MINUTES
Planning and Engineering Services Committee Meeting

Held on Monday 14 November 2016 at 4:00pm
City of Rockingham Boardroom
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1. Declaration of Opening

The Chairperson declared the Planning and Engineering Services Committee Meeting open at 4:00pm, welcomed all present, and delivered the Acknowledgement of Country.

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

2.1 Councillors

Cr Chris Elliott  
Cr Matthew Whitfield  
Cr Deb Hamblin (Deputy Mayor)  
Cr Katherine Summers  
Cr Barry Sammels (Mayor)  
Cr Justin Smith  
Cr Lee Downham

Chairperson  
(arrived 4.05pm)  
(Observer)

2.2 Executive

Mr Andrew Hammond  
Mr Bob Jeans  
Mr Peter Doherty  
Mr Chris Thompson  
Mr Peter Ricci  
Mr Brett Ashby  
Mr Mike Ross  
Mr Rod Fielding  
Mr Ian Daniels  
Mr Kelton Hincks  
Mr James Henson  
Mr Adam Johnston  
Mr Allan Moles  
Ms Melinda Wellburn

Chief Executive Officer  
Director Planning and Development Services  
Director Legal Services and General Counsel  
Director Engineering and Parks Services  
Manager Major Planning Projects  
Manager Strategic Planning and Environment  
Manager Statutory Planning  
Manager Health Services  
Manager Engineering Services  
Manager Asset Services  
Manager Land and Development Infrastructure  
Manager Parks Services  
Manager Integrated Waste Services  
PA to Director Planning and Development Services

2.3 Members of the Gallery: 3

2.4 Apologies: Nil

2.5 Approved Leave of Absence: Nil

3. Responses to Previous Public Questions Taken on Notice

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

At the Planning and Engineering Services Committee meeting held on 17 October 2016, Mr Green asked the following questions that were taken on notice and the Director, Planning and Development Services provided a response in a letter dated 26 October 2016 as follows:
1. I note the response by Taylor Burrell Barnett on behalf of Cedar Woods regarding the Coastal Hazard Risk Management Adaptation Plan, submitted to the Department of Planning by the City on 29th July 2016 and I ask in particular:

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

**Response**

In its submission to the Western Australian Planning Commission on the draft Coastal Hazard Risk Management Adaptation Plan, the City advised as follows:

“It is acknowledged that there has been extensive consultation with respect to the 'Mangles Bay Marina' project prior to and during the current planning process.

Most of the public consultation identified within the CHRMAP, however, has not been specific to its preparation or recommended outcomes. Unless it can demonstrated otherwise, or it is established that further consultation will not assist the CHRMAP exercise, consideration should be given to additional engagement.”

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

**Response**

No, the City is not aware.

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

**Response (provided at meeting)**

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

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

**Response**

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

3.2 Mr James Mumme, 36 Gloucester Avenue, Shoalwater - Perth Transport Plan

**Question**

1. Water Efficiency Action Plan

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

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

**Response (provided at meeting)**

The Chairperson advised that in the event that the Policy is adopted by Council he has no doubt that the Director, Engineering and Parks Services and his staff will take any actions they can to meet the goals in the Policy and that will certainly be the intention.
Question
2. Re the Council Officer’s Response to the Perth Transport Plan p115

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

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

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

Response
The South West Group, which advocates on behalf of the Cities of Rockingham, Kwinana, Cockburn, Melville and Fremantle and Town of East Fremantle, will include the member Council’s position on the Outer Harbour and Perth Freight Link/Roe Highway Extension in its submission on the Perth Transport Plan.

The South West Group requested that the City of Rockingham’s position on these projects be provided for inclusion in its submission.

The Perth Freight Link/Roe Highway Extension is an important element of the road network in the region and specifically the south-west corridor. It is entirely reasonable for the City to form a view on proposals that are located outside the municipal boundary that have broader transport implications. The City’s assessment of the draft Perth Transport Plan assessed and provided commentary on a range of significant proposals outside of Rockingham.

It is also the case that, despite public scrutiny and legal challenge, the Roe Highway Extension has received the requisite environmental approvals to proceed.

Question

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

Response
The Chairperson advised that the Council is aware that the City has 100,000's of visitors per year. The City’s Economic Development Strategy is specifically aimed at increasing the tourist visitation and to stimulate economic growth within the area (provided at the meeting).

Further, part of the City’s role is providing infrastructure to assist businesses that underpin the economic growth and stimulation of employment, including those in the tourism sector.

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

Response (provided at meeting)
The Chairperson advised that there is a singular and massive advantage that Rockingham has over the entire metropolitan area and that is our north facing beach.

Although the City of Mandurah has a north facing beach, it is incorporated within the Marina which has groynes and rock walls. The other advantage of Rockingham’s north facing beach is that it is sheltered from sea breezes in the afternoon.
(c) Would Councillors agree that the City’s unique attractions are not its built environment but its islands, its two magnificent sounds and its bays and beaches and the wildlife struggling to cope with the invasions of development?

**Response (provided at meeting)**

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

### 4. Public Question Time

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<td>4:01pm</td>
<td>Ms Christine St John</td>
<td>7 Oneida Road, Secret Harbour - McDonalds, Secret Harbour</td>
<td>Why has the trucks been changed yet again when it was agreed and approved to use Oasis drive. Who changed it why they changed.</td>
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<td>The council says this was the plan from the start of the development, this statement is wrong, the plan was to build a police station and this was why those who bought the block on Oneida Rd did so, so to say it was the plan and those on Oneida need to accept it is wrong. Why was those highly affected by the change not included in the proposed changes.</td>
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<td>Charter Hall has said that they are putting landscaping along Oneida rd and a privacy fence/shield and provided us with the plan which was sent through for approval to the council, where is this, and has it been approved.</td>
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<td>The sign was to be moved to opposite side of the building, McDonalds said they were happy for it to be moved, Charterhall said they were but needed council approval, I mentioned this numerous times to Chris Elliott, why was this not done, as James Dann and Maccas rep said it would make no difference to them but make a lot to Oneida Rd so they agreed to do it.</td>
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<td>Why has the exit South been removed from Warnbro Rd? This was a direct exit for shoppers to exit south without driving the length of the shopping centre to exit out of Oneida Rd. Warnbro Rd is built for heavy traffic and there is a large strip of bush separating residents, and it was there before. The car lights heading South to exit via Oneida go straight into my bedroom and the traffic and noise I experience 24 hours is horrendous. Are the traffic lights going to be put there?</td>
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<td>Why can't McDonalds have a direct exit onto Warnbro Road like the entry so residents can have some peace. The burnouts and loud music thumping from the cars at 11 at night is unbearable. Why should I have to sleep in my living room? Why is it 24 hours? Teenagers are gathering and causing havoc.</td>
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The Chairperson advised that the question will be taken on notice.

8. As I am directly right in front of the flying gravel and dust from cars speeding around to exit onto Oneida, I would like to be compensated for the chips taken out of the front of my house and the damage done to the railing out the front and for both to be repainted. Also the cost of putting up a green barrier to lesson the dust, sand, gravel and rubbish going into my home and yard.

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

9. Are you going to provide an aesthetic barrier such as a wall, large trees and greenery to give the residents of Oneida the quality of life that should be expected on a residential street? I am aware the council has made an effort to alleviate the rubbish, mainly from MacDonals that litters the street, but we also have trolleys abandoned on the Oasis verge falling onto our road becoming a serious safety issue. This would also stop cars crossing the verge and tearing up the vegetation. One tree is already dead and the greenery gone. (I have forwarded these photos to Mike Ross).

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

10. Could the gigantic M sign on the back of MacDonal be turned off? It is not serving any purpose except lighting up the back of the shopping centre and residents on Oneida. It is extremely bright.

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

11. Can the flood light that shines right through my bedroom be removed. It is next to the white power box and is directly opposite me. The light is so bright it glows through my closed blinds. I just want to sleep in my bedroom.

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

12. Can you reduce the noise? The traffic of cars and trucks using Oneida Rd is intolerable. It is 24 hours. I personally have not been able to sleep properly since all this began. It is unfair on Oneida residents to bear the brunt of this development.

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

4:09pm There being no further questions the Chairperson closed Public Question Time.

5. Confirmation of Minutes of the Previous Meeting

Moved Cr Sammels, seconded Cr Whitfield:

That Committee CONFIRMS the Minutes of the Planning and Engineering Services Committee Meeting held on 17 October 2016, as a true and accurate record.

Committee Voting – 5/0

6. Matters Arising from the Previous Minutes

Nil

7. Announcement by the Presiding Person without Discussion

4:10pm The Chairperson announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.

8. Declarations of Members and Officers Interests

4:10pm The Chairperson asked if there were any interests to declare. There were none.
9. Petitions/Deputations/Presentations/Submissions

9.1 Deputation - PDS-080/16 - Proposed Telecommunications Infrastructure (Fixed Wireless Facility)

4:11pm The Chairperson invited Mr Laurie Chantry, Planning Solutions to make his deputation.

Mr Chantry advised the Committee of his support for the Officer's recommendation to approve the proposal. Mr Chantry explained, however, that the additional development setback sought in the Officer's recommendation would not benefit the amenity or visual impact of the area.

Mr Chantry asked for the Committee to support the application subject to amending Condition 3, to allow the proposed infrastructure to be setback a minimum of 30 metres from the northern boundary and 10 metres from the western boundary, which was reflected in a plan he presented at the Committee meeting.

4:17pm The Chairperson thanked Mr Chantry for his deputation.

10. Matters for which the Meeting may be Closed

Nil

11. Bulletin Items

Planning and Development Services Information Bulletin – November 2016

Health Services
1. Health Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 FoodSafe
   3.2 Industrial and Commercial Waste Monitoring
   3.3 Mosquito Control Program
   3.4 Environmental Waters Sampling
   3.5 Food 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 Permit Approvals
   4.7 After Hours Noise and Smoke Nuisance Complaint Service
   4.8 Complaint - Information
   4.9 Noise Complaints - Detailed Information
   4.10 Animal Exemptions
   4.11 Building Plan Assessments
   4.12 Septic Tank Applications
   4.13 Demolitions
   4.14 Swimming Pool and Drinking Water Samples
   4.15 Rabbit Processing
   4.16 Hairdressing and Skin Penetration Premises
   4.17 New Family Day Care Approvals
   4.18 Caravan Park and Camping Ground Inspections
   4.19 Emergency Services
4.20 Social Media
4.21 Customer Requests Emergency Service Team
4.22 Restricted Burning Period
4.23 Structural Fire Fighting Capability – Baldivis
4.24 Training
4.25 Multi Agency Exercise Angarika
4.26 Structure Fire - Baldivis
4.27 Launch of Emergency WA Website
4.28 Incident Control Vehicle (ICV) Exercise
4.29 Ranger Services Action Reports
4.30 SmartWatch Key Result Area: Visibility
4.31 SmartWatch Key Result Area: Engagement with Community
4.32 SmartWatch Key Result Area: Increasing perception of Safety
4.33 SmartWatch Statistics

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 Demolition Permit
   4.4 Permanent Sign Licence
   4.5 Community Sign Approval
   4.6 Street Verandah Approval
   4.7 Occupancy Permits
   4.8 Strata Titles
   4.9 Unauthorised Building Works (Section 51 of the Building Act)
   4.10 Monthly Caravan Park Site Approvals
   4.11 R Code Variations

Strategic Planning and Environment
1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Local Planning Strategy (LUP/1352)
   3.2 Waterwise Council Program (EVM/56-02)
   3.3 Karnup District Structure Plan (LUP/1546)
   3.4 Cockburn Sound Coastal Alliance – Vulnerability & Flexible Adaptation Pathways Project Stage 3 (EVM/149)
   3.5 Greening Plan (PKR/52-02)
   3.6 Frog Population Monitoring Program (EVM/174)
4. Information Items
   4.1 Notification of Recommendation to the Western Australian Planning Commission for a Structure Plan Amendment
   4.2 Notification of Approval of Structure Plan by the Western Australian Planning Commission
   4.3 Banksia Woodland listed as a Threatened Ecological Community
   4.4 Changes in State environmental legislation
   4.5 Minutes of the Peron Naturaliste Partnership Annual General Meeting and General Board Meeting

Land and Development Infrastructure
1. Land and Development Infrastructure Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Structure Plan Approval Referrals
   4.2 Subdivision Approval Referrals
   4.3 Urban Water Management Referrals
   4.4 Traffic Report Referrals
   4.5 Delegated Land and Development Infrastructure Assets Approvals
   4.6 Subdivision Clearance Requests
   4.7 Handover of Subdivisional Roads
   4.8 Development Application Referrals
   4.9 Delegated Subdivision Public Open Space Practical Completions
   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 Proposed Amendment No’s.161 and 162 to Town Planning Scheme No.2
   3.3 Southern Gateway/Rockingham Station Sector – Masterplanning, Development Policy Plan and TPS (LUP/1846 and LUP/1847)
   3.4 Leeuwin Sector – Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.5 Northern Gateway Sector – Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.6 Redevelopment of City Square and Civic Plaza – LUP/1933
   3.7 ‘Mangles Bay Marina’
4. Information Items
   4.1 Planning Bulletin 111/2016 - Planning in Bushfire Prone Areas
   4.2 Warnbro Dunes Pilot Project - Project Update
   4.3 Perth Transport Plan for 3.5 Million People and Beyond - Department of Transport

Advisory Committee Minutes

Committee Recommendation

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

Committee Voting – 5/0

Engineering and Parks Services Information Bulletin – November 2016

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

Engineering Services
1. Engineering Services Team Overview
2. Human Resource Update

3. Project Status Reports
   3.1 Stormwater Drainage Plan
   3.2 Coastal Management Consultants (Sand Drift/Erosion Problems)
   3.3 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)

