# City of Rockingham

## Planning and Engineering Services Committee Meeting Minutes

**Monday 14 August 2017**

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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 Chairperson
Cr Matthew Whitfield
Cr Deb Hamblin (Deputy Mayor)
Cr Katherine Summers
Cr Barry Sammels (Mayor)
Cr Justin Smith (Observer)

2.2 Executive

Mr Andrew Hammond Chief Executive Officer
Mr Bob Jeans Director Planning and Development Services
Mr Peter Doherty Director Legal Services and General Counsel
Mr Sam Assaad Director Engineering and Parks Services
Mr Brett Ashby Manager Strategic Planning and Environment
Mrs Katrina Mohsenin A/Coordinator Building Services
Mr Mike Ross Manager Statutory Planning
Mr James Henson Manager Land and Development Infrastructure
Mr Rod Fielding Manager Health Services
Mr David Caporn Manager Compliance and Emergency Liaison
Mr Changeeka Jayakody Coordinator Planning, Design and Construction
Mr Tony Bailey Coordinator Asset Maintenance
Mr Cyril Sharrock Coordinator Maintenance, Parks Services
Ms Melinda Wellburn PA to Director Planning and Development Services

2.3 Members of the Gallery: 5

2.4 Apologies: Nil

2.5 Approved Leave of Absence: Nil

3. Responses to Previous Public Questions Taken on Notice

Nil

4. Public Question Time

4.01pm The Chairperson invited members of the Public Gallery to ask questions.
Mr James Mumme, 36 Gloucester Crescent, Shoalwater - Various

The Chairperson invited Mr Mumme to present his questions to the Planning and Engineering Services Committee. Mr Mumme asked the following questions:

Lake Richmond Management Plan Review: Strategen: Conflict of Interest

1. By what process has Strategen been appointed to undertake this review?
The Chairperson advised that the question will be taken on notice.

2. Were other quotations sought? If so, how many were received?
The Chairperson advised that the question will be taken on notice.

3. Did the City check before appointing Strategen that the company are consultants to Cedar Woods and have been engaged to prepare all construction and approval implementation documentation for land-based activities including TEC monitoring and management plan (see excerpt from their website about MBM below)? If not, why not?
The Chairperson advised that the question will be taken on notice.

4. Will the City cancel the contract? If not, why not?
The Chairperson advised that the question will be taken on notice.

Waterways Management for MBM (Preamble to question)

Now that Council knows the expenditure estimates for Waterways Management and the City has at least some idea of the potential income for 25 years,

5. Does the City think it is financially sound for it to manage the waterways?
The Chairperson referred to page 45 of the August 2017 Bulletin and advised that once City Officers have finalised the assessment of the waterways management issues, a report will be presented to Council. At that point, the Council will consider all relevant matters related to waterways management.

Port Rockingham Marina

6. Does the City have any idea when construction might begin?
The Chairperson advised 'No'.

7. If the Port Rockingham Marina is constructed, what consequences does the City expect for Rockingham Foreshore businesses?
The Chairperson advised that he could not answer the question, as any response would only be his opinion.

8. Given that the community prefer natural amenities and low-impact activities, will the City reconsider its support for two marinas and put more resources into our natural assets?
The Chairperson advised that Council has given conditional support to the two marinas and whether or not they proceed is a matter of timing of the planning process and the business planning they are involved with.

Air Quality Impacts on Seniors: Follow up of Questions on July 25th (Preamble to questions)

Council's reply says that Council does not know of the Harvard study, does not know that Australia’s permissible levels for some toxics are much higher than the US’s and that Council says it is not its role to ascertain which Councils are planning to send their domestic solid waste to be incinerated in our back yard.

9. Have Council Officers now read the Harvard study?
The Chairperson advised that the question will be taken on notice.

10. Has Council checked the relative permissible limits between the two countries?
The Chairperson advised that the question will be taken on notice.
11. If the answers to these questions are ‘yes’, will Council take measures to advocate for cleaner air? If the answers to the two questions above are ‘no,’ why does Council not at least raise concerns with the appropriate bodies?

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 July 2017, 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

*Note: Cr Summers declared an interest in Item EP-014/17 during the meeting at the time the report item was to be discussed.*

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
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<tr>
<td>8.1</td>
<td>Item EP-014/17 Pedestrian refuge islands on Safety Bay Road (Waimea Road to Rand Avenue)</td>
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</table>

Councillor: Cr Summers  
Type of Interest: Proximity  
Nature of Interest: Cr Summers lives in proximity of the proposed pedestrian refuge islands  
Extent of Interest (if applicable): Not Applicable

8.1.1 Item EP-014/17 Pedestrian refuge islands on Safety Bay Road (Waimea Road to Rand Avenue)

9. Petitions/Deputations/Presentations/Submissions

9.1 Deputation

4:11pm Mrs Denise Bird, No.14 Golden Bay Drive, Golden Bay - PDS-038/17 - Amendment No.135 to Town Planning Scheme No.2 - 'Rural' to 'Special Residential' - Final Adoption

The Chairperson welcomed Ms Bird, owner, and invited her to present her deputation to the Committee.

Ms Bird explained her intentions to subdivide the land into six low impact lots of which two would be for her two daughters. Ms Bird outlined that she had appointed various consultants to address the matters identified by Council. She outlined that the land was purchased on the basis of it being zoned Urban.

Ms Bird explained the earthworks are required due to water servicing requirements but this would still retain the landscape character of the land. She was also confident of obtaining approval from the Department of Fire and Emergency Services in time.
Ms Bird raised concerns with the City’s recommendation and its implications, since the land was already zoned Urban in the Metropolitan Region Scheme.

4:19pm The Chairperson thanked Ms Bird and advised the matter is to be considered by the Committee through its discussion on the Agenda item.

10. Matters for which the Meeting may be Closed

Nil

11. Bulletin Items

Planning and Development Services Information Bulletin – August 2017

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 New Traders Permits for Food Stall Operators at Events

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
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<td>Unauthorised Building Works (Section 51 of the Building Act)</td>
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<td>Monthly Caravan Park Site Approvals</td>
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<td>R Code Variations</td>
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**Compliance and Emergency Liaison**

1. Compliance and Emergency Liaison Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Compliance and Emergency Liaison Update
   4.2 Ranger Action Reports
   4.3 Singleton Volunteer Bush Fire Brigade - Activity
   4.4 Rockingham State Emergency Service - Activity
   4.5 Vehicle Crew Protection Project - In Cab Air System
   4.6 Australian Red Cross Emergency Preparedness Project
   4.7 Metropolitan Fire District (ESL Category 1) Expansion
   4.8 2017-18 All West Australian’s Reducing Emergencies (AWARE) Grant
   4.9 SmartWatch Key Result Area: Visibility
   4.10 SmartWatch Key Result Area: Engagement with Community
   4.11 SmartWatch Key Result Area: Increasing perception of Safety
   4.12 SmartWatch Notable Statistics
   4.13 Feedback from the Community

**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 Wetland Management Plan
   3.4 Lake Richmond Management Plan Review
   3.5 Coastal Hazard Risk Management and Adaption Plan
4. Information Items
   4.1 Notification of Approval of Structure Plans by the Western Australian Planning Commission
   4.2 Delegated Advertising of Proposed Structure Plans

**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 & 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 Delegated Authority to approve the release of Bonds for private subdivisional works
Statutory Planning
1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Land Use - Planning Enforcement
   4.2 Subdivision/Development Approval and Refusals by the WAPC
   4.3 Notifications and Gazettals
   4.4 Subdivision Clearances
   4.5 Subdivision Survey Approvals
   4.6 Subdivision Lot Production
   4.7 Delegated Development Approvals
   4.8 Delegated Development Refusals
   4.9 Delegated Building Envelope Variations
   4.10 Subdivision/Amalgamation Approved
   4.11 Strata Plans
   4.12 Subdivision/Amalgamation Refused
   4.13 Proposed Telecommunications Infrastructure - Lot 7001 Secret Harbour Boulevard, Secret Harbour

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 Leeuwin Sector – Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.4 Northern Gateway Sector - Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.5 Redevelopment of City Square and Civic Plaza (LUP/1933)
   3.6 ‘Mangles Bay Marina’

Advisory Committee Minutes

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:
That Councillors acknowledge having read the Planning Services Information Bulletin – August 2017 and the content be accepted.

