MINUTES
Planning and Engineering Services Committee Meeting
Held on Monday 15 September 2014 at 4:00pm
City of Rockingham Boardroom
# City of Rockingham
## Planning and Engineering Services Committee
### Meeting Minutes
#### Monday 15 September 2014

## CONTENTS

1. Declaration of Opening 4
2. Record of Attendance/Apologies/Approved Leave of Absence 4
3. Responses to Previous Public Questions Taken on Notice 5
4. Public Question Time 5
5. Confirmation of Minutes of the Previous Meeting 5
6. Matters Arising from the Previous Minutes 5
7. Announcement by the Presiding Person without Discussion 5
8. Declaration of Member’s and Officer’s Interest 5
9. Petitions/Deputations/Presentations/Submissions 5
10. Matters for which the Meeting may be Closed 5
   - Planning and Development Services Information Bulletin – September 2014 5
   - Engineering and Parks Services Information Bulletin – September 2014 5
12. Agenda Items – Planning and Engineering Services Committee 5
   - Planning and Development Services 12
     - PDS-068/14 Advisory Committee Membership - Review Appointments 12
     - PDS-069/14 Home Business: Personal Training and Remedial Massage (Renewal) 13
     - PDS-070/14 Proposed Joint Development Assessment Panel Application - Fuel Depot 29
     - PDS-071/14 Proposed Building Envelope Variation 43
     - PDS-072/14 Proposed Building Envelope Variation 53
     - PDS-073/14 Proposed Building Envelope Variation 61
     - PDS-074/14 Proposed Street Naming Theme - Paradiso Estate 69
     - PDS-075/14 Proposed Planning Policy No.3.2.9 - Development Policy Plan: Eastern Sector 74
     - PDS-076/14 Proposed Amendment No.141 to Town Planning Scheme No.2 – Introducing a new Primary Centre Urban Living Zone 88
   - Engineering and Parks Services 100
     - EP-033/14 Tender T14/15-22 – Period Supply, fit and repair tyres to trucks, heavy plant and equipment 100
     - EP-034/14 Tender T14/15-26 – Period Supply, fit and repair tyres to passenger, light commercial vehicles, trailers and mowers 104
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning and Development Services</td>
<td>118</td>
</tr>
<tr>
<td>PDS-068/14    Advisory Committee Membership - Review Appointments</td>
<td>118</td>
</tr>
<tr>
<td>13. Reports of Councillors</td>
<td>130</td>
</tr>
<tr>
<td>14. Addendum Agenda</td>
<td>130</td>
</tr>
<tr>
<td>15. Motions of which Previous Notice has been given</td>
<td>130</td>
</tr>
<tr>
<td>16. Notices of Motion for Consideration at the Following Meeting</td>
<td>130</td>
</tr>
<tr>
<td>17. Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
<td>130</td>
</tr>
<tr>
<td>18. Matters Behind Closed Doors</td>
<td>130</td>
</tr>
<tr>
<td>19. Date and Time of Next Meeting</td>
<td>130</td>
</tr>
<tr>
<td>20. Closure</td>
<td>130</td>
</tr>
</tbody>
</table>
1. Declaration of Opening

In the absence of the Chairperson the Chief Executive Officer assumed the Chair and declared the Planning and Engineering Services Committee Meeting open at 4.04pm, welcomed all present, and recited the Acknowledgement of Country. The Chief Executive Officer then called for nominations for the position of Acting Chairperson.

**Moved Cr Hill, seconded Cr Pease:**
That Cr Elliott be appointed Acting Chairperson for the meeting.

Carried – 5/0

The A/Chairperson assumed the Chair.

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

<table>
<thead>
<tr>
<th>2.1 Councillors</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Chris Elliott</td>
<td>A/Chairperson</td>
</tr>
<tr>
<td>Cr Ron Pease JP</td>
<td></td>
</tr>
<tr>
<td>Cr Deb Hamblin</td>
<td></td>
</tr>
<tr>
<td>Cr Allan Hill OAM JP</td>
<td></td>
</tr>
<tr>
<td>Cr Justin Smith</td>
<td>(Deputy for Cr Richard Smith)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.2 Executive</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Andrew Hammond</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Mr Rod Fielding</td>
<td>A/Director Planning and Development Services</td>
</tr>
<tr>
<td>Mr John Woodhouse</td>
<td>Director Legal Services and General Counsel</td>
</tr>
<tr>
<td>Mr Chris Thompson</td>
<td>Director Engineering and Parks Services</td>
</tr>
<tr>
<td>Mr Peter Ricci</td>
<td>Project Manager Keralup</td>
</tr>
<tr>
<td>Mr Brett Ashby</td>
<td>Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Mr Richard Rodgers</td>
<td>Manager Building Services (until 4.25pm)</td>
</tr>
<tr>
<td>Mr David Waller</td>
<td>Coordinator Statutory Planning</td>
</tr>
<tr>
<td>Ms Erika Barton</td>
<td>Projects Officer</td>
</tr>
<tr>
<td>Mr Scott Lambie</td>
<td>Manager Engineering Services</td>
</tr>
<tr>
<td>Mr Allan Moles</td>
<td>Manager Integrated Waste Services</td>
</tr>
<tr>
<td>Mr Kelton Hincks</td>
<td>Manager Asset Services (until 4.46pm)</td>
</tr>
<tr>
<td>Mr James Henson</td>
<td>Manager Parks Development</td>
</tr>
<tr>
<td>Ms Melinda Wellburn</td>
<td>PA to Director Planning and Development Services</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.3 Members of the Gallery:</th>
<th>3</th>
</tr>
</thead>
</table>

2.4 Apologies:

Cr Richard Smith
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2.5</strong></td>
<td><strong>Approved Leave of Absence:</strong> Nil</td>
</tr>
<tr>
<td><strong>3.</strong></td>
<td><strong>Responses to Previous Public Questions Taken on Notice</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td><strong>4.</strong></td>
<td><strong>Public Question Time</strong></td>
</tr>
<tr>
<td><strong>4.05pm</strong></td>
<td>The A/Chairperson invited members of the Public Gallery to ask questions.</td>
</tr>
<tr>
<td><strong>4.1</strong></td>
<td>Mr Nick Thompson, No.126 Penguin Road, Safety Bay - PDS-069/14 - Home Business: Personal Training and Remedial Massage (Renewal)</td>
</tr>
<tr>
<td></td>
<td>The A/Chairperson invited Mr Thompson to present his questions to the Planning and Engineering Services Committee. Mr Thompson asked the following question:</td>
</tr>
<tr>
<td></td>
<td>1. Are we able to defer this matter until next month?</td>
</tr>
<tr>
<td></td>
<td>The A/Chairperson advised that this is an item contained in tonight’s Committee agenda and will be considered later in the meeting.</td>
</tr>
<tr>
<td><strong>4.07pm</strong></td>
<td>There being no further questions the A/Chairperson closed Public Question Time.</td>
</tr>
<tr>
<td><strong>5.</strong></td>
<td><strong>Confirmation of Minutes of the Previous Meeting</strong></td>
</tr>
<tr>
<td></td>
<td>Moved Cr Hill, seconded Cr Hamblin:</td>
</tr>
<tr>
<td></td>
<td>That Committee <strong>CONFIRM</strong> the Minutes of the Planning and Engineering Services Committee Meeting held on 18 August 2014, as a true and accurate record.</td>
</tr>
<tr>
<td></td>
<td>Committee Voting – 5/0</td>
</tr>
<tr>
<td><strong>6.</strong></td>
<td><strong>Matters Arising from the Previous Minutes</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td><strong>7.</strong></td>
<td><strong>Announcement by the Presiding Person without Discussion</strong></td>
</tr>
<tr>
<td><strong>4.08pm</strong></td>
<td>The A/Chairperson announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.</td>
</tr>
<tr>
<td><strong>8.</strong></td>
<td><strong>Declarations of Members and Officers Interests</strong></td>
</tr>
<tr>
<td><strong>4.08pm</strong></td>
<td>The A/Chairperson asked if there were any interests to declare.</td>
</tr>
<tr>
<td></td>
<td>There were none.</td>
</tr>
<tr>
<td><strong>9.</strong></td>
<td><strong>Petitions/Deputations/Presentations/Submissions</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td><strong>10.</strong></td>
<td><strong>Matters for which the Meeting may be Closed</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td><strong>11.</strong></td>
<td><strong>Bulletin Items</strong></td>
</tr>
<tr>
<td></td>
<td>Planning and Development Services Information Bulletin – September 2014</td>
</tr>
<tr>
<td></td>
<td>Health Services</td>
</tr>
<tr>
<td>1.</td>
<td>Health Services Team Overview</td>
</tr>
<tr>
<td>2.</td>
<td>Human Resource Update</td>
</tr>
</tbody>
</table>
### 3. Project Status Reports

- **3.1 FoodSafe**
- **3.2 Industrial and Commercial Waste Monitoring**
- **3.3 Community Health and Wellbeing Plan**
- **3.4 Healthy Communities Initiative**
- **3.5 Health Promotion**
- **3.6 Mosquito Control Program**
- **3.7 Ocean Water and Storm Water Sampling**

### 4. Information Items

- **4.1 Mosquito-Borne Disease Notifications**
- **4.2 Food Recalls**
- **4.3 Food Premises Inspections**
- **4.4 Public Building Inspections**
- **4.5 Outdoor Public Event Approvals**
- **4.6 After Hours Noise and Smoke Nuisance Complaint Service**
- **4.7 Complaint - Information**
- **4.8 Noise Complaints - Detailed Information**
- **4.9 Building Plan Assessments**
- **4.10 Septic Tank Applications**
- **4.11 Demolitions**
- **4.12 Swimming Pool and Drinking Water Samples**
- **4.13 Rabbit Processing**
- **4.14 Hairdressing and Skin Penetration Premises**
- **4.15 Family Day Care Approvals**
- **4.16 Ranger Services**
- **4.18 Prosecutions**
- **4.19 Emergency Services**
- **4.20 Hydrant Maintenance**
- **4.21 Restricted Burning Period – Permits Issued**
- **4.22 Hazard Reduction Burns**
- **4.23 Volunteer Bush Fire Brigade/Emergency Services Training**
- **4.24 Managing Animals in Disasters**
- **4.25 Volunteer Employer Recognition Awards Nominations**
- **4.26 Volunteer Bush Fire Brigade and SES – Maintenance of Vehicles**
- **4.27 Social Media**
- **4.28 Community Engagement**
- **4.29 Meetings**
- **4.30 Changes to Emergency Services Levy (ESL) Boundaries**
- **4.31 Bush Fire Management Plans**
- **4.32 CRM**
- **4.33 Compliance**
- **4.34 Emergency Services Communications Strategy Committee – State Emergency Management Committee**
- **4.35 State Wide Standard Operating Procedure for Mobilisation of Bush Fire Brigades**
- **4.36 Fire Fighting Awards Finalist**

### Building Services

1. **Building Services Team Overview**
2. **Human Resource Update**
3. **Project Status Reports**
4. **Information Items**
   - **4.1 Monthly Building Permit Approvals - (All Building Types)**
4.2 Private Swimming Pool and Spa Inspection Program
4.3 Continued Service System – Where a Certificate of Design Compliance & Building Permit are Produced Individually
4.4 Demolition Permit
4.5 Permanent Sign Licence
4.6 Community Sign Approval
4.7 Temporary Sign Licence
4.8 Street Verandah Approval
4.9 Occupancy Permits
4.10 Strata Titles
4.11 Unauthorised Building Works (Section 51 of the Building Act)
4.12 Monthly Caravan Park Site Approvals
4.13 R Code Variations
4.14 Caravan Parks and Camping Grounds Legislation

**Strategic Planning and Environment**
1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Local Planning Strategy (LUP/1352)
   3.2 Water Campaign (EVM/56-02)
   3.3 Karnup District Structure Plan (LUP/1546)
4. Information Items
   4.1 Delegated Minor Change to Structure Plan
   4.2 Submission - Proposed Local Structure Plan for Wellard East - City of Kwinana
   4.3 MRS Amendment 1261/27 - Notice of Lifting of Urban Deferment - Lots 459-461, Pt Lots 462 and 463 Baldivis Road and Portion of Pug Road, Baldivis

**Statutory Planning**
1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 CouncilsOnline (Planning Products via the Web) formerly eDA
4. Information Items
   4.1 Land Use – Planning Enforcement
   4.2 Subdivision/Development Approvals and Refusals by the WAPC
   4.3 Notifications and Gazettals
   4.4 Subdivision Clearances
   4.5 Subdivision Survey Approvals
   4.6 Subdivision Lot Production
   4.7 Delegated Development Approvals
   4.8 Delegated Development Refusals
   4.9 Delegated Building Envelope Variations
   4.10 Subdivision/Amalgamation Approved
   4.11 Strata Plans
   4.12 Subdivision/Amalgamation Refused

**Planning and Development Directorate**
1. Planning and Development Directorate Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Primary Centre Centre Plan Implementation (LUP/137-08)
   3.2 Northern Smart Village Sector – Masterplan, Development Policy Plan and Scheme Amendment
Committee Recommendation

The Committee acknowledged the excellent responses Emergency Services received through its Social Media and also congratulated Mr Tristan Fernandes and Mr Jeff Bradbury on their letter of commendation from Burgess Design Group.

Moved Cr Pease, seconded Cr Hamblin:

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

Committee Voting – 5/0

Engineering and Parks Services Information Bulletin – September 2014

Engineering Services
1. Engineering Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Delegated Authority for approval of Directional Signage
   4.2 Delegated Authority for Thoroughfare Closures
   4.3 Engineering Services Design Projects 2014/2015
   4.4 Delegated Authority for approval of Engineering Drawings - Subdivisions
   4.5 Delegated Authority for acceptance of As-Constructed Engineering Drawings - Subdivisions
   4.6 Delegated Authority to approve the release of Bonds for private subdivisional works
   4.7 Handover of Subdivisional Roads
   4.8 Delegated Authority for the payment of Crossover Subsidies
   4.9 Mundijong Road Extension (Kulija Road) Project – Final Report

Engineering Operations
1. Engineering Operations Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Road Construction Program Roads to Recovery 2014/2015
   4.2 Road Construction Program Main Roads Direct Grant 2014/2015
   4.3 Road Construction Program Main Roads Grant 2014/2015
   4.4 Road Construction Program Federal Black Spot 2014/2015
   4.5 Road Construction Program State Black Spot 2014/2015
   4.6 Road Construction Program Municipal Works 2014/2015
   4.7 Road Renewal Program Municipal Works 2014/2015
   4.8 Road Resurfacing Program Municipal Works 2014/2015
   4.9 Footpath Construction Program Municipal Works 2014/2015
   4.10 Road Maintenance Program 2014/2015
   4.11 Passenger Vehicle Fleet Program 2014/2015
### Parks Development

1. Parks Development Team Overview
2. Human Resource Update
3. Project Status Reports
   - Golden Bay Shared Use Oval
   - Reef Place Reserve Development
   - Vegetation Prioritisation Review
   - Tamworth Hill Swamp, Revegetation
   - City Parks - Central Irrigation Management System
   - Safety Bay Foreshore Infrastructure Cash in Lieu (CIL) upgrades
   - Richmond Avenue Drainage Reserve Upgrade

### Information Items

1. Groundwater Monitoring
2. Mundijong Road Environmental Offsets
3. Climate Change Mitigation
4. Lake Richmond Heritage Listing
5. Lake Richmond Signage Strategy
6. Dixon Road Conservation Reserve AAG Funding
7. Warnbro Sound Tree Planting Project
8. Urban Water Management Referrals
9. Structure Plan Approval Referrals
10. Subdivision Approval Referrals
11. Development Application Referrals
12. Delegated Subdivision Public Open Space Practical Completion
13. Delegated Subdivision Public Open Space Handovers
14. Delegated Public Open Space Approvals
15. Memorial Seat Approvals

### Parks Operations

1. Parks Operation Team Overview
2. Human Resource Update
3. Project Status Reports
   - Beach Lookout Replacement - Secret Harbour Foreshore
   - Replace Footpath, Lookout Pad and Fencing to Lookout at Singleton Beach Foreshore
   - Limestone Access Footpath Upgrades – Warnbro Foreshore - Cote D’Azur Gardens, Dieppe Lane and Bayeux Avenue
   - Replace Foreshore Conservation Fencing - Rockingham
   - Replace Foreshore Conservation Fencing - Shoalwater
   - Replace Foreshore Conservation Fencing – Safety Bay
   - Install and Upgrade Conservation Fencing – Alf Powell Reserve (Greening Plan)
   - Secret Harbour Boulevard to Secret Harbour Foreshore – Limestone Emergency Vehicle Access Road
   - Kennedy Bay – Firebreak / Limestone Emergency Vehicle Access Road (Ocean Point Close – Long Beach Rise)
   - Singleton Foreshore Disability Access Footpath
   - Alf Powell Reserve – Install Formal Limestone Access Paths (Greening Plan)
   - Baldiivis Nature Reserve – Install Formal Limestone Access Paths (Greening Plan)
   - Play Equipment Replacements
3.14 Practice Cricket Net Upgrades – Shoalwater and Achiever Ovals  
3.15 Warnbro Foreshore – Lower Turf to Foreshore Footpath along Warnbro Beach Road

<table>
<thead>
<tr>
<th>4. Information Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1 Parks Maintenance Program 2014/2015</td>
</tr>
</tbody>
</table>

**Asset Management**

1. Asset Management Team Overview  
2. Human Resource Update  
3. Project Status Reports  
   3.1 Pavement Deterioration Modelling  
4. Information Items  
   4.1 Asset Management Improvement Strategy

**Building Maintenance**

1. Building Maintenance Team Overview  
2. Human Resource Update  
3. Project Status Reports  
   3.1 Waikiki Foreshore - Replacement LED Lighting  
   3.2 Anniversary Park - Upgrade of Poles, Luminaires and Switch Gear  
   3.3 Autumn Centre/Warnbro Library - HVAC replacements  
   3.4 Sepia Court Childcare - Replace Asbestos Fence  
   3.5 City of Rockingham Depot – Air Conditioning Installation  
4. Information Items  
   4.1 Building Maintenance  
   4.2 Graffiti Removal

**Procurement and Capital Projects**

1. Procurement and Capital Projects Team Overview  
2. Human Resource Update  
3. Project Status Reports  
   3.1 Coastal Management Consultants (Sand Drift/Erosion Problems)  
   3.2 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)  
   3.3 Lighting Consultants – (Technical Planning/Design, Underground Power)  
   3.4 Major Project Property Development Planning (Design Modifications/Tender Planning/Structural Testing)  
4. Information Items  
   4.1 Delegated Written Notification of Successful Tenders  
   4.2 Delegated Approval of Tenders by CEO  
   4.3 Delegated Release of Retention / Bank Guarantees  
   4.4 Shoalwater North Underground Power Project  
   4.5 2014/15 Public Area Lighting and Arterial Lighting  
   4.6 Lark Hill Wind Turbine  
   4.7 Bent Street Boat Launching Facility – Navigation Channel  
   4.8 Secret Harbour Surf Life Saving Club - Renovation  
   4.9 Val Street Jetty Design  
   4.10 Settlers Hill Toilet Installation (Grice Reserve)  
   4.11 Mike Barnett Sporting Complex Roof Replacement  
   4.12 Administration Building Upgrade of BMS  
   4.13 Currie Street Reserve Sports Floodlighting  
   4.14 City Centre Infrastructure Works Car Park Design and Construction  
   4.15 Anniversary Park Change Rooms  
   4.16 Lark Hill Sub Metering  
   4.17 Waikiki Toilet Roofing Rust Treatment  
   4.18 Administration Building Solar System
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4.19</td>
<td>Autumn Centre Solar System</td>
</tr>
<tr>
<td>4.20</td>
<td>Aqua Jetty Roof Replacement</td>
</tr>
<tr>
<td>4.21</td>
<td>Aqua Jetty Condensation Issue</td>
</tr>
<tr>
<td>4.22</td>
<td>Lions Park Upgrade</td>
</tr>
<tr>
<td>4.23</td>
<td>Recreational Boating Facilities Scheme Round 19 Grants</td>
</tr>
<tr>
<td>4.24</td>
<td>Coastal Adaptation and Protection Grant</td>
</tr>
<tr>
<td>4.25</td>
<td>Baldivis Reserve Public Toilet Replacement</td>
</tr>
<tr>
<td>4.26</td>
<td>Rockingham Day Care Centre Fire Panel Replacement</td>
</tr>
<tr>
<td>4.27</td>
<td>Lotteries House Replacement of Elevator</td>
</tr>
<tr>
<td>4.28</td>
<td>Administration Building Replacement of Elevator</td>
</tr>
<tr>
<td>4.29</td>
<td>Aqua Jetty Swimming Club Office</td>
</tr>
<tr>
<td>4.30</td>
<td>Proposed Coastal Management Plan</td>
</tr>
<tr>
<td><strong>Waste Services</strong></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Waste Services Team Overview</td>
</tr>
<tr>
<td>2.</td>
<td>Human Resource Update</td>
</tr>
<tr>
<td>3.</td>
<td>Project Status Reports</td>
</tr>
<tr>
<td>4.</td>
<td>Information Items</td>
</tr>
<tr>
<td>4.1</td>
<td>Kerbside collection</td>
</tr>
<tr>
<td>4.2</td>
<td>Bulk verge collection</td>
</tr>
<tr>
<td>4.3</td>
<td>Waste Diversion Percentage</td>
</tr>
<tr>
<td>4.4</td>
<td>Waste and Recycling Collection Round Changes</td>
</tr>
<tr>
<td>4.5</td>
<td>Disruption to Recycling Collection Service</td>
</tr>
<tr>
<td><strong>Millar Road Landfill and Recycling Facility</strong></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Millar Road Landfill and Recycling Facility’s Team Overview</td>
</tr>
<tr>
<td>2.</td>
<td>Human Resource Update</td>
</tr>
<tr>
<td>3.</td>
<td>Project Status Reports</td>
</tr>
<tr>
<td>3.1</td>
<td>Landfill access road off Mundijong Road</td>
</tr>
<tr>
<td>3.2</td>
<td>Cell construction – Cell 16</td>
</tr>
<tr>
<td>3.3</td>
<td>New leachate dams</td>
</tr>
<tr>
<td>4.</td>
<td>Information Items</td>
</tr>
<tr>
<td>4.1</td>
<td>Tip Passes</td>
</tr>
<tr>
<td>4.2</td>
<td>Landfill Statistics</td>
</tr>
<tr>
<td>4.3</td>
<td>Education and Promotion</td>
</tr>
</tbody>
</table>

---

**Committee Recommendation**

The Committee commended Mr James Henson and Mr Adam Johnston, Parks Operations on the excellent work being carried out at Lions Park.