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

Parks Services

1. Parks Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Dog Exercise Area
   3.2 Weld Street shower and drink fountain - Rockingham
   3.3 Practice Cricket Net Modification - Rhonda Scarrott Reserve, Golden Bay
   3.4 Practice Cricket Net Renewal – Careeba Reserve, Koorana Reserve and Warnbro Oval
   3.5 Bore and Irrigation Cabinet – Malibu Reserve
   3.6 City Parks – Central Irrigation Management System
   3.7 Play Equipment Replacements
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<td>Synthetic Turf Renewal - Lark Hill Practice Cricket Nets</td>
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<td>Limestone Access Track Upgrade - Lark Hill Reserve</td>
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<td>Outdoor Gym Equipment - Harmony Park, Singleton</td>
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<td>Parks Maintenance Program 2016/2017</td>
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<td>Maintenance and Provision of Public Toilets</td>
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<td>Lighting Consultants (Technical Planning/Design, Underground Power Program)</td>
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<td>Asset Management Improvement Strategy</td>
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<td>Solar Power Generation</td>
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<td>2016/2017 Public Area Lighting and Arterial Lighting</td>
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<td>Rockingham Day Care Fire Panel Replacement</td>
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<td>Baldivis South Club Facility Eighty Road Baldivis</td>
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<td>Laurie Stanford Reserve Development</td>
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<td>Rhonda Scarrott Reserve Development</td>
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<td>4.9</td>
<td>Administration building exterior render repairs</td>
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<td>Aqua Jetty Solar PV system 328kw</td>
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<td>Aqua Jetty – Tiling of external 50m Pool</td>
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<td>Secret Harbour – Inclusive Play Space</td>
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<td>Mike Barnett Sports Complex and Warnbro Recreation Centre - Renovations</td>
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<td>Mike Barnett Sports Complex - Awning Installation</td>
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<td>4.19</td>
<td>Churchill Park Toilets – Refurbish internal and external items</td>
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<td>Asset Maintenance Statistics</td>
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<td>4.26</td>
<td>Albenga Place Toilet – Rust treatment and internal refurbishment</td>
</tr>
<tr>
<td>4.27</td>
<td>Baldivis Hall – Replacement of Toilet Partitioning</td>
</tr>
<tr>
<td>4.28</td>
<td>Engineering Office redesign</td>
</tr>
<tr>
<td>4.29</td>
<td>Larkhill – Bench seating replacement</td>
</tr>
<tr>
<td>4.30</td>
<td>Colonial Reserve - Baldivis</td>
</tr>
<tr>
<td>4.31</td>
<td>Mary Davies Library and Community Centre – additional meeting space</td>
</tr>
</tbody>
</table>
Waste Services
1. Waste Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Waste Collection Services; Introduce Three Bin Collection System
   3.2 Waste Collection Services; Waste Audit
   3.3 Waste Collection Services; School Recycling Program
   3.4 Waste Collection Services; Bin Tagging Program
   3.5 Landfill Services; Construction of Cell 16 and Leachate Dams
   3.6 Landfill Services; Landfill Access Road and Associated Infrastructure
   3.7 Landfill Services; Construction of Cell 17
   3.8 Landfill Services; Landfill Capping of Cells 12 and 13
4. Information Items
   4.1 Waste Collection Services; Kerbside Collection
   4.2 Waste Collection Services; Bulk Verge Collection
   4.3 Waste Collection Services; Green Waste Disposal Plan (Bushfire Risk Management)
   4.4 Waste Collection Services; Waste Diversion Percentage
   4.5 Landfill Services; Tip Passes
   4.6 Landfill Services; Landfill Statistics
   4.7 Landfill Services; Shire of Serpentine Jarrahdale move to dispose of 8,000 tonnes of waste at Millar Road Landfill Facility
   4.8 Landfill Services; Waste Education and Promotion
   4.9 Garage Sale Trail 2016

Advisory Committee Minutes

Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

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

Committee Voting – 5/0
### 12. Agenda Items

**Planning and Development Services**

#### Planning and Development Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-077/16 Proposed Building Envelope Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD024.2016.00000009.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Charles and Mrs Tamala Bosveld</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr Phillip and Mrs Michelle Bell</td>
</tr>
<tr>
<td>Author:</td>
<td>Ms Gayle O’Leary, Planning Assistant</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr David Waller, Co-ordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>14 November 2016</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>Tribunal</td>
</tr>
</tbody>
</table>

#### Statutory Planning Services

| Site:                  | Lot 1028 Gaze Grove, Golden Bay              |
| Lot Area:              | 2,395m²                                      |
| LA Zoning:             | Special Residential                          |
| MRS Zoning:            | Rural                                        |
| Attachments:           | 1. Location Plan                             |
|                       | 2. Aerial Photograph                         |
|                       | 3. Bushfire Attack Level (BAL) Map           |
|                       | 4. Existing and Proposed Building Envelope Plan |
|                       | 5. Consultation Plan                         |
1. Location Plan

2. Aerial Photograph
3. Bushfire Attack Level (BAL) Map

The image seen above was acquired from http://www.nearmaps.com. The photo was taken on 17/06/2016. Please note that minor changes may have occurred to the area since the image was taken. The BAL rating is a reflection of the site / proposed development current condition at the time of our assessment/site visit.
Purpose of Report

To consider an application to vary the approved Building Envelope at Lot 1028 Gaze Grove, Golden Bay.

Background

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

The approved Building Envelope is setback approximately 14.0m from the southern boundary, 7.5m from the western boundary, 5.8m from the eastern boundary, and 15.3m from the northern boundary.

The land is located within a Bushfire Prone Area close to Mandurah Road and Paganoni Road, and is moderately vegetated with fairly steep elevations onsite.

Details

The application proposes to modify the approved Building Envelope in order to accommodate a future dwelling. The size of the Building Envelope will increase from 627m² to 681m², which is an increase of 8.6%. No vegetation will be removed for the purposes of the Building Envelope variation.

The modified Building Envelope will be located 3.3m from the western lot boundary, 6.5m from the eastern boundary, 15.4m from the front setback, and 16.2m from the rear boundary. No vegetation is proposed for removal for the purposes of this application and the Building Envelope will not have an unacceptable level of bushfire risk. The applicant has stated that the future single house will be built to a Bushfire Attack Level of BAL-19.
4. Existing and Proposed Building Envelope Plan
Implications to Consider

a. Consultation with the Community

In accordance with clause 6.3.3 of Town Planning Scheme No.2 (TPS2) and Planning Policy 3.3.17 - Variations to Building Envelopes, Building Envelopes may be varied at the discretion of the Council, only after consultation with the owners of affected or adjoining properties. The application was referred to the adjacent landowners by the landowner, as shown on the Consultation Plan below. At the conclusion of the advertising period, no submissions were received.

b. Consultation with Government Agencies

Not Applicable

c. Strategic

Community Plan

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

Aspiration D: Sustainable Environment

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

d. Policy

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

The following is an assessment against the relevant requirements of PP3.3.17:
<table>
<thead>
<tr>
<th>Requirement</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application complies with TPS2.</td>
<td>Schedule No.5 of TPS2 provides that the size and location of an approved Building Envelope may be varied with the approval of Council.</td>
<td>Yes</td>
</tr>
<tr>
<td>It is demonstrated that the varied Building Envelope will not result in an adverse environmental impact.</td>
<td>The application proposes the modification of the approved Building Envelope onsite in order to accommodate a future single house. The actual size of the envelope will not be impacted, which is 681m². No vegetation will be removed for the purposes of the Building Envelope variation, however, the matter will be reassessed at the Development Approval stage when an application for the proposed single house is received.</td>
<td>Yes</td>
</tr>
<tr>
<td>It is demonstrated that the varied Building Envelope will not result in an unacceptable level of bushfire risk.</td>
<td>The site plan provided states that the future single house will be built to BAL-19. A BAL Assessment was provided on 19 October 2016 which states that the BAL-rating for the site will be BAL-12.5 as a result of the proposed Building Envelope variation.</td>
<td>Yes</td>
</tr>
<tr>
<td>There are no unacceptable amenity impacts to neighbours.</td>
<td>The proposal was referred to the adjoining neighbours and no objections were received. The modification will not result in an adverse impact upon adjoining landowners.</td>
<td>Yes</td>
</tr>
<tr>
<td>The variation results only in a minor increase in the size of the approved Building Envelope. An increase up to a maximum of 10% of the area of the original approved Building Envelope will be considered.</td>
<td>The size of the proposed Building Envelope will increase by 8.6%.</td>
<td>Yes</td>
</tr>
<tr>
<td>Building Envelopes are to be of a regular shape and comprise one single contiguous area.</td>
<td>The Building Envelope will continue to be of a regular shape and comprise a single contiguous area.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7)

The Stage 2A Peelhurst Estate, Golden Bay Fire Management Plan (FMP), approved by the City on 15 May 2014, is applicable to the area. The FMP identified that a BAL-rating of BAL-12.5 is applicable to this lot but recommended that all buildings and structures be developed to BAL-19 regardless. In this context, the BAL-12.5 rating for the Building Envelope is considered appropriate.

The applicant has stated that the future Single House will be built to BAL-19 in accordance with the recommendation of the FMP, despite the findings of the BAL Assessment which was provided by the applicant on 19 October 2016. The BAL Assessment states that the BAL-rating for the site will be BAL-12.5 as a result of the proposed Building Envelope variation.

The acceptable development criteria of the Guidelines in Bushfire Prone Areas (Bushfire Guidelines) stipulate that a 20m Asset Protection Zone (APZ) is required, except in instances where the Bushfire Attack Level rating (BAL-rating) does not exceed BAL-29. When the BAL-rating does not exceed BAL-29, the APZ can be reduced. A 20m APZ within the confines of the lot boundary was not required under the approved FMP due to the small size of the lots, and therefore the proposed reduction of the APZ from 7m to 3m is considered acceptable in this context.

The subject site was created as the result of a 36-lot subdivision of land in the Peelfold Glen Estate, Golden Bay, which was approved by the Western Australian Planning Commission in January 2013 without an approved FMP in place (WAPC 144593). The original application for the 36-lot subdivision was approved with a condition of approval requiring the provision of a FMP, however, the small size of the lots could not accommodate a 20m APZ.
In conclusion, the absence of a 20m APZ in this context is considered acceptable.

e. **Financial**
   - Nil

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

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

### Comments

The proposed Building Envelope complies with TPS2 and PP3.3.17. The impact of the proposed Building Envelope in comparison to the approved Building Envelope on the amenity of neighbouring properties is considered minimal given no vegetation is required to be removed and no comments were offered to the proposal by adjoining owners. The proposed Building Envelope will not result in an adverse environmental impact or an increased bushfire risk.

It is recommended that the proposed Building Envelope be approved.

### Voting Requirements

**Simple Majority**

### Officer Recommendation

That Council **APPROVES** the application to vary the Building Envelope at Lot 1028 Gaze Grove, Golden Bay.

### Committee Recommendation

**Moved Cr Whitfield, seconded Cr Hamblin:**

That Council **APPROVES** the application to vary the Building Envelope at Lot 1028 Gaze Grove, Golden Bay.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
### Purpose of Report

To consider revoking the following Planning Policies:
- Planning Policy 3.3.3 - Caravan Parks (PP3.3.3);
- Planning Policy 6.8 - Verandas along public streets in the Rockingham Beach Townscape Area (PP6.8); and
- Planning Policy 3.3.12 - Open Air Display (PP3.3.12).

### Background

#### PP3.3.3 - Caravan Parks

PP3.3.3 was adopted by Council in 2008 and provides guidance on the requirements for Caravan Parks e.g. setbacks, parking requirements etc.

#### PP6.8 - Verandas along public streets in the Rockingham Beach Townscape Area

PP6.8 was adopted in 1994 and provides guidelines for the reinstatement of verandas within the Rockingham Beach area. Planning Policy 3.2.5 - Waterfront Village Sector (PP3.2.5) which applies to the Rockingham Beach area was adopted in 2012 and provides development principles that require buildings to frame, address and activate the street.
PP3.3.12 - Open Air Display

PP3.3.12 was adopted by Council in 2008 and provides policy provisions for uses that involve the open air display of goods and equipment, which may include the display of swimming pools, motor vehicles, machinery, boats etc.

Details

PP3.3.3 - Caravan Parks

The Western Australian Planning Commission's (WAPC) Planning Bulletin 49/2014 - Caravan Parks details the criteria required to be considered in the assessment of caravan parks. This Bulletin also makes reference to the Caravan Parks and Camping Grounds Act 1995 and the Caravan Parks Camping Grounds Regulations 1997. The WAPC's Planning Bulletin 49/2014 was last updated in May 2014 and provides all the relevant information that is required to be considered in a Development Application for a Caravan Park.

PP6.8 - Verandas along public streets in the Rockingham Beach Townscape Area

In April 2012, Council adopted PP3.2.5, requires a highly activated frontage within the Rockingham Beach area and encourages the use of widened street footpaths for street side dining and the provision of awnings.

PP3.3.12 - Open Air Display

PP3.3.12 provides assessment criteria to guide development for open air display. This includes requirements for the provision of parking, advertising signage and Building Approval. These requirements are dealt with by Town Planning Scheme No. 2 (TPS2) and Planning Policy 3.3.1 - Control of Advertisements (PP3.3.1).

Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Nil

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

   **Aspiration D:** Sustainable Environment

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

d. Policy
   PP3.3.3, PP6.8 and PP3.3.12 are not utilised and are therefore considered to be no longer required. Planning policies should be revoked by Council under the Planning and Development (Local Planning Schemes) Regulations 2015.

e. Financial
   Nil

f. Legal and Statutory
   Planning and Development (Local Planning Schemes) Regulations 2015
   Under Clause 6 of the deemed provisions in the Planning and Development (Local Planning Schemes) Regulations 2015, a Local Planning Policy may be revoked by a notice of revocation prepared by the Council and published in a newspaper circulating the scheme area.
g. Risk

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

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

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

Nil

Comments

**PP3.3.3 - Caravan Parks**

PP3.3.3 is recommended to be revoked as it duplicates the information contained within the WAPC’s updated Planning Bulletin 49/2014 and is therefore considered to be unnecessary.

**PP6.8 - Verandas along public streets in the Rockingham Beach Townscape Area**

PP3.2.5 provides substantial detail for streetscape treatment in the foreshore area. The requirements of PP6.8 are superseded by the streetscape requirements contained within PP3.2.5. As such, PP6.8 is recommended to be revoked.

**PP3.12 - Open Air Display**

PP3.12 does not provide any additional requirements or guidance than TPS2 and PP3.3.1 and is therefore recommended to be revoked.

For the reason outlined above, it is recommended that Council revoke PP3.3.3, PP6.8 and PP3.3.12.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **REVOKES** the following Planning Policies:

- Planning Policy 3.3.3 - Caravan Parks;
- Planning Policy 6.8 - Verandas along public streets in the Rockingham Beach Townscape Area; and
- Planning Policy 3.3.12 - Open Air Display.

Committee Recommendation

Moved Cr Sammels, seconded Cr Whitfield:

That Council **REVOKES** the following Planning Policies:

- Planning Policy 3.3.3 - Caravan Parks;
- Planning Policy 6.8 - Verandas along public streets in the Rockingham Beach Townscape Area; and
- Planning Policy 3.3.12 - Open Air Display.

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-079/16 Proposed Commercial Vehicle Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2016.00000344.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Nicholas Paine</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr Nicholas Paine</td>
</tr>
<tr>
<td>Author:</td>
<td>Ms Keara Freeley, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 384 (No.17) Trivalve Road, Baldivis</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>624m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Development</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. Commercial Vehicle in Driveway (Side View)</td>
</tr>
<tr>
<td></td>
<td>4. Commercial Vehicle in Driveway (Front View)</td>
</tr>
<tr>
<td></td>
<td>5. Consultation Plan</td>
</tr>
</tbody>
</table>
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 12 DECEMBER 2016

1. Location Plan

2. Aerial Photo
Purpose of Report

To consider an application seeking retrospective Development Approval for Commercial Vehicle Parking at Lot 384 (No.17) Trivalve Road, Baldivis.

Background

In April 2016, the City received a complaint regarding a Commercial Vehicle being parked on the property, which was creating noise when leaving the property at 5.00am. The City requested the owner to either cease parking the Commercial Vehicle on the property or make an application for retrospective Development Approval. The property owner has since submitted an application for retrospective Development Approval which forms the basis of this report.