Committee Voting – 5/0

Engineering and Parks Services Information Bulletin – August 2017

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 Advertising on City Infrastructure
   4.2 Illegal Dumping

Engineering Services
1. Engineering Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Future Traffic Modelling
4. Information Items
   4.1 Delegated Authority for Temporary Thoroughfare Closure
   4.2 Delegated Authority for approval of Directional Signage
   4.3 Authorised Traffic Management Plans for Works on City Controlled Roads
   4.4 Civil Works Program 2017/2018
   4.5 Civil Maintenance Program 2017/2018
   4.6 Road Renewal Program Municipal Works 2017/2018
   4.7 Road Resurfacing Program Municipal Works 2017/2018
   4.8 Litter and Street Sweeping Program 2017/2018
   4.9 Graffiti Program 2017/2018
   4.10 Port Kennedy Drive Environmental Impact Study
   4.11 Delegated Authority for the payment of Crossover Subsidies
   4.12 Third Party works within the City
   4.13 Asset Inspections
   4.14 Verge Treatment Applications
   4.15 Verge Obstructions
   4.16 Coastal Infrastructure
   4.17 Coastal Management

Parks Services
1. Parks Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Delegated Public Open Space Handovers
   4.2 2017/2018 Parks Services Projects Summary
   4.3 2017/2018 Project Information Eighty Road Reserve – sports field infrastructure
   4.4 Parks Maintenance Program 2017/2018

Asset Services
1. Asset Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Facilities and reserve accessibility audits
   3.2 Secure Access Strategy and operations implementation
4. Information Items
   4.1 Path condition audit 2016-2017
   4.2 Public Toilet Maintenance and Provision Strategy
   4.3 Strategic Asset Management
   4.4 Aqua Jetty – gym roof HVAC enclosure (design)
   4.5 Aqua Jetty – liner replacement external 50m pool
   4.6 Aqua Jetty – 328kw solar PV system
   4.7 Asbestos removal and reinstatement
   4.8 Barbecue replacements
   4.9 Hourglass Reserve – shelter replacements
   4.10 Administration Building & Clock Tower – render and repairs
   4.11 Baldivis South Community Centre
   4.12 Baldivis South Sports Pavilion Eighty Road Baldivis
   4.13 Golden Bay Sports Pavilion
   4.14 Laurie Stanford Reserve – Singleton Hall
   4.15 Secret Harbour – Inclusive play space
Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – August 2017 and the content be accepted.

Committee Voting – 5/0
# 12. Agenda Items

## Planning and Development Services

### Planning and Development Services

#### Strategic Planning and Environment Services

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<th>Reference No &amp; Subject:</th>
<th>PDS-036/17 Proposed Amendment to Structure Plan (Brightwood)</th>
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<tr>
<td>File No:</td>
<td>LUP/1391-10</td>
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<tr>
<td>Applicant:</td>
<td>The Trustee for The Everett Bennett Unit Trust (CLE Town Planning and Design)</td>
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<tr>
<td>Owner:</td>
<td>Parcel Property trading under the following entities: Lot 569 Baldivis Road and Lot 1263 Baldivis Road - ABN Baldivis Pty Ltd; Lot 21 Sixty Eight Road - Yellenday Pty Ltd; and Lot 20 KEC Nominees Pty Ltd.</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Tristan Fernandes, Coordinator Strategic Planning</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>14 August 2017</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>August 2011 (SPE-023/11); September 2012 (SPE-025/12); April 2013 (SP-014/13); March 2015 (SPE-015/15)</td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Legislative</td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Legislative</td>
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<tr>
<td>Site:</td>
<td>Lots 569 and 1263 Baldivis Road and Lots 20 and 21 Sixty Eight Road, Baldivis</td>
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<tr>
<td>Lot Area:</td>
<td>52.6Ha</td>
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<td>LA Zoning:</td>
<td>Development</td>
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<td>MRS Zoning:</td>
<td>Urban</td>
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<td>7. Location of Public Open Space</td>
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<td>8. Landscape Concept Plan with overlay of Sewer Easement.</td>
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CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 SEPTEMBER 2017

PRESIDING MEMBER
Purpose of Report

To consider a proposed amendment to the ‘Brightwood’ Structure Plan following the completion of the advertising period.

Background

Baldivis South District Structure Plan

In October 2004, the Council resolved to endorse the Baldivis South District Structure Plan (‘BSDSP’) for the purpose of guiding Comprehensive Development Plans (subsequently referred to as Structure Plans under Town Planning Scheme No.2) and planning generally for the South Baldivis area.

In June 2012, the Council resolved to endorse an update to the South Baldivis District Structure Plan to:

(i) Delete the large POS reserve located on Lot 19 and 20 Sixty Eight Road; and
(ii) Reflect approved Structure Plans within the subject area, with respect to the general location of Neighbourhood Roads, Activity Centres and significant POS.

Since its endorsement, the BSDSP (see Figure 2) has been used to guide the preparation of Structure Plans. With respect to the Structure Plan area, the District Structure Plan provides for a continuous neighbourhood connector road running in a north/south direction; a portion of a High School site; and public open space (POS) along the alignment of the Parmelia High Pressure Gas Pipeline easement.
Previous Approvals

Brightwood Structure Plan

In March 2015 the Council adopted the Brightwood Structure Plan subject to modifications. The application was then forwarded to the WAPC for approval. On 13 July 2015, the WAPC approved the Structure Plan subject to modifications. The City (under delegated authority) adopted the WAPC’s decision on 27 August 2015.

Since the adoption of the Structure Plan, the City (under delegated authority) has approved two minor amendments to the Structure Plan as follows:

1. To introduce the Residential Design Code Variations - Single House (RMD) Standards for Medium Density Housing; and
2. To amend lot boundaries and access road alignments in the south-eastern portion of the Structure Plan area.
Subdivision Approval

In September 2015, the WAPC granted Subdivision Approval over Lots 569 and 1263 Baldivis Road and Lot 21 Sixty Eight Road, Baldivis. The approved subdivision application provides for 589 residential lots, four areas of public open space, a portion of a future High School site and a Water Corporation pump station site.

Subdivision works associated with WAPC Approval 151913 have commenced with stages 1-3 being completed.

In January 2016, the WAPC granted Subdivision Approval 152805 to excise the High School site from Lot 20 Sixty Eight Road and create portion of the corresponding road reserve to the northern side of the school.

South Baldivis Secondary School

On 26 September 2016, the Metro South-West Metropolitan area Joint Development Assessment Panel approved the development application for the South Baldivis Secondary School. The school is located on portions of Lots 19-21 Sixty Eight Road, portion of which is located within the Structure Plan area (see Figure 3).

![Diagram of South Baldivis Secondary School](image)

3. Approved South Baldivis Secondary School

**Details**

**Site Description and Context**

The site is bounded by Baldivis Road to the east, Sixty Eight Road to the south, a future Structure Plan area to the west on Lot 19 and the approved Structure Plan area for Paramount Estate to the northern boundary (which has recently started construction for its first stage).

The southern portion of the amendment area is currently being developed by the Education Department of the South Baldivis Secondary College, due to open in 2019.

The northern portion of the site is vegetated Banksia and Tuart woodland, with the condition of the vegetation identified from being in a degraded state to that of good condition. The topography of the amendment area is approximately 30m AHD.
Description of the Proposal (As Advertised)

The proposed Structure Plan amendment seeks to incorporate Lot 20 Sixty Eight Road into the Structure Plan area and provide for residential density amendments within the existing Structure Plan area as follows (see Figures 4 and 5):

- Residential densities ranging from R25 - R40 to facilitate development of approximately 75 lots;
- Increase density of residential land abutting the central open space from R40 to R60; and
- provide one additional Public Open Space reserve (total area approximately 5,000m²).