**Moved Cr Hamblin, seconded Cr Pease:**

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

Committee Voting – 5/0

4.25pm - Mr Richard Rodgers, Manager Building Services departed the Planning and Engineering Services Committee meeting.
## 12. Agenda Items

### Planning and Development Services

#### Governance and Councillor Support

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-068/14 Advisory Committee Membership - Review Appointments</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>GOV/39-02</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>393</td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mrs Jelette Edwards, Governance Coordinator</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Peter Varris, Manager Governance and Councillor Support</td>
</tr>
<tr>
<td></td>
<td>Mr Gary Rogers, Manager Procurement and Projects</td>
</tr>
<tr>
<td></td>
<td>Mr Scott Lambie, Manager Engineering Services</td>
</tr>
<tr>
<td></td>
<td>Mr Greg Whip, Coordinator Emergency Services</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>15 September 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td></td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
</tr>
</tbody>
</table>

Note: With the consent of the Committee, the A/Chairperson deferred Item PDS-068/14 - Advisory Committee Membership - Review Appointments for discussion later in the meeting.
## Planning and Development Services
### Statutory Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-069/14 Home Business: Personal Training and Remedial Massage (Renewal)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2013.00000083.001</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>363 and 365</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Nick and Mrs Kelly Thompson</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr Nick and Mrs Kelly Thompson</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Craig Zanotti, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>15 September 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>June 2013 (SP-026/13)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 143 (No. 126) Penguin Road, Safety Bay</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>980m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Residential R15</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Urban</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Schedule of Submissions</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photo</td>
</tr>
<tr>
<td></td>
<td>3. 2013 Approved Floor Plan</td>
</tr>
<tr>
<td></td>
<td>4. 2014 Proposed Floor Plan</td>
</tr>
<tr>
<td></td>
<td>5. Photograph of car parking for Personal Training</td>
</tr>
<tr>
<td></td>
<td>6. Photograph of car parking for Remedial Massage</td>
</tr>
<tr>
<td></td>
<td>7. Photograph of Cardio Area in Living Room (Unauthorised)</td>
</tr>
<tr>
<td></td>
<td>8. Approved Parking Layout</td>
</tr>
<tr>
<td></td>
<td>9. Photograph of Customer Parking (Unauthorised)</td>
</tr>
<tr>
<td></td>
<td>10. Car Parking Layout</td>
</tr>
</tbody>
</table>
1. Location Plan

2. Aerial Photo

**Purpose of Report**

To consider an application for Planning Approval for a Personal Training and Remedial Massage Home Business at Lot 143 (No. 126) Penguin Road, Safety Bay.

**Background**

In June 2013, Council granted approval to an application to establish a Personal Training and Remedial Massage Home Business subject to the following conditions:
1. This approval is valid for a period of 12 months only, following which a fresh application for Planning Approval is required.

2. All amplified music must comply with the assigned noise levels under the Environmental Protection (Noise) Regulations 1997.

3. Noise associated with the Home Business must not be audible outside the premises.

4. All doors and windows in the training room are to be closed whilst personal training sessions occur.

5. A new crossover is to be constructed in the location marked in red on the approved plan, prior to the Home Business commencing. The crossover and parking bay is to be constructed, sealed, and drained to the satisfaction of the City.

6. Clients must only arrive and depart between the hours of 8:00am and 7:00pm Mondays to Fridays and 9:00am to 12 noon on Saturdays and not at all on Sundays and Public Holidays.

7. Personal Training and Remedial Massage activities must only operate from the designated rooms as shown on the approved plan and not at all in the backyard.

8. No parking by any client is to occur on the road pavement and verge area of Penguin Road at any time.

9. Clients must not attend the premises except by appointment only and, with an interval of at least 10 minutes between group client bookings.

10. No more than three clients are to attend the premises at any one time.

11. Only one sign measuring no more than 0.2 square metres is to be displayed.

Footnote:

(i) In regard to Condition No.1, the Proponent is advised that the approval is valid for a period of 12 months only to enable the City to monitor the impact of the proposed Home Business on neighbouring properties.”
3. 2013 Approved Floor Plan

Details

Original Application – 1 June 2014

The applicant initially lodged an application for approval with the layout of the businesses consistent with the 2013 Approved Floor Plan (refer to figure 3). The application included the two businesses which involved ‘personal training’ (operating in the family room) and ‘remedial massage’ (operating from a bedroom). The application was largely consistent with the previous approval considered by Council in June 2013. The application sought a minor modification to the proposed hours of operation to extend Saturday trading hours by an hour to finish at 1pm.

During a site inspection of the property, City Officers observed several areas of non-compliance and that the businesses were operating in contravention of the planning approval granted in June 2013. Subsequently, the operators modified the application to reflect current operations.

Modified Application – 21 June 2014

The modified application included a substantial increase in floor area from 39m² to 61.5m² – mainly through the unauthorised expansion of the ‘personal training’ operations into the dining room. The applicant sought to gain retrospective approval for the expansion, which included seven cardio exercise machines (see figure 7). The applicant also sought to obtain retrospective approval for the relocation of the ‘remedial massage’ to another room and the reconfiguration of car parking locations.

After review of the modified application, the City advised the applicant that the proposal was not consistent with TPS2 and PP3.3.10. The City advised that the reconfiguration was not supported and subsequently the applicant modified the application in an effort to achieve compliance with the requirements of the City.
Modified Application – 14 August 2014

Following discussions with the City, the applicant modified the proposal again in an attempt to achieve consistency with TPS2 and PP3.3.10. The layout is consistent with the 2013 Planning Approval in terms of the total floor area of the businesses. The changes are the parking reconfiguration, relocation of the ‘remedial massage’ to the study room and the extension of Saturday trading hours to 1pm (from 12 noon – see figure 4). A summary of the application is outlined below.

- Personal Training
  - Area of 28.6m²
  - Maximum of two clients attending at any one time
  - Located within the ‘living room’
  - Includes cable machines, free weights, one spin bike, one treadmill, squat rack

- Remedial Massage
  - 10m²
  - Relocation from the ‘bedroom’ to the ‘study’
  - One client at any one time

Days and Hours of Operation

<table>
<thead>
<tr>
<th></th>
<th>Mon</th>
<th>Tues</th>
<th>Wed</th>
<th>Thurs</th>
<th>Fri</th>
<th>Sat</th>
<th>Sun</th>
</tr>
</thead>
<tbody>
<tr>
<td>Days</td>
<td>8am-7pm</td>
<td>8am-7pm</td>
<td>8am-7pm</td>
<td>8am-7pm</td>
<td>8am-7pm</td>
<td>9am-1pm</td>
<td>Closed</td>
</tr>
</tbody>
</table>
4. 2014 Proposed Floor Plan
5. Carparking for Personal Training

6. Carparking for Remedial Massage

### Implications to Consider

a. **Consultation with the Community**

   The proposal was advertised to nearby and adjacent landowners for comment, for a period of 14 days. At the close of the advertising period, the City received one submission of objection. The submission is summarised below with a response from the applicant and comment by the City.

<table>
<thead>
<tr>
<th>Parking Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) Parking issues will eventuate and are above that expected for a residential area.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proponent’s Response:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consistent with last year, the parking has not changed with enough bays inside the boundary. For Personal Training, both vehicles will be parked down the side of the house and will arrive at the same time. For the remedial massage, one car will be parked in the approved area (not on the council verge).</td>
</tr>
</tbody>
</table>
**City's Comment:**
The current proposal does not change the demand generated by the Home Business, however, parking has been identified as an issue and customer vehicles have been observed parking on the verge in contravention of the Planning Approval. The applicant has reconfigured the parking arrangement, however, the City considers that the proposed arrangement will not function appropriately and may continue to have impacts on adjoining residents.

### Noise

**Submission:**
(iii) Noise generated from customer vehicles visiting the site.

**Proponent's Response:**
Noise management measures are in place as per last year’s approval. All doors and windows are closed in the gym area and rubber flooring is located in the gym to eliminate any noise from weights. No classes are conducted which would normally have loud music.

The car parking spaces are not located at the rear of the property and are alongside the side and near the front boundary so there is no noise issues as suggested in the submission.

**City's Comment:**
The operations of the ‘personal training’ is considered the only likely source of noise generation – either from weights or amplified music. When City Officers undertook an inspection, the business was observed in full operation. It was considered that the music did not exceed a level that would be experienced from solely a residential premises. It is considered that noise will not be an issue.

### Hours of Operation

**Submission:**
(ii) The hours outlined in the proposal do not comply with PP3.3.10.

**Proponent's Response:**
As stated, the only change from the original application is for an extra hour on Saturdays.

Hours of operation are currently 8:00am to 7:00pm Monday to Friday and Saturday 9:00am to 12:00pm. There is a significant demand for our services after 5:00pm. To have hours reduced to 5:00pm would have a significant financial impact on both businesses. The hours between 5:00pm and 7:00pm are a time when people are returning home from work.

The online booking system limits the number and clients per hour and ensures a 15 minute gap between clients. This ensures compliance in this regard.

**City's Comment:**
The hours of operation proposed vary from the 2013 Planning Approval, with an additional hour sought on Saturday. In the period between the new application being lodged, Council has adopted changes to PP3.3.10 with hours of operation being modified to restrict businesses to earlier finishing times. The policy was amended to address conflicts occurring within areas operating past a time deemed acceptable to neighbouring residents in a number of cases. The applicant has advised that the majority of clients attend the premises after 4:00pm which is their high-demand period.

### Scale of Operation

**Submission:**
(viii) The scale is not consistent with PP3.3.10 and is better suited to a commercial area.
Proponent’s Response:
The scale of the operation is the same as last year. Unlike a commercial operation, we operate on an appointment only basis with no group training or classes (maximum of two clients for personal training and one for massage per hour).
The numbers are significantly less than commercial gyms which operate on memberships and therefore have no limits for client numbers or time or frequency of visits. A maximum of 27 clients per day cannot be compared to commercial membership based gyms which have far more visits. Both aspects of our business would not be financially viable in a commercial environment and that is the reasons they are operated from our residence. We characterise our business as a boutique operation.

City’s Comment:
The proposal incorporates two businesses and the applicant has advised that the majority of clients visit the premises past 4:00pm – usually when people are returning home from work. This business is different to other home businesses approved by the City, which experience a steady flow of customers over a period of time, finishing by 5:00pm. PP3.3.10 has been amended to clarify that any applications for a Home Business operating from the same premises will be assessed on its merits based on compliance with the Policy and demonstration with TPS2. Applications must demonstrate that both a Home Occupation and Home Business can satisfactorily coexist without adversely affecting the amenity of the neighbourhood and will not involve any substantial overlap of clients or employees arriving and departing. This has not been adequately demonstrated.

b. Consultation with Government Agencies
Not Applicable

c. Strategic
Community Plan
This item does not address the Community’s Vision for the future, specifically the following Aspiration contained in the Community Plan 2011:

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

d. Policy
Planning Policy 3.3.10 Home Occupations and Home Businesses
PP3.3.10 identifies objectives and outlines criteria for proposed home occupations and home businesses.

“(a) To promote the orderly and proper development of land by making suitable provisions to guide applicants who wish to operate a Home Occupation or a Home Business from a dwelling;

(b) To secure the amenity, health and convenience of the neighbourhood through appropriate development requirements; and

(c) To provide for economic growth and employment opportunities by facilitating the development of home based businesses.”

An assessment of the application against the requirements of PP3.3.10 is summarised below:

<table>
<thead>
<tr>
<th>Required</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>The operation of more than one Home Occupation or Home Business or a combination of both a Home Occupation and Home Business will be carefully considered based upon the applicant demonstrating compliance with TPS2 and objectives of this Policy.</td>
<td>The applicant has not provided an adequate car parking layout.</td>
<td>No</td>
</tr>
</tbody>
</table>
### Required vs Provided

<table>
<thead>
<tr>
<th>Required</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Home Business to operate between the hours of:</td>
<td>Proposed hours of operation: Monday-Friday 8:00am-7:00pm and Saturday: 9:00am-1:00pm.</td>
<td>No</td>
</tr>
<tr>
<td>(a) 9:00am and 5:00pm on Mondays, Tuesdays, Wednesdays, Fridays and Saturdays;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) 9:00am and 7:00pm on Thursdays; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) not at all on Sundays and Public Holidays.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>When determining an application, the number of hours and/or days of clients visiting the premises or operation of a Home Occupation and Home Business may be limited, where it is necessary to protect the amenity of the surrounding area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum 15 minute appointment intervals to be provided between customer and client visits, unless there is adequate on-site car parking and the Home Occupation or Home Business is unlikely to affect the amenity of the neighbourhood.</td>
<td>The online booking system used by the applicant adequately addresses this requirement.</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>It has been observed on multiple occasions that the business is having an adverse impact on the amenity of neighbours due to customer parking on the verge/street.</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Also, the crossover which required to be constructed as a condition on the original Planning Approval has not been completed.</td>
<td>No</td>
</tr>
<tr>
<td>Does not employ more than 2 people not members of the occupier’s household.</td>
<td>Only two of the residents work in the Home Business.</td>
<td>Yes</td>
</tr>
<tr>
<td>Does not occupy an area greater than 50m².</td>
<td>The Home Business has been modified to comply with the floor area requirement.</td>
<td>Yes</td>
</tr>
<tr>
<td>Vehicular traffic to the site does not have an adverse effect on the amenity of the neighbourhood.</td>
<td>Same as mentioned above. It has been observed on multiple occasions that the business is having an adverse impact on the amenity of neighbours due to customer parking on the verge/street.</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Also, the crossover which required to be constructed as a condition on the original Planning Approval has not been completed.</td>
<td>No</td>
</tr>
</tbody>
</table>
The operation of a Home Business is only to be permitted within a dwelling or within the boundaries of a lot where it is satisfied that car parking is provided so as to adequately cater for the expected number of visitors attending the site at any one time and any employees, in addition to the bays associated with the dwelling on-site and does not result in traffic difficulties as a result of the inadequacy of parking.

Inadequate parking is provided. It is considered that tandem parking arrangements for the 'personal training' does not work for commercial operations and numerous options have been investigated with no acceptable solution provided.

One sign not exceeding 0.2m² in area.

A sign is displayed that does not exceed the area.

<table>
<thead>
<tr>
<th>Required</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>The operation of a Home Business is only to be permitted within a dwelling or within the boundaries of a lot where it is satisfied that car parking is provided so as to adequately cater for the expected number of visitors attending the site at any one time and any employees, in addition to the bays associated with the dwelling on-site and does not result in traffic difficulties as a result of the inadequacy of parking.</td>
<td>Inadequate parking is provided. It is considered that tandem parking arrangements for the 'personal training' does not work for commercial operations and numerous options have been investigated with no acceptable solution provided.</td>
<td>No</td>
</tr>
</tbody>
</table>

A sign is displayed that does not exceed the area.

Yes

e. **Financial**

Nil

f. **Legal and Statutory**

Town Planning Scheme No.2 (TPS2)

A Home Business is a discretionary (‘D’) use that is not permitted in the Residential Zone, unless the Council has exercised its discretion by granting Planning Approval.

Town Planning Scheme No.2 (TPS2) interprets a Home Business as follows:

"Home Business means an business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

(a) does not employ more than 2 people not members of the occupier’s household;
(b) will not cause injury to or adversely affect the amenity of the neighbourhood;
(c) does not occupy an area greater than 50 square metres;
(d) does not involve the retail sale, display or hire of goods of any nature;
(e) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair, or maintenance of motor vehicles; and
(f) does not involve the use of an essential service of greater capacity than normally required in the zone."

Clause 4.16.1 of TPS2 similarly states that Council shall only permit the operation of a Home Occupation within a dwelling or within the boundaries of a lot where it is satisfied that the operation:

“(i) does not employ more than 2 people not members of the occupier’s household;
(ii) will not cause injury to or adversely affect the amenity of the neighbourhood;
(iii) does not occupy an area greater than 50 square metres;
(iv) does not display a sign exceeding 0.2 square metres;
(v) does not involve the retail sale, display or hire of goods of any nature;
(vi) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
(vii) _does not involve the use of an essential service of greater capacity than normally required in the zone._

No employees that do not reside within the premises are proposed and no commercial vehicles would need to attend the premises. The advertising sign complies with the size restrictions of the Policy. It is considered that the application does not however comply with TPS2 as the City is not satisfied that the provisions of the Scheme can be achieved, specifically point (ii).

g. Risk

Risk Implications of Implementing Officer Recommendation

Low:

- There is the potential risk of the applicant lodging either a request for reconsideration to the City or an application for review to the State Administrative Tribunal if the applicant is aggrieved by conditions of Planning Approval.

Risk Implications of Not Implementing Officer Recommendation

Medium:

- There is the potential risk of the applicant lodging an application for review to the State Administrative Tribunal if the applicant is aggrieved by the decision of Council.

**Comments**

There are several concerns relating to the application which need to be considered by Council. These relate to the proposal not satisfying PP3.3.10 provisions, issues of non-compliance, whether the applicant can achieve compliance if approved and the likely safety and amenity impacts. These are summarised below.

**Scale of Operation**

The initial application for planning approval lodged in June 2014 included a total aggregate area of 37.5m², consistent with the 2013 Planning Approval. Upon a routine site inspection conducted by the City, it was identified that the area of the Home Business has increased (without approval from the City) to 61.5m². During a site inspection of the Home Business it was observed that the Personal Training use had been increased and accommodated several treadmills, cross trainers and exercise bikes in the dining room of the dwelling (see Figure 7 below).

7. Photograph of Cardio Area in Living Room (Unauthorised)
The applicant previously sought to include the additional area of the dining room as part of the Home Business, however, the City advised that the proposal was not consistent with PP3.3.10 (based on the size and scale). Following this, the applicant modified the proposal, consistent with the floor area of the 2013 Planning Approval.

The applicant has advised that some of the cardio equipment will be relocated into the gym area to be used by clients for personal training purposes. Several equipment items will be retained in the living room for ‘personal use’, including a treadmill, spin bike, rowing machine, cross-trainer and standard upright bike. The applicant has advised that these five machines will be used for personal use (to keep fit) as both landowners compete in numerous sporting events. The City is still concerned that this equipment could be used in association with the Home Business.

8. Approved parking layout

Car Parking
The City considers that the two businesses, which operate separately, cannot adequately accommodate all car parking on-site and in a manner safe to the public and without impacting the amenity of residents along Penguin Road. During a site inspection conducted by the City, it was observed that customer vehicles were being parked on the verge and not within the approved parking bay, located on-site (see figure 9 below). The applicant has advised that non-compliance has resulted from a lack of ease of access for clients and the matter of accommodating their own vehicles within the area identified.

The applicant has reconfigured the parking arrangement for the driveway into a tandem layout (refer to figure 10), however, these arrangements often do not work for non-residential purposes. The parking is inconvenient for customers and will eventually lead to parking occurring on the verge again, similar to what was observed. If verge parking continues, the traffic sight lines from neighbouring properties could be compromised. The residential streetscape amenity is also compromised as multiple vehicles would be parked on the verge for a prolonged period of time.
9. Photograph of unauthorised parking
Non-Compliance with existing Planning Approval

During the course of assessing the application, several issues of non-compliance relating to the previous conditions of approval were identified as follows:

- Construction of a sealed crossover and car parking bay.
- The businesses only operating from the designated rooms.
- No parking occurring on the road pavement and verge area.
- Car parking only occurring in the designated areas.

As various objections were raised by neighbours in the previous application to the City, approval was granted for a 12 month period to “enable the City to monitor the impact of the proposed Home Business on neighbouring properties”. Several of the conditions that were imposed to address concerns have not been complied with (as outlined above). In its course of deliberation, Council must consider whether the applicant is likely to or can achieve compliance with conditions if re-approval is granted.

Conclusion

It is considered that the application fails to comply with TPS2 and PP3.3.10. If approval were to be granted, the City considers that the amenity and safety of neighbours could be compromised. Whilst the applicant considers that the layout can adequately work, it has been demonstrated through issues of non-compliance observed by the City, that the proposal cannot work within the site constraints. It is therefore recommended that the proposal be refused.
### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **REFUSE** the application for planning approval for the ‘Personal Training’ and ‘Remedial Massage’ at Lot 143 (No.126) Penguin Road, Safety Bay, for the following reasons:

1. The scale and nature of the operation being inconsistent with the objectives and interpretation of Town Planning Scheme No.2 and Planning Policy 3.3.10 - Home Occupations and Home Businesses.

2. The proposed hours of operation fail to comply with Planning Policy 3.3.10 - Home Occupations and Home Businesses which if approved, is likely to adversely impact upon the amenity of the neighbourhood.

3. The proposal which includes two Home Based Businesses generates vehicular traffic to the site that has the potential to adversely affect the amenity of the neighbourhood.

4. The proposal which includes a revised tandem parking arrangement does not adequately cater for clients vehicles being parked on-site at any one time, which could lead to on-street parking, which is not permitted.

### Committee Recommendation

Moved Cr Hill, seconded Cr Hamblin:

That Council **DEFER** the application for planning approval for the ‘Personal Training’ and ‘Remedial Massage’ at Lot 143 (No.126) Penguin Road, Safety Bay, to enable the Proponents the opportunity to comply with the City's requirements for a Home Businesses.

Committee Voting – 5/0

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

To enable the Proponents the opportunity to comply with the City's requirements for a Home Business.

