City of Rockingham  
Planning Services Committee Meeting Minutes  
Monday 15 October 2012

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# Planning Services Committee Minutes

**Monday 15 October 2012 - Council Boardroom**

## 1. Declaration of Opening

The Chairperson declared the Planning Services Committee Meeting open at 4.04 pm and welcomed all present.

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

<table>
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<tr>
<th>2.1 Councillors</th>
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<tbody>
<tr>
<td>Cr Richard Smith</td>
<td>Chairperson</td>
</tr>
<tr>
<td>Cr Chris Elliott</td>
<td></td>
</tr>
<tr>
<td>Cr Leigh Liley</td>
<td>(arrived 4.05pm)</td>
</tr>
<tr>
<td>Cr Allan Hill</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>2.2 Executive</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Andrew Hammond</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Mr Bob Jeans</td>
<td>Director Planning and Development Services</td>
</tr>
<tr>
<td>Mr John Woodhouse</td>
<td>Director Legal Services and General Counsel</td>
</tr>
<tr>
<td>Mr Peter Ricci</td>
<td>Project Manager Keralup</td>
</tr>
<tr>
<td>Mr Brett Ashby</td>
<td>Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Mr Richard Rodgers</td>
<td>Manager Building Services (until 4.10pm)</td>
</tr>
<tr>
<td>Mr Mike Ross</td>
<td>Manager Statutory Planning</td>
</tr>
<tr>
<td>Mr Rod Fielding</td>
<td>Manager Health Services (until 4.10pm)</td>
</tr>
<tr>
<td>Ms Melinda Wellburn</td>
<td>PA to Director Planning and Development Services</td>
</tr>
</tbody>
</table>

**Members of the Public:** Nil

**Press:** Nil

| 2.3 Apologies: | Nil |
| 2.4 Approved Leave of Absence: | Nil |

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

Nil

## 4. Public Question Time

As there were no members of the public present, the Chairman did not invite questions.
5. **Confirmation of Minutes of the Previous Planning Services Committee Meeting**

   Moved Cr Elliott, seconded Cr Hill:
   That Council **CONFIRM** the Minutes of the Planning Services Committee Meeting held on 17 September 2012, as a true and accurate record.

   Committee Voting – 3/0

6. **Matters Arising from the Previous Planning Services Committee Meeting Minutes**

   Nil

7. **Announcement by the Presiding Person without Discussion**

   4.05pm 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**

   4.05pm The Chairperson asked if there were any interests to declare. There were none.

9. **Petitions/Deputations/Presentations/Submissions**

   Nil

10. **Matters for which the Meeting may be Closed**

    Nil

11. **Bulletin Items**

    **Planning Services Information Bulletin – October 2012**

    **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 Community Health and Wellbeing Plan
       3.4 Healthy Communities Initiative
       3.5 Health Promotion
       3.6 Mosquito Control Program
       3.7 Ocean Water and Storm Water Sampling
    4. Information Items
       4.1 Mosquito-Borne Disease Notifications
       4.2 Food Recalls - September 2012
       4.3 Food Premises Inspections
       4.4 Public Building Inspections
       4.5 Outdoor Public Event Approvals - September 2012
       4.6 After Hours Noise & Smoke Nuisance Complaint Service
       4.7 Complaint - Information
### Building Services

1. Building Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   - 4.1 Private Swimming Pool and Spa Inspection Program
   - 4.2 Monthly Building Permit Approvals - (All Building Types)
   - 4.3 Occupancy Permits
   - 4.4 Demolition Permit
   - 4.5 Building Approval Certificates (Strata)
   - 4.6 Community Sign Approval
   - 4.7 Excavation Licence
   - 4.8 Building Approval Certificates for Unauthorised Building Works
   - 4.9 Monthly Caravan Park "Site" Approvals

### Strategic Planning and Environment

1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 Policy Manual Review (LUP/1265)
   - 3.2 Local Planning Strategy (LUP/1352)
   - 3.3 Amendment No.114 - Developer Contribution Plan No.2 (LUP/909)
   - 3.4 Local Biodiversity Strategy Review (EVM/22)
   - 3.5 Karnup District Water Management Strategy (EVM/136)
   - 3.6 Lake Richmond Water Quality Studies and Integrated Catchment Management Plan (EVM/135)
   - 3.7 Water Campaign (EVM/56-02)
4. Information Items
   - 4.1 Delegated Final Adoption of Structure Plan
   - 4.2 Delegated Minor Change to Structure Plan