4. Advertised Structure Plan

5. Concept Plan
Implications to Consider

a. Consultation with the Community

The proposed Structure Plan was advertised from 28 April to 26 May 2017 (being 28 days which is the maximum period under the Regulations) in the following manner:

- Adjacent/nearby landowners (properties shown with a yellow border on Figure 6), servicing agencies and the Baldivis Residents Association to be notified of the proposal in writing and invited to comment;
- A sign advertising the proposal was erected on the property in a prominent location facing Kerosene Lane;
- A Notice was placed in the Weekend Courier newspaper on 28 April 2017; and
- Copies of the proposed Structure Plan and relevant documents were made available for inspection at the City’s Administrative Offices and placed on the City’s website.

Advertising was undertaken in accordance with the requirements of Schedule 2, Part 4, clause 18 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).

Public Submissions: Following the close of the advertising period, the City had received two (2) submissions from nearby landowners.

A full copy of both submissions period is set out in the Schedule of Submissions (Attachment No.1 to this Report). The content of the issues raised in these submissions are summarised and addressed as follows:

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<th>Staging of Development</th>
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<tr>
<td>Submission:</td>
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<tr>
<td>(i) It is requested development of Lot 20 be completed before the school opens.</td>
</tr>
</tbody>
</table>
Proponent’s Response:
It is important to note that the Department of Education has preceded the amendment for lot 20 with a subdivision approval, creating both the school site and the supporting road network with their targeted opening date being 2019.

Given this significant lead time advantage, the development of lot 20 is unlikely to occur prior to the school opening; however, it is the intent of Parcel Property to move into the development of lot 20 as soon as practicable, subject to the extension of services and market demands.

City’s Comment:
Staging and development of the Structure Plan area is conducted at the discretion of the developer. The City does note that the road network surrounding the school site will be completed prior to the school opening.

b. Consultation with Government Agencies
As mentioned above, relevant government agencies and servicing authorities were notified of the proposal in writing and invited to comment, pursuant to Schedule 2, Part 4, clause 18(1)(b) of the Regulations. In this regard, the City invited comments from the following agencies:

- APA Group
- ATCO Gas Australia
- Department of Aboriginal Affairs
- Department of Education
- Department of Environment Regulation
- Department of Fire and Emergency Services
- Department of Health
- Department of Parks and Wildlife
- Department of Transport
- Department of Water
- Main Roads WA
- Public Transport Authority
- Telstra
- Water Corporation
- Western Power

Following the close of the advertising period, the City had received ten (10) submissions from State Agencies. A full copy of all submissions received during the advertising period is set out in the Schedule of Submissions (Attachment No.1 to this Report). The submissions that raised issues for consideration are summarised and addressed as follows:

1. ATCO Gas

Submission:
ATCO Gas has existing PE High Pressure (DN110PE 1.5MP 70kPa) gas mains and infrastructure within the land adjacent to the amended Structure Plan area.
ATCO Gas does not have any objection to lodge with the City of Rockingham after considering the advertised amended Structure Plan and map. The information included in the Servicing Report (13-114 Engineering Servicing Report) Section 7 is consistent with the ATCO Gas current infrastructure in the vicinity.
<table>
<thead>
<tr>
<th>1.</th>
<th><strong>ATCO Gas (Cont…)</strong></th>
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<tbody>
<tr>
<td>City's Comment:</td>
<td>The submission is noted.</td>
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<tr>
<th>2.</th>
<th><strong>Department of Aboriginal Affairs</strong></th>
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<tr>
<td>Submission:</td>
<td>The Department of Aboriginal Affairs (DAA) advises there are no reported Aboriginal sites within the areas of the Proposal. It is noted that the Proposal area intersects a reported Aboriginal heritage place DAA 4347 (Sixty-Eight Road, Baldivis). The information for DAA 4347 (Sixty-Eight Road, Baldivis) has been considered by the Aboriginal Cultural Material Committee (ACMC) and determined that the Aboriginal Heritage Act 1972 does not apply to this Aboriginal heritage place. The DAA recommends that developers within the area of the proposal take into consideration the DAA's Aboriginal Heritage Due Diligence Guidelines when planning specific developments associated with the Proposal. These guidelines have been developed to assist proponents to identify any risks to Aboriginal heritage and to mitigate risk where heritage sites may be present.</td>
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<tr>
<th>2.</th>
<th><strong>Department of Aboriginal Affairs (Cont…)</strong></th>
</tr>
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<tbody>
<tr>
<td>City's Comment:</td>
<td>The submission is noted.</td>
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<tr>
<th>3.</th>
<th><strong>Department of Health (DoH)</strong></th>
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<tbody>
<tr>
<td>Submission:</td>
<td>The DoH has no objection to the proposal provided all developments are required to connect to scheme water and reticulated sewerage as required by the Government Sewerage Policy – Perth Metropolitan Region. The City of Rockingham should also use this opportunity to minimise potential negative impacts of increased density development such as noise, odour, light and other lifestyle activities. To minimise adverse impacts, the City of Rockingham could consider incorporation of additional sound proofing / insulation, double glazing on windows, or design aspects related to location of air conditioning units and other appropriate building/construction measures.</td>
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<tr>
<th>3.</th>
<th><strong>Department of Health (DoH) (Cont.)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>City's Comment:</td>
<td>Any future development will be required to be connected to reticulated water and sewerage as required by the Government Sewerage Policy – Perth Metropolitan Region. Dwelling applications will be considered against the requirements of the Building Code of Australia, the Residential Design Codes and any other legislative requirements applicable on the subject land.</td>
</tr>
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<tr>
<th>4.</th>
<th><strong>Department of Transport (DoT)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Submission:</td>
<td>Connecting this proposed development to the Kwinana PSP approximately 1km away via Sixty Eight Road will improve connectivity and safety for cyclists by separating them from this high speed environment. The Brightwood Structure Plan proposes a path along the northern side of Sixty Eight Road, but provides no details regarding its specification. No such path has been identified within the Amendment. DoT therefore recommends that the proponent constructs a shared path along the northern side of Sixty Eight Road for the full length of the Lot boundary, to the satisfaction of the City of Rockingham.</td>
</tr>
</tbody>
</table>
4. Department of Transport (DoT) (Cont…)

**Proponent’s Response:**
Department of Transport’s suggestion that a shared use path is provided along the entire length of Sixty Eight Road is noted, notwithstanding that the subject amendment is only looking to include Lot 20 into the existing Brightwood LSP and does not change the current road hierarchy or pedestrian network set out in the associated Brightwood Traffic Report. Importantly, the LSP and this subsequent amendment does provide for the widening to Sixty Eight Road and the final design of road infrastructure will be undertaken in consultation with the City of Rockingham at the time of subdivision.

**City’s Comment:**
The City will require details regarding the specification of the path proposed for the northern side of Sixty Eight Road as part of the Engineering Design Drawings required at subdivision stage.

5. Public Transport Authority

**Submission:**
The Public Transport Authority (PTA) finds the proposed amendment to be generally conducive to the operation and growth of the Transperth network. Transperth has preliminary long-term plans as a part of our Service Development Plan extend the Route 566 east of the site (lot 20) via Hillsborough Ave, an unnamed north-south connector Rd and Verdant App to a terminus on Sixty Eight Rd.

Transperth are supportive of residential development at this location increasing the potential patronage catchment which will help justify extending the bus service. It should be noted that the timing of the introduction of this service extension is subject to the continued development of the area and the availability of resources.

It should be noted that bus access to the Secondary College site will be needed and will require a bus embayment area adjacent to the school site with a minimum of six bus bays (20m of straight curb for each stand + any tapers). PTA still needs to have discussions with the Department of Education regarding the final design and location of the bus embayment area.

**City’s Comment:**
The submission is noted.

6. Water Corporation

**Submission:**

1. **Water & Wastewater Servicing**
   Water and wastewater planning has been developed for this area. The developer is progressing the staging of land and works in liaison with the Corporation.

2. **Asset Protection**
   The Corporation draws your attention to the R60 site in the north east corner of the amended structure plan. The Stirling Trunk Main (DN1400) situated within an easement traverses alongside the group dwelling site. The Corporation is requesting a minimum 10 metre setback from the outer edge of the trunk main. In effect, this means any buildings will need to be set back at least 5m from the site boundary.