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

Not Applicable
<table>
<thead>
<tr>
<th>Planning and Development Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory Planning Services</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Reference No &amp; Subject:</strong></th>
<th><strong>File No:</strong></th>
<th><strong>Risk Register No:</strong></th>
<th><strong>Applicant:</strong></th>
<th><strong>Owner:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>PDS-070/14</td>
<td>DD020.2014.0000263</td>
<td>363 and 365</td>
<td>TPG Pty Ltd</td>
<td>Western Australian land Authority (Landcorp)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Author:</strong></th>
<th><strong>Other Contributors:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Miss Donna Shaw, Senior Planning Officer</td>
<td>Ms Erika Barton, Project Officer</td>
</tr>
<tr>
<td>Mr Bob Jeans, Director Planning and Development Services</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Date of Committee Meeting:</strong></th>
<th><strong>Previously before Council:</strong></th>
<th><strong>Disclosure of Interest:</strong></th>
<th><strong>Nature of Council’s Role in this Matter:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>15 September 2014</td>
<td></td>
<td></td>
<td>Executive</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Site:</strong></th>
<th><strong>Lot Area:</strong></th>
<th><strong>LA Zoning:</strong></th>
<th><strong>MRS Zoning:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 9002 and Lot 9003 Patterson Road, East Rockingham</td>
<td>6.8ha (lease area)</td>
<td>General Industry</td>
<td>Special Industrial</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Attachments:</strong></th>
<th><strong>Maps/Diagrams:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Responsible Authority Report</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td>2. Aerial Photo</td>
<td>3. Site Plan</td>
</tr>
<tr>
<td>4. Development Overlay on Aerial Photo</td>
<td>5. Site Layout (Isometric View)</td>
</tr>
</tbody>
</table>
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 20 OCTOBER 2014

1. Location Plan

2. Aerial Photo
**Purpose of Report**

To provide recommendations to the Metro South West Joint Development Assessment Panel (SWJDAP) on an application for a proposed Bulk Fuel Depot at Lot 9002 and Lot 9003 Patterson Road, East Rockingham.

**Background**

Nil

**Details**

The applicant is seeking approval for construction and operation of a Bulk Fuel Depot, which will include the following elements:

- Eight 15 megalitre capacity and two 16.5 megalitre capacity fuel tanks, located in bunded areas to contain accidental spillage of petroleum product;
- Pipework and associated mechanical equipment, including transfer pipelines form the subject site to the Kwinana Beach Bulk Cargo Jetty building via a 10m wide easement;
- Road and rail loading gantries;
- Rail sidings linking the proposed development into the existing road network;
- Vapour recovery system for the road loading gantry;
- Stormwater management control systems;
- Operation control areas, workshop and drivers/documents room;
- Administration office and amenities area;
- Carparking and landscaping areas.

The proposed development will operate in the following manner:

- Petroleum products will be imported from offshore refineries via long range oil tankers, with cargos of up to 85,000 tonnes;
- The products will be discharged at the Kwinana Beach Bulk Cargo Jetty into the pipeline owned by Fremantle Ports, before entering new proposed pipelines connecting the maniform at the jetty to the subject site;
- Product loading and distribution will occur 24 hours per day, with the Bulk Fuel Depot operating 7 days per week; and
- The petroleum products will be stored in above ground tanks until it is either loaded onto road tankers through a 4 bay fuel gantry or onto rail cars via a rail loading gantry.

For the purposes of this assessment, six 15ML tanks, 2/3rds of an additional 15ML tank and the rail loading arms are the only portions of the development within the City of Rockingham (CoR). The remainder of the proposed development is located within the City of Kwinana (CoK).

1 Correction of typographical error.
3. Site Plan

City of Kwinana

Local Government Boundary

City of Rockingham
4. Development Overlay on Aerial Photo
5. Site Layout (Isometric View)

**Implications to Consider**

a. **Consultation with the Community**
   Public consultation is not required pursuant to Town Planning Scheme No.2.

b. **Consultation with Government Agencies**
   The following service agencies were consulted:
   - Department of Environment Regulation;
   - Fremantle Ports;
   - Department of Fire and Emergency Services;
   - Department of Parks and Wildlife;
   - Department of Mines and Petroleum; and
   - Public Transport Authority.

   The following advice was received from the consulted agencies:

<table>
<thead>
<tr>
<th>1. Department of Parks and Wildlife (DPaW)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) DPaW considered that the proposal and any potential environmental impacts will be appropriately addressed through the existing planning framework and had no comments on the proposal.</td>
</tr>
<tr>
<td><strong>City’s Comment:</strong></td>
</tr>
<tr>
<td>The advice from DPaW is noted.</td>
</tr>
</tbody>
</table>
2. Department of Mines and Petroleum (DMaP)

Submission:
(i) DMaP supported the proposal provided the site is operated in accordance with the requirements of the Dangerous Goods Safety Act 2004 and associated Regulations. DMaP also advised that the operate will need to apply for a Dangerous Goods Site Licence and a Dangerous Goods Pipeline Registration under the Dangerous Goods Safety (Store and Handling of Non-explosives) Regulations 2007.

City’s Comment:
The advice from DMaP is noted.

c. Strategic

Community Plan

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

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

d. Policy

State Planning Policy 3.4 - Natural Hazards and Disasters (SP3.4)

The purpose of SP3.4 is to include planning for natural disasters in the preparation of statutory and non-statutory planning documents such as Town Planning Schemes and strategies, and to use planning as a mechanism to mitigate the impacts of natural disasters on the community, economy and environment.

The land is considered at risk of bushfire, given land to the north, south and southeast is undeveloped and contains bushland. In this respect, it is recommended that the applicant prepare and implement a Fire Management Plan in accordance with the Planning for Bushfire Protection Guidelines 2010 to ensure the development takes into account fire protection requirements to reduce the fire risk to life and property.

Statement of Planning Policy No. 4.1 – State Industrial Buffer Policy (SPP4.1)

The purpose of SPP4.1 is to provide a consistent State wide approach for the protection and long term security of industrial zones, transport terminals and other utilities and special uses. It also aims to provide for the safety and amenity of surrounding land uses, whilst having regard to the rights of landowner who may be affected by residential emissions and risk.

The objectives of SPP4.1 are as follows:

“(a) To provide a consistent Statewide approach for the definition and securing of buffer areas around industry, infrastructure and some special uses;

(b) To protect industry, infrastructure and special uses from the encroachment of incompatible land uses;

(c) To provide for the safety and amenity of land uses surrounding industry, infrastructure and special uses;

(d) To recognise the interests of existing landowners within buffer areas who may be affected by residual emissions and risks, as well as the interests, needs and economic benefits of existing industry and infrastructure which may be affected by encroaching incompatible land uses.”

The proposed development is within an existing defined industrial area and does not encroach into any specifically defined buffer areas. The proposed Bulk Fuel Depot is considered compatible and will complement existing industrial land uses in the area as the subject site is within an area that has been designated for general and heavy industrial land uses.
Planning Policy 3.3.8 – East Rockingham Development Guidelines (PP3.3.8)

The purpose of PP3.3.8 is to guide the orderly development of serviced industrial land within the East Rockingham Industrial Park (IP14 Area).

The objectives of PP3.3.8 are:

"(a) To achieve an attractive and unified development which acknowledges the goal of conserving and enhancing the natural environment by emphasising the retention of natural vegetation and the introduction of complementary quality landscaping and well designed buildings;

(b) To achieve a degree of consistency and compatibility in the built form and landscaping, whilst allowing for individuality and a well presented corporate or market image; and

(c) To avoid unsightly and poorly planned development and enhance and protect the investment of all owners within the East Rockingham Industrial Park and the investment of others in the region."

Natural vegetation on the site will be lost as a result of the proposed development, which was anticipated when the land was zoned for industrial purposes. The proposed development is however, located over portions of the site that are largely devoid of natural vegetation. To conserve as much vegetation on site as possible, a condition requiring grasstrees identified for removal to be relocated and the protection of vegetation not identified for removal is recommended should the application be approved.

Whilst there are no other Fuel Depots within the ERIA, the design of the proposed storage tanks is consistent with existing grain and storage tank developments within the vicinity of the subject site and the proposed development is compatible with the existing built form of the locality.

The proposed development is well designed and the applicant has demonstrated that the environmental impacts associated with the development can be wholly contained onsite. The proposed development not considered to have adverse impacts on existing landowners within the ERIP.

Planning Policy 7.1 – East Rockingham Industrial Park – Environmental Planning Policy (PP7.1)

The objective of PP7.1 is to establish guiding principles and policies for the environmental acceptability of industrial development on industrial zoned land within the City of Rockingham, predominantly within the IP14 area. PP7.1 utilises the following categories for assessment against minimum requirements for development proposals:

- Air Quality;
- Risks and Hazards;
- Noise;
- Water Quality; and
- Social Environment.

The applicant, through SKM, has reviewed the development proposal in relation to odour emissions. The proposed development is compliant with EPA recommended buffer distances between industrial and sensitive land uses (300-500m for fuel storage tanks greater than 2000 tonnes in capacity) within the CoR.

The applicant has also engaged the services of Acor to prepare a Hazard Analysis of the proposed development to assess potential risks and hazards. Acor has demonstrated that the proposed development meets the relevant risk criteria.

On behalf of the applicant, Herring Storer Acoustics has demonstrated that the proposed development can comply with the provisions of the Environmental Protection (Noise) Regulations 1997.

The applicant, through Water Technology, has also prepared a Surface Water Management Plan, which proposes a combination of infiltration trenches, basins and bunds and the use of fuel/oil separators prior to infiltration to manage stormwater.
The applicant has advised that water quality treatment to best practice standards will be provided in the upper layer of the soil before the infiltrated stormwater reaches the groundwater, to ensure protection of groundwater quality.

The proposed development is considered to have negligible impacts on the social environment, with the exception that the proposed development will result in employment opportunities during the construction and operate phases of the development.

The proposed development is considered to meet the requirements of PP7.1

**Planning Policy 7.3 - Cockburn Sound Catchment (PP7.3)**

The objective of PP7.3 is to protect and improve the marine waters of Cockburn Sound by minimising contaminant inputs (particularly nutrients) from different land use sources. PP7.3 utilises the following categories for assessment against minimum requirements for development proposals:

- Nutrient Loading;
- Nutrient Intensive Land Uses;
- Nutrient Retentive Effluent Disposal Systems;
- Stormwater Management; and
- Native Vegetation and Wetland Management.

The proposed development is not considered to be a nutrient intensive land use and will not result in nutrient loading.

Whilst the proposed development will require an effluent disposal system to service the office, this component is located within the CoK. The CoK is a signatory to PP7.3 and therefore the effluent disposal system will be assessed against the requirements of PP7.3 by CoK.

As previously mentioned, the applicant, through Water Technology, has prepared a Surface Water Management Plan, which has demonstrated that protection of groundwater quality can be achieved.

As previously noted, the proposed development is located over portions of the site that are largely devoid of natural vegetation. No wetlands exist over the subject site.

The proposed development is considered to meet the requirements of PP7.3.

e. **Financial**

Nil

f. **Legal and Statutory**

**Clause 3.2 - Zoning Table**

The proposed development is classed as a ‘Fuel Depot’ under TPS2. A Fuel Depot is a 'D' use within the General Industry zone, which means that the use is not permitted unless Council has exercised its discretion by granting Planning Approval.

**Clause 4.10.1 – Objectives**

The subject site is zoned 'General Industry'. The objectives of the Industrial zones are:

“(a) to provide for a range of industrial land uses by establishing guiding principles and policies that are environmentally and socially acceptable;

(b) to encourage and facilitate the establishment of attractive and efficient industrial areas ensuring that acceptable levels of safety and high standards of amenity are provided through the application of appropriate landuse, design and landscaping controls; and

(c) to ensure that industrial areas are developed in a manner which has due regard to potential industries and their infrastructure needs, and that adjacent urban areas are not subjected to pollution and hazards.”

The City has existing planning policies relating to the environmental and social acceptability of proposed developments which the proposed development has been assessed against within the Policy section of this report.
The design of the proposed development is considered to result in efficient use of industrial land, with the site being fenced, illuminated and operated at all times to ensure security.

The proposed development will assist in servicing future industrial land uses within the area. Despite there being no residential areas within the vicinity of the subject site, the applicant has undertaken risk and odour assessments to demonstrate the proposed development will not adversely impact the amenity of urban areas within the Rockingham and Kwinana localities.

Clause 4.10.2 – Form of Development

The Council is required to have regard to the following when considering an application for planning approval on industrial zoned land:

"(a) promotion of a high standard of building development, landscaping and working environment;
(b) protection of the amenity of adjacent residential and open space areas;
(c) management of drainage systems and land uses to promote groundwater conservation; and
(d) to ensure safe movement of vehicular and pedestrian traffic in the area."

The context of the surrounding locality is for general and heavy industrial land uses, with surrounding vacant land also zoned for industrial purposes. The proposed development of a Fuel Depot is therefore considered compatible with the existing context of the locality and would not adversely impact on the amenity of the locality.

The management of drainage systems and groundwater conservation and the movement of traffic has been further discussed in the Policy and Planning Assessment sections of this report respectively.

Clause 4.10.3 – Parking

TPS2 requires the provision for the on-site parking of vehicles for all development on industrial zoned land in accordance with the provisions of Clause 4.15 and Table No.2.

There is no carparking requirement listed in Table No.2 for a Fuel Depot. The office is the only portion of the proposed development that would require the provision of carparking under TPS2. The office is located within the CoK boundaries and therefore the carparking requirements will be subject to the requirements of the CoK Town Planning Scheme.

Clause 4.10.4 - General Development Provisions

Clause 4.10.4 provides development guidelines on all industrial zoned land within the City. They are outlined below and considered in relation to the proposed development.

<table>
<thead>
<tr>
<th>General Development Requirement as per TPS2</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Facade</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The facades of all buildings visible from the primary road or open space area shall be of masonry construction or any other material approved by the Council in respect of the ground floor level, provided that if concrete panels are used, such panels must have an exposed aggregate or textured finish. The second floor level, or its equivalent may be constructed of any other material in accordance with the Building Code of Australia and to the satisfaction of Council.</td>
<td>No buildings as part of the proposed development are located within the CoR boundaries.</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Fencing

No fence visible from a road or open space reserve shall be constructed of materials/colours which in the opinion of Council are unsightly or detract from the amenity of the locality, or be used for signage where the approval of the Council has not been granted. Any industrial (eg. chain wire) fencing forward of the street building setback line shall be landscaped to the satisfaction of the Council.

A 2.4m galvanised fence with 3 rows of barbed wire on the lot boundary is proposed. Fencing facing the road will be black. No signage on fencing is proposed.

Yes

Use of Building Setback Area

No use of the area between the street alignment and the prescribed building setback line shall be permitted other than for landscaping, or for pedestrian and vehicular circulation and parking, except that not more than 20% of the setback area may be used for trade display purposes, to be approved at the discretion of the Council.

No portion of the proposed development between the street alignment and the building setback line is within the CoR boundaries.

N/A

Clause 4.10.9 - General Industry Zone

Clause 4.10.9 provides setback and landscaping requirements for developments within the General Industry Zone.

The following is an assessment of the proposed development against these requirements:

<table>
<thead>
<tr>
<th>Required Element</th>
<th>Provided</th>
<th>Compliant</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setback</strong></td>
<td>A setback of 220m to the 2 tank within the CoR boundaries from Kwinana Beach Road has been provided.</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Landscaping</strong></td>
<td>No portion of the development within the CoR boundaries is adjacent a street frontage.</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Clause 6.6 – Matters to be considered by the Council

Clause 6.6 outlines the matters to which Council is to have due regard as required to an application. Where relevant, these are discussed in the Planning Assessment section of this report.

Clause 6.6(i) - Land Use Capability:

Clause 6.6(i) of TPS2 requires the Council to give due regard to the compatibility of a use or development with its setting.

Given the surrounding land is also zoned for industrial purposes, the proposed development is considered compatible with existing and future industrial land uses. The applicant has demonstrated that impacts associated with the proposed development can be contained on site.

2 Correction of typographical error.
g. Risk

Risk Implications of Implementing Officer Recommendation

Low:

- There is the potential risk of the applicant lodging either a request for reconsideration of a condition or an appeal to the State Administrative Tribunal if aggrieved by a condition of Planning Approval.

Risk Implications of Not Implementing Officer Recommendation

Medium:

- There is the potential risk of the applicant being aggrieved by a refusal of Planning Approval lodging an appeal to the State Administrative Tribunal.

Comments

Traffic:

The applicant, through SKM, has prepared a Transport Statement to assess the impact the proposed development will have on the local road network in the context of the existing capacity of the proposed route. The Traffic Statement concluded that the traffic impact generated by the proposed Fuel Depot is not likely to significantly increase traffic delays at the intersection of Kwinana Beach Road and Patterson Road, which is the only intersection relevant to the assessment of the application by the CoR.

Conclusion:

The proposed development is compliant with TPS2 and Policy requirements.

In this regard, it is recommended that the application be conditionally approved.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ADOPT** the Responsible Authority Report for the proposed Fuel Depot at Lot 9002 and Lot 9003 Patterson Road, East Rockingham, as contained as Attachment 1 as the as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel (SWJDAP) pursuant to Regulation 12(2) of the **Planning and Development (Development Assessment Panels) Regulation 2011**, which recommends:

"That the Metro South-West JDAP resolves to:

**Approve** DAP Application reference DAP/14/00583 and accompanying plans Kwin-L-0003, Kwin-L-0004, Kwin-L-0006, Kwin-L-0018, Kwin-L-0019, in accordance with Clause 6.7.1(a) of the City of Rockingham Planning Scheme No.2 and Clause 30(1) of the Metropolitan Region Scheme, subject to the following conditions:

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

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

3. All stormwater generated by the development shall be designed to be contained on-site and certified by a hydraulic engineer, prior to the application for a Building Permit. The design shall be implemented and maintained for the duration of the development.

4. Grasstree plants (XANTHORRHOEACEAE family) must be retained (unless specifically identified for removal on the approved plans) and, during the construction period, measures for their retention must be taken in accordance with Australian Standard AS 4970—2009, *Protection of trees on development sites.*"
Arrangements must be made to the satisfaction of the City for grasstree plants that are specifically identified for removal to be relocated, prior to applying for a Building Permit.

5. A Fire Management Plan prepared in accordance with the WAPC's *Guideline Planning for Bushfire Protection Edition 2, May 2010* is to be approved by the City of Rockingham prior to applying for a Building Permit. The measures outlined in the approved Fire Management Plan are to be installed and implemented for the duration of the development.

**Advice Notes**

1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application, a new application for Planning Approval must be submitted to the City.

2. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the storage tanks; the applicant should liaise with the City's Building Services in this regard.

3. The development must comply with the *Environmental Protection (Noise) Regulations 1997*; contact the City's Health Services for information on confirming requirements."

**Committee Recommendation**

Moved Cr Pease, seconded Cr Hill:

That Council **ADOPT** the Responsible Authority Report for the proposed Fuel Depot at Lot 9002 and Lot 9003 Patterson Road, East Rockingham, as contained as Attachment 1 as the as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel (SWJDAP) pursuant to Regulation 12(2) of the *Planning and Development (Development Assessment Panels) Regulation 2011*, which recommends:

"That the Metro South-West JDAP resolves to:

**Approve** DAP Application reference DAP/14/00583 and accompanying plans Kwin-L-0003, Kwin-L-0004, Kwin-L-0006, Kwin-L-0018, Kwin-L-0019, in accordance with Clause 6.7.1(a) of the City of Rockingham Planning Scheme No.2 and Clause 30(1) of the Metropolitan Region Scheme, subject to the following conditions:

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

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

3. All stormwater generated by the development shall be designed to be contained on-site and certified by a hydraulic engineer, prior to the application for a Building Permit. The design shall be implemented and maintained for the duration of the development.

4. Grasstree plants (XANTHORRHOEACEAE family) must be retained (unless specifically identified for removal on the approved plans) and, during the construction period, measures for their retention must be taken in accordance with Australian Standard AS 4970—2009, *Protection of trees on development sites.*

Arrangements must be made to the satisfaction of the City for grasstree plants that are specifically identified for removal to be relocated, prior to applying for a Building Permit.

5. A Fire Management Plan prepared in accordance with the WAPC's *Guideline Planning for Bushfire Protection Edition 2, May 2010* is to be approved by the City of Rockingham prior to applying for a Building Permit. The measures outlined in the approved Fire Management Plan are to be installed and implemented for the duration of the development.

**Advice Notes**

1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application, a new application for Planning Approval must be submitted to the City.
2. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the storage tanks; the applicant should liaise with the City's Building Services in this regard.

3. The development must comply with the *Environmental Protection (Noise) Regulations 1997;* contact the City's Health Services for information on confirming requirements.

Committee Voting – 5/0

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

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

**Statutory Planning Services**

<table>
<thead>
<tr>
<th><strong>Reference No &amp; Subject:</strong></th>
<th><strong>PDS-071/14  Proposed Building Envelope Variation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>File No:</strong></td>
<td>DD24.2014.0000014.001</td>
</tr>
<tr>
<td><strong>Risk Register No:</strong></td>
<td>363 and 365</td>
</tr>
<tr>
<td><strong>Applicant:</strong></td>
<td>Mr K Wade</td>
</tr>
<tr>
<td><strong>Owner:</strong></td>
<td>Mr K and Mrs K Wade</td>
</tr>
<tr>
<td><strong>Author:</strong></td>
<td>Mr Greg Delahunty, Planning Officer</td>
</tr>
<tr>
<td><strong>Other Contributors:</strong></td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td><strong>Date of Committee Meeting:</strong></td>
<td>15 September 2014</td>
</tr>
<tr>
<td><strong>Previously before Council:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Disclosure of Interest:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Nature of Council’s Role in this Matter:</strong></td>
<td>Tribunal</td>
</tr>
</tbody>
</table>

**Site:**

<table>
<thead>
<tr>
<th><strong>Lot Area:</strong></th>
<th>2,035m²</th>
</tr>
</thead>
</table>

**LA Zoning:**

<table>
<thead>
<tr>
<th><strong>MRS Zoning:</strong></th>
<th>Special Residential</th>
</tr>
</thead>
</table>

**Attachments:**

<table>
<thead>
<tr>
<th><strong>Maps/Diagrams:</strong></th>
<th>1. Location Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2. Aerial Photograph</td>
</tr>
<tr>
<td></td>
<td>3. Approved Building Envelope</td>
</tr>
<tr>
<td></td>
<td>4. Proposed Building Envelope Plan</td>
</tr>
<tr>
<td></td>
<td>5. Consultation Plan</td>
</tr>
</tbody>
</table>
1. Location Plan

Subject Site
2. Aerial Photograph
**Purpose of Report**

To consider an application to vary the approved Building Envelope at Lot 111 (7) Lipscombe Close, Golden Bay.