### Statutory Planning

1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 CouncilsOnline (Planning Products via the Web) formerly eDA
4. Information Items
   - 4.1 Land Use – Planning Enforcement
   - 4.2 Subdivision/Development Approvals and Refusals by the WAPC
   - 4.3 Notifications and Gazettals
   - 4.4 Subdivision Clearances
   - 4.5 Subdivision Survey Approvals
   - 4.6 Delegated Development Approvals
   - 4.7 Delegated Development Refusals
4.8 Delegated Building Envelope Variations
4.9 Subdivision/Amalgamation Approved
4.10 Subdivision/Amalgamation Refused
4.11 Development Assessment Panels – Development Applications
4.12 WALGA’s President Meeting with Minister for Planning

**Director Planning and Development Services**
1. Director Planning and Development Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Administration Building Refurbishment/Fitout
   3.2 Smart Village Sector – Development Policy Plan and Masterplan
   3.3 Northern Waterfront Sector - Development Policy Plan and Masterplan
   3.4 Campus Sector - Development Policy Plan and Masterplan
   3.5 Eastern Sector - Development Policy Plan and Masterplan
   3.6 Keralup
   3.7 Karnup Station Transit Oriented Development

**Appendices**

**Committee Recommendation**

That Councillors acknowledge having read the Planning Services Information Bulletin – October 2012 and the contents be accepted.

Committee Voting – 4/0

4.10pm - Mr Richard Rodgers, Manager Building Services and Mr Rod Fielding, Manager Health Services left the Planning Services Committee meeting.
### 12. Agenda Items

#### Statutory Planning

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SP-056/12 Proposed Building Envelope Variation - Golden Bay</th>
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</thead>
<tbody>
<tr>
<td>File No:</td>
<td>24.2012.19.1</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mrs M Roycroft</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Ross Underwood, Senior Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr David 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>15th October 2012</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Tribunal</td>
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<tr>
<td>Nature of Council's Role in this Matter:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 805 (No.14) Figtree Lane, Golden Bay</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>4,491m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Special Residential</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Rural</td>
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<td>Attachments:</td>
<td></td>
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<td>Maps/Diagrams:</td>
<td>Figure 1 – Location Plan</td>
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<td>Figure 2 – Proposed Building Envelopes (August 2008)</td>
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<td></td>
<td>Figure 3 – Approved Building Envelopes (May 2009)</td>
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<td></td>
<td>Figure 4 – Existing and Proposed Building Envelopes</td>
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<td></td>
<td>Figure 5 – Aerial photo</td>
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Purpose of Report

To consider an application seeking approval to vary the location of the approved Building Envelope for Lot 805 (No.14) Figtree Lane, Golden Bay.

Background

In December 2007, the Western Australian Planning Commission granted approval to subdivide Lots 200 and 300 Dampier Drive, Golden Bay into seven lots. In August 2008, Dykstra Planning (on behalf of the subdivider) submitted a plan showing the proposed location of Building Envelopes on the proposed vacant lots, as required by the subdivision approval (see Figure 2).
During preparation of the Building Envelopes, the City identified that the proposed Building Envelopes on Lots 802 and 805 were affected by a fire access easement that prevented the owner from constructing, erecting or building any building or structure that would obstruct or interfere with the use of the fire access easement. The City requested the Building Envelopes be relocated outside of the fire access easements. An amended plan of the Building Envelopes was provided by Dykstra Planning and approved by the City in May 2009 (see Figure 3).

In March 2010, the Council agreed to surrender the fire access easement over the subject site, on the basis that the subdivision of the land rendered the fire access easement redundant.

**Details**

The application proposes to vary the approved Building Envelope by reverting it back to the original envelope that was proposed in August 2008. Figure 4 shows the existing and proposed building envelopes.
The site slopes steeply from a low point of 5m AHD adjacent to Figtree Lane, to the top of a sand dune ridge along the southern boundary with a height of 20m AHD. The northern third of the subject site includes a level area at the base of the sand dune. The subject site has coastal bushland, and there is one tree on the site near Figtree Lane.

The Proponent has advised that the application to vary the location of the Building Envelope is to satisfy a condition of a Contract of Sale of the subject site, based on the original proposed Building Envelope. The prospective purchaser of the subject site has not provided the Proponent (and therefore the City) with details of the proposed development on the land.