3. **General Comments**
   The principle followed by the Water Corporation for the funding of subdivision or development is one of user pays. The developer is expected to provide all water and sewerage reticulation if required. A contribution for Water, Sewerage and Drainage headworks may also be required. In addition the developer may be required to fund new works or the upgrading of existing works and protection of all works. Any temporary works needed are required to be fully funded by the developer. The Water Corporation may also require land being ceded free of cost for works.
   The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, the Water Corporation should be contacted to confirm if the information is still valid.
6. Water Corporation (Cont…)

Proponent’s Response:
The current amendment is looking to include Lot 20 into the approved Brightwood Structure Plan and does not propose any change to the Brightwood Structure Plan, for the land abutting the Stirling Trunk Main. The Water Corporation’s advice is acknowledged, and will be consulted with respect to future development in proximity to the Main.

City’s Comment:
The submission is noted. The City notes that the Structure Plan outlines a requirement for a Local Development Plan to be provided for lots abutting Public Open Space. The City will seek to ensure that an appropriate setback will be accounted for in a future Local Development Plan.

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 Policies

**Directions 2031**

*Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon* (‘Directions 2031’) was released by the WAPC in August 2010 as the plan to provide a vision for the future growth of the Metropolitan and Peel region. It provides a broad framework to guide detailed planning and the delivery of the various elements that provide for growth.

*Directions 2031* seeks to increase the proportion of infill development to the ratio of new ‘greenfield’ development sites. A target of 47% infill development is sought under the Policy. As of 2009, only 30% infill development was being achieved. This Policy seeks a 50% improvement from the existing trend.

To achieve this target, the Policy sets a density target of 15 dwellings per gross urban zoned hectare of land in new development areas.

The Structure Plan report states that the proposed Structure Plan meets the density target set out in Directions 2031.

**Liveable Neighbourhoods**

*Liveable Neighbourhoods* (LN) has been prepared to implement the objectives of the State Planning Strategy and State Sustainability Strategy, and operates as a sustainable development control policy to guide structure planning and subdivision. The document outlines all the requirements a new Structure Plan and the supporting documentation needed to assess such. These requirements are intended to facilitate the State Government’s objective to create communities that reduce dependency on private vehicles and are more energy and land efficient.

LN contains eight ‘elements’ under which Structure Plans and subdivisions are assessed, as follows:

- Element 1 – Community Design
- Element 2 – Movement Network
- Element 3 – Lot Layout
- Element 4 – Public Parkland
- Element 5 – Urban Water Management
- Element 6 – Utilities
- Element 7 – Activity Centres and Employment
Element 8 – Schools
Each Element has two components – ‘Objectives’ and ‘Requirements’. Objectives describe the principal aims of each Element, and Requirements present a range of qualitative and quantitative responses to meeting the Objectives. Requirements include matters that ‘should’ be considered, where there is a range of design solutions, and matters that ‘must’ be satisfied.

The City has assessed the proposal in accordance with the Objectives’ and ‘Requirements’ of LN. The assessment outcomes are summarised as follows:

Element 1 – Community Design
The Structure Plan integrates appropriately with its surroundings and all lots are within a walkable catchment to public open space from within the Structure Plan area.

The proposed R25, R30 and R60 densities are considered appropriate as they respond to the location and context of the site and meet LN and Directions 2031 requirements.

Element 2 – Movement Network
The proposed Structure Plan fronts Sixty Eight Road which is to be upgraded to a Neighbourhood Connector A category. This upgrading requires a 2.2m road widening to be provided along northern boundary of the Structure Plan area.

The City has identified that the Traffic Report provides for an inconsistent road reserve width to that of the approved (but not yet constructed) Structure Plan and subdivision approval. It is recommended that the Structure Plan provide a consistent road reserve width to ensure streetscape continuity with the approved northern Structure Plan area.

The City’s assessment of the Traffic Report also identified minor modifications required to be made to the document, the details of which will be forwarded to the WAPC for its consideration.

Recommendation:

That the Structure Plan Report and Traffic Report be amended to provide for a 15m wide access street into the approved Structure Plan for Lots 635, 739 and 740 Baldivis Road.

Element 3 – Lot Layout
An indicative lot layout demonstrates that the Structure Plan layout can effectively accommodate the siting and construction of dwellings on generally rectangular shaped lots.

Element 4 – Public Parkland
The Structure Plan area has been appropriately designed to provide distribution of open space within a walkable catchment of approximately 300m all residential dwellings. The City’s assessment of the POS Schedule determined that there is a small undersupply of Public Open Space provided. This is further explained within the Comments section of this Report.

Element 5 – Urban Water Management
A District and Local Water Management Strategy (D&LWMS) prepared to accompany the Structure Plan has been assessed by the City. The D&LWMS demonstrates that stormwater will be managed in the liner open space proposed within Lot 20. Amendments to the D&LWMS will only be required if there are changes to the stormwater management strategy resulting in offsite discharge into the existing Brightwood Structure Plan area.

The D&LWMS for Lot 20 does not make reference to the City’s requirement for an amalgamated basin in the eastern portion of the linear open space which will incorporate stormwater runoff from a future Structure Plan area from Lot 19 Sixty Eight Road. Whilst this is not required to be demonstrated at D&LWMS stage, it is recommended that the Report be amended to include this commitment.

The amalgamated drainage basin and landscape concept will be assessed as part of detailed design at subdivision stage for both Lots 19 and 20 Sixty Eight Road.

The City’s assessment of the District and Local Water Management Strategy also identified minor modifications required to be made to the document, the details of which will be forwarded to the WAPC for its consideration.
Recommendation:

That the District and Local Water Management Strategy be updated to include a commitment to accommodate drainage from Lot 19 Sixty Eight Road.

Element 6 – Utilities

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

Element 7 – Activity Centres and Employment

There are no Activity Centres proposed in the Structure Plan area.

Element 8 – Schools

The Structure Plan area contains portion of a high school site located on parent Lots 20 and 21 Sixty Eight Road. Access to the school site meets the requirements of Liveable Neighbourhoods in that:

- All streets abutting the school a through streets;
- It is located on a future public transport route;
- There is planned walking and cycling routes to the school;
- The school is proposed to be surrounded on three sides by a public road;
- The school does not adjoining residential land uses; and
- The school is located outside the walkable catchment of a neighbourhood centre.

Planning Bulletin 87: High Pressure Gas Transmission Pipelines in the Perth Metropolitan Region

WAPC Planning Bulletin No.87 provides guidance for development and ensures orderly and proper planning within the vicinity of regional gas pipelines, including the Parmelia High Pressure Gas Pipeline.

For proposals within the specified setback distance, Applicants are required to demonstrate that the risk from the pipeline is within acceptable risk levels, with agreement to be reached with the pipeline owner on the need for a Risk Assessment.

Prior to the commencement of subdivisional works, the landowner/Applicant is required to prepare and implement as part of the subdivisional works a Pipeline Risk Management/Protection Plan. The risk mitigation measures/controls outlined within the Pipeline Risk Management/Protection Plan are to be implemented by the landowner/Applicant as part of the subdivisional works to the satisfaction of the Western Australian Planning Commission, City of Rockingham and to the specifications of the APA Group.

State Planning Policy No.3.7 – Planning in Bushfire Prone Areas (December 2015) and Guidelines for Planning in Bushfire Prone Areas (February 2017)

On 7 December 2015, the following documents were gazetted:

- Fire and Emergency Services (Bushfire Prone Areas) Order 2015;
- Planning and Development (Local Planning Schemes) Amendment Regulations 2015;
- State Planning Policy No.3.7 – Planning in Bushfire Prone Areas; and
- Building Amendment Regulations (No.3) 2015.

The Department of Fire and Emergency Services (DFES) and the Western Australian Planning Commission (WAPC) concurrently released the:

- Map of Bushfire Prone Areas; and
- Guidelines for Planning in Bushfire Prone Areas.

State Planning Policy No.3.7 – Planning in Bushfire Prone Areas (SPP3.7) applies immediately to all planning applications in designated bushfire prone areas identified on the Map of Bushfire Prone Areas (State Map). It sets out policy measures applicable to the consideration of development in bushfire prone areas. SPP3.7 provides a general presumption against the introduction or intensification of land use in areas subject to extreme bushfire hazard (including BAL-40 and BAL-FZ) unless it is minor development or unavoidable development. The level of information required at each stage of the planning process is clearly articulated, including additional requirements for vulnerable and high risk land uses.
The Guidelines for Planning in Bushfire Prone Areas (Guidelines) apply immediately and supersede the Planning for Bushfire Protection Guidelines (2010). The Guidelines provide further detail on the requirements of SPP3.7.