**Background**

Lot 111’s approved Building Envelope is set back 9.5m from the eastern side boundary, 4.32m from the rear boundary, 4.32m from the western side boundary and 16.55m from the Street (Lipscombe Close) boundary. The approved Building Envelope is approximately 760m² in area.

The subject lot is generally devoid of significant vegetation except for three mature Tuarts located to the eastern side of the existing house outside of the approved Building Envelope. The topography of the lot slopes gently from the front to the rear.
Details

The applicant seeks approval to remove a 64.96m² portion from the south western corner of the Building Envelope and attach a 59.36m² portion to the south eastern side. This will result in the Building Envelope decreasing in size by 5.6m².

The proposal will facilitate the construction of a shed in the south eastern section of the lot. There are a number of small shrubs and a garden bed in the location of the proposed addition to the Building Envelope. The applicant has provided the following justification for the proposal:

- The proposal will allow the construction of a shed with side access; and
- There will be no negative impact on the environment as the vegetation will be relocated on the property.
4. Proposed Building Envelope Plan
Implications to Consider

a. Consultation with the Community

In accordance with Clause 6.3.3 of Town Planning Scheme No.2 (TPS2) and Planning Policy 3.3.17 – Variations to Building Envelopes, Council may vary a Building Envelope, at its discretion, following consultation with adjoining owners. The proposal was referred to seven nearby and adjacent property owners and occupiers for a period of 14 days as shown on the Consultation Plan. At the close of the advertising period, no submissions were received.

b. Consultation with Government Agencies

Not Applicable

c. Strategic

Community Plan

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

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

d. Policy

Planning Policy 3.1.1 – Rural Land Strategy (PP3.1.1)

The purpose of the PP3.1.1 is to provide the Council with a planning framework for the assessment of applications to rezone, subdivide, manage and develop land within the rural areas of the City.
The subject site is located within Planning Unit 3 which has considerable visual character and contains important natural elements, valued by the local community, which it is desirable to maintain.

The objective of Planning Unit 3 is to encourage special rural/special residential development which is compatible with the land capability of the Quindalup dune system and that subdivision and development accords with the recommendations of the City’s Visual Landscape Evaluation.

Assessment of the application against the requirements of PP3.1.1:

<table>
<thead>
<tr>
<th>Required</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provision of a reticulated water supply for lots less than 2 hectares in area. The optimum method of water supply being provided as determined by WRC.</td>
<td>Not applicable as the lot is already developed.</td>
<td>N/A</td>
</tr>
<tr>
<td>No clearing being permitted without the specific approval of Council.</td>
<td>This will be a condition of future development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>Provision of an Aerobic Treatment Unit (ATU) for effluent disposal purposes.</td>
<td>This will be a condition of future development approval.</td>
<td>N/A</td>
</tr>
<tr>
<td>Buildings to be located within Building Envelope.</td>
<td>Future development will be required to be located within approved Building Envelope.</td>
<td>Yes</td>
</tr>
<tr>
<td>No clearing of setback area except for the purposes of a firebreak or for vehicular access as approved by Council.</td>
<td>This will be a condition of future development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>Development affecting wetlands to comply with provisions of Environmental Protection (Swan Coastal Plain Lakes) Policy 1992.</td>
<td>There are no wetlands affecting this lot.</td>
<td>N/A</td>
</tr>
<tr>
<td>Subdivision/development proposals are to include a landscaping plan detailing a proposed tree planting programme.</td>
<td>This will be a condition of future development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>Development shall be of a scale that minimises intrusion into the landscape.</td>
<td>The restriction of development to the Building Envelope will ensure that future development is of a scale that is considered appropriate for a rural area.</td>
<td>Yes</td>
</tr>
<tr>
<td>Cut and fill activities to not degrade the natural landform (particularly of the dunes) and to ensure that important vegetation (particularly Tuart trees) can be successfully retained within the site.</td>
<td>Cut and fill activities will be minimised as the topography of the lot is generally flat.</td>
<td>Yes</td>
</tr>
<tr>
<td>Fire Management is to be addressed in accordance with the Western Australian Planning Commission Planning for Bushfire Protection Guidelines – Edition 2 (May 2010).</td>
<td>There is no Fire Management Plan (FMP) applicable to the subject lot however, there is sufficient area to install firebreaks in accordance with the City’s Firebreak notice.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Planning Policy 3.3.17 – Variations to Building Envelopes (PP3.3.17)

The purpose of the PP3.3.17 is to set out the objectives and policy provisions which the Council shall have due regard to in the assessment and determination of applications to vary the location and size of Building Envelopes. In the case of the Golden Bay Special Residential zones, Building Envelopes have been located to maintain the rural attributes and appearance of the land.

In accordance with PP3.3.17 all applications within the Golden Bay Special Residential Zone must be referred to the Council for determination.

The following is an assessment of the application based on the assessment criteria of PP3.3.17:

Size and Shape of Building Envelope

PP3.3.17 provides the following with respect to the size and shape of the Building Envelope:

"Unless otherwise approved by the Council, only minor increases to the size of Building Envelopes will be considered (to a maximum of 10% of the area of the original Building Envelope) and all Building Envelopes are required to be of a regular shape and comprise a single contiguous area."

The proposal is compliant with PP3.3.17 in that it will get no larger and it will be a single contiguous area. The modification seeks to allow for the construction of shed.

Environmental Considerations

The Policy notes that:

“The Council will consider variations to existing Building Envelopes only where it can be demonstrated by the Proponent that there is no adverse environmental impact and where then Council’s objectives for the locality are realised."

The subject lot is devoid of significant vegetation except for three mature Tuarts located outside of the Building Envelope.

The City's Environmental Planning Department assessed the proposal and recommended that vegetation located within the proposed Building Envelope be relocated to another section of the lot. It was also recommended that a condition be applied restricting the clearing of vegetation, other than to construct a vehicle access way, outside of the proposed Building Envelope. Finally it was recommended that vegetation, outside the Building Envelope, must be protected during and after construction in accordance with AS4970-2009 - Protection of Trees on Development Sites. Upon receipt of a development application for a proposed dwelling, the City can impose a condition of Planning Approval to ensure that all trees located outside of the proposed Building Envelope must be retained and protected during the construction of the dwelling.

Bushfire Risk

The property is not subject to a Fire Management Plan. The proposed Building Envelope is, however, appropriately set back from boundaries (3m) to ensure that the landowner can install firebreak along the boundary of the property.

e. Financial

Nil

f. Legal and Statutory

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

g. Risk

Risk Implications of Implementing Officer Recommendation

Low:

- There is the potential risk of the applicant lodging either a request for reconsideration to the City or an application for review to the State Administrative Tribunal if the applicant is aggrieved by conditions of Planning Approval.
Risk Implications of Not Implementing Officer Recommendation

Medium:
- There is the potential risk of the applicant lodging an application for review to the State Administrative Tribunal if the applicant is aggrieved by the decision of Council.

Comments

The proposed Building Envelope complies with TPS2 and PP3.3.17. There are no adverse environmental impacts associated with the proposed Building Envelope or increased fire risk. The impact of the proposed Building Envelope in comparison to the approved Building Envelope on the amenity of neighbouring properties is considered minimal and no objections were raised to the proposal by adjoining owners.

It is recommended that the proposed Building Envelope variation be approved.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVE the application to vary the Building Envelope at Lot 111 (No.7) Lipscombe Close, Golden Bay.

Committee Recommendation

Moved Cr J Smith, seconded Cr Hamblin:
That Council APPROVE the application to vary the Building Envelope at Lot 111 (No.7) Lipscombe Close, Golden Bay.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-072/14 Proposed Building Envelope Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD024.2014.00000019</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>363 and 365</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Home Group WA Pty Ltd</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr and Mrs Safe</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>15 September 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 1021 Peelfold Glen, Golden Bay</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>2,324m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Special Residential</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Rural</td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photo</td>
</tr>
<tr>
<td></td>
<td>3. Existing and Proposed Building Envelopes</td>
</tr>
<tr>
<td></td>
<td>4. Consultation Plan</td>
</tr>
</tbody>
</table>
1. Location Plan

Subject Site
To consider an application to vary the approved Building Envelope at Lot 1021 Peelfold Glen, Golden Bay.

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

Lot 1006’s approved Building Envelope is set back 0.8-2.8m from the northern side boundary, 1.8m from the Southern side boundary, 16.4m from the eastern (Peelfold Glen) boundary and 27m from the rear (western) boundary. The existing Building Envelope is 600m² in area.

The subject lot is has a small number of mature trees in the south and south-western portions of the site. The topography of the lot is generally flat.
The applicant seeks approval to increase the size of the approved Building Envelope from 600m² to 659m² to allow for the construction of a dwelling, septic tanks and a shed. Approximately 77m² of Building Envelope will be removed from the southern side of the approved Building Envelope and approximately 136m² of Building Envelope will be added to the western and eastern side of the approved Building Envelope.
**Implications to Consider**

a. **Consultation with the Community**

In accordance with clause 6.3.3 of Town Planning Scheme No.2 (TPS2) and Planning Policy 3.3.17 - Variations to Building Envelopes, Building Envelopes may be varied at the discretion of the Council, only after consultation with the owners of affected or adjoining properties. The application was referred to four nearby owners and occupiers for comment, for a period of 14 days, as shown on the Consultation Plan below. At the close of the advertising period, one submission of no objection was received from the same owner of two properties to the west of the site.

![Consultation Plan](image)

**Legend:**
- Subject Site
- Consulted
- No Objection

**4. Consultation Plan**

b. **Consultation with Government Agencies**

Not Applicable

c. **Strategic Community Plan**

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

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

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

The purpose of the PP3.1.1 is to provide the Council with a planning framework for the assessment of applications to rezone, subdivide, manage and develop land within the Rural areas of the City.

The subject site is located within Planning Unit 3 which has considerable visual character and contains important natural elements, valued by the local community, which it is desirable to maintain.

The objective of Planning Unit 3 is to encourage special rural/special residential development which is compatible with the land capability of the Quindalup dune system and that subdivision and development accords with the recommendations of the City’s Visual Landscape Evaluation.

Assessment of the application against the requirements of PP3.1.1:

<table>
<thead>
<tr>
<th>Required</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provision of a reticulated water supply for lots less than 2 hectares in area. The optimum method of water supply being provided as determined by WRC.</td>
<td>This will be a condition of development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>No clearing being permitted without the specific approval of Council.</td>
<td>This will be a condition of future development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>Provision of an Aerobic Treatment Unit (ATU) for effluent disposal purposes.</td>
<td>This will be a condition of future development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>Buildings to be located within Building Envelope.</td>
<td>Future development will be required to be located within approved Building Envelope.</td>
<td>Yes</td>
</tr>
<tr>
<td>No clearing of setback area except for the purposes of a firebreak or for vehicular access as approved by Council.</td>
<td>This will be a condition of future development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>Development affecting wetlands to comply with provisions of Environmental Protection (Swan Coastal Plain Lakes) Policy 1992.</td>
<td>There are no wetlands affecting this lot.</td>
<td>N/A</td>
</tr>
<tr>
<td>Subdivision/development proposals are to include a landscaping plan detailing a proposed tree planting programme.</td>
<td>This will be a condition of development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>Development shall be of a scale that minimises intrusion into the landscape.</td>
<td>The restriction of development to the Building Envelope will ensure that future development is of a scale that is considered appropriate for a rural area.</td>
<td>Yes</td>
</tr>
<tr>
<td>Cut and fill activities to not degrade the natural landform (particularly of the dunes) and to ensure that important vegetation (particularly Tuart trees) can be successfully retained within the site.</td>
<td>Cut and fill activities will be minimised as the topography of the lot is generally flat.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Fire Management is to be addressed in accordance with the Western Australian Planning Commission Planning for Bushfire Protection Guidelines – Edition 2 (May 2010).

The proposal complies with the approved Fire Management Plan which was prepared in accordance with the Guidelines.

Yes

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

The purpose of PP3.3.17 is to set out the objectives and policy provisions which the Council shall have due regard to in the assessment and determination of applications to vary the location and size of Building Envelopes. In the case of the Golden Bay and Singleton Special Rural and Special Residential zones, the location of the envelopes was specifically intended to maintain the rural attributes and appearance of the land.

In accordance with PP3.3.17, all applications within the Golden Bay Special Residential zone must be referred to the Council for determination.

The following is an assessment of the application based on the assessment criteria of the PP3.3.17:

Size and Shape of Building Envelope

PP3.3.17 provides the following with respect to the size and shape of the Building Envelope:

"Unless otherwise approved by the Council, only minor increases to the size of Building Envelopes will be considered (to a maximum of 10% of the area of the original Building Envelope) and all Building Envelopes are required to be of a regular shape and comprise a single contiguous area."

The proposed Building Envelope is slightly irregular in shape, but has been designed as such to accommodate the proposed dwelling whilst complying with the size requirements of PP3.3.17.

Environmental Considerations

PP3.3.17 notes that:

"The Council will consider variations to existing Building Envelopes only where it can be demonstrated by the Proponent that there is no adverse environmental impact and where then Council’s objectives for the locality are realised."

The location of the proposed Building Envelope will not require the removal of any vegetation. The City's Environmental Services assessed the proposal and noted that trees were located in close proximity to the edge of the proposed Building Envelope. Upon receipt of a development application for a proposed dwelling, the City can impose a condition of Planning Approval to ensure that all trees located outside of the proposed Building Envelope must be retained and protected during construction of the dwelling. The proposed Building Envelope will not impact on the visual amenity of the land looking westward from Mandurah Road.

Bushfire Risk

The Fire Management Plan (FMP) approved as part of the subdivision identifies the prevailing bushfire hazard as a vegetation complex, west of the subject lot, across Ayrton Court. The proposed Building Envelope is not located closer to the identified bushfire hazard, and therefore the Bushfire risk is not considered to increase as a result of the proposed modification.

e. Financial

Nil

f. Legal and Statutory

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

Risk Implications of Implementing Officer Recommendation
Low:
- There is the potential risk of the applicant lodging either a request for reconsideration to the City or an application for review to the State Administrative Tribunal if the applicant is aggrieved by conditions of Planning Approval.

Risk Implications of Not Implementing Officer Recommendation
Low:
- There is the potential risk of the applicant being aggrieved by a refusal of Planning Approval lodging an application for review to the State Administrative Tribunal.

Comments

The proposed Building Envelope complies with TPS2 and PP3.3.17. There are no adverse environmental impacts associated with the proposed Building Envelope or increased fire risk. The impact of the proposed Building Envelope in comparison to the approved Building Envelope on the amenity of neighbouring properties is considered minimal and no objections were raised to the proposal by adjoining owners.

It is recommended that the proposed Building Envelope variation be approved.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVE the application to vary the Building Envelope at Lot 1021 Peelfold Glen, Golden Bay.

Committee Recommendation

Moved Cr J Smith, seconded Cr Hill:
That Council APPROVE the application to vary the Building Envelope at Lot 1021 Peelfold Glen, Golden Bay.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

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

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-073/14 Proposed Building Envelope Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD24.2014.000013.001</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>363 and 365</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Gemmill Homes Pty Ltd</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr S and Mrs C Addis</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Greg Delahunty, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>15 September 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 1006 Ayrton Court, Golden Bay</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>2,025m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Special Residential</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Rural</td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photograph</td>
</tr>
<tr>
<td></td>
<td>3. Proposed Building Envelope Plan</td>
</tr>
<tr>
<td></td>
<td>4. Consultation Plan</td>
</tr>
</tbody>
</table>
1. Location Plan

2. Aerial Photograph
Purpose of Report

To consider an application to vary the approved Building Envelope at Lot 1006 Ayrton Court, Golden Bay.

Background

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

Lot 1006’s approved Building Envelope is set back 8.9m from the northern side boundary, 5.8m from the southern side boundary, 15.757m from the Street (Ayrton Court) boundary and 15.3m from the rear boundary. The approved Building Envelope is 600m² in area.

The subject lot is generally devoid of significant vegetation with a small number of mature trees in the south western corner. The topography of the lot is generally flat.

Details

The applicant seeks approval to increase the size of the approved Building Envelope from 600m² to 615m² (an increase of 2.5%) and also change its shape.

The modification of the Building Envelope is to facilitate the construction of a swimming pool to the northern side of the future dwelling, as well as the inclusion of the septic tanks to the eastern side. The applicant has provided the following justification for the proposal:

- The future development will cover 18% of the lot;
- There will be no negative impact on the street;
- There will be no negative impact on the environment; and
- The design will facilitate the landowners to utilise the northern aspect of the site for the proposed swimming pool.
3. Proposed Building Envelope Plan
Implications to Consider

a. Consultation with the Community

In accordance with Clause 6.3.3 of Town Planning Scheme No.2 (TPS2) and Planning Policy 3.3.17 – Variations to Building Envelopes, Council may vary a Building Envelope, at its discretion, following consultation with adjoining owners. The proposal was referred to seven nearby and adjacent property owners for a period of 14 days as shown on the Consultation Plan. At the close of the advertising period, no submissions were received.

b. Consultation with Government Agencies

Not Applicable

c. Strategic

Community Plan

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

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

d. Policy

Planning Policy 3.1.1 – Rural Land Strategy (PP3.1.1)

The purpose of the PP3.1.1 is to provide the Council with a planning framework for the assessment of applications to rezone, subdivide, manage and develop land within the rural areas of the City.

The subject site is located within Planning Unit 3 which has considerable visual character and contains important natural elements, valued by the local community, which it is desirable to maintain.
The objective of Planning Unit 3 is to encourage special rural/special residential development which is compatible with the land capability of the Quindalup dune system and that subdivision and development accords with the recommendations of the City’s Visual Landscape Evaluation.

Assessment of the application against the requirements of PP3.1.1:

<table>
<thead>
<tr>
<th>Required</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provision of a reticulated water supply for lots less than 2 hectares in area. The optimum method of water supply being provided as determined by WRC.</td>
<td>This will be a condition of development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>No clearing being permitted without the specific approval of Council.</td>
<td>This will be a condition of future development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>Provision of an Aerobic Treatment Unit (ATU) for effluent disposal purposes.</td>
<td>This will be a condition of future development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>Buildings to be located within Building Envelope.</td>
<td>Future development will be required to be located within approved Building Envelope.</td>
<td>Yes</td>
</tr>
<tr>
<td>No clearing of setback area except for the purposes of a firebreak or for vehicular access as approved by Council.</td>
<td>This will be a condition of future development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>Development affecting wetlands to comply with provisions of Environmental Protection (Swan Coastal Plain Lakes) Policy 1992.</td>
<td>There are no wetlands affecting this lot.</td>
<td>N/A</td>
</tr>
<tr>
<td>Subdivision/development proposals are to include a landscaping plan detailing a proposed tree planting programme.</td>
<td>This will be a condition of development approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>Development shall be of a scale that minimises intrusion into the landscape.</td>
<td>The restriction of development to the Building Envelope will ensure that future development is of a scale that is considered appropriate for a rural area.</td>
<td>Yes</td>
</tr>
<tr>
<td>Cut and fill activities to not degrade the natural landform (particularly of the dunes) and to ensure that important vegetation (particularly Tuart trees) can be successfully retained within the site.</td>
<td>Cut and fill activities will be minimised as the topography of the lot is generally flat.</td>
<td>Yes</td>
</tr>
<tr>
<td>Fire Management is to be addressed in accordance with the Western Australian Planning Commission Planning for Bushfire Protection Guidelines – Edition 2 (May 2010).</td>
<td>The proposal complies with the approved Fire Management Plan which was prepared in accordance with the Guidelines.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Planning Policy 3.3.17 – Variations to Building Envelopes (PP3.3.17)

The purpose of PP3.3.17 is to set out the objectives and policy provisions which the Council shall have due regard to in the assessment and determination of applications to vary the location and size of Building Envelopes. In the case of the Golden Bay Special Residential zones, Building Envelopes have been located to maintain the rural attributes and appearance of the land.

In accordance with PP3.3.17 all applications within the Golden Bay Special Residential Zone must be referred to the Council for determination.

The following is an assessment of the application based on the assessment criteria of PP3.3.17:

Size and Shape of Building Envelope

The Policy provides the following with respect to the size and shape of the Building Envelope:

“Unless otherwise approved by the Council, only minor increases to the size of Building Envelopes will be considered (to a maximum of 10% of the area of the original Building Envelope) and all Building Envelopes are required to be of a regular shape and comprise a single contiguous area.”

The proposal is compliant with PP3.3.17 in that an increase of 2.5% (15m²) is proposed and the Building Envelope will be a single contiguous area with some slight projections. The modification seeks to allow for the construction of a swimming pool and also the placing of the septic tanks within the Building Envelope.

Environmental Considerations

PP3.3.17 notes that:

“The Council will consider variations to existing Building Envelopes only where it can be demonstrated by the Proponent that there is no adverse environmental impact and where then Council’s objectives for the locality are realised.”

The subject lot is devoid of significant vegetation save for a small number of mature trees in the south western corner of the lot. There are no trees within the proposed Building Envelope.

The City's Environmental Planning Department assessed the proposal and recommended that a condition be applied restricting the clearing of vegetation, other than to construct a vehicle access way, outside of the proposed Building Envelope. It was also recommended that vegetation, outside the Building Envelope, be protected during and after construction in accordance with AS4970-2009 - Protection of Trees on Development Sites. Upon receipt of a development application for a proposed dwelling, the City can impose a condition of Planning Approval to ensure that all trees located outside of the proposed Building Envelope must be retained and protected during the construction of the dwelling.

Bushfire Risk

The Fire Management Plan (FMP) approved as part of the subdivision identifies the prevailing bushfire hazard as a vegetation complex, west of the subject lot, across Ayrton Court. The proposed Building Envelope is not located closer to the identified bushfire hazard, and therefore the Bushfire risk is not considered to increase as a result of the proposed Building Envelope modification.

e. Financial

Nil

f. Legal and Statutory

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

Risk Implications of Implementing Officer Recommendation
Low:
- There is the potential risk of the applicant lodging either a request for reconsideration to the City or an application for review to the State Administrative Tribunal if the applicant is aggrieved by conditions of Planning Approval.

