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Your Ref: N/A

13 December 2017

SPP 5.4 Review,
Policy and Priority Initiatives,
Department of Planning, Lands and Heritage
Locked Bag 2506
PERTH WA 6001

Dear Sir/Madam

**SUBMISSION FROM THE CITY OF STIRLING TO WESTERN AUSTRALIAN
PLANNING COMMISSION ON DRAFT STATE PLANNING POLICY 5.4 – ROAD AND
RAIL NOISE**

Thank you for the opportunity to comment on the Draft State Planning Policy 5.4 Road and Rail Noise.

Please find attached the City of Stirling's submission as endorsed by Council at its meeting on 5 December 2017 (Council's Resolution Number 1217/042).

The key issues identified by the City is that the policy needs to be revised to recognise that high priority public transport corridors (activity corridors) need to be treated through built form that delivers mixed use development and active frontages that supports public transport.

The Perth Transport Plan identifies high priority public transport corridors/light rail corridors, including Beaufort Street, Wanneroo Road, Karrinyup Road, Scarborough Beach Road and Alexander Drive in the City of Stirling. These high priority public transport corridors are also identified in Perth and Peel @ 3.5 million as activity corridors. Many of these corridors actually carry more people during peak hour on buses than in cars.

Therefore the Policy must acknowledge that it is a requirement to have noise-sensitive land uses directly abutting these types of road to ensure that public transport and other active transport modes are maximised. The construction of physical noise barriers, particularly noise walls along high priority public transport corridors are incompatible with the objective of activating these roads and providing for public transport patronage.

Should you have any queries regarding this matter, please contact Wayne Zimmermann at the City of Stirling on 9205 8442.

Yours sincerely

Fraser Henderson
MANAGER CITY PLANNING

Draft State Planning Policy 5.4 – Road and Rail Noise and Implementation Guidelines

No.	Details of Changes	City Comment	Recommendation
1.	Section 2 – The draft Policy removes reference to noise impacts from freight handling operations and facilities.	No issue.	It is recommended that the change be supported.
2.	Section 4.1- The draft Policy includes specific trigger distances for the determination of the location and management of noise-sensitive land uses and/or development.	Support in principle the proposed changes as it provides a clearer direction on when to apply the policy however, the policy does not explain how the trigger distances were derived. Also there is a risk that the blanket application of these triggers as a precautionary measure could lead to the sterilisation of large strips of land from development until the required detailed noise assessment is undertaken.	It is recommended that the Policy be revised to include information on how the Trigger distances in the Policy were derived.
3.	Section 4.3 - The draft Policy increases the number of exemptions to the policy including retrospective noise from existing railways or roads, the development of single houses, and ground-borne vibration.	Support in principle however, a critical policy measure is the application of quiet house design requirements to mitigate the impacts of traffic noise which is dependent on local government encouraging landowners/proponents to do this. This is a weakness in the draft policy as a single house does not require development approval if it complies with the Residential Planning Codes and any relevant Local Planning Policy.	It is recommended that the Policy be revised to explain the application of quiet house design requirements are to be implemented given that such a requirement cannot be imposed by local government through its planning approval process for a single house if it complies with the Residential Planning Codes and any relevant Local Planning Policy.
4.	Section 5 - The draft Policy objectives changed	Support.	It is recommended that the change be