### Implications to Consider

#### a. Consultation with the Community

In accordance with Schedule No.5 of Town Planning Scheme No.2 (TPS2) and Planning Policy 3.3.17 – Variations to Building Envelopes, in the Singleton Special Rural and Special Residential Zones, Building Envelopes may be varied at the discretion of Council following consultation with adjoining owners. There is discretion in determining whether or not to advertise applications, if a Building Envelope variation is likely to impact upon the adjoining/nearby properties.

The Building Envelope does not require neighbour comment, for the following reasons:

- The property most affected by the proposal is Lot 806, to the north of the subject site. Lot 806 is owned by the proponent.
- The property to the west of the subject site, Lot 17, is vacant and its Building Envelope is positioned over 100m to the north of the subject site. Lot 17 is therefore not affected by the proposal and consultation is not considered necessary.
- The application proposes to revert to the original Building Envelope that was originally proposed at the time of subdivision, and therefore is not considered a new proposal.

#### b. Consultation with Government Agencies

Not Applicable

#### c. Strategic Community Plan

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

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

#### d. Policy

Planning Policy 3.3.17 – Variations to Building Envelopes

Planning Policy 3.3.17 – Variations to Building Envelopes (BE Policy) applies to the application, and requires Building Envelopes to be located based upon environmental conditions, landform and vegetation characteristics, the possible form of residential development and the impact of future development on the visual amenity of the locality.

**Environmental Considerations**

The BE Policy notes that:-

“The Council will consider variations to existing Building Envelopes only where it can be demonstrated by the Proponent that there is no adverse environmental impact and where then Council’s objectives for the locality are realised.”
To ensure that the above matters can be assessed, the Council will generally require specific details regarding the building/s to be constructed within the Building Envelope. Such details should include the method of construction, existing and finished site levels, retaining walls, building materials and colours and the proposed height of the buildings.

The proposed Building Envelope variation is away from the steep portion of the sand dune on the southern half of the subject site, and therefore development is less likely to result in erosion of the dune.

**Size and Shape of Building Envelope**

The BE Policy allows only minor increases to the size of Building Envelopes (to a maximum of 10%) and requires Building Envelopes to be of a regular shape. The proposed increase in the size of the Building Envelope from 897m² to 900m² (less than 1%) is within the allowable size increase, and the square-shaped Building Envelope is suitable.

**Visual amenity**

The BE Policy notes that:-

“in the case of the Golden Bay and Singleton Special Rural and Special Residential zones, the location of the envelopes was specifically intended to maintain the rural attributes and appearance of the land, looking westward from Mandurah Road and looking to the east from the townsites of Singleton and Golden Bay.”

The proposal is not considered to affect the view from Mandurah Road or the Golden Bay townsites.

**Planning Policy 3.3.6 - Development Guidelines for Special Residential Zones**

Planning Policy 3.3.6 - Development Guidelines for Special Residential Zones (SR Policy) also applies to the application. The SR Policy guides development of lots with the Special Residential zones that are affected by steep topography by the implementation of special housing design requirements, which are necessary to minimise the amount of site earthworks to protect the landscape character of each lot. Any future development on this site will need to demonstrate compliance with the SR Policy.

e. **Financial**

Nil

f. **Legal and Statutory**

Schedule No.5 of TPS.2 provides that the size and location of an approved Building Envelope may be varied with the approval of Council.

**Comments**

![Figure 5 – Aerial Photo](image-url)
The proposed variation to the size and the shape of the Building Envelope results in it including more of the flat land located at the base of the dune rather than the steeper parts of the sand dune. The proposal satisfies the requirements of the BE Policy relating to environmental impact, size and shape requirements and visual amenity, as discussed in the “Policy” section above.

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

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **APPROVE** the application to vary the Building Envelope on Lot 805 (No.14) Figtree Lane, Golden Bay subject to any future development complying with *Planning Policy 3.3.6 – Development Guidelines for Special Residential Zones*.

**Committee Recommendation**

That Council **APPROVE** the application to vary the Building Envelope on Lot 805 (No.14) Figtree Lane, Golden Bay subject to any future development complying with *Planning Policy 3.3.6 – Development Guidelines for Special Residential Zones*.

Committee Voting – 4/0

**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**

   *Nil*

18. **Matters Behind Closed Doors**

   *Nil*

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

   The next Planning Services Committee Meeting will be held on **Monday 19 November 2012** 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 Services Committee meeting, and declared the meeting closed at **4.11pm**.