Details

The Proponent seeks retrospective Development Approval to park a Commercial Vehicle on the subject site. Details of the application are as follows:

- The Commercial Vehicle is a light weight truck and is 5 metres long, 2.3 metres wide and 2.9 metres high, with a carrying capacity of 4.5 tonnes;
- The Commercial Vehicle is used for the transportation of glazing to various sites;
- The Commercial Vehicle will be parked in the driveway at the front of the premises;
- The Commercial Vehicle will depart the premises between 6.15am and 6.30am and return to the premises between 3.30pm to 5.00pm, Mondays to Fridays. The Commercial Vehicle will remain parked at the premises on Saturdays and Sundays; and
- There is no ability for the Commercial Vehicle to be parked behind the building line.
Implications to Consider

a. Consultation with the Community

In accordance with the requirements of Town Planning Scheme No.2 (TPS2), the application was referred to adjacent and nearby land owners for comment for a period of 14 days.

At the close of the advertising period, one submission in support of the application and one submission objecting to the proposal were received. The submission objecting to the proposal raised concerns that the Commercial Vehicle creates an eyesore in the residential area.

The consultation plan below shows which residents were consulted and the location of the submissioners.
5. Consultation Plan

Amenity

**Submission:**

(i) **Adverse impacts on the visual amenity of the residential locality.**

City's Comment:

One objection was made regarding the visual impact that the vehicle has on the surrounding properties. The applicant has advised that the vehicle will be parked in the driveway and it will therefore be visible to the street. There is no ability for the Commercial Vehicle to be parked behind the building line. It is acknowledged that there will be some visual impacts to the street; it will be wholly contained within the property boundary however, reducing its visual impact.

b. **Consultation with Government Agencies**

Not Applicable

c. **Strategic**

**Community Plan**

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

**Aspiration D:** Sustainable Environment  

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

d. **Policy**

**Planning Policy 3.3.13 – Parking of Commercial Vehicles in Residential Zones (PP3.3.13)**

PP3.3.13 sets out the objectives and requirements which the Council must have due regard to in the assessment and determination of an application for Development Approval for the parking of Commercial Vehicles on Residential zoned land.
The application was assessed against the policy objective and assessment criteria which are addressed in the table below:

<table>
<thead>
<tr>
<th>Policy Requirement</th>
<th>City’s Comments</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objective</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Vehicles can only be parked in residential zones where it has been demonstrated that there will be no adverse impact upon the residential amenity of the locality.</td>
<td>The Commercial Vehicle will be visible from the street and will therefore have some impacts on the residential amenity of the locality. It will be parked within the property boundary and will not be parked on the premises for the majority of the day during weekdays. The only time the Commercial Vehicle will be parked on the premises during the daytime is on weekends, when it will not be used.</td>
<td>Partially compliant</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Amenity</strong></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The parking of a Commercial Vehicle should not adversely impact upon the amenity of the locality. The Policy considers factors such as noise, fumes, odour and visual amenity as components of amenity that the Council must have due regard to. The Policy prohibits activities such as spray painting, panel beating of mechanical repairs that have the potential to adversely impact upon the amenity of the locality.</td>
<td>The applicant is not proposing to carry out any mechanical repairs, spray painting or panel beating to the Commercial Vehicle and thus the amenity of the locality is not considered to be impacted in this regard. The Commercial Vehicle will be parked in the driveway and will therefore be visible to the street. It is acknowledged that there will be some visual impacts to the street, it will be wholly contained within the property boundary however and there is no ability for the Commercial Vehicle to be parked behind the building line. It is acknowledged that there may be noise from the vehicle when starting up and leaving the premises in the morning. The applicant has amended the time which the vehicle will depart from the premises from 5.30am to 6.15am, reducing the potential to adversely impact the amenity of the locality.</td>
<td>Partially compliant</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>On-site Parking</strong></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Policy requires the Commercial Vehicle to be parked entirely within the property and should be contained behind the building setback line. Where possible, the vehicle should be parked to the rear of the residence and screened from view of the street and neighbouring properties. Only one Commercial Vehicle is permitted to park on a residential property.</td>
<td>The Commercial Vehicle is parked in front of the building line.</td>
<td>Partially compliant; Commercial Vehicle parked on the property but not behind the building line.</td>
</tr>
</tbody>
</table>
Access

The Policy requires that any access to the property on which the Commercial Vehicle is to be parked is to be via a crossover that has been constructed to the Council’s specifications. The parking of the Commercial Vehicle should also not preclude domestic vehicles from parking at the property.

The vehicle will be parked in the driveway, with direct access to the street from a crossover. There is adequate space for the owner/occupier’s domestic vehicles to also park in the driveway.

Yes

---

e. Financial

Nil

e. Legal and Statutory

TPS2 defines a Commercial Vehicle as follows:

"means a vehicle, whether licensed or not, which is used or designed for use for business, trade or commercial purposes or in conjunction with a business, trade or profession and without limiting the generality of the foregoing, includes any utility, van, truck, trailer, tractor and any attachment to any of them or any article designed to be attached to any of them, and any bus or any earthmoving machine, whether self-propelled or not. The term shall not include a vehicle designed for use as a passenger car or any trailer or other thing most commonly used as an attachment to a passenger car, or a van, utility or light truck which is rated by the manufacturer as being suitable to carry loads of not more than 1.5 tonnes."

The vehicle is consistent with the definition of a Commercial Vehicle under TPS2.

The Minister for Planning approved an amendment to TPS2 on 27 September 2016, which included changes to clause 4.17 to specify the matters that must be taken into consideration in assessing an application for Commercial Vehicle parking (gazetted 21 October 2016).

Clause 4.17.1 of TPS2 states the following:

"Parking of a commercial vehicle in any zone shall not be permitted except in accordance with the provisions set out in the following paragraphs of this clause."

Clause 4.17.2 of TPS2 states the following:

"despite any other provision of this Scheme, no commercial vehicle is permitted to remain on privately owned land within the Residential, Development, Special Rural, or Special Residential Zone for a period longer than is necessary for loading or unloading unless the local government has issued a development approval permitting the parking of such a vehicle."

Clause 4.17.3 of TPS2 states:

"a commercial vehicle may be permitted to be parked, subject to obtaining development approval, within the Residential Zone, Development Zone, Special Rural Zone, or Special Residential Zone, provided that" the specific issues outlined in the table below are complied with:

<table>
<thead>
<tr>
<th>Clause 4.17.3 of TPS2</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) The Commercial Vehicle is parked on a lot containing only a Single House</td>
<td>The lot contains a Single House only.</td>
<td>Yes</td>
</tr>
<tr>
<td>(b) The Commercial Vehicle forms an essential part of the occupation of an occupant of the dwelling</td>
<td>An occupant of the dwelling utilises the Commercial Vehicle for their occupation, which involves transporting glazing.</td>
<td>Yes</td>
</tr>
<tr>
<td>Clause 4.17.3 of TPS2</td>
<td>Provided</td>
<td>Compliance</td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------</td>
<td>------------</td>
</tr>
<tr>
<td>(c) Commercial Vehicles exceeding 8 metres in length are parked parallel to the side boundary of the lot and behind the building line</td>
<td>The Commercial Vehicle is 5 metres in length.</td>
<td>N/A</td>
</tr>
<tr>
<td>(d) No Commercial Vehicle repair</td>
<td>Repair of the Commercial Vehicle is not proposed to be carried out on the property.</td>
<td>Yes</td>
</tr>
<tr>
<td>(e) In the opinion of the local government, the Commercial Vehicle is not likely to adversely affect the amenity of the surrounding land;</td>
<td>The potential impacts on the amenity of neighbours have been addressed in the Policy section of this report where it has been identified that the potential impacts on neighbouring residents is minimal, as although the Commercial Vehicle is visible from the street, it will be wholly parked within the property boundary and the departure time of the vehicle in the morning has been amended from 5.30am to 6.15am.</td>
<td>Partially compliant</td>
</tr>
<tr>
<td>(f) Notwithstanding clause 77 of the deemed provisions, the Council has the ability to withdraw Development Approval for a Commercial Vehicle, without the prior application from the owner of land in respect of which development approval has been granted. If the commercial vehicle is not being used in accordance with any of the requirements of clause 4.17.3.</td>
<td>Should the Development Application be approved, the Council has the ability to withdraw the Development Approval, if the Commercial Vehicle is not being used in accordance with any of the requirements of clause 4.17.3</td>
<td>N/A (at this stage)</td>
</tr>
</tbody>
</table>

Furthermore, clause 4.17.5 of TPS2 requires that in assessing applications for Development Approval, the Council shall take into account the objectives of the particular zone, any Planning Policy pertaining to that zone which the Council may from time to time adopt, as well as the specific issues outlined in the table below:

<table>
<thead>
<tr>
<th>Clause 4.17.5 of TPS2</th>
<th>City Comments</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) On-site parking location</td>
<td>The Commercial Vehicle will be parked in front of the building line but within the property boundary and not on the street or verge. Therefore although there is some visual impact to the neighbouring properties, it is considered to be minimal as the Commercial Vehicle is only 5m in length. The glazing mounting on the rear of the vehicle protrudes above the eaves of the house.</td>
<td>Partially compliant</td>
</tr>
</tbody>
</table>
### Clause 4.17.5 of TPS2

| (b) | Potential impacts on neighbouring residents in terms of noise, emissions, visual appearance or any other nuisance | As discussed in the Policy section of the report, although it is acknowledged that there will be some noise impacts on neighbouring residents, the departure time of the Commercial Vehicle has been amended from 5.30am to 6.15am. The Commercial Vehicle will be parked in front of the building line and will therefore be visible from the street, the impact on the streetscape is reduced however as the vehicle will be parked in the driveway, wholly within the property boundary. | Yes |
| (c) | Frequency and times of arrival/departure, and parking duration | The Commercial Vehicle will arrive and depart the premises each weekday. The frequency at which the Commercial Vehicle arrives and departs the premises is considered to be low and the time at which the vehicle will depart the premises has been amended to reduce the impact upon the amenity of neighbouring properties. The Commercial Vehicle will not be parked on the premises for the majority of the day during weekdays. The only time the Commercial Vehicle will be parked on the premises during the daytime is on weekends, when it will not be used. | Yes |
| (d) | The use of the vehicle and whether such vehicle is to be used for business purposes operating out of the premises on a call-out basis. | The Commercial Vehicle will be used to transport glazing, which is unlikely to impact on the amenity of neighbouring properties. The Commercial Vehicle will be arriving and departing the premises once each day and not on a call-out basis. The manner in which the Commercial Vehicle will be used is not considered to impact the amenity of neighbouring properties as the Commercial Vehicle will not be consistently entering and exiting the property throughout the day and no clients are attending the premises. | Yes |

The proposal is considered to be compliant with the requirements and considerations of TPS2.

**g. Risk**

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

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

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

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

Nil
**Comments**

**Response to Submission:**

(i) The vehicle creates an eyesore to the residential area.

**Officer Comment**

The parking of the Commercial Vehicle is generally compliant with PP3.3.13 and TPS2. It will be parked entirely within the subject property in the driveway and will not be parked on the premises for the majority of the day during weekdays. The departure time of the vehicle in the mornings has also been amended from 5.30am to 6.15am.

**Conclusion:**

The parking of a Commercial Vehicle is considered to have a minimal impact on the amenity of the neighbouring residents. It is recommended for Development Approval for a period of 12 months after which time a further Development Application will be required to ensure that the Commercial Vehicle is not adversely affecting the amenity of neighbouring properties.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **APPROVES** the application for the parking of a Commercial Vehicle at Lot 384 (No.17) Trivalve Road, Baldivis, subject to the following conditions:

1. This approval is granted to Mr Nicholas Paine and is not capable of being transferred or assigned to any other person.
2. The Commercial Vehicle must be parked entirely within the property whenever it is present on the property.
3. Major repairs must not be carried out on-site, the verge or the street, at any time. Servicing, including small mechanical repairs and adjustments and cleaning that generates easily-contained liquid waste may be carried out on-site.
4. All vehicle wash-down wastewater must be disposed of onsite at all times.
5. The Commercial Vehicle must not be started before 6.15am or after 7.00pm.
6. The parking of the Commercial Vehicle shall include sufficient space for the parking of at least two domestic vehicles being parked within the land and not overhanging into the footpath and verge of Trivalve Road at any time.
7. This approval is valid for a period of 12 months from the date of approval. If the applicant wishes to continue operation of the business after this period, the applicant must lodge a fresh development application stating whether any part of the proposal has been altered since the original approval, prior to expiry of the approval.

**Committee Recommendation**

Moved Cr Hamblin, seconded Cr Sammels:

That Council **APPROVES** the application for the parking of a Commercial Vehicle at Lot 384 (No.17) Trivalve Road, Baldivis, subject to the following conditions:

1. This approval is granted to Mr Nicholas Paine and is not capable of being transferred or assigned to any other person.
2. The Commercial Vehicle must be parked entirely within the property whenever it is present on the property.

---

1 Correction of typographical error
3. Major repairs must not be carried out on-site, the verge or the street, at any time. Servicing, including small mechanical repairs and adjustments and cleaning that generates easily-contained liquid waste may be carried out on-site.

4. All vehicle wash-down wastewater must be disposed of onsite at all times.

5. The Commercial Vehicle must not be started before 6.15am or after 7.00pm.

6. The parking of the Commercial Vehicle shall include sufficient space for the parking of at least two domestic vehicles being parked within the land and not overhanging into the footpath and verge of Trivalve Road at any time.

7. This approval is valid for a period of 12 months from the date of approval. If the applicant wishes to continue operation of the business after this period, the applicant must lodge a fresh development application stating whether any part of the proposal has been altered since the original approval, prior to expiry of the approval.

Committee Voting – 4/1
(Cr Whitfield voted against)

**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-080/16 Proposed Telecommunications Infrastructure (Fixed Wireless Facility)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2016.00000329.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Planning Solutions (Aust) Pty Ltd</td>
</tr>
<tr>
<td>Owner:</td>
<td>Nicrow Nominees Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Ms Keara Freeley, 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>14 November 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 9001 Leary Road, Baldivis</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>5.7ha</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Rural</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Rural</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. Site Plan</td>
</tr>
<tr>
<td></td>
<td>4. Site Layout and Setout Plan</td>
</tr>
<tr>
<td></td>
<td>5. Elevation</td>
</tr>
<tr>
<td></td>
<td>6. View from site looking north to Freeway Service Centre</td>
</tr>
<tr>
<td></td>
<td>7. View to site looking south from Leary Road</td>
</tr>
<tr>
<td></td>
<td>8. Consultation Plan</td>
</tr>
<tr>
<td></td>
<td>9. MRS Plan showing development in relation to Urban zoned land</td>
</tr>
<tr>
<td></td>
<td>10. Eucalypt Tree</td>
</tr>
</tbody>
</table>
1. Location Plan

2. Aerial Photo

Proposed Site

Proposed Development Location
Purpose of Report

To consider an application seeking Development Approval for Telecommunications Infrastructure (Fixed Wireless Facility) at Lot 9001 Leary Road, Baldivis.

Background

The subject site is located on the eastern side of the Kwinana Freeway and the Telecommunications Infrastructure is proposed to be located in the north western corner of the lot, adjacent to Leary Road and just south of the Kwinana Freeway Service Centre. The topography of the site slopes from west to east and the land cover is agricultural grassland with a scatter of mature trees throughout the lot. The site is devoid of any development and there are no other development approvals for the subject site.

The applicant has advised that it acts on behalf of Service Stream Mobile Communications (SSMC), for its client Nokia, who, in turn, acts for Optus. New residential developments including Greenlea Estate, Baldivis Parks and One 71 Baldivis are currently under construction to the west of the freeway and the proposed Telecommunications Infrastructure will facilitate the provision of wireless broadband access and mobile phone coverage to this area, as well as the Kwinana Freeway and the surrounding rural vicinity.