	to remove reference to freight handling operations and facilities and to ensure that noise impacts are addressed as early as possible in the planning process.		supported.
5.	Section 6 - The draft Policy measures apply the precautionary principle of avoidance where there is risk of future land use conflict. The measures however, also provide for situations where it is unavoidable to place noise-sensitive land use and/or development on transport corridors providing it can be adequately mitigated.	Query how 'adequately mitigated' will be determined as it implies that it is at the discretion of the proponent as to the type of mitigation used. Unless the Policy is revised to contain more specific direction it is likely that in most instances the outcome will be the provision of noise walls which results in very poor amenity and in the case of activity corridors prohibits activation of the street.	It is recommended that the WAPC provide in the Policy an explanation of what 'adequately mitigated' means and how it is achieved.
6.	Section 6.2 -The draft Policy includes the use of 'Noise Exposure Forecasting' to determine the likely noise impacts on noise-sensitive land use and/or development within the trigger distance of a specified transport corridor.	Support in principle the proposed change however, given the technical information contained in the in Noise Exposure Forecast Table and Worksheet of the Implementation and Guidelines and that Noise Exposure forecasting does not need to be completed by a suitably qualified professional acoustics engineer or consultants, there is risk of incorrect forecasting of the likely noise impacts on noise-sensitive land use and/or development within the trigger distance of a specified transport corridor.	It is recommended that the Policy be revised to either provide much clearer direction/steps on how to complete a Noise Exposure Forecast or require that this be completed by a suitably qualified professional acoustics engineer or consultant.

7.	Section 6.3 - Where it is determined that noise impacts on noise-sensitive land use and/or development within the trigger distances specified by the policy, the draft Policy introduces the need for a 'Noise Level Contour Map' to inform planning proposals on the likely impacts of transport noise on a site.	Support in principle the proposed change however, as a proponent does not require any training to complete a Noise Level Contour Map there is a risk that the mapping will be incorrect leading to planning proposals being supported in unsuitable locations.	It is recommended that the Policy be revised to either provide much clearer direction/steps on how to prepare a Noise Level Contour Map or require that this be prepared by a suitably qualified professional acoustics engineer or consultant.
8.	Section 6.4 - The draft Policy introduces the preparation of a Noise Management Plan in the early stages of the planning process to determine actual noise levels across a site and to demonstrate that a proposal can adequately mitigate the noise impacts through the use of noise attenuation measures. Such plans are to be prepared by a suitably qualified professional acoustics engineer or consultant.	Support, although the ability of the decision-making authority to assess a Noise Management Plan will depend on suitably qualified professional acoustics engineer or consultants being available to the authority.	It is recommended that the Policy be revised to outline the steps for assessing a Noise Management Plan as this will ensure that a consistent approach is taken.
9.	Section 7 - Implementation provisions have been included in the draft Policy which emphasise the need to consider noise at the earliest stages of the planning process. They also provide for discretion to be exercised by the decision-maker, subject to certain criteria being met, where it may not be reasonable or practicable for the noise criteria of the	Support in principle, although it is considered that in exercising discretion and applying the criteria, it is likely there will be inconsistency by decision makers resulting in some poor planning outcomes, particularly regarding the amenity of the built environment.	It is recommended that the criteria for decision makers be further developed to provide clearer direction on how to achieve the intent and objectives of the Policy and the assessment of the impact of proposed mitigation measures on the amenity of the built environment.

	policy to be met.		
10.	<p>Section 7 - The implementation section of the draft Policy includes details on what to consider in terms of noise impacts when preparing strategic planning documents such as:</p> <ul style="list-style-type: none"> • sub-regional frameworks and strategies; • local planning strategies; • region and local planning schemes and amendments; • structure plans and activity centre plans; and • subdivision and development. 	<p>On major roads the Policy and Implementation Guidelines focus on achieving a minimum separation distance for noise-sensitive land uses from noise sources. It is acknowledged that for some major roads (e.g. freeways, primary regional roads, primary freight roads) it is appropriate to have large buffers between noise sources and noise-sensitive land uses, including the use of landscaped bunds/noise walls.</p> <p>Other major roads however, are important public transport corridors and separation of noise-sensitive land uses from noise sources through use of landscaped bunds/noise walls along these corridors conflicts with achieving high patronage and an effective public transport system. While it is recognised that the design/setting of the buildings along these roads is critical in minimising the noise impacts, active land uses directly abutting the road significantly improve the performance of public transport</p> <p>The Perth Transport Plan for 3.5 million people and beyond (Perth and Peel) identifies high priority public transport corridors/light rail corridors, including;</p> <ul style="list-style-type: none"> ▪ Beaufort Street. ▪ Wanneroo Road. ▪ Karrinyup Road. ▪ Scarborough Beach Road. ▪ Alexander Drive. 	<p>It is recommended that the Policy be revised to clearly acknowledge that there are different outcomes depending on the type of road/transport corridor.</p> <p>High priority public transport corridors/light rail corridors are identified in the Perth Transport Plan, including Beaufort Street, Wanneroo Road, Karrinyup Road, Scarborough Beach Road and Alexander Drive. The draft Policy needs to be revised to identify these activity and public transport corridors and provide for the noise issues to be treated through built form that delivers mixed use development and active frontages in accordance the building design and configuration guidelines in the draft State Planning Policy 5.4 and Implementation Guidelines.</p> <p>The Policy should also be revised so that it doesn't promote the use of noise walls as the normal solution to dealing with noise impacts from poor planning design.</p>