Risk Implications of Not Implementing Officer Recommendation
Medium:
- There is the potential risk of the applicant lodging an application for review to the State Administrative Tribunal if the applicant is aggrieved by the decision of Council.

Comments

The proposed Building Envelope complies with TPS2 and PP3.3.17. There are no adverse environmental impacts associated with the proposed Building Envelope or increased fire risk. The impact of the proposed Building Envelope in comparison to the approved Building Envelope on the amenity of neighbouring properties is considered minimal and no objections were raised to the proposal by adjoining owners.

It is recommended that the proposed Building Envelope variation be approved.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVE the application to vary the Building Envelope at Lot 1006 Ayrton Court, Golden Bay.

Committee Recommendation

Moved Cr J Smith, seconded Cr Pease:

That Council APPROVE the application to vary the Building Envelope at Lot 1006 Ayrton Court, Golden Bay.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
Planning and Development Services
Statutory Planning Services

Reference No & Subject: PDS-074/14 Proposed Street Naming Theme - Paradiso Estate

File No: LUP/1710
Risk Register No: 381
Applicant: Terranovis Pty Ltd
Owner: Galati Nominees Pty Ltd
Author: Miss Keara Freeley, Planning Assistant
Other Contributors: Miss Nicole D’Alessandro, Planning Administration Officer
Mr Dave Waller, Coordinator Statutory Planning
Mr Mike Ross, Manager Statutory Planning

Date of Committee Meeting: 15 September 2014
Previously before Council:

Disclosure of Interest: Executive

Nature of Council’s Role in this Matter:

Site:
Lot Area: 38.7593ha
LA Zoning: Development
MRS Zoning: Urban

Attachments:
Maps/Diagrams:
1. Location Plan
2. Aerial Photo
3. Endorsed Modified Structure Plan
1. Location Plan

2. Aerial View
Purpose of Report

To consider an application seeking approval for a street naming theme for ‘Paradiso Estate’ (Spud Shed) located at Lots 14, 299 and 9010 Kerosene Lane, Baldvis, based on types of vegetables previously grown on the land (including potatoes) which reflect the land history of market gardening.

Background

Lots 14, 299 and 9010 Kerosene Lane, Baldvis were the subject of an application for subdivision to create 178 single house lots, 1 multi-residential lot, 1 primary school site and 1 reserve for recreation and includes the existing market garden and retail shop. The subdivision application was approved by the Western Australian Planning Commission (WAPC) in July 2013.

The Local Structure Plan was originally approved by the WAPC in February 2011, with a modification being adopted by the Council in July 2014.

The applicant had initially proposed for the street names to reflect the landowners of the subject lots as well as the historical use of the land as market gardens. After discussion with City Officers, the applicant decided to remove those street names that were based on the surnames of landowners.

The ‘Paradiso Estate’ is named after the type of flower known as ‘Strelitzia’ which remain at the front of the old house located on Lot 14 Kerosene Lane. Strelitzia means ‘Bird of Paradise’.

Details

The applicant proposes that the street names within the ‘Paradiso Estate’ reflect the types of vegetables grown on the land, as follows:

- Type of potatoes: The land which forms part of the ‘Paradiso Estate’ has been used historically for market gardening purposes, in particular the farming of potatoes.

The reasoning being the choice of this theme is that it is both meaningful and appropriate for the location of the landholding as it recognises the land use history of market gardening.
Examples of the street names preferred are:

| Russet   | Ruby Lou   | Nadine |
| Desiree  | Delaware   | Mondial |

**Implications to Consider**

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

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

c. **Strategic**
   **Community Plan**
   This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:
   
   **Aspiration 15**: Governance systems that ensure decision making and resource allocation is accountable, participative, legally and ethically compliant.

d. **Policy**
   Nil

e. **Financial**
   Nil

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

g. **Risk**
   **Risk Implications of Implementing Officer Recommendation**
   Low:
   - There is a potential risk of the applicant being aggrieved by a refusal decision and may seek reconsideration of the Street Naming (theme) application to Geographic Names.

   **Risk Implications of Not Implementing Officer Recommendation**
   Nil

**Comments**

The proposed theme of ‘Types of Vegetables Previously Grown on the Land’ is compliant with the City’s Planning Procedure 1.4 Street Names and Their Themes. Thematic names have been cited as one of the suitable names under the Planning Procedure.

The theme is also consistent with the Policies and Standards document prepared by the Geographic Names Committee. One of the preferred sources of street names is ‘descriptive names appropriate to the features’. The street naming theme proposed reflects the history of market gardening on the land.

Further, there is a link between the estate name and the street naming theme as both include flowers/vegetables that have grown on the land.

In light of the above, it is recommended that Council support the street naming theme.

**Voting Requirements**

Simple Majority
**Officer Recommendation**

That Council *ENDORSE* the proposed street naming theme of ‘Types of Vegetables Previously Grown on the Land’ reflecting the land history of market gardening for the Paradiso Estate subdivision located at Lots 14, 299 and 9010 Kerosene Lane, Baldivis.

**Committee Recommendation**

Moved Cr Hamblin, seconded Cr J Smith:

That Council *ENDORSE* the proposed street naming theme of ‘Types of Vegetables Previously Grown on the Land’ reflecting the land history of market gardening for the Paradiso Estate subdivision located at Lots 14, 299 and 9010 Kerosene Lane, Baldivis.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
## Planning and Development Services Directorate, Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-075/14 Proposed Planning Policy No.3.2.9 - Development Policy Plan: Eastern Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1619</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>187 and 188</td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Bob Jeans, Director Planning and Development Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mrs Sharon Peacock, Special Projects Research Officer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>15 September 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive</td>
</tr>
<tr>
<td>Site:</td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Residential R20, Residential R40, Public Open Space Reserves and Public Purposes Reserve</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Central City Area and Urban</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Draft Planning Policy No. 3.2.9 – Eastern Sector</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Rockingham Strategic Metropolitan Centre Boundary</td>
</tr>
<tr>
<td></td>
<td>2. Sector Plan</td>
</tr>
<tr>
<td></td>
<td>3. Regional Centre Concept Plan</td>
</tr>
<tr>
<td></td>
<td>4. Regional Centre Framework Plan</td>
</tr>
<tr>
<td></td>
<td>5. Regional Centre Height and Density Overlay</td>
</tr>
<tr>
<td></td>
<td>6. Eastern Sector Indicative Development Plan</td>
</tr>
<tr>
<td></td>
<td>7. Supplementary Indicative Development Plan - Alternative Goddard Street Alignment</td>
</tr>
<tr>
<td></td>
<td>8. Precinct Boundary Plan</td>
</tr>
</tbody>
</table>

### Purpose of Report

To consider a new Planning Policy for the Eastern Sector of the Rockingham Strategic Metropolitan Centre for advertising purposes.
Note: This Report should be read in conjunction with Agenda Report PDS-76/14 for Amendment No.141 to Town Planning Scheme No.2, which proposes to introduce the ‘Primary Centre – Urban Living Zone’ to provide the statutory framework to the Development Policy Plan (DPP) for the Eastern Sector.

Background

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

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

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

Stage 1 of the Centre Plan Review laid down an overall Concept Plan that addressed the priority issues of a better connected access and movement network and a land use pattern based on contemporary ‘Main Street’ and ‘Transit Oriented Development’ (TOD) principles. A Framework Plan translated the Concept Plan into a general arrangement of legible street blocks, built form and public space.

The overall Centre Plan area was divided into 11 Sectors (refer to Figure 2) as follows:

- City Centre
- Waterfront Village
- Smart Village (South)
- Smart Village (North)
- Northern Gateway
2. Sector Plan

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

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

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

Planning Context – Approved Centre Plan

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

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

“The vision is for a modern, distinctly coastal centre offering a wide range of mixed uses including retail, commercial, office, civic, residential, education and recreation within an accessible and highly inter-connected, urban-scaled townscape, comprising a major activity centre and related urban villages based on ‘Main Street’ principles.”

In addition, the Centre Plan laid out a series of guiding ‘planning and development’ principles covering:

- Built Form and Urban Design
- Access and Parking
Regional Centre Concept Plan

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

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

Transit Oriented Development Potential

The approved Activity Centre Plan applied sustainable development principles to land development and redevelopment options, with particular emphasis on the TOD potential of land within the Centre. The Centre Plan committed to achieving the vision of a fixed route, streetcar transit system as the focus of a corridor of high intensity, mixed-use development between the rail station and the beachfront.
The Activity Centre planning envelope was divided into eleven sectors (refer to Figure 2), to enable the TOD potential of each Sector to be assessed.

With respect to TOD potential of the Eastern Sector, the Centre Plan states:

“Sector 7 – Eastern Sector

Comprising residential properties between Ennis Avenue and a re-aligned Goddard Street, opportunities exist to progressively upgrade residential capacity and introduce an urban built form consistent with proximity to transit.

Regional Centre Framework Plan

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

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

4. Regional Centre Framework Plan

Residential Density and Height

A ‘Residential Density and Height’ overlay plan was prepared in conjunction with the Regional Centre Framework Plan (refer to Figure 5). In respect of Residential Density, the overlay plan is designed to:
- guide the density of development, generally in accordance with the ‘Planning and Development Principles’ and the TOD framework, as described in the Centre Plan.
- distribute residential density in response to the land use functions, amenity and levels of mixed-use anticipated in each Sector.
- Locate high density residential development within 250 metres of the transit route, concentrated in the core of the City Centre, and along the central spine of the Smart Village, Northern Waterfront and Waterfront Village Sectors.

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

5. Regional Centre Height and Density Overlay

Frontage Type

A ‘Frontage Type’ overlay plan was also prepared with the Regional Centre Framework Plan, in accordance with consolidated ‘main street’ principles, to generally require buildings to frame, address and activate the street network.

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

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

Sector Planning Guidelines

The approved Centre Plan recommended that more detailed master planning should be undertaken in each Sector, in accordance the adopted required planning framework. The Centre Plan contains ‘Guidelines for each Sector’, to facilitate the preparation of DPP’s.
In respect of ‘Sector 7 – Eastern Sector’, the following planning guidelines are specified:

<table>
<thead>
<tr>
<th>Desired Future Character</th>
<th>This Sector will be redeveloped over time with medium and high density housing, having an urban townscape character more commensurate with the area’s proximity to transit and central area activities.</th>
</tr>
</thead>
</table>
| Preferred Uses:         | Medium to high density residential  
Local service retail (corner shops)  
Retention and enhancement of existing parkland |
| Elements:               | Prepare a Sector Development Plan with relevant changes to residential density codings to guide the progressive urban consolidation and transformation of this area consistent with its TOD planning context.  
Upgrade the landscape at all levels to convey a more distinctly urban townscape character.  
Give particular attention to the landscape treatment of Ennis Avenue and the Council Avenue and Simpson Avenue entry points where planting, lighting and signage should convey a clear sense of arrival at the edge of a major urban centre.  
Ensure that all new development is planned in accordance with the sustainability principles listed in Section 3.1.6 and designed in detail to meet any applicable sustainability Key Performance Indicators endorsed by the City of Rockingham. |

**Statutory Implementation – Approved Centre Plan**

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

In this regard, the following has occurred:

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

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

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

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

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

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

- **Amendment No.129 to Town Planning Scheme No.2** was initiated in March 2013 and was Gazetted in June 2014. The Amendment introduced new provisions into the Scheme to create the ‘Primary Centre – City Living Zone’ and updated the provisions for the Primary Centre area to include reference to the ‘Primary Centre – City Living Zone.’
‘Planning Policy No.3.2.6: Development Policy Plan – Northern Waterfront Sector’. The DPP was adopted (with minor modifications) in September 2013. It came into effect upon gazettal of Amendment No.129 in June 2014.

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

‘Planning Policy No.3.2.7: Development Policy Plan – Northern Smart Village Sector’. The draft DPP was endorsed for public consultation in February 2014 and will be advertised concurrently with Amendment No.137 to Town Planning Scheme No.2. The City is currently awaiting State Government approval to proceed.

Amendment No.140 to Town Planning Scheme No.2 was initiated in July 2014 and is currently being advertised concurrently with Planning Policy No.3.2.8: Development Policy Plan – Campus Sector. The Amendment will introduce new provisions into the Scheme to create the ‘Primary Centre Campus Sector’.

‘Planning Policy No.3.2.8: Development Policy Plan – Campus Sector’. The draft DPP was endorsed for public consultation in February 2014 and is currently being advertised concurrently with Amendment No.140 to Town Planning Scheme No.2.

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

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

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

### Eastern Sector Indicative Development Plan (IDP)

The Eastern Sector Indicative Development Plan illustrates a more detailed interpretation of the planning framework and follows a similar, though less intense urban consolidation approach to that adopted for the non-commercial portions of the Northern Waterfront Sector and the Village West and Patterson West Precincts in the IDP for the Waterfront Village Sector.

The starting point for this IDP is the proposed alignment of the extension of Goddard Street (via Louise Street) through to Council Avenue. This part of the plan is consistent with what has already been publicly advertised for comment and subsequently adopted by the Council in the preparation of a DPP for the adjoining City Centre Sector.

This Sector could be redeveloped in an integrated way over time based on the preferred street oriented development typologies described in Section 5.2 of the DPP. Forms of development could range from 1-2 storey terrace or townhouse residential at the periphery through to 3-5 storey multi-residential apartment blocks on sites along the eastern side of an extended Goddard Street.

It would nevertheless be sensible to assume that only medium density residential redevelopment is likely to be marketable and therefore economically viable in this location. The market parameters for medium density residential development in this location will be influenced by the scale and low to medium density of what has already been developed over approximately 50% of the Sector.
For illustrative purposes, the IDP shows just over half of the existing single residential properties to the east of Hawkins Street being redeveloped with a mix of one and two storey townhouse configurations on sites where two or more single residential lots have been amalgamated to optimise townscape outcomes. Also for illustrative purposes, these redevelopments predominantly cover the western half of the existing single residential area, with further redevelopment to the east on amalgamated sites along the Simpson Avenue and Council Avenue where a more robust and urban scaled development profile would be appropriate from a townscape perspective.

The IDP also assumes that in the event that the Rockingham Aquatic Centre is closed or relocated, the site could be redeveloped to accommodate the Goddard Street extension and any remaining land would be redeveloped for medium to high density residential purposes (in the case of Eastern Sector land) and high density mixed use development (in the case of City Centre land to the west).

A supplementary IDP has been prepared to illustrate a modified road layout to accommodate the current location of the Aquatic Centre site (Figure 7).
6. Eastern Sector Indicative Development Plan

1. Possible medium density residential redevelopment - subject to site amalgamations to protect towncape amenity.
2. Existing medium density residential unlikely to be redeveloped in foreseeable future.
3. Proposal for location enhancement to improve local amenity and encourage passive recreation and pedestrian activity.
4. Possible extension of Goddard Street through to Council Avenue - subject to relocation or redevelopment of Civic Centre site.
5. Possible medium to high density redevelopment of portion of Civic Centre site.
6. Install sainted rainwater catchment in conjunction with towncape enhancement.
7. Mayor towncape enhancement with appropriately scaled street trees.
Supplementary Indicative Development Plan - Alternative Goddard Street Alignment

The extension of Goddard Street (via Louise Street) through to Council Avenue on the direct alignment (as illustrated in the endorsed 2009 Centre Plan), is reliant on a decision, at some time in the future, to close and/or relocate the Rockingham Aquatic Centre.

This leaves a significant level of uncertainty over the implementation of an important part of the Centre Plan road network.

It may be possible to reconfigure and consolidate peripheral parts of the Aquatic Centre facility westwards to the extent that it could be retained while leaving space for a curved alignment of Goddard Street as it extends towards Council Avenue.

7. Supplementary Indicative Development Plan - Alternative Goddard Street Alignment

Subject to more detailed architectural and engineering feasibility studies, Figure 7 illustrates how an alternative alignment for Goddard Street could be achieved. Requisite changes to the Aquatic Centre facility would be limited to non pool components, including: the relocation of car parking to the Council Avenue frontage; removal of the former caretaker's house; and a contraction in the area of landscaped space along the eastern flank of the learner's pool.

Precinct Boundaries

The Eastern Sector is divided into three Precincts comprising of:

- Hawkins
- Ashford
- Adina

The Eastern Sector Precincts are based on areas where a particular geographic identity, density, scale and/or townscape character is envisaged. Preferred uses and required elements of development for each Precinct are identified in greater detail in Figure 8.
8. Precinct Boundary Plan

Implications to Consider

a. **Consultation with the Community**

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

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

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

b. **Consultation with Government Agencies**

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

c. **Strategic Community Plan**

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

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

d. **Policy**

The draft Planning Policy No.3.2.9 for the Eastern Sector will be advertised in accordance with Clause 8.9 (Planning Policies) of Town Planning Scheme No.2.
Draft Planning Policy No.3.2.9 has also been prepared in accordance with the approved Centre Plan framework, in accordance with the ‘State Planning Policy 4.2 - Activity Centres for Perth and Peel’ (August 2010).

e. **Financial**
   Nil

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

g. **Risk**

   **Risk Implications of Implementing Officer Recommendation**
   Medium:
   - The City will be committed to the implementation of the ‘Rockingham City Centre Activity Centre Plan’ in accordance with the adopted Specific Purpose Strategy.

   **Risk Implications of Not Implementing Officer Recommendation**
   High:
   - The development of the Strategic Metropolitan Centre could be impeded by:
     - Strategic planning and transport objectives compromised or not realised;
     - Potential under-development and lack of investment;
     - Reduced economic impact; and
     - Lack of employment opportunities.

<table>
<thead>
<tr>
<th>Comments</th>
</tr>
</thead>
</table>

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

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

The proposed Policy is to be considered in conjunction with the proposed Scheme Amendment No.141 to Town Planning Scheme No.2 – Eastern Sector – Primary Centre Urban Living Zone and will be advertised with the Amendment. In this regard, the Policy will be advertised for a minimum period of 42 days.

The Town Planning Regulations 1967 (as amended), includes a requirement to advertise proposed Scheme Amendment proposals for public comment over a period of 42 days, prior to Council considering Final Adoption. Both the proposed Policy and Scheme Amendment will be advertised concurrently. Refer to Report PDS-076/14.

<table>
<thead>
<tr>
<th>Voting Requirements</th>
</tr>
</thead>
</table>

Simple Majority

**Officer Recommendation**

That Council **ENDORSE** the publishing of a notice that it has prepared draft ‘Planning Policy No.3.2.9: Development Policy Plan – Eastern Sector’ for public comment.

**Committee Recommendation**

Moved Cr Hill, seconded Cr Pease:

That Council **ENDORSE** the publishing of a notice that it has prepared draft ‘Planning Policy No.3.2.9: Development Policy Plan – Eastern Sector’ for public comment.

Committee Voting – 5/0
<table>
<thead>
<tr>
<th><strong>The Committee’s Reason for Varying the Officer’s Recommendation</strong></th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Implications of the Changes to the Officer’s Recommendation</strong></td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
# Planning and Development Services
## Directorate, Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject</th>
<th>PDS-076/14 Proposed Amendment No.141 to Town Planning Scheme No.2 – Introducing a new Primary Centre Urban Living Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1769</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>188</td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Bob Jeans, Director Planning and Development Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mrs Sharon Peacock, Special Projects Officer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>15 September 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Legislative</td>
</tr>
</tbody>
</table>

| Site: |                                                                 |
| Lot Area: |                                                                 |
| LA Zoning: | Residential R20, Residential R40 Local Public Open Space Reserves and, Public Purposes Reserve |
| MRS Zoning: | Central City Area and Urban |
| Attachments: | Amendment No.141 Scheme Amendment Report |

## Purpose of Report

To consider initiating Scheme Amendment No.141 to Town Planning Scheme No.2 (TPS2) to introduce new provisions to create the ‘Primary Centre Urban Living Zone’, as part of the ongoing implementation of the endorsed Centre Plan for the Rockingham Strategic Metropolitan Centre, as adopted by the Council and the Western Australian Planning Commission (WAPC) in 2009.

**Note:** This Report should be read in conjunction with PDS-75/14 for draft Planning Policy No.3.2.9 – Development Policy Plan – Eastern Sector.

## Background

**Statutory Implementation – Approved Centre Plan**

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

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

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

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

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

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

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

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

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

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

- ‘Planning Policy No.3.2.7: Development Policy Plan – Northern Smart Village Sector’. The draft DPP was endorsed for public consultation in February 2014 and will be advertised concurrently with Amendment No.137 to Town Planning Scheme No.2. The City is currently awaiting State Government approval to proceed.

- Amendment No.140 to Town Planning Scheme No.2 was initiated in July 2014 and is currently being advertised concurrently with Planning Policy No.3.2.8: Development Policy Plan – Campus Sector. The Amendment will introduce new provisions into the Scheme to create the ‘Primary Centre Campus Sector’.

- ‘Planning Policy No.3.2.8: Development Policy Plan – Campus Sector’. The draft DPP was endorsed for public consultation in February 2014 and is currently being advertised concurrently with Amendment No.140 to Town Planning Scheme No.2.

---

**Details**

Scheme Amendment No.141 proposes to introduce a new zone for the Eastern Sector, to be referred to as the ‘Primary Centre Urban Living Zone’. In addition, it will update the provisions for the Primary Centre area to include reference to the Primary Centre Urban Living Zone, as follows:

**Summary of Proposed Scheme Changes**

The Scheme Amendment proposes to introduce a new zone for the Eastern Sector, to be referred to as the ‘Primary Centre Urban Living Zone’.
Clause 3.1.1
Is amended by including reference to ‘Primary Centre Urban Living’ zone.

Table No.1
Table No.1 is amended to add a new column to introduce the new ‘Primary Centre Urban Living’ Zone.

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

Clause 4.3.3
The above clause sets out special considerations applicable to planning applications and is amended by inserting a new paragraph (i) to introduce the ‘Primary Centre Urban Living’ Zone.

Clause 4.3.4
The above clause sets out special considerations applicable to subdivision applications and is amended by inserting a new paragraph (i) to introduce the ‘Primary Centre Urban Living’ Zone.

Clause 4.3
Seeks to introduce new Clauses 4.3F immediately after 4.3E to include the ‘Objectives of the Zone’ for the ‘Primary Centre Urban Living’ Zone.