The State Map is based on the Department of Fire and Emergency Services/Office of Bushfire Risk Management’s Mapping Standard for Bushfire Prone Areas. It essentially includes any bushfire prone vegetation with a 100m buffer around the vegetation. It is a binary system, i.e. it is either bushfire prone or not. The mapping does not indicate any level of hazard; it is simply a tool to trigger further assessment.

The State Map is reviewed on an annual basis.

For all planning applications (Structure Plans, Scheme Amendments, Subdivision Applications, Development Applications), SPP3.7 and the Guidelines will apply immediately to all applications in designated bushfire prone areas identified on the State Map.

The City’s assessment of the Bushfire Management Plan identified minor modifications required to be made to the document, the details of which will be forwarded to the WAPC for its consideration.

Planning Policy 3.4.1 – Public Open Space

Planning Policy 3.4.1 – Public Open Space (PP 3.4.1) provides guidance regarding the location and design of public open space within the City. The objectives of the Policy are:

- To ensure that all residential development is complemented by well-located areas of public open space that provide for the recreational and social needs of the community.
- To ensure that Public Open Space is designed, developed and maintained to an acceptable standard to enhance local amenity.

The location and distribution of POS on the proposed Structure Plan satisfies the objectives of the Planning Policy.

e. Financial

Nil

f. Legal and Statutory

Amendment to Structure Plan under Planning and Development (Local Planning Schemes) Regulations (2015)

Schedule 2, Part 4, clause 29 of the Regulations states that a structure plan may be amended by the Commission at the request of the local government or a person who owns land in the area covered by the plan. The Procedures for making a structure plan set out in the Regulations, with any necessary changes, are to be followed in relation to an amendment to a structure plan.

Planning and Development (Local Planning Schemes) Regulations (2015)

In accordance Clause 19(1) of the Regulations, the local government:

(a) must consider all submissions made to the local government within the period specified in a notice advertising the structure plan; and

(b) may consider submissions made to the local government after that time; and

(c) may request further information from a person who prepared the structure plan; and

(d) may advertise any modifications proposed to the structure plan to address issues raised in submissions.

Determination of a Structure Plan ultimately rests with the WAPC. In accordance with Clause 20 of the Regulations, the local government must perform the following actions:

(1) The local government must prepare a report on the proposed structure plan and provide it to the WAPC no later than 60 days after the day that is the latest of:

   (a) the last day for making submissions specified in a notice given or published under clause 18(2); or

   (b) the last day for making submissions after a proposed modification of the structure plan is advertised under clause 19(2); or

   (c) a day agreed by the Commission.

(2) The report on the proposed structure plan must include the following:
(a) a list of the submissions considered by the local government, including, if relevant, any submissions received on a proposed modification to the structure plan advertised under clause 19(2);

(b) any comments by the local government in respect of those submissions;

(c) a schedule of any proposed modifications to address issues raised in the submissions;

(d) the local government’s assessment of the proposal based on appropriate planning principles;

(e) a recommendation by the local government on whether the proposed structure plan should be approved by the WAPC, including a recommendation on any proposed modifications.

g. Risk

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

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

Nil

Comments

The proposed structure plan has been assessed by City Officers and the following additional comments are provided.

Public Open Space

Proposal

The City’s assessment of the Public Open Space schedule, which is provided as part of the Structure Plan Report, has determined there is insufficient open space provided to meet the 10% open space requirement. The City’s assessment has determined that approximately 500m² additional open space is required.

This deficiency has been determined to be the result of refinements in urban water management planning determined through the subdivision process and the creation of a sewer pump station easement within previously unencumbered open space.
Public Open Space (Cont…)

Changes in Drainage Areas
The City has reviewed the drainage areas shown in the public open space schedule against the most recent detail drainage design. As a result of the detailed work completed there are a number of small changes which combined have impacted the open space calculation. It is recommended that the schedule be updated to incorporate the most recent refinements to drainage.

Sewer Pump Station
As part of the consideration for the original Structure Plan, it was determined that a sewer pump station was required within the Structure Plan area to service south-eastern Baldivis. In this regard, the Applicant at the City’s request set aside a 1,000m² public purpose reserve to contain all infrastructure associated with the pump station. The Water Corporation was consulted with respect to the size of the site as part of the original Structure Plan consideration and raised no objection at the time.

The Water Corporation has since refined its sewer planning for the broader Baldivis locality, identifying the need for a larger reservation for the Brightwood pump station. In this regard, the Structure Plan now provides for a 1,200m² site. It is intended that this public purpose reserve will contain all above ground infrastructure associated with the pump station.

In addition to the land required for above ground infrastructure, the Water Corporation has outlined a requirement for underground infrastructure within public open space. The easement area to contain the underground infrastructure has been created with approval from Department of Planning, notwithstanding the City’s objections to the encroachment of public utilities into public open space. The easement covers an area of 2,315m² within the eastern pipeline open space (see Figure 8 below). The infrastructure will be buried approximately 1.5m below the ground surface and landscaped. The easement contains an aboveground emergency overflow basin, which is proposed to be sculptured into the POS adjacent to the belowground emergency overflow cells. The Water Corporation has advised this is required in the unlikely circumstance of a pump station failure.

The Water Corporation has advised that in the event that any sewerage is discharged into the basin located in the open space reserve, it will be the responsibility of the Water Corporation to clean and remediate the space for public safety purposes.

8. Landscape Concept Plan with overlay of Sewer Easement.
Public Open Space (Cont…)

In this circumstance, the City has no ability to change the outcome illustrated in Figure 8 above. To compensate for the impact that this infrastructure will have to the amount of useable open space, it is recommended that additional unencumbered open space be provided within the Structure Plan area.

It is further noted that the City does not support the encroachment of sewer infrastructure within public open space and has made representation to the WAPC to highlight its concerns. The City will also seek to ensure that the easement area and pump station will be landscaped to present seamlessly as part of the public open space.

Applicant’s Response

The Applicant has acknowledged the outcomes of the City’s assessment and has agreed to update the open space schedule and ensure sufficient open space is provided within the Structure Plan area.

Recommendation:

That the Public Open Space Schedule be updated and Structure Plan be updated to provide 10% Public Open Space in accordance with Liveable Neighbourhoods.

In addition to the matters raised above, the City will also require minor corrections and updates to the documentation contained within the Structure Plan and Technical Appendices, which will be provided to the Department of Planning for its consideration.

Conclusion

Following the consideration of the submissions received and the City's assessment of the Structure Plan amendment proposal, it is recommended that the Council advise the WAPC that the Structure Plan be approved subject to the following matters being addressed:

(i) The Public Open Space Schedule be updated and Structure Plan be updated to provide 10% Public Open Space in accordance with Liveable Neighbourhoods.

(ii) The Structure Plan Report and Traffic Report be amended to provide for a 15m wide access street into the approved Structure Plan for Lots 635, 739 and 740 Baldivis Road.

(iii) The Local Water Management Strategy be updated to include a commitment to accommodate drainage from Lot 19 Sixty Eight Road.

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

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVES the following recommendations to the Western Australian Planning Commission, with respect to the proposed Structure Plan prepared over Lots 569 and 1263 Baldivis Road and Lots 20 and 21 Sixty Eight Road, Baldivis:

1. That the proposed Structure Plan be approved subject to the following matters being addressed:

   (i) The Public Open Space Schedule and Structure Plan be updated to provide 10% Public Open Space in accordance with Liveable Neighbourhoods.

   (ii) The Structure Plan Report and Traffic Report be amended to provide for a 15m wide access street into the approved Structure Plan for Lots 635, 739 and 740 Baldivis Road.

   (iii) The District and Local Water Management Strategy be updated to include a commitment to accommodate drainage from Lot 19 Sixty Eight Road.