		<p>Many of these corridors actually carry more people during peak hour on buses than in cars. Beaufort Street is now the busiest bus route in Perth per kilometre. The high patronage of Beaufort Street is because it has 5 kilometres of continuous mixed use development with activity throughout the day creating a safe and pedestrian friendly environment for bus passengers.</p> <p>These activity and public transport corridors need to be identified and the noise issues treated through built form that delivers mixed use development and active frontages in accordance the building design and configuration guidelines in the draft State Planning Policy 5.4 and Implementation Guidelines. Also the Policy needs to acknowledge that it is a requirement to have noise-sensitive land uses directly abutting these types of roads to ensure that public transport and other active transport modes are maximised. This would align the draft Policy with the Perth Transport Plan for 3.5 million people and beyond (Perth and Peel), activity corridors in Directions 2031 and Beyond and Central Sub-regional Framework documents.</p>	
11.	The draft policy also includes a provision for local government to prepare local planning policies to supplement or elaborate on measures associated with the implementation of the	No issue.	It is recommended that this change be supported.

	policy.		
12.	The draft policy requires that the advice of the State authority responsible for noise regulation is to be sought and considered by the decision-maker in the preparation and determination of all proposals outlined in the policy.	Support, although the draft policy needs to explain the weight given to such advice and how issues are to be resolved if the decision-maker doesn't agree with such advice.	It is recommended the Policy be revised to explain the weight given to advice from the State authority responsible for noise regulation and how issues are to be resolved if the decision-maker doesn't agree with such advice.
13.	Section 8 –The draft Policy includes combined definition of Noise-sensitive land use and/or development.	Support change however, query why the definition doesn't include aged care (aged or dependent persons dwelling) and family day care.	It is recommended that the definition in the Policy of Noise-sensitive land use and/or development include aged care (aged or dependent persons dwelling) and family day care.
14.	Section 8 – The draft Policy refers to the major roads and railways that the Policy applies to (identified on maps in appendix 9 of the Guidelines). It also defines upgrades to such roads and railways.	No issue.	It is recommended that the change be supported.