Details

Development Approval is sought for a telecommunications facility comprising the following:
- A 35 metre high monopole tower with a 7.5m$^2$ equipment shelter at ground level on a 96m$^2$ compound;
- Six panel antennas mounted on a triangular headframe with one GPS antenna mounted on the roof of the proposed equipment shelter and one radio communications dish;
- 21 remote radio units as well as ancillary components including cabling;
- The monopole will be of galvanised steel construction and the equipment shelter will be comprised of Colorbond in the colour ‘pale eucalypt’;
- The structure will be setback 3.8 metres from the western boundary and 3.5 metres from the northern boundary, adjacent to a mature tree which would require pruning and may be required to be removed;
- The existing ground level under the proposed development may be required to be raised to ensure that it is 0.5 metres above the 1:100 year flood level;
- A 2.4 metre high chain link fence is proposed to be erected around the compound and a 3 metre wide access track will allow upgrades to the facility as required; and
- An elevated work platform service car bay indicated on the plans is proposed to be utilised during construction phase only and also during maintenance work, which will be up to three times a year.

The applicant has submitted the following documents in support of the application:
- Site Specifications;
- Overall Site Plan;
- Site Layout and Setout Plan;
- Site Elevation;
- Planning Report; and
3. Site Plan

4. Site Layout and Setout Plan
5. Elevation

6. View from subject site looking north to Freeway Service Centre
Confused at a Planning and Engineering Services
Meeting held on Monday 12 December 2016

7. View of subject site looking south from Leary Road

Implications to Consider

a. Consultation with the Community

The application was referred to 27 property owners and occupiers within 500 metres of the proposed Telecommunications Infrastructure as per the consultation plan below. At the close of the advertising period, a total of two submissions were received, both objecting to the proposal.

8. Consultation Plan

<table>
<thead>
<tr>
<th>Amenity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submission:</td>
</tr>
<tr>
<td>(i) Adverse impacts on the visual amenity of the rural locality.</td>
</tr>
</tbody>
</table>
### Amenity (Cont…)

**Proponent’s Response:**

The proposed infrastructure is located a minimum of approximately 300 metres south east from the submissioners’ land, and is separated by the Kwinana Freeway. The proposed infrastructure is of a galvanised finish, considered to be the most unobtrusive option for the proposed infrastructure. The impact on the visual amenity to the submissioners’ land will be minimal.

**City’s Comment:**

Assessment of the visual impact of development proposals for Telecommunications Infrastructure is made on a case by case basis.

The structure will be located in close proximity to the Kwinana Freeway and the Freeway Service Centre, which includes an advertising sign 20 metres high. As such, the development is considered to be in an appropriate location. The closest residential development is the Greenlea Estate, located on the western side of the freeway, approximately 140m away; therefore the Telecommunications Infrastructure will have minimal impact on the visual amenity of the area.

The proposed site will be located where it will not be visible from significant viewing locations, lookouts, scenic routes or recreational sites.

The visual impact is considered to be acceptable as further detailed in the Policy section of this report.

### Health Impacts

**Submission:**

(ii) Exposure to radiation and health and safety risk as a result of development.

**Proponent’s Response:**

In regards to perceived health concerns relating to EME exposure, we advise that Optus takes the health and safety of the public extremely seriously and acts in agreement with all legislation and standards. Optus relies on the expert advice of national and international health authorities such as ARPANSA and the WHO for overall assessments of health and safety impacts. The consensus is that there is no substantiated scientific evidence of health effects from the EME generated by radio frequency technology, including mobile phones and base stations, when used in accordance with applicable standards. The EME predictive report prepared by Optus indicates that this facility is estimated to equate to a maximum of 0.64% (1/156th) of the Australian Communications and Media Authority (ACMA) mandated exposure limits.

In addition, State Planning Policy No.5.2 *Telecommunications Infrastructure* (SPP 5.2), provides:

*Standards set by ARPANSA incorporate substantial safety margins to address human health and safety matters; therefore, it is not within the scope of this Policy to address health and safety matters. Based on ARPANSA’s findings, setback distances for telecommunications infrastructure are not to be set out in local planning schemes or local planning policies to address health or safety standards for human exposure to electromagnetic emissions.*

**City’s Comment:**

In terms of SPP5.2, setback distances for Telecommunications Infrastructure to address health or safety standards for human exposure to electromagnetic emissions, are not to be set out in local planning schemes or local planning policies, because standards are set by ARPANSA. Standards set by ARPANSA incorporate substantial safety margins to address human health and safety matters. It is not within the scope of Council to address health and safety matters.
## Property Values

**Submission:**
(iii) The proposed development will reduce property values.

**Proponent’s Response:**
There is no evidence that mobile phone facilities have a negative effect on land values. Notwithstanding, property values are not a valid planning consideration.

**City’s Comment:**
The impact of the proposed development on property values is not a relevant planning consideration.

## Location

**Submission:**
(iv) The proposed monopole position should be moved to at least 800 metres away from our land.

**Proponent’s Response:**
There is no rationale for this arbitrary distance. Clause 6.1 (e) of State Planning Policy 5.2 - Telecommunications Infrastructure (SPP5.2) provides that local governments should not consider buffer zones or setback distances in local planning schemes or local planning policies.

**City’s Comment:**
SPP5.2 states that buffer zones and/or setback distances should not be included in local planning schemes or policies. The Telecommunications Infrastructure will be located approximately 300 metres from the submissioners' property and is separated by the Kwinana Freeway, which reduces the visual impact of the development.

### b. Consultation with Government Agencies

1. **Department of Water**

   **Submission:**
   (i) The Department of Water has no objection to the proposal. It should be noted that the proposed location for the telecommunication infrastructure is out of the floodway.

   **City’s Comment:**
   Noted

2. **Department of Environment Regulation**

   **Submission:**
   (i) Proponents can be advised that the clearing of native vegetation in Western Australia is prohibited, unless the clearing is authorised by a clearing permit obtained in accordance with the Environmental Protection Act 1986 or is of an exempt kind.

   Clearing for the purpose of an approved structure is likely to be exempt under Regulation 5, Item 1 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. There are no Environmental Sensitive Areas mapped on Lot 9001.

   **City’s Comment:**
   Advice provided to applicant for their consideration.
3. Department of Lands

**Submission:**

(i) The proposed development is not expected to materially interfere with the exercise of rights conferred under section 34 of the Dampier to Bunbury Pipeline Act 1997 as it is not encumbered by the DBNGP corridor. The department reminds the City of Rockingham to consider setback distances outlined in Planning Bulletin 87 which provides guidance on matters to be considered when developing within the vicinity of high pressure gas pipelines.

**City’s Comment:**
The Western Australian Planning Commission’s (WAPC) Planning Bulletin 87 requires industrial and commercial development to be setback 70 metres from the Dampier to Bunbury Natural Gas Pipeline (DBNGP) in the Baldivis area. The development will be setback approximately 490 metres from the DBNGP and is therefore compliant with the setback requirements.

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

<table>
<thead>
<tr>
<th>d. Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Planning Policy 5.2 - Telecommunications Infrastructure (SPP5.2)</td>
</tr>
<tr>
<td>The WAPC’s SPP5.2 seeks to balance the need for effective telecommunications services and effective roll-out of networks, with the community interest in the protection of the visual character of local areas. The objectives of this policy are to:</td>
</tr>
<tr>
<td>- “facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;”</td>
</tr>
<tr>
<td>- manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;</td>
</tr>
<tr>
<td>- ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons; and,</td>
</tr>
<tr>
<td>- promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.”</td>
</tr>
<tr>
<td>An assessment of the application against the relevant matters to be considered listed in SPP5.2 is as follows:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Policy Requirement</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment of the visual impact of development proposals for telecommunications infrastructure should be made on a case by case basis.</td>
<td>The application for Telecommunications Infrastructure was assessed on a case by case basis.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
### Policy Requirement

<table>
<thead>
<tr>
<th><strong>Telecommunications infrastructure should be sited and designed to minimise visual impact and whenever possible:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;</td>
</tr>
<tr>
<td>b) be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;</td>
</tr>
<tr>
<td>c) not be located on sites where environmental, cultural heritage, social and visual landscape values may be compromised and</td>
</tr>
<tr>
<td>d) display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Provided</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Telecommunications Infrastructure will be visible from the Kwinana Freeway. It will not be visible from any significant viewing locations, heritage sites, lookouts or recreational sites. The applicant has advised that the monopole structure will be of a galvanised finish, consistent with the Kwinana Freeway lighting, which is considered to be the most unobtrusive option for the proposed development. The equipment shelter is to be colour matched to the landscape in Colorbond 'pale eucalypt', reducing the impact on the visual amenity.</td>
</tr>
<tr>
<td>The Telecommunications Infrastructure will be located just south of the Freeway Service Centre and east of the Kwinana Freeway. The location of the development is considered appropriate and is unlikely to adversely affect the neighbouring land.</td>
</tr>
<tr>
<td>The applicant has advised that the proposed site has been specifically selected to provide continuous network coverage and improved telecommunications services along the Kwinana Freeway and to the surrounding rural and future residential developments in the Baldivis area.</td>
</tr>
<tr>
<td>The submitted site plan indicates that the power route will be underground. The applicant has advised that detailed investigations have confirmed that there are no colocation opportunities in the vicinity of the subject site which would satisfy the coverage objectives for the facility. There are also no existing structures within the vicinity of the subject site suitable for accommodating low-impact Telecommunications Infrastructure. Adequate space will be provided on the infrastructure to allow two further carriers to be accommodated, if required.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Compliance</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>Yes</td>
</tr>
</tbody>
</table>

The proposal is considered to comply with SPP5.2.
Planning Policy 3.3.16 - Telecommunications Infrastructure (PP3.3.16)

PP3.3.16 is a local planning policy which the Council must have due regard to in its consideration of applications seeking Development Approval for Telecommunications Infrastructure. The objectives for PP3.3.16 are:

(a) To promote the orderly and proper development of land by making suitable provisions relating to the location and design of Telecommunications Infrastructure that cannot be classified as low-impact facilities; and

(b) To secure the amenity, health and convenience of the locality through appropriate provisions intended to minimise any potential adverse impacts from such Telecommunications Infrastructure.

The following is an assessment of the proposal against the requirements of PP3.3.16:

<table>
<thead>
<tr>
<th>Policy Requirement</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>In terms of PP3.3.16 Telecommunications Infrastructure the preferred location for telecommunications Infrastructure that cannot be classified as low impact facilities is in the Industrial, Commercial and Rural Zones.</td>
<td>The proposed facility will be located in the Rural zone and can therefore be considered for approval if it complies with the policy statement regarding its location.</td>
<td>Yes</td>
</tr>
<tr>
<td>Telecommunications Infrastructure should be sited to minimise adverse impacts on the visual character and amenity of residential areas. In this regard, such facilities should not be located within 200 metres of land zoned Urban or Urban Deferred in the Metropolitan Region Scheme (MRS) (or Residential, Special Residential or Development Zone in Town Planning Scheme No.2), unless the infrastructure is attached to an existing structure and does not adversely impact on the visual amenity of an area.</td>
<td>The proposed facility will be located 140 meters from the nearest Urban zoned land to the west. All land to the east, north and south of the proposed facility is zoned Rural or Special Rural. It should be noted that PP3.3.16 is under review for consistency with SPP5.2, which states that local planning policies should not include any setback distances. The City considers that the proposed location is unlikely to adversely affect the visual amenity of the area. Changes to setback distances are also addressed in the legal and statutory section of this report.</td>
<td>Partially compliant</td>
</tr>
<tr>
<td>Telecommunications Infrastructure should be sited to minimise any potential adverse visual impact on the character and amenity of the local environment, in particular, impacts upon areas of natural conservation value, places of heritage significance, prominent landscape features, general views in the locality and individual significant views.</td>
<td>The Telecommunications Infrastructure will be visible from the Kwinana Freeway; the proposed site will be located where it will not be visible from significant viewing locations, heritage sites, lookouts and recreational site.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

The proposal is generally compliant with PP3.3.16 with the exception of its setback to Urban zoned land west of the Kwinana Freeway, which has a minimal impact due to the location of the Freeway Service Centres within the 200 metre buffer area. There is only a relatively small area of urban zoned land within 200 metres of the proposed Telecommunications Infrastructure.
9. MRS Plan showing the development in relation to Urban zoned land

e. **Financial**

   Nil

f. **Legal and Statutory**

   **Town Planning Scheme No.2 (TPS2)**

   **Clause 3.2 - Zoning and Land Use**

   The proposed use is interpreted as ‘Telecommunications Infrastructure’, which is a ‘D’ (i.e. discretionary) land use within the Rural zone.

   **Clause 4.11.1 - Rural Zone**

   The objective of the Rural zone is as follows:

   "To preserve land for farming and foster semi-rural development which is sympathetic to the particular characteristics of the area in which it is located, having due regard to the objectives and principles outlined in the Rural Land Strategy and supported by any other Plan or Policy that the Council may adopt from time to time as a guide to future development within the zone."

   **Clause 4.11.2 - General Provisions (Rural Zone)**

   The following is an assessment of the proposed development against the relevant general provisions of the Rural zone:
### Provision Provided Compliance

#### Setbacks

<table>
<thead>
<tr>
<th>Provision</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>All development, including the clearing of land, shall be setback a minimum of 30 metres from the primary street and 10 metres from all other boundaries, other than for the purpose of providing a fire break or vehicular accessway.</td>
<td>Development will be setback 3.8 metres from the primary street (Leary Road), 3.5 metres from the northern side boundary and greater than 10 metres from all other lot boundaries. It is recommended that the Telecommunications Infrastructure be setback in accordance with TPS2 requirements for the Rural zone. This will also protect a mature Eucalypt tree, shown in Figure 9 below.</td>
<td>No - Should the application be approved, a condition requiring the development to be setback at least 30 metres from the western boundary and 10 metres from the northern boundary, to ensure that the development is setback in accordance with TPS2 requirements and is not within the tree protection zone (TPZ) of the Eucalypt tree.</td>
</tr>
</tbody>
</table>

#### Clearing of Native Vegetation

<table>
<thead>
<tr>
<th>Provision</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>No native or remnant vegetation shall be removed or cleared unless approved by the Council, and other than for the purpose of a fire break, fire protection within a building protection zone, dwelling, outbuilding, fence and vehicular access or where such vegetation is dead, diseased or dangerous.</td>
<td>One mature Eucalypt tree shown in Figure 9 below is required to be pruned and possibly removed to accommodate the development.</td>
<td>Refer to the above setback requirements to achieve the TPZ.</td>
</tr>
</tbody>
</table>

![10. Eucalypt Tree](image-url)
g. Risk

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

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

Nil

Comments

The proposed Telecommunications Infrastructure facility will be in a location that is generally compliant with SPP5.2 and PP3.3.16, while still ensuring a proper mobile telephone network can be provided. It is recommended that the application be approved, subject to the setback to the primary street being increased to 30 metres in accordance with the TPS2 Rural zone requirements and the development being setback 10 metres from the northern side boundary to ensure that the Telecommunications Infrastructure is not within the Tree Protection Zone of the Eucalypt tree.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVES the application for Telecommunications Infrastructure (Fixed Wireless Facility) at Lot 9001 Leary Road, Baldivis subject to the following condition:

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
   - Site Specifications, Drawing No.P0704-G1, Revision A, dated 20.06.2016;
   - Overall Site Plan, Drawing No.P0704-G2, Revision A, dated 20.06.2016;
   - Site Layout and Setout Plan, Drawing No.P0704-G3, Revision A, dated 20.06.2016; and
2. Adequate space must be provided on the Telecommunications Infrastructure to allow for two additional Telecommunications Carriers to be accommodated.
3. The development being relocated to ensure that it is setback 30 metres from the western boundary (Leary Road) and 10 metres from the northern boundary.
4. Screening vegetation must be planted such that the visual impact of the development from public spaces is minimised, to the satisfaction of the City, prior to the commencement of development and must be retained and maintained in good condition at all times.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Sammels:

That Council DEFERS the application for Telecommunications Infrastructure (Fixed Wireless Facility) at Lot 9001 Leary Road, Baldivis to the December 2016 Planning and Engineering Services Committee to enable Officer assessment of the additional information presented by Planning Solutions at the deputation.