Clause 4.15
Sub clauses 4.15.1.1, 4.15.1.3, 4.15.1.4 (a) and 4.15.1.4 (b) set out car parking requirements and are amended to introduce the ‘Primary Centre Urban Living’ Zone.

Table No.3
Table No.3 sets out the car parking requirements in the Primary Centre Zones and is amended to introduce the ‘Primary Centre Urban Living’ Zone.

Schedule No.1
Part 9 – ‘Schedule No. 1 Interpretations’ is amended by inserting a new definition “Development Policy Plan (Eastern Sector)’.

Schedule No.6
Schedule No.6 sets out ‘Exempted Advertisements’ and is amended to introduce the ‘Primary Centre Urban Living’ Zone.

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

Scheme Map
The Scheme Map will be updated to show the ‘Primary Centre Urban Living’ Zone. It will also redefine the boundary of the ‘Primary Centre’.
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 20 OCTOBER 2014

PRESIDING MEMBER

Implications to Consider

a. Consultation with the Community

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

b. Consultation with Government Agencies

Scheme Amendments are required to be referred to the Environmental Protection Authority to determine if an environmental assessment is required, prior to advertising.
c. Strategic

Community Plan

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

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

d. Policy

A draft Development Policy Plan has been prepared for the Eastern Sector to detail the planning objectives and requirements to guide the development in this area. The draft Development Policy Plan will be advertised in conjunction with the Scheme Amendment.

e. Financial

Nil

f. Legal and Statutory

The procedures for dealing with proposals to amend a local planning scheme, as per the Planning and Development Act 2005, are set out in the Town Planning Regulations 1967. Regulation 13(1) provides that the City shall:

(a) if it resolves to proceed with a Scheme Amendment, adopt the proposed Amendment in accordance with the Act; or

(b) if it resolves not to proceed with the Scheme Amendment, notify the Western Australian Planning Commission, in writing, of that resolution.

g. Risk

Risk Implications of Implementing Officer Recommendation

High:

- Statutory planning processes not implemented.
- Council or State rejection of Policy framework; community opposition; Western Australian Planning Commission non-support.

Risk Implications of Not Implementing Officer Recommendation

High:

- Strategic Metropolitan Centre planning framework not implemented leading to uncoordinated development and strategic planning objectives not realised.

Comments

It is recommended that the Council initiate Amendment No.141 to Town Planning Scheme No.2.

Voting Requirements

Simple Majority.

Officer Recommendation

That Council ADOPT (initiate) Amendment No.141 to Town Planning Scheme No.2 in pursuance of Section 75 of the Planning and Development Act 2005.

Committee Recommendation

Moved Cr Hamblin, seconded Cr Pease:

That Council ADOPT (initiate) Amendment No.141 to Town Planning Scheme No.2 in pursuance of Section 75 of the Planning and Development Act 2005 as follows:
RESOLVED that the Council, in pursuance of section 75 of the Planning and Development Act 2005, initiate an amendment to the City of Rockingham Town Planning Scheme No.2 as follows:

1. Clause 3.1.1 is amended by inserting the following words immediately after the words “Primary Centre Campus”:
   “· Primary Centre Urban Living”.

2. Table No. 1 – Zoning Table is amended by:
   (a) inserting the following column for the “Primary Centre Urban Living” as a new zone and inserting Use Class Classifications in that column for this Zone.

<table>
<thead>
<tr>
<th>USE CLASS</th>
<th>ZONING</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RESIDENTIAL USES</strong></td>
<td><strong>Primary Centre Urban Living</strong></td>
</tr>
<tr>
<td>Ancillary Accommodation</td>
<td>X</td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>D</td>
</tr>
<tr>
<td>Camping Area</td>
<td>X</td>
</tr>
<tr>
<td>Caravan Park</td>
<td>X</td>
</tr>
<tr>
<td>Caretaker's Dwelling</td>
<td>IP</td>
</tr>
<tr>
<td>Display Home Centre</td>
<td>X</td>
</tr>
<tr>
<td>Hotel</td>
<td>X</td>
</tr>
<tr>
<td>Lodging House</td>
<td>D</td>
</tr>
<tr>
<td>Motel</td>
<td>X</td>
</tr>
<tr>
<td>Nursing Home</td>
<td>D</td>
</tr>
<tr>
<td>Residential:</td>
<td></td>
</tr>
<tr>
<td>(a) Single House</td>
<td>P</td>
</tr>
<tr>
<td>(b) Grouped Dwelling</td>
<td>D</td>
</tr>
<tr>
<td>(c) Multiple Dwelling</td>
<td>D</td>
</tr>
<tr>
<td>Residential Building</td>
<td>D</td>
</tr>
<tr>
<td>Short Stay Accommodation</td>
<td>D</td>
</tr>
<tr>
<td><strong>COMMERCIAL USES</strong></td>
<td></td>
</tr>
<tr>
<td>Amusement Parlour</td>
<td>X</td>
</tr>
<tr>
<td>Betting Agency</td>
<td>X</td>
</tr>
<tr>
<td>Car Wash</td>
<td>X</td>
</tr>
<tr>
<td>Child Care Premises</td>
<td>D</td>
</tr>
<tr>
<td>Cinema/Theatre</td>
<td>X</td>
</tr>
<tr>
<td>------------------</td>
<td>----</td>
</tr>
<tr>
<td>Club Premises</td>
<td>X</td>
</tr>
<tr>
<td>Convenience Store</td>
<td>D</td>
</tr>
<tr>
<td>Consulting Rooms</td>
<td>D</td>
</tr>
<tr>
<td>Dry Cleaning Premises</td>
<td>X</td>
</tr>
<tr>
<td>Fast Food Outlet</td>
<td>X</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>X</td>
</tr>
<tr>
<td>Health Studio</td>
<td>X</td>
</tr>
<tr>
<td>Home Business</td>
<td>D</td>
</tr>
<tr>
<td>Home Occupation</td>
<td>D</td>
</tr>
<tr>
<td>Homestore</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Cottage</td>
<td>D</td>
</tr>
<tr>
<td>Laundromat</td>
<td>X</td>
</tr>
<tr>
<td>Lunch Bar</td>
<td>X</td>
</tr>
<tr>
<td>Market</td>
<td>X</td>
</tr>
<tr>
<td>Medical Centre</td>
<td>D</td>
</tr>
<tr>
<td>Night Club</td>
<td>X</td>
</tr>
<tr>
<td>Office</td>
<td>X</td>
</tr>
<tr>
<td>Plant Nursery</td>
<td>X</td>
</tr>
<tr>
<td>Private Recreation</td>
<td>X</td>
</tr>
<tr>
<td>Public Amusement</td>
<td>X</td>
</tr>
<tr>
<td>Reception Centre</td>
<td>X</td>
</tr>
<tr>
<td>Restaurant</td>
<td>X</td>
</tr>
<tr>
<td>Restricted Premises</td>
<td>X</td>
</tr>
<tr>
<td>Restricted Retail Premises</td>
<td>X</td>
</tr>
<tr>
<td>Service Station</td>
<td>X</td>
</tr>
<tr>
<td>Shop</td>
<td>D</td>
</tr>
<tr>
<td>Showroom</td>
<td>X</td>
</tr>
<tr>
<td>Small Bar</td>
<td>X</td>
</tr>
<tr>
<td>Tavern</td>
<td>X</td>
</tr>
<tr>
<td>Veterinary Clinic</td>
<td>X</td>
</tr>
<tr>
<td>Warehouse</td>
<td>X</td>
</tr>
<tr>
<td><strong>INDUSTRIAL USES</strong></td>
<td></td>
</tr>
<tr>
<td>Contractor's Yard</td>
<td>X</td>
</tr>
<tr>
<td>Fuel Depot</td>
<td>X</td>
</tr>
<tr>
<td>Industry : General</td>
<td>X</td>
</tr>
<tr>
<td>Industry : General (Licensed)</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Hazardous</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Light</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Noxious</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Service</td>
<td>X</td>
</tr>
<tr>
<td>Landscape Supply Yard</td>
<td>X</td>
</tr>
<tr>
<td>Motor Vehicle and Marine Sales Premises</td>
<td>X</td>
</tr>
<tr>
<td>Motor Vehicle Repair Station</td>
<td>X</td>
</tr>
<tr>
<td>Motor Vehicle Wrecking Premises</td>
<td>X</td>
</tr>
<tr>
<td>Open Air Display</td>
<td>X</td>
</tr>
<tr>
<td>Salvage Yard</td>
<td>X</td>
</tr>
<tr>
<td>Sawmill</td>
<td>X</td>
</tr>
<tr>
<td>Trade Display</td>
<td>X</td>
</tr>
<tr>
<td>Transport Depot</td>
<td>X</td>
</tr>
<tr>
<td>Veterinary Hospital</td>
<td>X</td>
</tr>
<tr>
<td><strong>RURAL USES</strong></td>
<td></td>
</tr>
<tr>
<td>Abattoir</td>
<td>X</td>
</tr>
<tr>
<td>Agriculture - Extensive</td>
<td>X</td>
</tr>
<tr>
<td>Agriculture - Intensive</td>
<td>X</td>
</tr>
<tr>
<td>Cattery</td>
<td>X</td>
</tr>
<tr>
<td>Dog Kennels</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Extractive</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Rural</td>
<td>X</td>
</tr>
<tr>
<td>Livestock Holding Facility</td>
<td>X</td>
</tr>
<tr>
<td>Piggery</td>
<td>X</td>
</tr>
<tr>
<td>Poultry Farm</td>
<td>X</td>
</tr>
<tr>
<td>Produce Store</td>
<td>X</td>
</tr>
<tr>
<td>Rural Pursuit</td>
<td>X</td>
</tr>
<tr>
<td>Stockyards</td>
<td>X</td>
</tr>
<tr>
<td>Wildlife Park</td>
<td>X</td>
</tr>
<tr>
<td><strong>UTILITIES/COMMUNITY</strong></td>
<td></td>
</tr>
<tr>
<td>Carpark</td>
<td>X</td>
</tr>
<tr>
<td>Communications Antennae - Commercial</td>
<td>X</td>
</tr>
<tr>
<td>Communications Antennae - Domestic</td>
<td>P</td>
</tr>
<tr>
<td>Community Use</td>
<td>D</td>
</tr>
<tr>
<td>Corrective Institution</td>
<td>X</td>
</tr>
<tr>
<td>Educational Establishment</td>
<td>D</td>
</tr>
</tbody>
</table>
3. Clause 4.3.1 (a) is amended by:
   (a) deleting the word “and” after the semi-colon in sub paragraph (iv);
   (b) deleting the full stop at the end of sub-paragraph (v) and inserting a semi-colon and the word “; and”;
   (c) inserting the following new sub-clause (vi) after sub-clause (v):
       “(vi) the Primary Centre Urban Living Zone.”

4. Clause 4.3.3 is amended by:
   (a) deleting the word “and” after the semi-colon in sub-paragraph (h);
   (b) inserting a new sub-paragraph (i) after sub-paragraph (h) as follows:
       “(i) in the case of the Primary Centre Urban Living Zone – the provisions of the Development Policy Plan (Eastern Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Urban Living Zone; and”
   (c) Renumbering the existing sub-paragraph (i) to (j).

5. Clause 4.3.4 is amended by:
   (a) deleting the word “and” after the semi-colon in sub-paragraph (h);
   (b) inserting a new sub-paragraph (i) after sub-paragraph (h) as follows:
       “(i) in the case of the Primary Centre Urban Living Zone – the provisions of the Development Policy Plan (Eastern Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Urban Living Zone; and”
   (c) Renumbering the existing sub-paragraph (i) to (j).

6. A new clause 4.3F is inserted immediately after clause 4.3E as follows:

   "4.3F Primary Centre Urban Living Zone

   4.3F.1 Objectives of the Zone

   The objectives of the Primary Centre Urban Living Zone are to:
   (a) encourage contemporary residential development generally in accordance with the requirements of the Development Policy Plan for the Eastern Sector;
   (b) achieve appropriate land use and built form outcomes, including a range of medium density housing options, within a walkable catchment of the public transit system;
   (c) create a permeable, well connected network of public streets and spaces that provide legible and high amenity linkages, particularly for pedestrians;
   (d) encourage innovative and diverse built form which promotes the Eastern Sector as a desirable place to live; and
   (e) promote contiguous, residential street front development consistent with a contemporary inner-city townscape discipline.”

   4.3F.2 Residential Design Codes
   (a) Where residential development is proposed the R-AC0 density code of Residential Design Codes is to apply.
In order to encourage residential development within the Primary Centre Urban Living Zone, consistent with the urban design objectives for individual Precincts set out in the Policy or other adopted Policies, the Council may exercise its discretion in respect of the Residential Design Codes provisions.

4.3F.3 Minimum Residential Density

In the Primary Centre Urban Living Zone, all development for the purpose of grouped or multiple dwellings must have a minimum of one dwelling per 250m$^2$ of land area."

7. Sub clause 4.15.1.1 is to be replaced with the following text:

"Where land is proposed to be developed in the Primary Centre City Centre Zone, the Primary Centre Urban Village Zone, the Primary Centre City Living Zone, the Primary Centre Campus Zone, the Primary Centre Urban Living Zone or the District Town Centre Zone for a purpose specified in Table No.3, the minimum number of car parking bays required, and the maximum number of car parking bays allowable, for the proposed development is to be determined in accordance with Table No.3."

8. Sub clause 4.15.1.3 is to be replaced with the following text:

"Where land is proposed to be developed in any zones other than the Primary Centre City Centre Zone, the Primary Centre Waterfront Village Zone, the Primary Centre Urban Village Zone, the Primary Centre Northern Waterfront Zone, the Primary Centre Campus Zone, the Primary Centre Urban Living Zone or the District Town Centre Zone for a purpose specified in Table No.2, the minimum number of car parking bays required for the development is to be determined in accordance with Table No.2."

9. Sub clause 4.15.1.4 (a) is to be replaced with the following text:

"In any zone other than the Primary Centre City Centre Zone, the Primary Centre Waterfront Village Zone, the Primary Centre Urban Village Zone, the Primary Centre Northern Waterfront Zone, the Primary Centre Campus Zone, the Primary Centre Urban Living Zone or the District Town Centre Zone for a purpose which is not specified in Table No.2;"

10. Sub clause 4.15.1.4 (b) is to be replaced with the following text:

"In the Primary Centre City Centre Zone, the Primary Centre Urban Village Zone, the Primary Centre City Living Zone, the Primary Centre Campus Zone, Primary Centre Urban Living Zone or the District Town Centre Zone for a purpose which is not specified in Table No.3; or"

11. Table No. 3 heading is amended by:

"MINIMUM REQUIREMENTS AND MAXIMUM ALLOWANCES – PRIMARY CENTRE CITY CENTRE ZONE, PRIMARY CENTRE URBAN VILLAGE ZONE, PRIMARY CENTRE CITY LIVING ZONE, PRIMARY CENTRE CAMPUS ZONE, PRIMARY CENTRE URBAN LIVING ZONE & DISTRICT TOWN CENTRE ZONE"

12. Part 9 – Schedules, ‘Schedule No. 1 – Interpretations’ is amended by inserting a new definition immediately after the definition of Development Policy Plan (Campus Sector) and before the Definition of Development Policy Plan (Waterfront Village Sector) in Part 1. General Interpretations, as follows:

"Development Policy Plan (Eastern Sector): means the Policy entitled ‘Development Policy Plan (Eastern Sector)’ as amended from time to time";

13. Paragraph 1, Row 6, Column 2 of Schedule No.6 – Exempted Advertisements is amended to read:

"All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5m from the ground floor level of the building subject to compliance with the requirements of the Signs, Hoarding and Bill Posting By-Laws, except in respect of development within the Primary Centre City Centre, Primary Centre Urban Village, Primary Centre Waterfront Village, Primary Centre City Living, Primary Centre Campus, Primary Centre Urban Living and District Town Centre zones.”
14. Schedule 12 - Developer Contribution Plan No.2, Clause 4(2) is amended by:
   (a) replacing existing sub-clause (d) with the following new sub-clause
        “(d) the Primary Centre Urban Living Zone”;
   (b) renumbering the existing sub clauses (e) to (j).

15. Modify Part 4 of the Contents page to include “4.3F – Primary Centre Urban Living Zone.”

16. Modify the page numbers of the contents section in response to modification No.15.

17. The Scheme Map is amended by:
   (a) rezoning certain land within the Residential R20 Zone, the Residential R40 Zone, Public Open Space Reserves, Primary Centre City Centre Zone and the Public Purposes Reserve generally bounded by Dowling Street, Simpson Avenue, Ennis Avenue, Council Avenue, Louise Street, and the vacant portion of road reserve to the rear of the properties in Ashford Avenue to “Primary Centre Urban Living” Zone, as shown on the Scheme Amendment Map;
   (b) amending the broken black line around the ‘Primary Centre’ in accordance with the amended Scheme Amendment Map;
   (c) modifying the Legend to the Scheme Amendment Map to include reference to the Primary Centre Urban Living Zone.
Figure 2 – Proposed Zoning

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
# Engineering and Parks Services

## Engineering and Parks Services

### Engineering Operations

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-033/14 Tender T14/15-22 – Period Supply, fit and repair tyres to trucks, heavy plant and equipment</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>T14/15-22</td>
</tr>
<tr>
<td>Risk Register No.:</td>
<td>162 and 406</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Ian Daniels, Project Manager, Mundijong Road</td>
</tr>
<tr>
<td>Authors:</td>
<td>Mr Allan Moles, Manager Integrated Waste Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Darren Dropulich, Construction Engineer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>15 September 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
</tbody>
</table>

### Purpose of Report

Provide Council with details of the tenders received for Tender T14/15-22 – Period Supply, fit and repair tyres to trucks, heavy plant and equipment, document the results of the tender assessment and make recommendations regarding award of the tender.

### Background

Tender T14/15-22 – Period Supply, fit and repair tyres to trucks, heavy plant and equipment was advertised in the West Australian on Saturday, 19 July 2014. The Tender closed at 2.00pm, Wednesday, 6 August 2014 and was publicly opened immediately after the closing time. The tender was also advertised in the local Sound Telegraph newspaper on 23 July 2014.
Details

The work includes the supply, fitting and repair of tyres at the contractor's workshop and/or on-site at various locations within the City of Rockingham, for trucks, heavy plant and various items of general plant.

The period of the contract shall be from the date of award until 31 August 2017.

Tender submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Tyres4U Pty Limited as trustee for TWA Trust Trading as Tyres4U</td>
<td></td>
</tr>
<tr>
<td>Taylor Tyres Pty Ltd</td>
<td></td>
</tr>
<tr>
<td>Steven Joseph Nunes, Pamela Eva Nunes, Agostinho Amaro Nunes trading as Rockingham Medina Tyre Service</td>
<td></td>
</tr>
<tr>
<td>Goodyear Dunlop Tyres Australia trading as Beaurepaires</td>
<td></td>
</tr>
<tr>
<td>Complete Tyre Solutions Pty Ltd</td>
<td></td>
</tr>
<tr>
<td>Titan Australia Pty Ltd trading as National Tyres</td>
<td></td>
</tr>
</tbody>
</table>

A panel comprising Project Manager – Mundijong Road, Manager Integrated Waste Services and Construction Engineer undertook tender evaluations.

Submissions received from Beaurepaires, Complete Tyre Solutions and National Tyres were deemed non-compliant because they did not supply information in the pricing schedules in the format that was requested in the tender documentation. Price consideration was unable to be scored due to this information being incorrect and therefore these were not assessed.

Evaluation of the tender, in accordance with the advertised tender assessment criteria, produced the following weighted scores:

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Taylor Tyres Pty Ltd</th>
<th>Tyres4U</th>
<th>Rockingham Medina Tyre Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Service</td>
<td>30</td>
<td>20.0</td>
<td>24.0</td>
<td>24.0</td>
</tr>
<tr>
<td>Quality of Products</td>
<td>30</td>
<td>17.0</td>
<td>18.0</td>
<td>16.0</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>40</td>
<td>30.7</td>
<td>34.5</td>
<td>36.9</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100</td>
<td>67.7</td>
<td>76.5</td>
<td>76.9</td>
</tr>
</tbody>
</table>

Subject to the mutual agreement of both the Principal and the Contractor, and with the absolute discretion of either party not to extend, the Contract may be extended for maximum of up to 24 additional calendar months, in periods not greater than 12 calendar months.

Implications to Consider

a. Consultation with the Community
   - Not Applicable

b. Consultation with Government Agencies
   - Not Applicable
c. Strategic
Community Plan
This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:

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

d. Policy

e. Financial
Expenditure will be in accordance with the Engineering and Parks operations plant budgets.

f. Legal and Statutory

‘Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub regulation (2) states otherwise’.

g. Risk
Risk Implications of Implementing Officer Recommendation
Medium:
- Failure of tender/quote documentation to establish compliance and assessment criteria for selection of the tender submission that would be most advantageous.

Risk Implications of not implementing Officer Recommendation
Medium:
- Potential damage to the City’s procurement reputation thereby adversely impacting on the possible competitive advantage gained through the open tender process.

Comments
Following consideration of the conforming submissions in accordance with the tender assessment criteria all companies demonstrated a capacity to undertake the works, however, the submission received from Rockingham Medina Tyre Service is considered the best value to the City and therefore recommended as the preferred tenderer.

Voting Requirements
Simple Majority

Officer Recommendation
That Council ACCEPT the tender submitted from Steven Joseph Nunes, Pamela Eva Nunes, Agostinho Amaro Nunes trading as Rockingham Medina Tyre Service, 53 Dixon Road, Rockingham, WA, 6168 for Tender T14/15-22 – Period supply, fit and repair tyres to trucks, heavy plant and equipment in accordance with the tender documentation for the contract period being from date of award to 31 August 2017.
Committee Recommendation

Moved Cr Hill, seconded Cr J Smith:
That Council ACCEPT the tender submitted from Steven Joseph Nunes, Pamela Eva Nunes, Agostinho Amaro Nunes trading as Rockingham Medina Tyre Service, 53 Dixon Road, Rockingham, WA, 6168 for Tender T14/15-22 – Period supply, fit and repair tyres to trucks, heavy plant and equipment in accordance with the tender documentation for the contract period being from date of award to 31 August 2017.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
Purpose of Report

Provide Council with details of the tenders received for Tender T14/15-26 – Period Supply, fit and repair tyres to passenger, light commercial vehicles, trailers and mowers, document the results of the tender assessment and make recommendations regarding award of the tender.