2. That the advice and recommendations as outlined in the City's Report be considered by the Western Australian Planning Commission in its determination.
Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council APPROVES the following recommendations to the Western Australian Planning Commission, with respect to the proposed Structure Plan prepared over Lots 569 and 1263 Baldivis Road and Lots 20 and 21 Sixty Eight Road, Baldivis:

1. That the proposed Structure Plan be approved subject to the following matters being addressed:
   
   (i) The Public Open Space Schedule and Structure Plan be updated to provide 10% Public Open Space in accordance with Liveable Neighbourhoods.
   
   (ii) The Structure Plan Report and Traffic Report be amended to provide for a 15m wide access street into the approved Structure Plan for Lots 635, 739 and 740 Baldivis Road.
   
   (iii) The District and Local Water Management Strategy be updated to include a commitment to accommodate drainage from Lot 19 Sixty Eight Road.

2. That the advice and recommendations as outlined in the City's Report be considered by the Western Australian Planning Commission in its determination.

Committee Voting – 4/1

(Cr Summers 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
### Reference No & Subject:

- **PDS-037/17** Proposed Telecommunications Infrastructure (Mobile Telephone)

### File No:

- DD020.2017.0000067.001

### Applicant:

- Aurecon Australasia Pty Ltd

### Owner:

- Hennderdin Pty Ltd

### Author:

- Mr Chris Parlane, Senior Planning Officer

### Other Contributors:

- Mr Mike Ross, Manager Statutory Planning
- Mr David Waller, Coordinator Statutory Planning

### Date of Committee Meeting:

- 14 August 2017

### Previously before Council:

- Tribunal

### Site:

- Lot 800 Kerosene Road, Baldivis

### Lot Area:

- 48.6ha

### LA Zoning:

- Rural, Other Regional Road

### MRS Zoning:

- Rural, Other Regional Road

### Attachments:

- Schedule of Submissions

### Maps/Diagrams:

1. Location Plan
2. Aerial Photo
3. Site Plan (As Advertised)
4. Amended Site Plan
5. Site Plan Comparison
6. Compound Inset Plan
7. Site Layout
8. South Elevation
9. Photomontage Locations
10. Montage 1 - Kerosene Lane (north-west)
11. Montage 2 - Kerosene Lane (North-east)
12. Montage 3 - Kerosene Lane (North-east)
13. Proximity to Existing Dwellings
14. Consultation Plan
15. Submission Locations
Purpose of Report

To consider an application by Vodafone seeking Development Approval for Telecommunications Infrastructure (mobile telephone) at Lot 800 Kerosene Lane, Baldivis.
Background

The subject land has been used for an Extractive Industry (limestone quarry) for approximately 30 years, and has an extensive history of Planning Approvals.

Most recently, in June 2014, Council granted Development Approval for an Extractive Industry (Renewal), being valid for a period of 10 years. The Development Approval contains a condition requiring vegetation within 40m of Kerosene Lane and within 20m of the eastern property boundary to be retained. This vegetation acts as a buffer between the limestone quarrying operation and Kerosene Lane.

The Development Application, as submitted by Vodafone, proposed to situate the base station compound 21m (with the monopole structure 30m) north of the boundary with Kerosene Lane, within the 40m wide vegetation buffer required by the Extractive Industry Approval. The application was advertised for public comment on this basis.

Details

Development Approval is sought by Vodafone for Telecommunications Infrastructure comprising the following:

- 40m high monopole with a spoke headframe with 3 panel antennas attached;
- 15 remote radio units, six combiners, a parabolic dish antenna an 3 break out boxes;
- Equipment units located at the base of the monopole within a 104m² security fenced compound (12.4m x 8.4m);
- The monopole mast is located 30m from the boundary with Kerosene Lane and 60m from the eastern property boundary;
- The facility will be connected by underground cable to the existing power supply on the property; and
Access is proposed from Kerosene Lane via a new crossover predominantly using existing fire breaks.

Subsequent to the receipt of submissions, the applicant submitted an amended site plan showing the proposed Telecommunications Infrastructure shifted to a position approximately 57m (with the monopole mast 61m) north of Kerosene Lane, approximately 44m west of the eastern property boundary. The assessment that follows is based upon the amended location of the proposed Telecommunications Infrastructure.

The application is in response to a perceived need for improved Vodafone coverage in the Baldivis area.

5. Site Plan Comparison
6. Compound Inset Plan

7. Site Layout
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 18 SEPTEMBER 2017

PRESIDING MEMBER
10. Photo Montage 1 - Kerosene Lane (north-west)

11. Montage 2 - Kerosene Lane (north east)
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 SEPTEMBER 2017

12. Montage 3 - Kerosene Lane (north-east)

13. Proximity of Existing Dwellings to Proposed Telecommunications Infrastructure (amended location)
Implications to Consider

a. Consultation with the Community

In accordance with Clause 64 of the deemed provisions of Town Planning Scheme No.2 (TPS2), the application was referred to property owners and occupiers within 500m radius of the proposed telecommunications infrastructure, as per the consultation plan below. A total of 394 landowners and occupiers were consulted.

A sign was erected on site and notices were placed on the City’s website and in the Weekend Courier on 17 March 2017.

At the closing of advertising, a total of 8 submissions were received.

The following is a breakdown of the submissions:

- 8 submissions received;
- 5 submissions objecting to the proposal. Some of the submitters own multiple land parcels; and
- 3 submissions received supporting or indicating no objection to the proposal.

It should be noted that the submission by the owners of No.268 Kerosene Lane contained a letter with the names of the owners of properties at No.’s 220 and 267 Baldivis Road, as well as a tenant on No.249 Kerosene Lane, however, the signatures of those parties were not provided. As such they are not shown on Figure 15.
15. Submission Locations

An assessment of the concerns raised by the submitters is as follows:

<table>
<thead>
<tr>
<th>Health Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) Exposure to radiation and health and safety risk as a result of development.</td>
</tr>
<tr>
<td><strong>Proponent's Response:</strong></td>
</tr>
<tr>
<td>This is not a planning ground for refusing development.</td>
</tr>
<tr>
<td>The State Planning Policy 5.2 for Telecommunications Infrastructure makes it clear that Planning Schemes or Local Planning Policies are not to include buffer distances for human health. All mobile phone base stations must be licensed by the Australian Media and Communications Authority (ACMA) and operate in accordance with strict Federal standards adopted by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).</td>
</tr>
<tr>
<td><strong>City's Comments:</strong></td>
</tr>
<tr>
<td>In terms of State Planning Policy 5.2 – Telecommunications Infrastructure (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 the City to address health and safety matters.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Values</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) Adverse impact on property values.</td>
</tr>
<tr>
<td>Property Values (Cont…)</td>
</tr>
<tr>
<td>-------------------------</td>
</tr>
<tr>
<td><strong>Proponents Response:</strong></td>
</tr>
<tr>
<td>This is not a planning ground for refusing development. Notwithstanding, we dispute that the provision of appropriately sited, located and designed mobile phone base stations adversely affects property values.</td>
</tr>
<tr>
<td><strong>City's Comments:</strong></td>
</tr>
<tr>
<td>The impact of the proposed Development on property values is not a valid planning consideration.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) Adverse impact on land sales.</td>
</tr>
<tr>
<td><strong>Proponents Response:</strong></td>
</tr>
<tr>
<td>This is not a planning ground for refusing development. Notwithstanding, we dispute that the provision of adequate mobile phone coverage in emerging urban areas harms sales.</td>
</tr>
<tr>
<td><strong>City's Comments:</strong></td>
</tr>
<tr>
<td>No evidence has been provided that indicates the proposed Telecommunications Infrastructure will make it difficult to sell Lots in the developing estates. The location of the tower is well setback from estates yet to be developed.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Visual Amenity</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) Concerns regarding adverse visual impact of the Telecommunications Infrastructure.</td>
</tr>
<tr>
<td><strong>Proponents Response:</strong></td>
</tr>
<tr>
<td>The location within an operational quarry is not recognised under the planning policy framework as having conservation or visual landscape attributes. The selected site takes advantage of a predominantly cleared area outside of a nominated buffer area whilst allowing for the ground level infrastructure and lower portions of the pole to be completely screened from public view with good separation distances from any locally or regionally significant view, the local road network, neighbouring dwellings or any sensitive land uses. We have endeavoured to demonstrate the visual impact of the facility in its local context by way of photo montages and plans of the facility. On balance, it is our assertion that the visual impact will not outweigh the community benefit the technology will bring.</td>
</tr>
<tr>
<td><strong>City's Comments:</strong></td>
</tr>
<tr>
<td>The assessment of the visual impact of development proposals for telecommunications infrastructure should be made on a case by case basis. The photo montages submitted indicate the Telecommunications Infrastructure will be visible above the tree line as the lower section of the mast and ground level infrastructure will be completely screened from view by the surrounding established vegetation. The visual prominence of the structure will be reduced from that indicated in the photo montages as the proposed location of the Telecommunications Infrastructure has been shifted approximately 30m further to the north to a lower ground level further away from the site boundaries. The lower ground level of the proposed site (25 AHD vs 28m AHD originally proposed) effectively reduces the height of the tower. The increased distance between structure and land to the south of Kerosene Lane (now 80m) assists to mitigate the visual impact of the proposal. While the upper portion of the structure will be visible from this land, the degree of visual impact is considered acceptable, as discussed in the Comments section of this report.</td>
</tr>
<tr>
<td><strong>Visual Amenity (Cont...)</strong></td>
</tr>
<tr>
<td>-----------------------------</td>
</tr>
<tr>
<td>While the amended Telecommunications Infrastructure location is closer to the eastern property boundary than originally proposed, the nearest dwelling on adjoining Lot 293 is approximately 175m away. It is unlikely the Telecommunications Infrastructure will be visible from this dwelling due to large eucalyptus trees which will provide screening. The proposed site is sufficiently setback where it will not be visible from significant viewing locations, lookouts, scenic routes or recreational sites.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Impact on Future Development</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission</strong></td>
</tr>
<tr>
<td>(i) Will compromise the ultimate urban intent for residential land south of Kerosene Lane.</td>
</tr>
<tr>
<td><strong>Proponent’s Response:</strong></td>
</tr>
<tr>
<td>We submit that the presence of a mobile phone base station within an operational quarry on rural zoned land will have no bearing on whether the Department of Planning (DoP) rezones land to the south of Kerosene Lane in the MRS from Urban Deferred to Urban, or whether a structure plan is subsequently adopted to ultimately inform the zoning of the land under the local Planning Scheme. We are unaware of any submission by the DoP objecting to the proposal.</td>
</tr>
<tr>
<td><strong>City’s Comments:</strong></td>
</tr>
<tr>
<td>The future planning outcome for the land south of Kerosene Lane has already been largely determined through the structure planning process. While some land immediately south of Kerosene Lane is constrained (currently zoned Urban Deferred in the MRS), by virtue of the Extractive Industry on the subject land, there is no planning buffer requirement (eg for human health reasons) attributable to Telecommunications Infrastructure. As such, the outcome of this application will have no impact on the future planning for the land south of Kerosene Lane.</td>
</tr>
<tr>
<td>(ii) May create limitations for future residential development.</td>
</tr>
<tr>
<td><strong>Proponent’s Response:</strong></td>
</tr>
<tr>
<td>The State Planning Policy 5.2 for Telecommunications Infrastructure makes it clear that Planning Schemes or Local Planning Policies are not to include buffer distances for human health. Put simply, the proposed development does not affect the lawful development of neighbouring properties. The DoP Draft 2015 publication Liveable Neighbourhoods encourages “Early consideration of wireless and mobile phone telecommunication requirements allows for them to be incorporated into the design of urban areas and mitigate potential visual and amenity impacts to the community.” The selected location within an operating quarry provides far greater separation distance from residences than should the facility be incorporated into any future structure plan for development of MRS Urban or Urban Deferred land south of Kerosene Lane. Notwithstanding being located within an operational quarry that arguably is incompatible with residential development, the operation of the proposed infrastructure will not cause nuisance by way of dust, noise, odour or traffic to otherwise impact on residential or sensitive land uses.</td>
</tr>
<tr>
<td><strong>City’s Comments:</strong></td>
</tr>
<tr>
<td>Issues relating to human health impacts from the proposal, buffer setbacks and impacts on property values are all issues which have been addressed in the planning framework previously (ie through State Planning Policies, SAT decisions) and which are issues not relevant to the determination of this application. The future residential development potential of land south of Kerosene Lane will be determined on the basis of planning merit for the developments concerned.</td>
</tr>
<tr>
<td>(iii) There are better alternative locations available</td>
</tr>
</tbody>
</table>
Impact on Future Development (Cont…)

Proponent's Response:
We have lodged an application to develop the subject land and provided justification for the siting, location and design accordingly. The nature of mobile phone technology is such that the telecommunications facilities need to be located in close proximity, and ideally central to the customer base they seek to serve. For Vodafone’s Baldvis North facility, the optimal position is arguably south of Kerosene Lane where the demand is being generated.

The selected site within an operational quarry takes advantage of a predominantly cleared area whilst allowing for the ground level infrastructure and lower portions of the pole to be completely screened from public view with good separation distances from any locally or regionally significant view, the local road network, neighbouring dwellings or any sensitive land uses.

Furthermore, Vodafone has endeavoured to work with the City’s town planning and environmental staff throughout the assessment process and have amended the submission accordingly. The compound has been moved further northwards to not interfere with a 40m vegetative buffer from Kerosene Lane applied to the quarrying activities. The access route and orientation of the compound has been aligned to further mitigate disturbance.

On balance, it is our assertion that the visual impact will not outweigh the community benefit the technology will bring.

The State Administrative Tribunal (SAT) previously stated when considering this ground of objection for a facility in Preston Beach, WA that “…whether or not there are alternative locations is not determinate of the matter.”

City’s Comments:
Alternative sites were considered by the proponent and after the site selection process the subject property was considered to be the most suitable.

After the public consultation period the application was amended. The proposed Telecommunications Infrastructure compound is now proposed in a location 57m north of the boundary with Kerosene Lane, 44m west of the eastern property boundary. The Council must consider the proposal currently before it.

Planning Policy Compliance
Submission
(i) The proposal does not satisfy planning policy criteria

Proponent’s Response:
The State Planning Policy states that telecommunications infrastructure should not be prohibited in any zone. Furthermore, the State Policy encourages local governments to adopt a performance-based approach to telecommunications infrastructure so as to allow mobile phone base station in such circumstances as the Vodafone Baldvis North facility to be exempt from requiring development approval.

The key assessment criterion for facilities subject to development approval is whether or not on balance the visual impact outweighs the community benefit the technology will bring.

The location within an operational quarry is not recognised under the planning policy framework as having conservation or visual landscape attributes.

The siting takes advantage of a predominantly cleared area whilst allowing for the ground level infrastructure and lower portions of the pole to be completely screened from public view with good separation distances from any locally or regionally significant view, the local road network, neighbouring dwellings or any sensitive land uses.

The design is the least impactful that enables a sufficient antenna elevation to achieve coverage objectives and afford co-location opportunities. The natural external finish is recognised to blend better against lighter backgrounds such as the sky. The ground level infrastructure will be completely screened such that colour-treatment is not necessary.

City’s Comments:
Planning policy compliance is discussed below.
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 2015-2023.8:

**Aspiration D:** Sustainable Environment

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

d. Policy

**State Planning Policy 5.2 - Telecommunications Infrastructure (SPP5.2)**

The Western Australia Planning Commission's (WAPC) SPP5.2 seeks to balance the need for effective telecommunication 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:

- "facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;
- manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;
- ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons; and,
- promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure."