Committee Voting – 5/0

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

During the deputation, Planning Solutions introduced additional information for the application, which requires further assessment by City Officers.

Implications of the Changes to the Officer’s Recommendation

Not Applicable
<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-081/16 Joint Development Assessment Panel Application – Extension of Approval Period for Mixed Use Development (99 Multiple Dwellings and 2 Retail Shops)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2016.00000379.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Urbis Pty Ltd</td>
</tr>
<tr>
<td>Owner:</td>
<td>Rockingham No 1 Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Neels Pretorius, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Greg Delahunty, Senior Projects Officer, Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>May 2014 (PDS-044/14)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 61 (No.39) and Lot 62 (No.37) Council Avenue, Rockingham</td>
</tr>
</tbody>
</table>
| Lot Area:               | Lot 61 = 818.8m²  
Lot 8 = 1,818m²  
Total = 2,636.8m²                                                                                                   |
| LA Zoning:              | Primary Centre City Centre                                                                                                                                  |
| MRS Zoning:             | Central City Area                                                                                                                                          |
| Attachments:            | Responsible Authority Report (RAR)                                                                                                                           |
| Maps/Diagrams:          | 1. Location Plan  
2. Aerial View  
3. Integrated Development Guide Plan  
4. Access Easements  
5. View from Council Avenue  
6. View from the West (Goddard Street)  
7. Site/Ground Floor Plan  
8. First Floor Plan  
9. Second Floor Plan  
10. Third Floor Plan  
11. Fourth Floor Plan  
12. Fifth Floor Plan  
13. Sixth Floor Plan |

Planning and Development Services
Directorate, Planning Services
14. Council Avenue Elevation (south-east)
15. Goddard Street Elevation (south-west)
16. McKinnon Street Elevation (north-east)
17. Lot 78 Parking Area Elevation (north-west)
Purpose of Report

To provide recommendations to the Metro South West Joint Development Assessment Panel (SWJDAP) on an application for extension of time for a mixed-use development, comprising 99 residential apartments and 2 retail shops on Lot 61 (No.39) and Lot 62 (No.37) Council Avenue, Rockingham.

Background

In February 1996, an Integrated Development Guide Plan (IDGP) was approved over the subject land. The approved IDGP makes provision for ‘Commercial’ use and an internal public road system, including public parking.

To achieve the objectives of the IDGP, the subject site is affected by a number of access and parking easements which encumber all lots contained within the area bounded by Council Avenue, Mackinnon Street and Goddard Street.

In May 2013, the City issued a conditional Planning Approval for the development of a three storey mixed use development on the subject site.

On 6 June 2014, the SWJDAP granted Development Approval for a six storey Mixed Use development comprising:

- Multiple Dwellings containing:
  
  1<sup>st</sup> Floor – 19 apartments comprising 5 single bedroom and 14 two bedroom units;
  2<sup>nd</sup> Floor – 19 apartments comprising 5 single bedroom and 14 two bedroom units;
  3<sup>rd</sup> Floor – 19 apartments comprising 10 single bedroom and 9 two bedroom units;
  4<sup>th</sup> Floor – 19 apartments comprising 10 single bedroom and 9 two bedroom units;
  5<sup>th</sup> Floor – 19 apartments comprising 10 single bedroom and 9 two bedroom units;
  6<sup>th</sup> Floor – 4 two bedroom units and a communal roof top terrace.

- Two retail shops (179.8m²) (ground floor); and

- 108 car parking spaces of which 90 bays will form part of an on-site parking garage over 3 levels. The parking garage is based on a “parking stacker” system.

- The podium of the building along Council Avenue is proposed to extend over the access easement up to the Council Avenue street boundary of the subject site. The access easement will remain a public access way through the site.
3. Integrated Development Guide Plan

4. Access and Parking Easements

- Easement C - Right of Occupation
- Easement D - Easement for Motor Vehicle Parking
- Easement 6 - Sewer Easement in Favour of Water Corp.
Details

The applicant seeks Development Approval to extend the period within which an approved development must be substantially commenced, as the previous approval expired in June 2016. The proposed development will consist of the following:

- **99 Multiple Dwellings** in the following configuration:
  - **1st Floor** – 19 apartments comprising 5 single bedroom and 14 two bedroom units;
  - **2nd Floor** – 19 apartments comprising 5 single bedroom and 14 two bedroom units;
  - **3rd Floor** – 19 apartments comprising 10 single bedroom and 9 two bedroom units;
  - **4th Floor** – 19 apartments comprising 10 single bedroom and 9 two bedroom units;
  - **5th Floor** – 19 apartments comprising 10 single bedroom and 9 two bedroom units;
  - **6th Floor** – 4 two bedroom units and a communal rooftop terrace.

- Two retail shops (179.8m²) (ground floor); and

- 108 car parking spaces, of which 90 bays will form part of an on-site parking garage over 3 levels. The parking garage is based on a "parking stacker" system.

The podium of the building along Council Avenue is proposed to extend over the access easement up to the Council Avenue street boundary of the subject site. The access easement will remain a public access way through the site.

5. View from Council Avenue

The proposed development has not altered from that originally approved.
6. View from the West (Goddard Street)
7. Site/Ground Floor Plan
8. First Floor Plan
10. Third Floor Plan
11. Fourth Floor Plan
12. Fifth Floor Plan
13. Sixth Floor Plan
14. Council Avenue Elevation (south-east)
15. Goddard Street Elevation (south-west)
16. McKinnon Street Elevation (north-east)
17. Lot 78 Parking Area Elevation (north-west)
### Implications to Consider

**a. Consultation with the Community**

The City does not consider that consultation is required because the development is identical to that approved by the SWJDAP in June 2014.

**b. Consultation with Government Agencies**

Not Applicable

**c. Strategic**

**Community Plan**

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

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

**d. Policy**

The City's City Centre Eastside Precinct Policy relevant to the subject lot has not changed from the previous approval to require a new planning assessment.

**e. Financial**

Nil

**f. Legal and Statutory**

**Planning and Development (Development Assessment Panels) Regulations 2011**

Regulation 17(1)(b) states that an owner of land in respect of which a Development Approval has been granted by a DAP pursuant to a DAP application may apply for the DAP to amend the approval so as to extend the period within which any development approved must be substantially commenced.

Regulation 17(2)(a) states that an application made under Regulations 17(1) may be made during or after the period within which the development approved must be substantially commenced.

**City of Rockingham Town Planning Scheme No.2 (TPS2)**

The proposal is compliant with TPS2.

**g. Risk**

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

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

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

Nil

### Comments

The proposal is identical to the previous Development Approval issued by the South-West Joint Development Assessment Panel (SWJDAP) in June 2014 and Planning Policy has not changed as to require a new planning assessment. It is therefore recommended that the application be conditionally approved.

### Voting Requirements

Simple Majority
Officer Recommendation

That Council **ADOPTS** the Responsible Authority Report for the proposed two year extension of approved period for a mixed-use development, comprising 99 residential apartments and 2 retail shops at Lot 61 (No.39) and Lot 62 (No.37) Council Avenue, Rockingham (contained as Attachment 1) as the report is required to be submitted to the presiding member of the South-West Joint Development Assessment Panel pursuant to Regulation 17 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/14/00523 and accompanying plans DA01 to DA22 dated March 2014 for a mixed-use development, comprising 99 residential apartments and 2 retail shops in accordance with Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the conditions and advice notes of the approval dated 13 July 2014."

Committee Recommendation

Moved Cr Sammels, seconded Cr Whitfield:

That Council **ADOPTS** the Responsible Authority Report for the proposed two year extension of approved period for a mixed-use development, comprising 99 residential apartments and 2 retail shops at Lot 61 (No.39) and Lot 62 (No.37) Council Avenue, Rockingham (contained as Attachment 1) as the report is required to be submitted to the presiding member of the South-West Joint Development Assessment Panel pursuant to Regulation 17 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/14/00523 and accompanying plans DA01 to DA22 dated March 2014 for a mixed-use development, comprising 99 residential apartments and 2 retail shops in accordance with Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the conditions and advice notes of the approval dated 13 July 2014."

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
### Planning and Development Services

#### Directorate, Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-082/16 Modification to Joint Development Assessment Panel Approval - Additions and Alterations to Secret Harbour District Shopping Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2016.0000319.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Greg Rowe Pty Ltd</td>
</tr>
<tr>
<td>Owner:</td>
<td>Perpetual Limited</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Greg Delahunty, Senior Projects Officer</td>
</tr>
</tbody>
</table>
| Other Contributors:     | Mr Mike Ross, Manager Statutory Planning
                         | Mr Bob Jeans, Director Planning and Development Services |
| Date of Committee Meeting: | 14 November 2016 |
| Previously before Council: | February 2005 (PD16/2/05), September 2005 (PD137/9/05), September 2007 (PD183/9/07), February 2008 (PD23/2/08), January 2015 (PDS 008/15), September 2015 (PDS064/15), December 2015 (PDS087/15), April 2016 (PDS-024/16) |
| Disclosure of Interest: | |
| Nature of Council’s Role in this Matter: | Executive |
| Site:                   | Lot 2003 Secret Harbour Boulevard and Lots 2010 and 2013 Oneida Road, Secret Harbour |
| Lot Area:               | Lot 2003 = 3.058Ha
                         | Lot 2010 = 2.7493Ha
                         | Lot 2013 = 0.3522Ha |
| LA Zoning:              | District Town Centre |
| MRS Zoning:             | Urban |
| Attachments:            | Responsible Authority Report |
| Maps/Diagrams:          | 1. Location Plan
                         | 2. Aerial Photo
                         | 3. On-street bays to be removed
                         | 4. Small Car Bays
                         | 5. Additional Wall Height to Loading Bay and Signage
                         | 6. Extended Canopy Cover
                         | 7. Location of 1.2m McDonalds Screen
                         | 8. Proposed Intersection Design |
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 to amend the Development Approval for modified design and three modified conditions for the proposed additions and alterations to the Secret Harbour District Shopping Centre on Lots 2003 Secret Harbour Boulevard and Lots 2010 and 2013 Oneida Road, Secret Harbour.

Background

History of Approvals

The following outlines the history of Development Approvals on site:

- February 2005 - Development Approval issued - Stage 1 Shopping Centre
- September 2005 - Development Approval issued - Tavern and Drive Thru Bottle shop
- September 2006 - Subdivision Approval issued - to excise the Tavern from the Shopping Centre Site
- May 2007 - Development Approval issued - Service Station
- September 2007 - Development Approval issued - Two (2) pylon signs and associated signage (Caltex)
- October 2007 - Development Approval issued - revised Tavern design
- May 2009 - Modification to Development Approval issued - Alfresco Area of Tavern
- February 2015 - JDAP Development Approval issued - Extension to Secret Harbour Shopping Centre
- May 2015 - JDAP Development Approval issued - Fast Food Outlet (McDonalds)
- October 2015 - Modification to JDAP Development Approval issued - Extension to Secret Harbour Shopping Centre
- November 2015 - Modification to JDAP Development Approval issued - Fast Food Outlet (McDonalds)
- November 2015 - JDAP Development Approval issued - Shop (Liquor Store)
- January 2016 - Modification to JDAP Development Approval (Form 2) Refused - Extension to Secret Harbour Shopping Centre
- January 2016 - An application for review (appeal) was lodged with the State Administrative Tribunal (SAT) in relation to the refusal of the modified proposal including the proposed modified condition.
- May 2016 – Modification to JDAP Development Approval (Form 2) issued - Extension to Secret Harbour Shopping Centre (following invitation to reconsider decision from SAT).

Existing Site Improvements

The existing Secret Harbour Shopping Centre is contained wholly within Lot 2003. It is a single storey building that contains 5,246m² of floor space. The Centre comprises one supermarket (3,800m²), 1,620m² of specialty stores, and an associated car park containing 390 parking spaces.

A Caltex Service Station is located on the north eastern corner of Lot 2003.

The site has two vehicular access points from Warnbro Sound Ave, one from Secret Harbour Boulevard and two from Oasis Drive.

The adjacent Lot 2002 contains the Whistling Kite Tavern and drive thru bottle shop. Site works for the Shopping Centre expansion commenced in February 2016.

A Fast Food Outlet (McDonalds) is located on Lots 2010 and 2013.
The application proposes to amend the JDAP Development Approval as outlined below and amending conditions 4, 14 and 16.

**Modified Design**

**Oneida Road Entry/Exit**
Existing on-street carparking bays adjacent to the intersection with Oneida Road are proposed to be removed (Figure 3).

3. On-street bays to be removed
Small Vehicle Bays

Four carparking bays are proposed to be designed as small vehicles bays to avoid conflict with service vehicles utilised the Coles loading dock (Figure 4).

4. Small Car Bays
ALDI Loading Dock Wall Height Increase and Signage

The wall height of the loading dock that fronts the main vehicle entrance from Warnbro Sound Avenue is proposed to be increased in height to provide additional screening of the loading bay (Figure 5). Four walls signs are proposed to be incorporated onto this feature screen wall.

5. Additional Wall Height to Loading Bay

Expanded Canopy

The existing canopy over the post office boxes at the north east entrance to the centre is proposed to be extended to adequately cover the post office boxes.
McDonald's Drive-Thru Screening

A 1.2m high metal screen and associated landscaping is proposed to be included along a portion of the boundary adjacent to Oneida Road in front of the drive-thru.

Landscaping

The application proposes the following changes to the approved landscaping plan:

- Entry 1 (Town Square)
  - Addition of play equipment for children;
  - Relocation of two (2) mature elm trees to be replaced by Palm Trees; and
  - New brick paving.
- Entries 2, 3 & 4 to be amended to include feature paving, contemporary seating benches and associated soft landscaping;
- Provide planting along the kerb line north of the approved supermarket tenancy to discourage users from stepping directly to the parking bays from the footpath instead of using the pedestrian crossing;
- Parking Bays along Oasis Drive to be finished in black asphalt;
- The street verge of Warnbro Avenue as planting and trees in lieu of the approved as turf and trees; and
- Numerous areas being turfed in lieu of hardstand as previously approved.

Modified Conditions

Condition 4 (Intersection Design)

The approved condition states:

"Prior to issue of a Building Permit, engineering drawings and specifications are to be prepared for the upgrading of the intersection of Oneida Road and Warnbro Sound Avenue to a signalised intersection, in accordance with Main Roads WA specifications and to the satisfaction of the City of Rockingham."