Draft Implementation Guidelines

1.	The Guidelines provide supporting information for decision-making authorities, planners, landowners/proponents, referral agencies and infrastructure providers to implement the Policy. This includes maps which specify the major road and rail networks in Western	No major issue although the Guidelines need to explain if there are any legal ramifications for using discretion for areas not subject to a region scheme and not applying the Policy for Primary Distributors in the State's hierarchy.	Recommend that the Guidelines be revised to explain if there are any legal ramifications for using discretion for areas not subject to a region scheme and not applying the Policy for Primary Distributors in the State's hierarchy.
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	Australia to which the policy applies.		
2.	<p>Section 2 of the Guidelines provides guidance as to if and when the policy applies including Table 1 which provides an overview of how the policy is addressed at each stage of the planning process. The Guidelines indicate that as a minimum, high-order strategic planning should clearly map the transport corridors to which the policy applies and the surrounding areas potentially impacted by transport noise. With respect to Schemes and Amendments, Structure Plans and Activity Centre Plans the Guidelines support the use of a Noise Exposure Forecast worksheet and/or a Noise Level Contour Map to facilitate the introduction or intensification of noise-sensitive land uses and/or development in areas likely to be affected by transport noise.</p> <p>At the subdivision and development stages the Guidelines specify that in the absence of a structure plan and/or noise assessment, the provision and /or intensification of noise-sensitive land use and/or development should be determined through an initial completion of a Noise Exposure Forecast worksheet.</p>	<p>There are limited details in the Guidelines on the level of mapping required for transport corridors and the process to capture this information.</p> <p>Furthermore the construction of physical noise barriers, particularly noise walls along transport corridors that are also serve as activity and public transport corridors will have major adverse impacts on the amenity and activation of such corridors and patronage of the public transport.</p> <p>Also there is no provision for the application of quiet house requirements through local planning schemes as a single house does not require development approval if it complies with the Residential Planning Codes and any relevant Local Planning Policy. Table 1 indicates that local government is responsible implementation of the quiet house requirements in a Local Development Plan through the building permit process. This can only be applied if a house doesn't comply with the Residential Planning Codes and any relevant Local Planning Policy.</p>	<p>Recommend that the Guidelines be revised to provide better details on the level of mapping required for transport corridors and the process to capture this information.</p> <p>The Guidelines should also be revised to ensure that the use of noise walls is not supported along activity and public transport corridors.</p> <p>Furthermore the Guidelines should be revised to explain how the quiet house requirements are to be implemented given that this can only be applied if a house doesn't comply with the Residential Planning Codes and any relevant Local Planning Policy.</p>

	Some more complex and large scale subdivision and development applications may require the preparation of a site-specific Noise Management Plan that may recommend physical barriers such as noise walls or earth bunds, and /or quiet house requirements.		
3.	Section 3 of the Guidelines sets out the key assessment and management tools of noise impacts to enable the implementation of the measures contained in the Policy. The tools include the application of noise criteria for noise-sensitive land use and/or development, noise level contour maps, noise exposure forecasting, and noise management plans.	Support in principle however, steps/instructions as to how to complete a Noise Exposure Forecast Worksheet are quite complicated and without training there is risk of a proponent incorrectly forecasting the likely noise impacts on noise-sensitive land use and/or development within the trigger distance of a specified transport corridor resulting in land uses and/or development being supported in unsuitable locations.	Recommend that the Guidelines be revised to either improve the steps/instructions in Appendix 1 of the Guidelines for completion of a Noise Exposure Forecast Worksheet or require that this be prepared by a suitably qualified professional.
4.	Section 4 of the Guidelines outlines the various ways to minimise noise from road and rail from the strategic planning stage to the detailed design at the development approval stage. These include the allocation of non-noise-sensitive land uses in the vicinity of transport corridors to provide physical separation from the noise source, the provision of noise walls or earth mounds/bunds to buffer the noise, building design and configuration to mitigate	This section of the Guidelines needs revision as it: <ul style="list-style-type: none"> encourages the use of noise walls as normal practice where a subdivision or development backs onto a major transport corridor. Such a mitigation measure should not be promoted as the normal solution to dealing with noise impacts along all transport corridors. Some transport corridors 	Recommend that the Guidelines be revised to ensure that the use of noise walls is not supported along activity and public transport corridors. Recommend that the Guidelines be revised to clarify how the quiet house requirements are to be implemented given that this can only be applied if a house doesn't comply with the Residential Planning Codes and

<p>noise for single and multi-story buildings, quiet house design requirements and management of noise at its source.</p>	<p>have been identified in strategic planning documents as important activity and public transport corridors and noise walls are incompatible with the objective of activating these roads and providing for public transport patronage.</p> <ul style="list-style-type: none"> • promotes the use of quiet house requirements to mitigate the impacts of traffic noise, which is dependent on local government encouraging landowners/proponents to do this. There is no provision for the application of quiet house requirements through local planning schemes as a single house does not require development approval if it complies with the Residential Planning Codes and any relevant Local Planning Policy. 	<p>any relevant Local Planning Policy.</p>
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