Background

Tender T14/15-26 – Period Supply, fit and repair tyres to passenger, light commercial vehicles, trailers and mowers was advertised in the West Australian on Saturday, 19 July 2014. The Tender closed at 2.00pm, Wednesday, 6 August 2014 and was publicly opened immediately after the closing time. The tender was also advertised in the local Sound Telegraph newspaper on 23 July 2014.

Details

The work includes the supply, fitting and repair of tyres at the contactors workshop and/or on-site at various locations within the City of Rockingham, for passenger, light commercial vehicles, ride on mowers and trailers.
The period of the contract shall be from the date of award until 31 August 2017.

Tender submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taylor Tyres Pty Ltd</td>
</tr>
<tr>
<td>Subzero Automotive Pty Ltd / Harness Master Joint Venture</td>
</tr>
<tr>
<td>Steven Joseph Nunes, Pamela Eva Nunes, Agostinho Amaro Nunes trading as Rockingham Medina Tyre Service</td>
</tr>
<tr>
<td>Goodyear Dunlop Tyres Australia trading as Beaurepaires</td>
</tr>
<tr>
<td>Joter Pty Ltd ATF The Page Family Trust trading as Bridgestone Tyre Company (BTC Rockingham)</td>
</tr>
</tbody>
</table>

A panel comprising Project Manager – Mundijong Road, Manager Integrated Waste Services and Construction Engineer undertook tender evaluations.

Submission received from Beaurepaires was deemed non-compliant because they did not supply information in the pricing schedules in the format that was requested in the tender documentation. Price consideration was unable to be scored due to this information being incorrect, therefore this submission was not assessed.

Evaluation of the tender, in accordance with the advertised tender assessment criteria, produced the following weighted scores:

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Taylor Tyres Pty Ltd</th>
<th>Subzero Automotive Pty Ltd</th>
<th>Rockingham Medina Tyre Service</th>
<th>BTC Rockingham</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Service</td>
<td>30</td>
<td>19.0</td>
<td>9.0</td>
<td>24.0</td>
</tr>
<tr>
<td>Quality of Products</td>
<td>30</td>
<td>19.0</td>
<td>20.0</td>
<td>12.0</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>40</td>
<td>29.8</td>
<td>18.7</td>
<td>37.5</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100</td>
<td>67.8</td>
<td>47.7</td>
<td>73.5</td>
</tr>
</tbody>
</table>

Subject to the mutual agreement of both the Principal and the Contractor, and with the absolute discretion of either party not to extend, the Contract may be extended for maximum of up to 24 additional calendar months, in periods not greater than 12 calendar months.

**Implications to Consider**

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

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

c. **Strategic**
   **Community Plan**
   This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:
Aspiration 15: Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

d. Policy

e. Financial
Expenditure will be in accordance with the Engineering and Parks operations plant budgets.

f. Legal and Statutory

‘Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub regulation (2) states otherwise’.

g. Risk
Risk Implications of Implementing Officer Recommendation
Medium:
- Failure of tender/quote documentation to establish compliance and assessment criteria for selection of the tender submission that would be most advantageous.

Risk implications of not implementing Officer Recommendation
Medium:
- Potential damage to the City’s procurement reputation thereby adversely impacting on the possible competitive advantage gained through the open tender process.

Comments
Following consideration of the conforming submissions in accordance with the tender assessment criteria all companies demonstrated a capacity to undertake the works, however, the submission received from Rockingham Medina Tyre Service is considered the best value to the City and therefore recommended as the preferred tenderer.

Voting Requirements
Simple Majority

Officer Recommendation
That Council ACCEPT the tender submitted from Steven Joseph Nunes, Pamela Eva Nunes, Agostinho Amaro Nunes trading as Rockingham Medina Tyre Service, 53 Dixon Road, Rockingham, WA, 6168 for Tender T14/15-26 – Period supply, fit and repair tyres to passenger, light commercial vehicles, trailers and mowers in accordance with the tender documentation for the contract period being from date of award to 31 August 2017.

Committee Recommendation
Moved Cr J Smith, seconded Cr Hamblin:
That Council ACCEPT the tender submitted from Steven Joseph Nunes, Pamela Eva Nunes, Agostinho Amaro Nunes trading as Rockingham Medina Tyre Service, 53 Dixon Road, Rockingham, WA, 6168 for Tender T14/15-26 – Period supply, fit and repair tyres to passenger, light commercial vehicles, trailers and mowers in accordance with the tender documentation for the contract period being from date of award to 31 August 2017.

Committee Voting – 5/0
The Committee’s Reason for Varying the Officer’s Recommendation

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
Purpose of Report

Provide Council with details of the tenders received for Tender T14/15-39 – Period Locksmith Services, document the results of the tender assessment and make recommendations regarding award of the tender.

Background

Tender T14/15-39 – Period Locksmith Services was advertised in the West Australian on Saturday, 26 July 2014. The Tender closed at 2.00pm, Wednesday, 13 August 2014 and was publicly opened immediately after the closing time.

Details

The scope of this contract is for:

a) The supply and installation of commercial grade locks and hardware as directed.

b) Maintenance and servicing of key systems and locks at City facilities and assets as directed.

The period of the contract shall be from the date of award for a period of 24 months.
Tender submissions were received from:

**Company**

Division Holdings Pty Ltd trading as Prestige Lock Service

Bullant Security Pty Ltd

Schedule of Rates

<table>
<thead>
<tr>
<th>5.4.1</th>
<th>Locksmith Services</th>
<th>Prestige Lock Service</th>
<th>Bullant Security</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Description</td>
<td>Amount per item</td>
<td>Amount per item</td>
</tr>
<tr>
<td>5.4.1.1</td>
<td>Lockwood PQ Key</td>
<td>$11.81</td>
<td>$13.94</td>
</tr>
<tr>
<td>5.4.1.2</td>
<td>EVVA Key</td>
<td>$15.94</td>
<td>$12.90</td>
</tr>
<tr>
<td>5.4.1.3</td>
<td>D (JA30) and 5414 System Key</td>
<td>$11.61</td>
<td>$12.90</td>
</tr>
<tr>
<td>5.4.1.4</td>
<td>Cutting of no system standard key</td>
<td>$3.18</td>
<td>$6.00</td>
</tr>
<tr>
<td>5.4.1.5</td>
<td>Cutting of standard cupboard/cabinet key</td>
<td>$3.18</td>
<td>$6.00</td>
</tr>
<tr>
<td>5.4.1.6</td>
<td>D (JA30) and 5414 system Padlock</td>
<td>$59.28</td>
<td>$54.60</td>
</tr>
<tr>
<td>5.4.1.7</td>
<td>Lockwood PQ System Padlock</td>
<td>$55.04</td>
<td>$54.60</td>
</tr>
<tr>
<td>5.4.1.8</td>
<td>EVVA System Padlock</td>
<td>$90.89</td>
<td>$79.13</td>
</tr>
<tr>
<td>5.4.1.9</td>
<td>Re-key Lockwood PQ Door Lock or Padlock, including one key</td>
<td>$11.81</td>
<td>$26.12</td>
</tr>
<tr>
<td>5.4.1.10</td>
<td>Re-key D system Padlock, including one key</td>
<td>$11.61</td>
<td>$24.65</td>
</tr>
<tr>
<td>5.4.1.11</td>
<td>Re-key EVVA Door Lock or Padlock, including one key</td>
<td>$52.31</td>
<td>$27.92</td>
</tr>
<tr>
<td>5.4.1.12</td>
<td>Hardware for standard wooden cupboard/cabinet lock including 2 keys</td>
<td>$34.71</td>
<td>$12.79</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5.4.2</th>
<th>Minimum call out hours for urgent work - outside of normal business hours</th>
<th>Minimum Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Description</td>
<td>Minimum Hours</td>
</tr>
<tr>
<td>5.4.2.1</td>
<td>Minimum call out hours for urgent work, outside of normal business hours</td>
<td>1</td>
</tr>
</tbody>
</table>
Planning and Engineering Services Committee Minutes
Monday 15 September 2014

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 20 OCTOBER 2014

5.4.3 Labour Rates

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Unit</th>
<th>Prestige Lock Service</th>
<th>Bullant Security Pty Ltd</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Normal Business Hours</td>
<td>Outside of Normal Business Hours</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Monday to Friday 7am to 5pm</td>
<td>Monday to Friday 7am to 5pm</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total Cost per Unit ($)</td>
<td>Total Cost per Unit ($)</td>
</tr>
<tr>
<td>5.4.3.1</td>
<td>Ongoing, Low &amp; Medium work</td>
<td>Per Hour</td>
<td>$68.12</td>
<td>-</td>
</tr>
<tr>
<td>5.4.3.2</td>
<td>High work</td>
<td>Per Hour</td>
<td>$68.12</td>
<td>-</td>
</tr>
<tr>
<td>5.4.3.3</td>
<td>Urgent work</td>
<td>Per Hour</td>
<td>$68.12</td>
<td>$162.82</td>
</tr>
<tr>
<td></td>
<td>Minimum call out cost</td>
<td></td>
<td>$162.82</td>
<td>$220.00</td>
</tr>
</tbody>
</table>

A panel comprising Manager Asset Services, Building Maintenance Coordinator and Security Technical Officer undertook tender evaluations.

Evaluation of the tender, in accordance with the advertised tender assessment criteria, produced the following weighted scores:

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Prestige Lock Service</th>
<th>Bullant Security Pty Ltd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Service</td>
<td>60%</td>
<td>55%</td>
<td>53%</td>
</tr>
<tr>
<td>Status of Organisation</td>
<td>5%</td>
<td>4%</td>
<td>4%</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>35%</td>
<td>31%</td>
<td>29%</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100%</td>
<td>90%</td>
<td>86%</td>
</tr>
</tbody>
</table>

Subject to the mutual agreement of both the Principal and the Contractor, and with the absolute discretion of either party not to extend, the Contract may be extended for maximum of up to 24 additional calendar months, in periods not greater than 12 calendar months.

Implications to Consider

a. Consultation with the Community
   Not Applicable

b. Consultation with Government Agencies
   Not Applicable

c. Strategic
   Community Plan
   This item addresses the Community's Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:
   **Aspiration 6:** Civic buildings, public places and transport infrastructure of contemporary design, constructed and maintained using best practice principles.

d. Policy
e. **Financial**

Operational expenditure will be in accordance with the Engineering and Parks operations maintenance budgets.

f. **Legal and Statutory**


‘Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub regulation (2) states otherwise’.

g. **Risk**

**Risk Implications of Implementing Officer Recommendation**

Medium:
- Failure of tender/quote documentation to establish compliance and assessment criteria for selection of the tender submission that would be most advantageous.

**Risk Implications of not implementing Officer Recommendation**

Medium:
- Potential damage to the City’s procurement reputation thereby adversely impacting on the possible competitive advantage gained through the open tender process.

**Comments**

Following consideration of the submissions in accordance with the tender assessment criteria both companies demonstrated a capacity to undertake the works, however, the submission received from Prestige Lock Service is considered the best value to the City and therefore recommended as the preferred tenderer.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council ACCEPT the tender submitted from Division Holdings Pty Ltd trading as Prestige Lock Service, 3/3 Fielden Way Port Kennedy, for Tender T14/15-39 – Period Locksmith Services in accordance with the tender documentation for the contract period being from date of award for a period of 24 months.

**Committee Recommendation**

Moved Cr J Smith, seconded Cr Hill:

That Council ACCEPT the tender submitted from Division Holdings Pty Ltd trading as Prestige Lock Service, 3/3 Fielden Way Port Kennedy, for Tender T14/15-39 – Period Locksmith Services in accordance with the tender documentation for the contract period being from date of award for a period of 24 months.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
**Reference No & Subject:** EP-036/14  
**Infrastructure Asset Management Plan 2014 and Asset Management Policy**

**File No:** CPR/290

**Risk Register No:** 158

**Proponent/s:** Mr Kelton Hincks, Manager Asset Services

**Author:** Mr Mahesh Shivaswamy, Asset Management Projects Officer

**Date of Committee Meeting:** 15 September 2014

**Previously before Council:** February 2009 (CES28/2/09); October 2011 (EP-062/11)

**Disclosure of Interest:** Executive

**Site:**

**Lot Area:**

**LA Zoning:**

**MRS Zoning:**

**Attachments:**

1. Infrastructure Asset Management Plan July 2014  

**Maps/Diagrams:**

---

**Note:** The Chief Executive Officer commended Mr Kelton Hincks on the preparation of this report.

---

**Purpose of Report**

To consider the adoption of the Infrastructure Asset Management Plan 2014 (IAMP) and the Asset Management Policy.

---

**Background**

In February 2009, Council adopted the City of Rockingham Asset Management Charter. This document outlined the City’s long term objectives for the sustainable management of the City’s infrastructure asset portfolio. The Charter listed a series of key improvement actions which assisted the City in working towards more efficient and transparent asset management practices.

In October 2011, Council adopted the City’s first Infrastructure Asset Management Plan. The plan included a section for asset management system improvements that would increase the confidence and accuracy of the document. Since then, the City’s asset management systems have been updated with newly created assets resulting from various City driven projects and from land developments which includes roads, drainage, buildings and parks. In addition to this, various audits and surveys have been conducted to improve the quality of the existing data housed in corporate systems to enable a greater level of confidence in this new version of the IAMP.
The IAMP was created in-house with input from Officers across various departments and aligns with the reporting requirements of the Department of Local Government.

### Details

**Asset Management Policy**

The updated version of the Asset Management Policy outlines the City’s asset management objectives, targets and plans at a high level which supports the organisation’s whole of life asset management approach.

**Plan framework**

The IAMP is a key component in the City’s strategic development framework. The following diagram shows the inputs and outputs to the IAMP and its strategic positioning in the framework.

Local Governments may choose to have a single plan that encompasses all the assets under its control, or it may have a series of plans for each asset class or asset group (e.g. roads, buildings). The City of Rockingham has chosen to encompass all of its infrastructure assets into one plan.

The City of Rockingham IAMP continues to improve the City’s ability to capture and document its assets and importantly manage a sustainable level of service delivery. The IAMP considers future demand, risk management and life-cycle management including renewal, maintenance and replacement/disposal strategies.

The IAMP aims to improve the overall management of the City’s assets by revising and documenting standards and analysing optimum operational performance.

Key elements of the plan include:

- City of Rockingham asset summary
- Future demand
- Asset management practices/modelling
- Sustainable levels of service
- Financial and Lifecycle management
City of Rockingham asset summary

To date, the City is responsible for the management, operation and maintenance of public infrastructure assets with a current replacement value in excess of $1.364 billion. The main infrastructure asset classes are grouped as follows:

- Roads and transport (1017km of roads, 529 km of footpaths)
- Drainage (16,639 pits, 350 km of pipes)
- Buildings and facilities (259 buildings)
- Parks and open space (322 Parks, 377 playgrounds)

The current condition of the City's infrastructure assets are rated as being in good overall condition with 2.49% of the network at or below the condition rating score of 4 (Poor).

### Implications to Consider

a. Consultation with the Community

City Officers initiated a survey in September 2012 which was aimed at obtaining feedback from the community on specific infrastructure asset based services. The main objectives of the survey were as follows:

- Explore current usage of assets (specifically Buildings and Facilities, Parks and Open Space, and Roads);
- Determine overall levels of satisfaction with asset quality;
- Establish preferred or required levels of service;
- Investigate any support or need for extra facilities;
- Determine priorities for facility or service improvement; and
- Establish the willingness to pay, if any, for these assets.

The survey was conducted over the telephone, included 500 residents across the City and weighted according to respondents by suburb, age and gender.

In addition to this, the City of Rockingham regularly conducts customer satisfaction surveys aimed at obtaining feedback from residents on the services provided by the organisation in general. The outcomes of the most recent survey which was completed in November 2013 highlighted some areas that required increased focus as well as areas where the level of service did not meet stakeholder expectations.

The resulting key performance indicators from both of these surveys were included in the IAMP desired levels of service settings within the modelling of the asset renewal program.

b. Consultation with Government Agencies

Nil

c. Strategic Community Plan

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

**Aspiration 5:** Community facilities and services delivered in a timely manner, able to meet expectations and serve new and growing neighbourhoods.

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

**Aspiration 7:** Community facilities and services that are well utilised, accessible and cost effective, and where appropriate, multi-functional.

**Aspiration 10:** Coastal and bushland reserves that are well utilised and managed in a way that will preserve them for future generations to enjoy.
**Aspiration 11:** Planning or population growth to ensure that future development and land-uses contribute to a sustainable city that provides for a genuinely desirable lifestyle.

d. **Policy**

The Asset Management Policy, previously known as the Asset Management Charter, has been converted to conform to the latest policy framework. There are no additions to the previous version of the policy and as such is not required to be advertised.

The IAMP addresses the City of Rockingham Asset Management Policy by committing to the sustainability of the City’s assets in order to provide the desired levels of service in the most cost effective manner for present and future generations.

e. **Financial**

The estimated replacement cost of the City’s infrastructure assets in 2014 is valued at $1.364 billion. This figure continuously increases due to demand, land developments, capital works programs and re-valuations.

The City’s infrastructure growth rate is estimated at 3% per annum over the next 10 years. Any demand increase has an effect on the recurrent and non-recurrent expenditure. This must be balanced with existing expenditure requirements and the restriction of revenue capacity as indicated in the City’s Ten Year Business Plan. The estimated growth incorporated in the modelling and the predicted renewal expenditure allows for this growth.

The City’s current annual operational expenditure requirement at the current level of service for infrastructure assets is $29.91 million. The current proposed capital renewal expenditure average is $18.3 million per annum and the average predicted required renewal expenditure over the next 10 years is $19.16 million per annum at existing levels of service. The resulting average funding short fall is $0.86 million per annum over 10 years.

The predicted expenditure of $19.16 million per annum is to renew all assets that reach intervention level. Modelling indicates that there will be 1.86% of assets above intervention by 2023/2024. The level of service has a tolerance of 2% of assets to be above intervention level providing they comply with the minimum safety and legal requirements. The modelling indicates that the percentage of assets above intervention levels reduces further within the 20 year period. It is concluded that the proposed funding is adequate to maintain the desired level of service in the long term.

All assets that fall outside the documented levels of service in the IAMP are recorded as defects and risk rated to determine the treatment priority. The prioritised defects are updated twice a year into the City’s Ten year Business Plan under section 3.2.

f. **Legal and Statutory**

The preparation and endorsement of the IAMP remains consistent with the requirements of the Local Government Act 1995.

The development of the IAMP has been undertaken to meet minimum legislative and financial planning and reporting requirements.

Section 5.56(1) and (2) of the Local Government Act 1995 requires that each local government is ‘to plan for the future of the district’, by developing plans in accordance with the regulations.

The Local Government (Administration) Regulations 1996 specify “what a plan for the future” should involve. Local governments are formally required to develop and adopt a Strategic Community Plan and a Corporate Business Plan.

Section 3C of Regulation 19DA specifies the need to develop asset management strategy, plan and policy as below.

Local Government (Administration) Regulations 1996, Regulation 19DA section 3C:

“Develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.”

g. **Risk**

Risk Implications of Implementing Officer Recommendation

Nil
Risk Implications of Not Implementing Officer Recommendation

High:
- Sustainability ratios not within the expected range.

**Comments**

Performance is measured using Key Performance Indicators (KPI’s) provided in the asset management guidelines for Western Australian local governments to measure and report on overall asset management sustainability. The KPI’S include three asset sustainability ratios to measure the asset management efforts of the local government. The KPI’s for City of Rockingham are detailed below.

**Asset Consumption Ratio**

The asset consumption ratio highlights the aged condition of a local government’s assets. It is depreciated replacement cost divided by the current replacement costs of depreciable assets. The City’s asset consumption ratio is 68%.

<table>
<thead>
<tr>
<th>Asset Consumption Ratio</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Depreciated replacement cost of assets (DRC)</td>
<td>$934,031,122</td>
</tr>
<tr>
<td>Current replacement cost of depreciable assets (CRC)</td>
<td>$1,364,648,223</td>
</tr>
<tr>
<td>Asset Consumption Ratio (DRC/CRC)</td>
<td>68%</td>
</tr>
</tbody>
</table>

The recommended range for this measurement is between 50% and 75%. A ratio below 50% indicates rapid deterioration and under investment, and a ratio greater than 75% is considered to be over investment in renewals. A ratio of 60% is considered to indicate an adequate manageable level of service across individual asset categories. The City’s ratio of 68% is within the recommended range and indicates that the level of investment is adequate and healthy.

**Asset Sustainability Ratio**

The asset sustainability ratio indicates whether the City is spending adequately on asset renewals to match the depreciation to ensure long-term sustainability of infrastructure assets. The asset sustainability ratio is capital renewal expenditure on existing assets divided by the depreciation expense.

<table>
<thead>
<tr>
<th>Asset Sustainability Ratio</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Renewal expenditure over 10 years</td>
<td>$183,044,610</td>
</tr>
<tr>
<td>Depreciation expense over 10 years</td>
<td>$322,014,420</td>
</tr>
<tr>
<td>Asset sustainability ratio</td>
<td>57%</td>
</tr>
</tbody>
</table>

The above table shows the asset sustainability ratio for a period of 10 years. The depreciation expense is based on straight line depreciation. The recommended target is between 90-110%. A ratio below 90% indicates underinvestment and above 110% indicates overinvestment in asset renewals. The City's ratio of 57% indicates underinvestment. However, the reasons below demonstrate that the City is not under investing.

Assets such as road pavements and long life building structures which make up more than 50% of the asset value have long expected lives. The majority of these assets are in above average condition and with significant remaining useful lives. They do not require renewal investment in the short term.

The ratio was calculated for a 20 year period which falls within the recommended target. The proposed renewal expenditure for year 10 to year 20 was assumed.