The applicant proposes to amend the condition to read:

“Prior to issue of a Building Permit, engineering drawings and specifications are to be prepared for the upgrading of the intersection of Oneida Road and Warnbro Sound Avenue to an intersection generally as proposed by KCTT plan C300 Rev A dated 25 December 2015, in accordance with Main Roads WA specifications and to the satisfaction of the City of Rockingham.”

The proponent has submitted the plan at Figure 8 in support of the amended condition. The plan proposed the following:

Oneida Road and Warnbro Sound Avenue Modified Intersection
- A 235m long 3.5 metre wide acceleration lane along Warnbro Sound Avenue; and
- The relocation of the existing median along Warnbro Sound Avenue.

Oasis Drive and Warnbro Sound Modified Intersection
- The removal of the right in movement from Warnbro Sound Avenue to Oasis Drive; and
- The relocation of the existing median along Warnbro Sound Avenue.
8. Intersection Design
Condition 14 (Landscaping Plan)
The approved condition states:

"A Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City, prior to issue of a Building Permit.

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

(ii) Any lawns to be established;

(iii) Any natural landscape areas to be retained;

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

(v) The street setback area and all verge areas.

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

The applicant proposes to amend the condition to read:

"Unless otherwise agreed, landscaping in accordance with the modified Landscaping Plan dated June 2016, must be completed prior to the occupation of the completed development, and must be maintained at all times to the satisfaction of the City of Rockingham."

The applicant submitted a landscape package in support of the modified condition.

Condition 16 (On Street Car Parking Bays)
The approved condition states:

"Thirty-eight (38) on-street car parking spaces must be provided for short term parking along Oasis Drive. The parking must be designed in accordance with the High Turnover Use Category of the Australian Standard AS 2890.5—1993, Parking facilities, Part 5: On-street parking, approved by the City of Rockingham prior to issue of a Building Permit, and constructed prior to occupation of the development at the applicant's expense."

The applicant proposes to amend the condition to read:

"Thirty-five (35) on-street car parking spaces must be provided for short term parking along Oasis Drive. The parking must be designed in accordance with the High Turnover Use Category of the Australian Standard AS 2890.5—1993, Parking facilities, Part 5: On-street parking, approved by the City of Rockingham prior to issue of a Building Permit, and constructed prior to occupation of the development at the applicant's expense."
The DoP’s comments are noted; although the City’s technical assessment has shown significant shortcomings in the applicant’s intersection design.

The application was referred to MRWA for comment as the approved development included a condition with the requirement for the provision of a signalised intersection.

"Council will be aware that an ‘Agreement in Principle’ was prepared for this intersection in January 2015, in which six (6) design requirements were to be met. Design item c required double right turn lanes to be provided from Oneida Road onto Warnbro Sound Avenue. To date none of these conditions have been met.

Main Roads would be prepared to support a modified condition 4 as follows:

Prior to the occupation of the proposed development, engineering drawings and specifications are to be prepared for the modification of the intersection of Oneida Road and Warnbro Sound Avenue generally as proposed by KCTT plan C300 Rev A dated 22.12.2015, provided they are not for a traffic signalised intersection, in accordance with Main Roads WA specifications and to the satisfaction of the City of Rockingham."

As the applicant has not demonstrated an acceptable alternative intersection design, the City has recommended a modified condition 4 which recognises that alternative solutions must be investigated before a signalised intersection is required. This is further explained in the Comments section of this report.

c. Strategic
Community Plan
This item addresses the community’s vision for the future and specifically the following aspiration and strategic objective contained in the community plan 2015-2025:

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

d. Policy
State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2)
The purpose of SPP4.2 inter alia is to specify broad planning requirements for the planning and development of new activity centres in Perth and Peel.

The proposed development has previously been assessed against the requirements of SPP4.2 and was found to comply.

The modifications the subject of this application does not affect the proposed development’s ability to comply with SPP4.2.

Planning Policy 3.2.3 - Secret Harbour Town Centre (PP3.2.3)

PP3.2.3 provides guidance on development of land within the Secret Harbour Town Centre.

Clause 3 - Policy Objectives
The objectives of PP3.2.3 are:

(i) To create a Town Centre which will be the primary social and commercial focus of the locality and surrounding district.

(ii) To achieve an integrated townscape character that incorporates Main Street design principles.

(iii) To create a built environment and landscape that will make a substantial contribution to the sense of community and identity of Secret Harbour.

(iv) To achieve a contemporary, mixed use development by incorporating the best features of commercially successful townscapes.

(v) To allow the Town Centre to grow in stages, whilst maintaining a ‘sense of being’ at every stage.
(vi) To maintain flexibility to ensure that various land use combinations can be incorporated as demand emerges.”

The modified proposal is not considered to compromise the objectives of PP3.2.3.

Planning Policy 3.3.1 - Control of Advertisements (PP3.3.1)

The application seeks approval for four additional wall signs. An amended signage strategy has been submitted in support of the application.

Clause 3 - Objectives

The objectives of PP3.3.1 are:

“(a) Ensure that advertisements are appropriate for their location;
(b) Minimise the proliferation of advertisements;
(c) Ensure that advertisements do not adversely impact on traffic circulation and management, or pedestrian safety;
(d) Protect the amenity of residential areas, townscape areas and areas of environmental significance;
(e) Protect the significance of heritage places or buildings;
(f) Ensure that advertisements are constructed with quality materials;
(g) Encourage advertisements located within the Rural or Special Rural Zone or in areas of environmental significance to be sympathetic with the natural environment in terms of materials and colours;
(h) Ensure advertisements are generally erected on land where the advertised business, sale of goods or service is being carried out; and
(i) Ensure that advertisements are maintained to a high standard.”

The signs are considered to be consistent with the objectives of PP3.1.1. This is demonstrated in the specific assessment against the provisions of PP3.3.1 below.

Clause 4.3.1 - Signs on Buildings

The application proposes four signs on buildings. The signs are typical of what is to be expected for a development of this nature. As such, they are considered to comply with the objectives of PP3.3.1. The City approved a signage strategy as part of the original Shopping Centre approval. The new signs form part of the amended signage strategy.

e. Financial

Nil

f. Legal and Statutory

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 Deemed Provision

Clause 67 outlines the matters to which the Council is to give due regard when considered relevant to an application. Where relevant, these have been discussed in the Comments section.

Clause 77 permits the Council to consider a modification to the approved development including:

“(b) to amend or delete any condition to which the approval is subject;
(c) to amend an aspect of the development approved which, if amended, would not substantially change the development approved.”

Town Planning Scheme No.2 (TPS2)

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

Clause 4.5 - District Town Centre Zone

The modified proposal does not compromise the District Town Centre Zone’s objective of achieving a ‘main street’ Town Centre, as outlined in Clause 4.5.1 of TPS2. The proposed modified design also complies with the relevant provision of the City’s Planning Policy 3.2.3 - Secret Harbour Town Centre (PP3.2.3), which are addressed below.
**Clause 4.5.3 - Planning Principles**

The Council is required to have due regard to a number of planning principles in determining any development application. The relevant principles have been considered in relation to this application in the full assessment provided in the RAR attached to this report. The proposal is considered to be consistent with the planning principles.

**Clause 5.3 - Control of Advertisements**

Clause 5.3.1 requires Development Approval to be obtained for the erection of advertisements. In considering an application for an advertisement, the Council is required to consider the objectives of TPS2 with particular reference to the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected. The propose signage is discussed in detail in the Policy Section of the report.

The application proposes four walls signs on the Aldi loading dock feature screen wall. These signs are consistent with what is to be expected in an urban context and are therefore consistent with TPS2 objectives. The City approved a signage strategy under the existing Shopping Centre approval. The new signs will form part of an amended signage strategy.

g. Risk

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

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

Nil

**Comments**

**Reconsideration of Conditions**

**Condition 4 (Intersection Design)**

The application seeks to modify condition 4 to remove the term 'signalised' and instead refer to the submitted intersection design on the basis that Main Roads WA (MRWA) has advised that it will not support a signalised intersection in this location.

In January 2015, MRWA provided an 'Agreement in Principle' to a signalised intersection if certain requirements were met, including the installation of double right turn lanes from Oneida Road to Warnbro Sound Avenue. Due to these requirements not being met, MRWA did not support a signalised intersection. MRWA now considers that the installation of a signalised intersection should only occur as a last resort if no other intersection treatment is workable. It should be noted that a round-about cannot be provided given there is insufficient area within the existing road reserve to provide a geometrically correct roundabout in this location.

The applicant has modelled the performance of the intersection of Warnbro Sound Avenue and Oneida Road based on the existing intersection configuration and an upgraded intersection configuration of a left turn deceleration lane on Warnbro Sound Avenue into Oneida Road and a right turn acceleration lane on Warnbro Sound Avenue south of Oneida Road. The applicant's report concludes that the provision of an acceleration lane will negate the need to further upgrade the intersection for at least 10 years, and there will be minimum impact on traffic by closing the right turn in at the intersection of Warnbro Sound Avenue and Oneida Drive.

The City has undertaken an independent traffic review of the proposed intersection upgrade and all data supporting the upgrade as provided in the applicant's report, a number of errors/omissions have been identified including:

- The length of the left turn pocked from Warnbro Sound Avenue into Oneida Road was incorrectly entered into the model;
- The length of the right turn acceleration lane from Oneida Road into Warnbro Sound Avenue was incorrectly entered in the model;
- No pedestrian data was be applied to the Warnbro Sound Avenue which is considered important given the existence of bus stops on the eastern side;
- Pedestrian movements were not shown as an opposing movement to any of the vehicular movements in the 'priorities' input;
- The Vehicle Movement Data Calibration input has been altered quite significantly (and over several different parameters) compared to the Standard Model Defaults;
- The Critical Gap and Follow-up Headway entered in Gap Acceptance differ from the model defaults;
- The traffic volumes have been obtained from the Secret Harbour Shopping Centre Expansion Transport Impact Assessment, Rev F, (July 2015) (the TIA), however, the TIA does not indicate the turning volumes of traffic at the subject intersection. Link volumes are given but it is not possible to verify if the turning volumes in the Signalised and Unsignalised Intersection Design and Research Aid (SIDRA) are accurate. Therefore the data is incomplete.
- The TIA does not show the existing traffic volumes other than Warnbro Sound Avenue to the north of the Anstey Road roundabout. These could be considerably different at the subject intersection and it is therefore not possible to verify if the total turning volumes provided in the SIDRA are accurate.

It is the City’s view that as there are a number of errors/omissions in the supporting report which need to be addressed before a decision can be made on the final intersection design. The applicant has therefore failed to demonstrate that this intersection design should be approved. The City also has a number of road safety concerns with the proposed intersection design and requires a full independent Road Safety Audit to be undertaken before the intersection design can be considered. The City, however, is cognisant that MRWA will not support a signalised intersection at this location unless all other options have been exhausted. Therefore it is recommended that a modified condition 4 be applied as follows:

"Prior to occupation of the proposed development, engineering drawings and specifications and a full independent Road Safety Audit is to be completed for the upgrading of the intersection of Oneida Road and Warnbro Sound Avenue in accordance with Main Roads WA specifications, where applicable, and to the satisfaction of the City of Rockingham.

The intersection must only be upgraded to a signalised intersection should the applicant fail to demonstrate an alternative solution that is acceptable to the City of Rockingham and Main Roads WA."

Condition 14 (Landscaping Plan)
The applicant has submitted a landscaping package with this application to address requirements of existing condition 14. In doing so, it seeks to have the landscaping plans approved through the JDAP process and have condition 14 modified accordingly. The main elements of the new landscaping are:

- Providing a paved footpath in lieu of the poured concrete path used elsewhere in the centre;
- The addition of play equipment within the ‘Town Square Entry 1’ portion of the centre;
- The inclusion of temporary seating in the shape of a boat, donated by the Secret Harbour Surf Lifesaving Club;
- Relocation of two mature trees and replacement of existing trees;
- Provision of planting along the kerb line north of the approved supermarket tenancy to discourage users from stepping directly to the parking bays from the footpath instead of using the pedestrian crossing; and
- Provision of feature paving, contemporary seating benches and associated soft landscaping at four main entries.

The City assessed the submitted landscaping package and is generally supportive of its intent. There is, however, significant detail that needs to be addressed prior to the approval of the plans. The City has provided its comments to the applicant which has reviewed them and advised that they are prepared to deal with these matters under the existing landscaping condition. As such, it is recommended that the existing landscaping condition be maintained.

Condition 16 (On Street Car Parking Bays)
The Landscaping Plan approved under condition 14 requires the retention trees along Oasis Drive and the deletion of three on-street car parking bays. As such, the City supports the modification to condition 16 that reduces the number of on-street car parking bays by three.
Modified Design

Oneida Road Entry/Exit
The revised site plan removes the existing on-street carparking bays located adjacent to the intersection with Oneida Road, as requested by the City during its assessment of the proposed crossover location. As such, the proposed modified plan is supported.

Small Vehicle Bays
The City has no objection to the four bays being converted to small vehicle bays given that there is a surplus of car parking bays on the site and they are designated for staff usage.

ALDI Loading Dock Wall Height Increase and Signage
The City supports the increase in height to the wall adjacent the ALDI loading dock as it further screens the loading dock from view from Warnbro Sound Avenue. The signage in this location is also supported as demonstrated in the Policy section of this report.

Expanded Canopy
The City supports the expansion of the canopy as it is a logical extension to the canopy already proposed and provides continuous shelter to this portion of the building and the mail boxes.

1.2m High Metal Screen along Oneida Road
The purpose of this screen is to shield headlight glare, emitted by vehicles using the McDonald’s Drive Thru, from the residential properties on the opposite of Oneida Road. Given that the screen is proposed to be residential in scale and will only be installed for a short portion of Oneida Road, the City considered that it is an acceptable proposal. A condition of approval is required so that the details of the screen must be approved by the City prior to an issue of a Building Permit for works associated with this approval.

Conclusion
The proposed modifications to the design of the shopping centre are generally minor in nature and are supported by the City. The City, however, does not support the applicant’s suggested condition 4.

It is acknowledged that the DoP is the responsible authority for Warnbro Sound Avenue and that MRWA is the approval authority for signalised intersections, and a modified condition 4 is therefore recommended which clarifies that the applicant must only provide a signalised intersection, once other alternatives have been tested.

The City does not support the modification to condition 14, despite a number of the proposed changes to the landscaping plan being supported. The applicant has, however, agreed to deal with outstanding landscaping items under the existing condition 14.

The City recommends the approval of the modified condition 16, given the removal of carparking bays is required to accommodate the City’s request to retain significant street trees.

It is therefore recommended the SWJDAP approve the application subject to the approvals dated 18 February 2015, 12 October and 3 May 2016 with amended conditions 4 and 16 and additional condition 29.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVES the Responsible Authority Report for the proposed additions and alterations to the existing Secret Harbour District Shopping Centre at Lot 2003 Secret Harbour Boulevard and Lots 2010 and 2013 Oneida Road, Secret Harbour contained as Attachment 1 as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel (SWJDAP) pursuant to Regulation 17 of the Planning and Development (Development Assessment Panels) Regulation 2011, which recommends:

*That the Metro South-West Joint Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/14/00649 as detailed on the DAP Form 2 date 01.09.2016 is appropriate for consideration in accordance with regulation 17 of the Planning and Development (Development Assessment Panels) Regulations 2011;
2. **Refuse** the request for modifications to condition 14.

