Cr Stewart's Alternate Motion. In this regard, Council has resolved that State Government Departments be requested to establish an inclusive process to determine the best and most sustainable long-term use of Cape Peron that aligns with key pillars of the Community Strategic Plan.

In essence, Cr Downham's Notice of Motion is circumventing the process being sought through the Council's June 2018 resolution and recommending that the City investigate options for specific uses at Cape Peron.

Cr Downham's Notice of Motion is not supported as it is contrary to the existing resolution of Council.

Voting Requirements

Simple Majority

Officer Recommendation

Cr Downham's Notice of Motion is not supported.

Notice of Motion from Cr Lee Downham

That Council:

1. **DIRECTS** the CEO to produce a report of all possible options for a conservation/Geo/Eco park at Cape Peron. This should include all possible sources of revenue and economic development opportunities.
2. **DIRECTS** the CEO to put the best option from part one (selected by Council) into the Tourism strategy.