**Asset Renewal Funding Ratio**

The asset renewal funding ratio is the planned renewal expenditure over required/predicted renewal expenditure. It is a measure of the ability of local government to fund its projected asset renewals in the future.
Asset Renewal Funding Ratio

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10-year proposed expenditure</td>
<td>$183,044,610</td>
</tr>
<tr>
<td>10-year predicted/required expenditure</td>
<td>$191,643,767</td>
</tr>
<tr>
<td>Asset renewal funding ratio</td>
<td>96%</td>
</tr>
</tbody>
</table>

The City’s ratio of 96% is within the recommended target between 95% and 105%. The modelling also indicates that planned renewal expenditure is adequate in the long term (20 years). It predicts a tolerable 0.5% of assets above intervention level.

The enduring nature of infrastructure assets and the need for their ongoing renewal means that planning must be based on an understanding of the full costs throughout each asset’s lifecycle, and address both short and long-term planning needs.

Asset management is an essential process to guide the planning, acquisition, operation, maintenance, renewal and disposal of the City’s assets. It is important the Council adopt the IAMP and the Asset Management Policy as they will assist in optimising asset service delivery and manage related risks and costs over the network life.

The IAMP summarises the current position of the City in relation to the sustainability of network and the required actions to ensure the City continues to be in a strong position into the future.

The Asset Management Policy supersedes the previous Asset Management Charter and provides the future direction of asset management principles for the City.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:
1. **ADOPT** the City of Rockingham Infrastructure Asset Management Plan dated July 2014.
2. **RESCIND** the City of Rockingham Asset Management Charter dated 2 February 2009.

Committee Recommendation

Moved Cr Pease, seconded Cr Hamblin:

That Council:
1. **ADOPT** the City of Rockingham Infrastructure Asset Management Plan dated July 2014.
2. **RESCIND** the City of Rockingham Asset Management Charter dated 2 February 2009.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable

4.46pm - Mr Kelton Hincks, Manager Asset Services departed the Planning and Engineering Services Committee meeting.
# Planning and Engineering Services

## Planning and Development Services

### Governance and Councillor Support

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-068/14 Advisory Committee Membership - Review Appointments</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>GOV/39-02</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>393</td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mrs Jelette Edwards, Governance Coordinator</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Peter Varris, Manager Governance and Councillor Support</td>
</tr>
<tr>
<td></td>
<td>Mr Gary Rogers, Manager Procurement and Projects</td>
</tr>
<tr>
<td></td>
<td>Mr Scott Lambie, Manager Engineering Services</td>
</tr>
<tr>
<td></td>
<td>Mr Greg Whip, Coordinator Emergency Services</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>15 September 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
</tbody>
</table>

### Purpose of Report

To consider nominations from community members/ representatives for appointment on various Advisory Committees reporting through the Planning and Engineering Services Committee.

### Background

Advisory Committees comprise of Councillors, community members and representatives of organisations. They provide recommendations to Council in accordance with their respective terms of reference. Councillor membership of Advisory Committee is determined after each Local Government Ordinary Election. The last Councillor appointments were made at the Special Council Meeting of 8 October 2013.
In accordance with the Governance and Meeting Framework Council Policy, the City is to review the community membership of all Advisory Committees between 1 July and 30 September in the year falling between Local Government Ordinary Elections, with all new membership proposals being considered by Council no later than the October ordinary Council meeting of that year, in this case 2014. The Council policy requires that the Advisory Committee community member positions to be advertised and the existing members be written to and invited to reapply.

**Details**

To facilitate the process to review and appoint Advisory Committee community members, advertisements seeking nominations were published in the Weekend Courier, Sound Telegraph, the City of Rockingham website and Facebook page.

Executive Support from each Advisory Committee wrote to existing members inviting them to renominate. Nominations closed at 4pm on Friday 25 July 2014.

The review process has also identified a number of issues relating to Advisory Committees. These include the need to review terms of reference and / or the relevance of the Advisory Committee, the number of community members and whether the community member represents a community or special interest group.

**Implications to Consider**

a. **Consultation with the Community**

   It was advertised on the City's Facebook page on 2, 11, 21 and 28 of July and on the City’s website from 2 July 2014. It was also advertised in the Sound Telegraph on 2 and 11 July 2014 and in the Weekend Courier on 5 and 16 July 2014.

b. **Consultation with Government Agencies**

   Letters were sent to government organisations represented in some Advisory Committees.

c. **Strategic**

   **Community Plan**

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

   - **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.
   - **Aspiration 16:** A Council which engages with all elements of the community in order to make decision that respect Rockingham’s unique sense of place whilst positively contributing to its future prosperity.

d. **Policy**

   The Governance and Meeting Framework Council Policy underpins the review and appointment of memberships of Advisory Committees.

e. **Financial**

   The financial implications of the review and appointment of community members to Advisory Committees is limited to the cost of advertising and officer time in undertaking the review. Costs are accommodated within existing budget allocations.

f. **Legal and Statutory**

   Sections 5.8, 5.9 and 5.10 of the Local Government Act 1995 specifies the legislative requirements in respect to establishment of committees, types of committees that a local government can create and appointment of committee members.

g. **Risk**

   **Risk Implications of Implementing Officer Recommendation**

   Nil
Risk Implications of Not Implementing Officer Recommendation

Low:

- Lack of diversity of input into Advisory Committee terms of reference and membership.

**Comments**

The following information provides background information on each Advisory Committee, the nominations received and any other matters arising for each particular Advisory Committee.

**Bush Fire Advisory Committee**

**Terms of Reference**

To advise Council on all matters relating to bush fire control including the management of bush fire brigades and coordination of prevention, preparation and response strategies.

**Current Membership**

One Councillor

Two Baldivis Volunteer Bush Fire Brigade representative

One Rockingham Volunteer Fire and Rescue Service representative

One Secret Harbour Volunteer Fire and Rescue Service representative

Two Singleton Volunteer Bush Fire Brigade representative

One Department of Parks and Wildlife representative

One Department of Fire and Emergency Services Authority representative

Executive Support – Coordinator Emergency Services and Emergency Services Officer

**Number of Vacancies**

Nine Representatives from Local and State Agencies and Services

**Nominations Received**

- Rik Mills representing Baldivis Volunteer Bush Fire Brigade
- Trevor Wise representing Baldivis Volunteer Bush Fire Brigade
- Andrew Munro representing Rockingham Volunteer Fire and Rescue Service
- Brendan Priviledege representing Secret Harbour Volunteer Fire and Rescue Service
- Ben Trevethan representing Singleton Volunteer Bush Fire Brigade
- Chris Hyde representing Singleton Volunteer Bush Fire Brigade
- Doug Smith representing Department of Fire and Emergency Services Authority
- Tim Fisher representing Department of Parks and Wildlife

**Recommendation**

That Council **APPOINT** the following local and state agency and service representatives to the Bush Fire Advisory Committee for a two-year term of office commencing 23 September 2014:

- Mr Rik Mills representing Baldivis Volunteer Bush Fire Brigade
- Mr Trevor Wise representing Baldivis Volunteer Bush Fire Brigade
- Mr Andrew Munro representing Rockingham Volunteer Fire and Rescue Service
- Mr Brendan Priviledege representing Secret Harbour Volunteer Fire and Rescue Service
- Mr Ben Trevethan representing Singleton Volunteer Bush Fire Brigade
- Mr Chris Hyde representing Singleton Volunteer Bush Fire Brigade
- Mr Doug Smith representing Department of Fire and Emergency Services Authority
- Mr Tim Fisher representing Department of Parks and Wildlife

**Comments**

The role of the Bush Fire Advisory Committee is to advise the City of Rockingham regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control.
The nominees are recommended to Council for appointment to the Bush fire Advisory Committee based on their knowledge, skills, experience and ability to provide advice.

Disability Access Advisory Committee

Terms of Reference
To discuss and provide strategic advice to Council for the improvement of accessibility to Council’s facilities and services for people with a disability.

Current Membership
Two Councillors
Ten Community Members
Executive Support – Engineering Services

Number of Vacancies
Ten Community Members

Community Membership Nominations Received
- Ms Anitana Taipari
- Mr Jordon Steele-John
- Ms Suzanne Marshall
- Ms Stephenie Fielding
- Ms Sheila Morris
- Ms Mor Williams
- Mr Steven Warfield
- Mrs Celine Low
- Mr Malcolm Elliott
- Ms Noelene Mason

Recommendation: Appointment of Community Member

That Council
1. **APPOINT** the following community representatives to the (Disability Access and Inclusion Advisory Committee) for a two-year term of office commencing 23 September 2014:
   - Ms Anitana Taipari
   - Mr Jordon Steele-John
   - Ms Suzanne Marshall
   - Ms Stephenie Fielding
   - Ms Sheila Morris
   - Ms Mor Williams
   - Mr Steven Warfield
   - Mrs Celine Low
   - Mr Malcolm Elliott
   - Ms Noelene Mason

2. **AMEND** the name and Terms of Reference of the Disability Access Advisory Committee to the following:
   - Name: Disability Access and Inclusion Advisory Committee
   - Terms of Reference: Represent the community by providing advice/support to officers and Council with regard to the implementation of the Disability Access and Inclusion Plan and to address disability access and inclusion issues within the boundaries of the City of Rockingham.

Comments
The performance and attendance of the existing community representatives has been inconsistent, with the ability for the committee to form a quorum at times difficult. It is hoped that the addition of new community representatives will add new energy to the committee.
**Heritage Reference Group**

**Terms of Reference**
To provide a Forum to discuss the conservation and preservation of natural and culturally significant heritage sites within the Rockingham district.

**Current Membership**
One Councillor
Two Representatives from Rockingham District Historical Society
Executive Support Officer – Statutory Planning

**Number of Vacancies**
Two Representatives from Rockingham District Historical Society

**Nominations Received**
- Mrs Wendy Durant
- Mrs Sylvia Reed

**Recommendation**
That Council **APPOINT** the following community representatives to the Heritage Reference Group for a two-year term of office commencing 23 September 2014:
- Mrs Wendy Durant representing Rockingham District Historical Society
- Mrs Sylvia Reed representing Rockingham District Historical Society

**Comments**
Wendy Durant has been a long standing member Rockingham District Historical Society and Rockingham Museum.

**Local Emergency Management Advisory Committee**

**Terms of Reference**
To advise and assist in the establishment, development, review and testing of local emergency management activities as directed by State Emergency Management Committee or prescribed by regulations

**Current Membership**
One Councillor
One Department of Child Protection representative
One Department of Parks and Wildlife representative
One Department of Fire and Emergency Services Authority representative
One Kwinana Industries Council representative
One Rockingham General Hospital representative
One Rockingham Volunteer Sea Rescue Group representative
One Royal Australian Navy representative
Two Secret Harbour Surf Lifesaving representatives (one deputy)
Two State Emergency Service representatives
One WA Police representative
Executive Support - Coordinator of Emergency Services and Emergency Services Officer

**Number of Vacancies**
12 Representatives from Local and State Agencies and Services

**Nominations Received**
- Ryan Hamblion representing Department of Child Protection
- David Charles representing Department of Parks and Wildlife
- Doug Smith representing Department of Fire and Emergency Services Authority
Recommendation

That Council **APPOINT** the following local and state agency and service representatives to the Local Emergency Management Advisory Committee for a two-year term of office commencing 23 September 2014:

- Ryan Hamblion representing Department of Child Protection
- David Charles representing Department of Parks and Wildlife
- Doug Smith representing Department of Fire and Emergency Services Authority
- Craig Reynolds representing Kwinana Industries Council
- Scott Beaton representing Rockingham General Hospital
- Chris Aleman representing Rockingham Volunteer Sea Rescue Group
- Lieutenant Adrian Eddy representing Royal Australian Navy
- Garry Williams representing Secret Harbour Surf Life Saving Club
- Richard Lowe representing Secret Harbour Surf Life Saving Club
- David Beard representing State Emergency Service
- Bob Polson representing State Emergency Service
- Stuart Mearns representing WA Police

Comments

The City of Rockingham, under the Emergency Management Act 2005, is required to form and coordinate a Local Emergency Management Advisory Committee which operates under the State Emergency Management Committee and State Emergency Coordination Group.

The function of the Local Emergency Management Advisory Committee is to provide advice to and assist the local government in ensuring that local emergency management arrangements are established for its district. The Advisory Committee is to liaise with relevant authorities and other persons in the development, review and testing of the local emergency management arrangements and is to carry out other emergency management activities as directed by the State Emergency Management Committee or as prescribed by regulations and legislation.

The City of Rockingham coordinates and has a place in local emergency management arrangements to assist hazard management Agencies and the community during an emergency. The City is also responsible for the preparation and implementation of recovery plans required in an emergency that affects the community. This includes, where required, the coordination of reconstruction of physical infrastructure and restoration of emotional, economic, environmental and physical well-being of residents.

It is necessary for members of this Advisory Committee to discuss and consider emergency services matters with a detailed knowledge of the Emergency Management Act 2005 and other relevant legislation and regulations. Members also contribute advice on the operating procedures and protocols of the Agency they represent.

On occasion, operational requirements can impact on a member’s ability to attend a meeting, as such a number of organisations have nominated additional representatives (deputies) for consideration. The nominees are recommended to Council for appointment to the Local Emergency Management Committee based on their knowledge, skills, experience and ability to provide advice and their previous involvement in emergency management.
**Marine Infrastructure Advisory Committee**

**Terms of Reference**
The Committee was formed to discuss and advise on various coastal facilities, amenities and infrastructure within the City of Rockingham Municipality.

**Current Membership**
Two Councillors
One Community Members
One Department of Fisheries representative
One Department of Parks and Wildlife representative
One Department of Transport – Marine Safety representative
One Mangles Bay Fishing Club Inc. representative
One The Cruising Yacht Club representative
One Rockingham Volunteer Sea Rescue Group representative
One Safety Bay Windsurfing Club representative
One Safety Bay Yacht Club representative
Executive Support Officer – Procurement and Projects

**Number of Vacancies**
1 Community Member

**Community Membership Nominations Received**
- Mr Darryl McKenzie
- Mr Charles Lammers
- Mr Les Dodd
- Ms Geraldine Alexander

**Recommendation**
That Council:
1. **APPOINT** the Mr Les Dodd as a community member to the Marine Infrastructure Advisory Committee for a two-year term of office commencing 23 September 2014.
2. **APPOINT** the following organisational representatives to the Marine Infrastructure Advisory Committee for a two-year term of office commencing 23 September 2014:
   - Mr David Slowley representing The Cruising Yacht Club
   - Mr Tony Manolas representing Mangles Bay Fishing Club
   - Mr David Haggar representing Safety Bay Windsurfing Club
   - Mr Darren Schofield representing Department of Fisheries
   - Mr Mark Briant representing Department of Transport – Marine Safety
   - Mr Vaughn Chapple representing Department of Parks and Wildlife
   - Mr Chris Aleman representing Rockingham Volunteer Sea Rescue Group

**Comments**
Due to continued absence, Mr Anthony Saw, Commodore, Safety Bay Yacht Club has rescinded his membership from the Marine Infrastructure Advisory Committee.

Following consideration of the community representative nominations received it was determined that the nominations received from Mr Leslie Dodd and Mr Charles Lammers demonstrated a high level of relevant knowledge and experience with respect to local coastal and maritime infrastructure, recreational boating and diving. In consideration of the relevant experience and local marine knowledge and involvement, the nomination received from Mr Les Dodd was favourable considered.

---

3 Correction of typographical error.
The nomination received from Ms Geraldine Alexander demonstrated limited marine knowledge, background and experience in a marine environment.

The nomination received from Mr Darryl McKenzie was for a number of various committees and did not indicate any evidence of particular or specialised interest or experience in marine related matters.

**Rockingham RoadWise Advisory Committee**

**Terms of Reference**

To provide input and advice on road safety matters with the outcome of having a safe and efficient transport network within the City of Rockingham.

**Current Membership**

Two Councillors

Six Community Members

One RoadWise Officer (WALGA) shall be a standing ex-officio member of the Committee

One Police representative in a non-voting capacity

Executive Support Officer – Scott Lambie

**Number of Vacancies**

6 Community Members

**Community Membership Nominations Received**

- Mrs Arlene Yates
- Mr George Montgomery
- Mrs Celine (Sally) Low
- Mrs Alicia Faloona
- Mrs Geraldine Alexander
- Mr Jozef Janickovic
- Mr William Ashman
- Mrs Valerie Ashman

**Recommendation**

That Council **APPOINT** the following community representatives to the Rockingham RoadWise Advisory Committee for a two-year term of office commencing 23 September 2014:

- Mrs Arlene Yates
- Mrs Alicia Faloona
- Mr George Montgomery
- Mrs Geraldine Alexander
- Mr Jozef Janickovic
- Mr William Ashman

**Comments**

The performance and attendance of the existing community representative has consistently been at a high standard with few instances of unannounced non-attendance at the monthly meetings.

The members that we are choosing to not re-nominate are thanked for their valued contribution to Road Safety over several years.

The new members are expected to bring with them a diverse range of experience. The addition of a community representative that resides in the Baldivis area is also desirable as this area has been under represented in the past.

**Voting Requirements**

Absolute Majority
Officer Recommendation

That Council:

1. DECLARE vacant all non-Councillor positions on the following Advisory Committees:  
   - Bush Fire Advisory Committee  
   - Disability Access Advisory Committee  
   - Heritage Reference Group  
   - Local Emergency Management Advisory Committee  
   - Marine Infrastructure Advisory Committee  
   - Rockingham RoadWise Advisory Committee

2. APPOINT the following members to the respective Advisory Committees listed as follows for a two-year term of office commencing 23 September 2014:

   **Bush Fire Advisory Committee**
   - Mr Rik Mills representing Baldivis Volunteer Bush Fire Brigade  
   - Mr Trevor Wise representing Baldivis Volunteer Bush Fire Brigade  
   - Mr Andrew Munro representing Rockingham Volunteer Fire and Rescue Service  
   - Mr Brendan Privileedge representing Secret Harbour Volunteer Fire and Rescue Service  
   - Mr Ben Trevethan representing Singleton Volunteer Bush fire Brigade  
   - Mr Chris Hyde representing Singleton Volunteer Bush Fire Brigade  
   - Mr Doug Smith representing Department of Fire and Emergency Services  
   - Mr Tim Fisher representing Department of Parks and Wildlife

   **Disability Access Advisory Committee**
   - Ms Anitana Taipari  
   - Mr Jordon Steele-John  
   - Ms Suzanne Marshall  
   - Ms Stephenie Fielding  
   - Ms Sheila Morris  
   - Ms Mor Williams  
   - Mr Steven Warfield  
   - Mrs Celine Low  
   - Mr Malcolm Elliott  
   - Ms Noeline Mason

   **Heritage Reference Group**
   - Mrs Wendy Durant representing Rockingham District Historical Society  
   - Mrs Sylvia Reed representing Rockingham District Historical Society

   **Local Emergency Management Advisory Committee**
   - Mr Ryan Hamblion representing Department of Child Protection  
   - Mr David Charles representing Department of Parks and Wildlife  
   - Mr Doug Smith representing Department of Fire and Emergency Services Authority  
   - Mr Craig Reynolds representing Kwinana Industries Council  
   - Mr Scott Beaton representing Rockingham General Hospital  
   - Mr Chris Aleman representing Rockingham Volunteer Sea Rescue Group  
   - Mr Lieutenant Adrian Eddy representing Royal Australian Navy  
   - Mr Garry Williams representing Secret Harbour Surf Life Saving Club  
   - Mr Richard Lowe representing Secret Harbour Surf Life Saving Club  
   - Mr David Beard representing State Emergency Service

\[4\] Names of Committees omitted in error.
3. **AMEND** the name and Terms of Reference of the Disability Access Advisory Committee to the following:

**Name:** Disability Access and Inclusion Advisory Committee

**Terms of Reference:** Represent the community by providing advice/support to officers and Council with regard to the implementation of the Disability Access and Inclusion Plan and to address disability access and inclusion issues within the boundaries of the City of Rockingham.

### Committee Recommendation

**Moved Cr Pease, seconded Cr Smith:**

That Council:

1. **DECLARE** vacant all non-Councillor positions on the following Advisory Committees:
   - Bush Fire Advisory Committee
   - Disability Access Advisory Committee
   - Heritage Reference Group
   - Local Emergency Management Advisory Committee
   - Marine Infrastructure Advisory Committee
   - Rockingham RoadWise Advisory Committee

2. **APPOINT** the following members to the respective Advisory Committees listed as follows for a two-year term of office commencing 23 September 2014:

   **Bush Fire Advisory Committee**
   - Mr Rik Mills representing Baldivis Volunteer Bush Fire Brigade
   - Mr Trevor Wise representing Baldivis Volunteer Bush Fire Brigade
   - Mr Andrew Munro representing Rockingham Volunteer Fire and Rescue Service
   - Mr Brendan Privileedge representing Secret Harbour Volunteer Fire and Rescue Service
   - Mr Ben Trevethan representing Singleton Volunteer Bush fire Brigade
   - Mr Chris Hyde representing Singleton Volunteer Bush Fire Brigade
   - Mr Doug Smith representing Department of Fire and Emergency Services
   - Mr Tim Fisher representing Department of Parks and Wildlife

   **Disability Access Advisory Committee**
   - Ms Anitana Taipari
3. **AMEND** the name and Terms of Reference of the Disability Access Advisory Committee to the following:

**Name:** Disability Access and Inclusion Advisory Committee

**Terms of Reference:** Represent the community by providing advice/support to officers and Council with regard to the implementation of the Disability Access and Inclusion Plan and to address disability access and inclusion issues within the boundaries of the City of Rockingham.

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

<table>
<thead>
<tr>
<th><strong>Implications of the Changes to the Officer’s Recommendation</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
<td></td>
</tr>
</tbody>
</table>
13. **Reports of Councillors**

Nil

14. **Addendum Agenda**

Nil

15. **Motions of which Previous Notice has been given**

Nil

16. **Notices of Motion for Consideration at the Following Meeting**

Nil

17. **Urgent Business Approved by the Person Presiding or by Decision of the Committee**

Nil

18. **Matters Behind Closed Doors**

Nil

19. **Date and Time of Next Meeting**

The next Planning and Engineering Services Committee Meeting will be held on **Monday 20 October 2014** in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.

20. **Closure**

There being no further business, the Chairperson thanked those persons present for attending the Planning and Engineering Services Committee meeting, and declared the meeting closed at **4.55pm**.