3. **Approve** the DAP Application reference DAP/14/00649 as detailed on the DAP Form 2 date 01.09.2016 and accompanying plans:
   - Site Plan, Drawing No.DA02 issue Q dated 27.10.2016;
   - Site Plan Car Park Shade Sales, Drawing No DA02.2 issue C, dated 30.08.2016;
   - Entry Plan 1 - Townhall Square, Drawing No.DA03 Rev H, dated 30.08.2016;
   - Entry Plan 2 - Drawing No.DA04 Rev F, dated 13.07.2015;
   - Entry 4 Plan, Drawing No.DA05 Rev G, dated 16.08.2016;
   - Roof Plan, Drawing No.DA06 Rev H, dated 30.08.2016;
   - Elevations, Drawing No.DA07 Rev H, dated 16.08.2016;
   - Elevations, Drawing No.DA08 Rev I, dated 16.08.2016;
   - Sections and Views, Drawing No.DA010 Rev G, dated 16.08.2016;
   - Signage Plan External, Drawing No.DA011 Rev I, dated 16.08.2016;
   - Signage External, Drawing No.DA012 Rev I, dated 16.08.2016; and

In accordance with the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Metropolitan Region Scheme, subject to the approvals dated 18 February 2015, 12 October and 3 May 2016 and the following amended conditions 4 and 16 and additional condition 29:

4. Prior to occupation of the proposed development, engineering drawings and specifications and a full independent Road Safety Audit is to be completed for the upgrading of the intersection of Oneida Road and Warnbro Sound Avenue in accordance with Main Roads WA specifications, where applicable, and to the satisfaction of the City of Rockingham.

The intersection must only be upgraded to a signalised intersection should the applicant fail to demonstrate an alternative solution that is acceptable to the City of Rockingham and Main Roads WA.

16. Thirty-five (35) on-street car parking spaces must be provided for short term parking along Oasis Drive. The parking must be designed in accordance with the High Turnover Use Category of the Australian Standard AS 2890.5—1993, Parking facilities, Part 5: On-street parking, approved by the City of Rockingham prior to issue of a Building Permit, and constructed prior to occupation of the development at the applicant’s expense.

29. Prior to issue of a Building Permit, plans and details for the proposed 1.2m high decorative screen must be submitted to and approved by the City of Rockingham. The screen must be installed prior to the occupation of the development and maintained in good condition for the duration of the development."

**Committee Recommendation**

Moved Cr Sammels, seconded Cr Summers:

That Council **APPROVES** the Responsible Authority Report for the proposed additions and alterations to the existing Secret Harbour District Shopping Centre at Lot 2003 Secret Harbour Boulevard and Lots 2010 and 2013 Oneida Road, Secret Harbour contained as Attachment 1 as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel (SWJDAP) pursuant to Regulation 17 of the Planning and Development (Development Assessment Panels) Regulation 2011, which recommends:

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   - Signage Plan External, Drawing No.DA011 Rev I, dated 16.08.2016;
   - Signage External, Drawing No.DA012 Rev I, dated 16.08.2016; and

   in accordance with the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Metropolitan Region Scheme, subject to the approvals dated 18 February 2015, 12 October and 3 May 2016 and the following amended conditions 4 and 16 and additional condition 29:

4. Prior to occupation of the proposed development, engineering drawings and specifications and a full independent Road Safety Audit is to be completed for the upgrading of the intersection of Oneida Road and Warnbro Sound Avenue in accordance with Main Roads WA specifications, where applicable, and to the satisfaction of the City of Rockingham.

   The intersection must only be upgraded to a signalised intersection should the applicant fail to demonstrate an alternative solution that is acceptable to the City of Rockingham and Main Roads WA.

16. Thirty-five (35) on-street car parking spaces must be provided for short term parking along Oasis Drive. The parking must be designed in accordance with the High Turnover Use Category of the Australian Standard AS 2890.5—1993, Parking facilities, Part 5: On-street parking, approved by the City of Rockingham prior to issue of a Building Permit, and constructed prior to occupation of the development at the applicant's expense.

29. Prior to issue of a Building Permit, plans and details for the proposed 1.2m high decorative screen must be submitted to and approved by the City of Rockingham. The screen must be installed prior to the occupation of the development and maintained in good condition for the duration of the development."

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>
Reference No & Subject: EP-038/16 Tender T16/17-57 – Construction of the Safety Bay Road Dual Use Path from Eighty Road to Mandurah Road, Baldivis

File No: T16/17-57

Proponent/s: Mr Stuart McCarthy, Senior Infrastructure Management Officer

Author: Mr Stuart McCarthy, Senior Infrastructure Management Officer

Other Contributors:

Date of Committee Meeting: 14 November 2016

Previously before Council:

Disclosure of Interest:

Nature of Council’s Role in this Matter: Executive

Purpose of Report

Provide Council with details of the tenders received for Tender T16/17-57 – Construction of the Safety Bay Road Dual Use Path from Eighty Road to Mandurah Road, Baldivis; document the results of the tender assessment; and make recommendations regarding award of the tender.

Background

Tender T16/17-57 - Construction of the Safety Bay Road Dual Use Path from Eighty Road to Mandurah Road, Baldivis was advertised in the West Australian on Saturday, 24 September 2016. The Tender closed at 2.00pm, Wednesday, 12 October 2016 and was publicly opened immediately after the closing time.

Details

The project involves the construction of 1.4kms of dual use path on the south side of Safety Bay Road between Eighty Road and Mandurah Road. This project is complex as it is to be constructed on a high speed road, has significant topographical challenges, environmental tree preservation, includes extensive limestone retaining walls up to seven courses high and is in close proximity to a high pressure gas main and sewer pumping main.
Other aspects include:

- Traffic Management
- Earthworks
- Drainage
- Pavement construction
- Asphalting
- Kerbing
- AcoustiMax Slimwall
- Linemarking

Submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th>Lump Sum Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance &amp; Construction Services (Australia) Pty Ltd</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>All Earth Group Pty Ltd ALTERNATIVE</td>
<td>$1,309,851</td>
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<tr>
<td>All Earth Group Pty Ltd</td>
<td>$1,336,665</td>
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<tr>
<td>Curnow Group Pty Ltd</td>
<td>$1,352,032</td>
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<tr>
<td>WCP Civil Pty Ltd</td>
<td>$1,427,612</td>
</tr>
<tr>
<td>Industrial Roadpavers (WA) Pty Ltd</td>
<td>$1,436,329</td>
</tr>
<tr>
<td>Muscon Civil Pty Ltd trading as Musgrave Contracting</td>
<td>$1,465,245</td>
</tr>
<tr>
<td>Remote Civils Australia Pty Ltd</td>
<td>$1,510,046</td>
</tr>
<tr>
<td>BCL Group Pty Ltd</td>
<td>$1,544,913</td>
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<tr>
<td>CQ &amp; JM Dowsing Pty Ltd The Trustee for the Dowsing Family Trust trading as Dowsing Concrete</td>
<td>$1,648,162</td>
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<tr>
<td>KTB Contractors (1982) Pty Ltd</td>
<td>$1,771,230</td>
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<tr>
<td>Densford Civil Pty Ltd</td>
<td>$1,774,623</td>
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<tr>
<td>Menchetti Consolidated Pty Ltd</td>
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</tr>
<tr>
<td>DB Cunningham Pty Ltd T/As Advanteering Civil Engineers</td>
<td>$2,328,357</td>
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</table>

A panel comprising Senior Infrastructure Management Officer, Manager Engineering Services and Senior Projects Officer undertook tender evaluations.

Evaluation of the tender, in accordance with the advertised tender assessment criteria, produced the following weighted scores:
The All Earth Group Pty Ltd Alternative submission offered a price reduction through the removal of the spray seal component of the works.

**Implications to Consider**

a. **Consultation with the Community**

In December 2014 and January 2015 a community consultation process was undertaken pursuant to Section 3.51 of the Local Government Act 1995. Ten submissions were received with the majority in favour of the path being installed. Some concerns were raised regarding privacy and revegetation.

The City in August 2016 took the opportunity to further consult residents directly impacted by dual use path works from Mandurah Road to Eighty Road. Detailed design drawings were provided to residents to enable public comment. Submissions closed at 4pm on Friday 16 September 2016.

The City received eight written responses which identified the following primary areas of concern:

- Privacy
- Security
- Height and type of fence
- Extent of new AcoustiMax SlimWall
- Noise
- Revegetation
Following the August 2016 public comment residents were offered the opportunity to have individual on site meetings with City Officers. Three residents took up this opportunity and reiterated those concerns raised in their original public comment submissions.

The final detailed design addressed these issues by extending the length of the 1.8m high AcoustiMax SlimWall from CH370 to CH1290, with revegetation to be assessed post construction.

b. Consultation with Government Agencies

Department of Transport Perth Bicycle Network Local Government Grants Program.
Department of Environmental Regulation, Clearing Permit CPS 6741/1

c. Strategic
Community Plan

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

**Aspiration B:** Strong Community

**Strategic Objective:** Mobility and Inclusion - Community services, programs and infrastructure that effectively caters for all residents including seniors, youth and vulnerable populations.

**Aspiration C:** Quality Leadership

**Strategic Objective:** Infrastructure - Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis.

d. Policy

In accordance with the City’s Purchasing Policy, for purchases above $150,000, a public tender process is to be conducted in accordance with the provision of section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11A(1).

e. Financial

An amount of $1,897,249 has been allocated for the project in the 2016/2017 Budget.

f. Legal and Statutory


‘Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $150,000 unless sub regulation (2) states otherwise’.

g. Risk

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

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

Nil

Comments

Thirteen tender submissions were received for Tender T16/17-57 Construction of the Safety Bay Road Dual Use Path from Eighty Road to Mandurah Road. The pricing ranged from $1.3 million to $2.3 million. Maintenance and Construction Services (Australia) Pty Ltd withdrew its submission in writing as it identified a significant error in their pricing schedule. The pricing component of the selection criteria represents 40% of the total tender assessment score and was assessed independently following the qualitative assessment.
The qualitative assessment represents the remaining 60% of the selection criteria and is attributed to Level of Service (30%) and Understanding of the Tender (30%). Some of the key components of the qualitative assessment are:

- Work is undertaken by a well-qualified and experienced team.
- Demonstrate relevant industry experience.
- Outline of the construction methods
- Level of understanding of contract requirements.

The qualitative tender assessment identified that Dowsing Concrete, Densford Civil Pty Ltd and Advanteering Civil Engineers provided the best submissions for Level of Service and Understanding Tender Requirements. When the price scores were added to all the qualitative scores Dowsing Concrete received the highest overall ranking.

Dowsing Concrete provided an excellent understanding of the tender requirements providing a highly detailed work methodology, construction program and a detailed understanding of the works specification. Dowsing Concrete also nominated a highly experienced and very well qualified team to undertake the project. Dowsing Concrete successfully constructed the previous section of the dual use path from Eighty Road to Nairn Drive.

Following evaluation of the submissions in accordance with the tender assessment criteria, the submission received from Dowsing Concrete is considered the best value to the City and therefore recommended as the preferred tenderer.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ACCEPTS the tender submitted from CQ & JM Dowsing Pty Ltd The Trustee for the Dowsing Family Trust trading as Dowsing Concrete for Tender T16/17-57 – Construction of the Safety Bay Road Dual Use Path from Eighty Road to Mandurah Road, Baldivis in accordance with the tender documentation for the lump sum value of $1,648,162.32 exclusive of GST.

Committee Recommendation

MOVED Cr Hamblin, seconded Cr Summers

That Council ACCEPTS the tender submitted from CQ & JM Dowsing Pty Ltd The Trustee for the Dowsing Family Trust trading as Dowsing Concrete for Tender T16/17-57 – Construction of the Safety Bay Road Dual Use Path from Eighty Road to Mandurah Road, Baldivis in accordance with the tender documentation for the lump sum value of $1,648,162.32 exclusive of GST.

Committee Voting – 4/1

(Cr Whitfield voted against)

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
Waste Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-039/16 Tender T16/17-56 – Construction of Landfill Cell 17 and associated works at the Millar Road Landfill Facility, Baldivis</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>T16/17-56</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Allan Moles, Manager Waste Services</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Allan Moles, Manager Waste Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Allan Moles, Manager Waste Services</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Millar Road Landfill Facility</td>
</tr>
</tbody>
</table>

**Purpose of Report**

Provide Council with details of the tenders received for Tender T16/17-56 – Construction of Landfill Cell 17 and associated works at the Millar Road Landfill facility, Baldivis, document the results of the tender assessment and make recommendations regarding award of the tender.

**Background**

Tender T16/17-56 – Construction of Landfill Cell 17 and associated works at the Millar Road Landfill facility, Baldivis was advertised in the West Australian on Saturday, 3 September 2016. The Tender closed at 2.00pm, Wednesday, 28 September 2016 and was publicly opened immediately after the closing time.

**Details**

The type of works to be undertaken under the Contract includes:

- Survey and setting out;
- Excavation to suit design layout, including stockpiling of the various excavated materials as instructed by the Superintendent;
- Construction of landfill Cell 17 and leachate extraction system;
• Undertaking leak detection testing of all geomembrane lined areas that have been covered by leachate drainage aggregate;
• Ancillary works including, but not limited to tie-in to existing landfill cells;
• Such other works as shown on the drawings or as described in the specifications;
• Construction Quality Control (CQA) testing and sampling; and
• Provision of "as constructed" information.

Submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th>Indicative Contract Sum Price (GST Exclusive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Watpac Civil and Mining Pty Ltd</td>
<td>$1,370,807</td>
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<tr>
<td>WBHO Infrastructure Pty Ltd</td>
<td>$1,546,424</td>
</tr>
<tr>
<td>Curnow Group Pty Ltd</td>
<td>$1,629,860</td>
</tr>
<tr>
<td>Densford Civil Pty Ltd</td>
<td>$1,711,280</td>
</tr>
<tr>
<td>CPB Contractors Pty Ltd</td>
<td>$1,795,303</td>
</tr>
</tbody>
</table>

The indicative contract sum price is based on the design quantities provided for in the tender document and is subject to the actual quantities required, at the submitted schedule of rates.

The Millar Road Landfill Facility operates under a license issued by the Department of Environment Regulation (DER) and the City is required to obtain a Works Approval prior to undertaking any works on the prescribed premises. The Works Approval W5914/2015/1 was granted on 22 February 2016.

A panel comprising of the City’s Director Engineering and Parks Services, Manager Waste Services, Landfill Coordinator and the consulting engineer from IW Projects, 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>Level of Service 30 Pts</th>
<th>Understanding Tender Requirements 30 Pts</th>
<th>Tendered Price/s 40 Pts</th>
<th>Total Weighted Scores 100 Pts</th>
</tr>
</thead>
<tbody>
<tr>
<td>WBHO Infrastructure Pty Ltd</td>
<td>28.0</td>
<td>27.7</td>
<td>35.5</td>
<td>91.2</td>
</tr>
<tr>
<td>Watpac Civil and Mining Pty Ltd</td>
<td>25.6</td>
<td>23.9</td>
<td>40.0</td>
<td>89.5</td>
</tr>
<tr>
<td>CPB Contractors Pty Ltd</td>
<td>18.5</td>
<td>19.5</td>
<td>30.5</td>
<td>68.5</td>
</tr>
<tr>
<td>Densford Civil Pty Ltd</td>
<td>17.4</td>
<td>11.7</td>
<td>32.0</td>
<td>61.1</td>
</tr>
<tr>
<td>Curnow Group Pty Ltd</td>
<td>12.1</td>
<td>10.0</td>
<td>33.6</td>
<td>55.7</td>
</tr>
</tbody>
</table>

**Implications to Consider**

a. Consultation with the Community
   The DER’s Works Approval process included a 21 day public notice period during which submissions could be made regarding the proposed project. No submissions were received.

b. Consultation with Government Agencies
   The City has liaised with the DER during the Works Approval application process for the project.
c. **Strategic**

**Community Plan**

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

**Aspiration C:** Quality Leadership

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

**Aspiration D:** Sustainable Environment

**Strategic Objective:** Carbon Footprint and Waste Reduction - Carbon footprint reduction and waste minimisation programs focussed on community education and awareness, and the use of new technologies proven to be environmentally acceptable and financially sustainable.

d. **Policy**

In accordance with the City’s Purchasing Policy, for purchases above $150,000, a public tender process is to be conducted in accordance with the provision of section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11A(1).

e. **Financial**

An amount of $2,400,000 has been allocated in the 2016/2017 budget for this project and the tendered prices are within the estimated amount for these works.

f. **Legal and Statutory**


‘Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $150,000 unless sub regulation (2) states otherwise’.

g. **Risk**

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

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

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

Nil

### Comments

Clarifications were sought from Watpac Civil and Mining Pty Ltd regarding:

1. Details of proposed changes to the terms of the Contract, with the response requesting the inclusion of an “Order of Precedence” for the various documents that form part of the Contract;
2. The number of rain delays included in its construction programme, with the response that no rain delays have been included; and
3. A rate within the schedule of rates, with the response being the submitted rate was correct.

A clarification was sought from WBHO Infrastructure Pty Ltd regarding the number of rain delays included in its construction programme, with the response that two days have been included.

Watpac Civil and Mining Pty Ltd provided two alternatives as follows:

1. “A saving of $8,978 to self-perform all liner works using HDPE liner as supplied by Solmax, Malaysia and GCL as supplied by Geofabrics, Australia”. 
2. “A saving of $81,947 to self-perform all liner works using HDPE liner as supplied by Solmax, Malaysia and GCL as supplied by Yizheng ShengLi, China”.

These alternatives were not considered as the lining is a high risk component of the cell structure and is subject to stringent quality controls and testing and would be best installed by a specialist lining subcontractor.

Following consideration of the submissions in accordance with the tender assessment criteria all companies demonstrated a capacity to undertake the works, however, the submission received from WBHO Infrastructure Pty Ltd is considered the best value to the City and therefore recommended as the preferred tenderer.

The construction of landfill cells is subject to stringent quality control and compliance testing and requires ‘Level One’ (full-time independent) inspection and WBHO Infrastructure Pty Ltd demonstrated a very good understanding of the works required and has significant experience in landfill cell construction including the most recent cell at the Millar Road Landfill Facility.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council ACCEPTS the tender submitted from WBHO Infrastructure Pty Ltd for Tender T16/17-56 – Construction of Landfill Cell 17 and associated works at the Millar Road Landfill facility, Baldivis in accordance with the tender documentation for the indicative contract sum of $1,546,423.61 exclusive of GST.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Sammels:

That Council ACCEPTS the tender submitted from WBHO Infrastructure Pty Ltd for Tender T16/17-56 – Construction of Landfill Cell 17 and associated works at the Millar Road Landfill facility, Baldivis in accordance with the tender documentation for the indicative contract sum of $1,546,423.61 exclusive of GST.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
Engineering and Parks Services
Engineering Services


File No: W16/17-29

Proponent/s: Mr Glen Zilko, Supervisor Fleet Management

Author: Mr Jerome King, Coordinator Infrastructure and Fleet

Other Contributors: 14 November 2016

Date of Committee Meeting: Executive

Previously before Council: Site:

Disclosure of Interest: Lot Area:

Nature of Council’s Role in this Matter: LA Zoning:

Attachments: MRS Zoning:

Maps/Diagrams:

Purpose of Report

Provide Council with details of the quotes received for Quote W16/17-29 – Supply, delivery and licencing of two new tandem axle side loading refuse trucks, document the results of the quote assessment and make recommendations regarding award of the quote.

Background

Quote W16/17-29 – Supply, delivery and licencing of two new tandem axle side loading refuse trucks was sought from selected suppliers on the WALGA E-Quote Preferred Supplier for Trucks Contract (NPN—04-13) closing at 2.00pm, Wednesday, 7 September 2016 and was opened immediately after the closing time.

Details

The new tandem axle side loading refuse trucks are to be used for refuse bin collection. The City’s plant replacement program identified side loading refuse trucks RO65 and RO52 for replacement in 2016/2017 financial year.
Submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th>Truck/Compactor Type Offered</th>
<th>Price for supply, delivery of two tandem axle side loading refuse trucks (Ex GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AV Truck Services Pty Ltd</td>
<td>Iveco ACCO 6x4 dual control / Superior Pak side loading waste compactor</td>
<td>$719,403</td>
</tr>
<tr>
<td>Major Motors Pty Ltd</td>
<td>Isuzu FV2260-300 Auto / Bucher Municipal side loading waste compactor</td>
<td>$725,720</td>
</tr>
<tr>
<td>AV Truck Services Pty Ltd</td>
<td>Iveco ACCO 6x4 dual control / Bucher Municipal side loading waste compactor</td>
<td>$732,909</td>
</tr>
<tr>
<td>Major Motors Pty Ltd</td>
<td>Isuzu FV2260-300 Auto / Superior Pak side loading waste compactor</td>
<td>$736,216</td>
</tr>
<tr>
<td>Truck Centre WA Pty Ltd</td>
<td>Volvo FEE64R Euro 5 / Superior Pak side loading waste compactor</td>
<td>$774,906</td>
</tr>
<tr>
<td>Daimler Trucks</td>
<td>Mercedes-Benz Econic 2630LL / Superior Pak side loading waste compactor</td>
<td>$780,976</td>
</tr>
<tr>
<td>Truck Centre WA Pty Ltd</td>
<td>Volvo FEE64R Euro 6 / Superior Pak side loading waste compactor</td>
<td>$787,900</td>
</tr>
<tr>
<td>Truck Centre WA Pty Ltd</td>
<td>Volvo FEE64R Euro 5 / Bucher Municipal side loading waste compactor</td>
<td>$789,360</td>
</tr>
<tr>
<td>Daimler Trucks</td>
<td>Mercedes-Benz Econic 2630LL / Bucher Municipal side loading waste compactor</td>
<td>$792,960</td>
</tr>
<tr>
<td>Truck Centre WA Pty Ltd</td>
<td>Volvo FEE64R Euro 6 / Bucher Municipal side loading waste compactor</td>
<td>$803,360</td>
</tr>
<tr>
<td>Daimler Trucks</td>
<td>Mercedes-Benz Econic 2630LL / Superior Pak side loading waste compactor</td>
<td>$764,360</td>
</tr>
<tr>
<td>Truck Centre WA Pty Ltd</td>
<td>Daimler Trucks (Mercedes/Superior Pak)</td>
<td>$789,360</td>
</tr>
<tr>
<td>Daimler Trucks</td>
<td>Daimler Trucks (Mercedes/Euro 5/Superior Pak)</td>
<td>$789,360</td>
</tr>
<tr>
<td>Truck Centre WA Pty Ltd</td>
<td>Daimler Trucks (Mercedes/Euro 5/Bucher)</td>
<td>$789,360</td>
</tr>
<tr>
<td>Daimler Trucks</td>
<td>Daimler Trucks (Mercedes/Euro 6/Superior Pak)</td>
<td>$789,360</td>
</tr>
<tr>
<td>Truck Centre WA Pty Ltd</td>
<td>Daimler Trucks (Mercedes/Euro 6/Bucher)</td>
<td>$789,360</td>
</tr>
<tr>
<td>Daimler Trucks</td>
<td>Daimler Trucks (Mercedes/Superior Pak)</td>
<td>$789,360</td>
</tr>
</tbody>
</table>

A panel comprising of the City’s Manager Waste Services, Waste Services Coordinator and Fleet Management Supervisor undertook evaluation of submissions received, with the following weighted scores results as follows:

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Level of Service</th>
<th>Performance and Experience</th>
<th>Tendered Price</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>24 Pts</td>
<td>36 Pts</td>
<td>40 Pts</td>
<td>100 Pts</td>
</tr>
<tr>
<td>Truck Centre WA P/L (Volvo Euro 5/Superior Pak)</td>
<td>17</td>
<td>34</td>
<td>37</td>
<td>88</td>
<td></td>
</tr>
<tr>
<td>Truck Centre WA P/L (Volvo Euro 5/Bucher)</td>
<td>18</td>
<td>32</td>
<td>36</td>
<td>86</td>
<td></td>
</tr>
<tr>
<td>AV Truck Services P/L (Iveco/Superior Pak)</td>
<td>14</td>
<td>24</td>
<td>40</td>
<td>78</td>
<td></td>
</tr>
<tr>
<td>AV Truck Services P/L (Iveco/Bucher)</td>
<td>14</td>
<td>24</td>
<td>39</td>
<td>77</td>
<td></td>
</tr>
<tr>
<td>Major Motors P/L (Isuzu/Bucher)</td>
<td>16</td>
<td>14</td>
<td>40</td>
<td>70</td>
<td></td>
</tr>
<tr>
<td>Major Motors P/L (Isuzu/Superior Pak)</td>
<td>15</td>
<td>14</td>
<td>39</td>
<td>68</td>
<td></td>
</tr>
<tr>
<td>Truck Centre WA P/L (Volvo Euro 6/Superior Pak)</td>
<td>17</td>
<td>14</td>
<td>36</td>
<td>68</td>
<td></td>
</tr>
<tr>
<td>Daimler Trucks (Mercedes/Bucher)</td>
<td>8</td>
<td>24</td>
<td>36</td>
<td>68</td>
<td></td>
</tr>
<tr>
<td>Truck Centre WA P/L (Volvo Euro 6/Bucher)</td>
<td>18</td>
<td>14</td>
<td>36</td>
<td>68</td>
<td></td>
</tr>
<tr>
<td>Daimler Trucks (Mercedes/Superior Pak)</td>
<td>7</td>
<td>16</td>
<td>37</td>
<td>60</td>
<td></td>
</tr>
</tbody>
</table>
All suppliers were invited to demonstrate the ability and capability of their nominated plant for mechanical and operator assessment.

The assessment focused on the servicing requirements, the simplicity of repair and the functionality of the equipment.

Major Motors Pty Ltd was unable to provide a truck and body for Operator and Mechanical assessments for the Isuzu/Bucher and Isuzu/Superior Pak submissions.

Daimler Trucks Perth was unable to provide a truck and body for Operator and Mechanical assessments for the Mercedes Benz/Superior Pak submission.

Truck Centre WA Pty Ltd was unable to provide a euro 6 truck and body for Operator and Mechanical assessments for the Volvo FEE64R Euro 6/Bucher and Volvo FEE64R Euro 6/Superior Pak submissions.

### Implications to Consider

<table>
<thead>
<tr>
<th><strong>a.</strong></th>
<th>Consultation with the Community</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>b.</strong></th>
<th>Consultation with Government Agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>c.</strong></th>
<th>Strategic</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Community Plan</td>
</tr>
<tr>
<td></td>
<td>This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:</td>
</tr>
<tr>
<td></td>
<td><strong>Aspiration D:</strong> Sustainable Environment</td>
</tr>
<tr>
<td></td>
<td><strong>Strategic Objective:</strong> Carbon Footprint and Waste Reduction - Carbon footprint reduction and waste minimisation programs focussed on community education and awareness, and the use of new technologies proven to be environmentally acceptable and financially sustainable.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>d.</strong></th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In accordance with the City’s Purchasing Policy, purchases from WALGA’s Preferred Supply Contract, can be used as a procurement option.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>e.</strong></th>
<th>Financial</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>An amount of $1,897,249 has been allocated for the project in the 2016/2017 Budget.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>f.</strong></th>
<th>Legal and Statutory</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In accordance with the Local Government (Functions &amp; General) Regulations 1996, Part 4 – division 2 Section 11 subsection (2)(b), a tender exemption applies to WALGA’s Preferred Supply Contracts, and therefore local governments are not required to go to public tender when purchasing from WALGA’s arrangement, irrespective of contract value or length.</td>
</tr>
<tr>
<td></td>
<td>Section 11(1) ‘Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $150,000 unless sub regulation (2) states otherwise’</td>
</tr>
<tr>
<td></td>
<td>Section (2) - ‘Tenders do not have to be publicly invited according to the requirements of this Division if –</td>
</tr>
<tr>
<td></td>
<td>Section (2)(b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>g.</strong></th>
<th>Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All Council decisions are subject to risk assessment according to the City's Risk Framework.</td>
</tr>
<tr>
<td></td>
<td>Implications and comment will only be provided for the following assessed risks.</td>
</tr>
<tr>
<td></td>
<td><strong>Customer Service / Project management / Environment :</strong> High and Extreme Risks</td>
</tr>
<tr>
<td></td>
<td><strong>Finance / Personal Health and Safety:</strong> Medium, High and Extreme Risks</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
</tbody>
</table>
Comments

The Volvo FEE64R Euro 5 fitted with the Superior Pak side loading waste compactor rated highest in all capacities and consequently the assessment panel considered that the quotation received from Truck Centre WA for the supply of two new tandem axle side loading refuse trucks represented the best value to the City.

The existing Iveco Acco side loading refuse trucks RO65 and RO52 will be sent to public auction.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ACCEPTS the quotation submitted by Truck Centre WA Pty Ltd for Quote W16/17-29 - Supply, delivery and licencing of two new tandem axle side loading refuse trucks in accordance with the quote documentation for the Volvo FEE64R Euro 5 with the Superior Pak waste compactor body for the total price of $774,906 (excluding GST).

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council ACCEPTS the quotation submitted by Truck Centre WA Pty Ltd for Quote W16/17-29 - Supply, delivery and licencing of two new tandem axle side loading refuse trucks in accordance with the quote documentation for the Volvo FEE64R Euro 5 with the Superior Pak waste compactor body for the total price of $774,906 (excluding GST).

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
### 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

**Appointment of Deputy - Peron Naturaliste Partnership Board**

Moved Cr Summers, seconded Cr Sammels:

That Council **APPOINTS** Cr Deb Hamblin as an Alternate Delegate to the Peron Naturaliste Partnership Board.

Committee Voting – 5/0

**Note:** Clause 6.4 of the Peron Naturaliste Partnership Constitution states:

"6.4 Where a delegate of a local government is unable to attend a meeting of the PNP, the local government may be represented by another person appointed for the purpose of being an alternative delegate (a proxy). Such alternate delegate may, during the absence of a delegate of his/her local government act in his/her place and be subject to vacation of office in the same way as a delegate."

### 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 12 December 2016** 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 **4:59pm**.