An assessment of the application against the relevant matters to be considered listed in SPP5.2 is as follows:

<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</td>
<td>The visual impact of the application was assessed by the City, which</td>
<td>Yes; the structural form and location of the facility are designed to</td>
</tr>
<tr>
<td>infrastructure should be made on a case by case basis.</td>
<td>included an appraisal of the applicant's visual amenity assessment and</td>
<td>minimise visual impact. The monopole mast will (by necessity) be visible</td>
</tr>
<tr>
<td></td>
<td>photomontages as well as a site inspection.</td>
<td>to varying degrees, while ground level infrastructure will be screened by</td>
</tr>
<tr>
<td></td>
<td></td>
<td>existing vegetation.</td>
</tr>
<tr>
<td>Telecommunications infrastructure should be sited and designed to minimise</td>
<td>(a) the proposed telecommunications infrastructure will be partially</td>
<td>Yes</td>
</tr>
<tr>
<td>visual impact and whenever possible:</td>
<td>visible but is not considered to be obtrusive to views from any scenic</td>
<td></td>
</tr>
<tr>
<td>(a) be located where it will not be prominently visible from significant viewing</td>
<td>routes or lookouts.</td>
<td></td>
</tr>
<tr>
<td>locations such as scenic routes, lookouts and recreation sites;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy Requirement</td>
<td>Provided</td>
<td>Compliance</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>------------</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; (c) not be located on sites where environmental, cultural heritage, social and visual landscape values may be compromised; and d) display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape.</td>
<td>(b) The telecommunications infrastructure is sufficiently set back and screened to ensure it does not detract from any heritage place, landmark, streetscape vista or panorama. (c) The subject land is used for an Extractive Industry purpose and the proposed base station site does not require the removal of any significant vegetation. The proposal will not compromise environmental, cultural heritage or landscape values. (d) The slim form and the unpainted colour of the monopole structure is designed to assist it blend against a background of the sky and landscape.</td>
<td>Yes</td>
</tr>
<tr>
<td>Telecommunications infrastructure should be located where it will facilitate continuous network coverage and/or improved telecommunications services to the community.</td>
<td>The applicant has advised the City that the proposed site has been selected to provide continuous network coverage and improved telecommunications services in the Baldivis North area, where it is genuinely needed.</td>
<td>Yes</td>
</tr>
<tr>
<td>Telecommunications infrastructure should be co-located and whenever possible: (a) Cables and lines should be located within an existing underground conduit or duct; and (b) Overhead lines and towers should be co-located with existing infrastructure and/or within existing infrastructure corridors and/or mounted on existing or proposed buildings.</td>
<td>The proposed facility will be connected by underground cable to an existing power supply near the property. The applicant has stated that there were no structures or buildings of sufficient height within the surrounding area that could facilitate Vodafone infrastructure.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

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, which is currently under review:

<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 within the Rural zone, which is a preferred 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 (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>This Policy measure conflicts with SPP5.2, which states that buffers should not be applied and instead be assessed on a 'case by case' basis according to policy requirements. Notwithstanding, the proposed base station site has been located to minimise visual impact.</td>
<td>N/A, this 200m buffer policy requirement cannot be applied as it conflicts with SPP5.2.</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>While the upper portion of the monopole structure will be visible from land to the south of Kerosene Lane, the visual impact of the proposal has been minimised as the Telecommunications Infrastructure will be located among established existing vegetation; the mast will be setback 61m (with the compound approximately 57m) north of Kerosene Lane and situated at a lower ground level where it will not be visible from significant viewing locations, a scenic route, lookout or recreational site.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

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.

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:

<table>
<thead>
<tr>
<th>Provision</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setbacks</strong></td>
<td>All development including the clearing of land shall be setback a minimum of 30m from the primary street and 10m from all other boundaries, other than for the purpose of providing a firebreak or vehicular access way.</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>57m setback from the street boundary 44m setback from the eastern side property boundary.</td>
<td></td>
</tr>
<tr>
<td><strong>Clearing of Vegetation</strong></td>
<td>No 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 dying.</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>The development footprint has been repositioned to avoid the majority of vegetation on site. The two juvenile Marri trees (<em>Corymbia calophylla</em>) (diameter at breast height 110mm and 130mm) impacted by the proposed development have been mapped and photographed as requested.</td>
<td></td>
</tr>
</tbody>
</table>

**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 considered compliant with SPP5.2 and PP3.3.16, given the Extractive Industry on-site and Rural zoning of the subject land and the siting and design of the proposed telecommunications infrastructure.

It is recognised the facility will be in part and by necessity, be visible, in particular to land south of Kerosene Lane.

On balance, the potential visual impacts are considered acceptable on the basis the subject land is used for an Extractive Industry and that significant screening provided by existing vegetation and setbacks proposed makes the land appropriate for the siting of Telecommunications Infrastructure.

The vehicle entry location on Kerosene Lane to the proposed access road for servicing the facility is considered adequate in its current proposed form but may need to be amended in the event that Kerosene Lane is widened and upgraded in the future.
Officer Recommendation

That Council APPROVES the application for Telecommunications Infrastructure (Mobile Telephone) on Lot 800 Kerosene Lane, Baldivis, subject to the following conditions:

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
   - Site and Locality Plan, Drawing No. 640137-G1 Rev B, dated 06.07.2017;
   - South Elevation, Drawing No. 640137-G3 Rev B, dated 06.07.2017;
   - Composite Inset Plan Drawing No. 640137-G1 Rev A, dated 06.07.2017; and

2. Trees, shrubs taller than 2m and grasstree plants (Xanthorrhoeaceae family) must be retained (unless specifically identified for removal on the approved plans) and, during the construction period, measures for their retention must be taken in accordance with Australian Standard AS 4970-2009, Protection of trees on development sites.

Advice Note:
The proponent must confirm any exemptions (or otherwise) for obtaining a Native Vegetation Clearing Permit from the Department of Water and Environment Regulation under the Environmental Protection Act 1986.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council APPROVES the application for Telecommunications Infrastructure (Mobile Telephone) on Lot 800 Kerosene Lane, Baldivis, subject to the following conditions:

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
   - Site and Locality Plan, Drawing No. 640137-G1 Rev B, dated 06.07.2017;
   - South Elevation, Drawing No. 640137-G3 Rev B, dated 06.07.2017;
   - Composite Inset Plan Drawing No. 640137-G1 Rev A, dated 06.07.2017; and

2. Trees, shrubs taller than 2m and grasstree plants (Xanthorrhoeaceae family) must be retained (unless specifically identified for removal on the approved plans) and, during the construction period, measures for their retention must be taken in accordance with Australian Standard AS 4970-2009, Protection of trees on development sites.

Advice Note:
The proponent must confirm any exemptions (or otherwise) for obtaining a Native Vegetation Clearing Permit from the Department of Water and Environment Regulation under the Environmental Protection Act 1986.

Committee Voting – 4/1
(Cr Summers 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-038/17 Amendment No.135 to Town Planning Scheme No.2 - 'Rural' to 'Special Residential' - Final Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1722</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Dynamic Planning and Developments Pty Ltd</td>
</tr>
<tr>
<td>Owner:</td>
<td>DM &amp; DB Pty Ltd and Alco (WA) Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Keara Freeley, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
</tr>
<tr>
<td></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 August 2017</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>April 2013 (SP-013/13)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Legislative</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Legislative</td>
</tr>
<tr>
<td>Site:</td>
<td>Lots 101 and 102 Crystaluna Drive, Golden Bay</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>Lot 101 - 5,482m²</td>
</tr>
<tr>
<td></td>
<td>Lot 102 - 1.16ha</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Rural</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Urban</td>
</tr>
<tr>
<td>Attachments:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photo</td>
</tr>
<tr>
<td></td>
<td>4. Proposed Earthworks</td>
</tr>
<tr>
<td></td>
<td>5. Proposed Clearing Plan</td>
</tr>
<tr>
<td></td>
<td>6. View to Site Looking East</td>
</tr>
<tr>
<td></td>
<td>7. View to Site Looking North</td>
</tr>
<tr>
<td></td>
<td>8. View from Site Looking South West</td>
</tr>
<tr>
<td></td>
<td>9. Consultation Plan</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>10. LCU7 - Rural Residential on Remnant Dune</td>
</tr>
</tbody>
</table>
1. Location Plan

2. Aerial Photo
Purpose of Report

To consider for Final Approval, Amendment No.135 to Town Planning Scheme No.2 (TPS2) to rezone Lots 101 and 102 Crystaluna Drive, Golden Bay from 'Rural' to 'Special Residential'.

Background

In May 2008, the City received an application from the former landowner to rezone Lot 101 and Lot 102 Crystaluna Drive (formerly Lot 501) from Rural to Residential (R10). The proposal included the creation of 12 lots each with an area of approximately 1,000m². The City advised the applicant that rezoning under the Metropolitan Region Scheme (MRS) was required and that rezoning to a Development zone would be more appropriate to allow for the preparation of a Structure Plan. The City also advised that the following matters were also required to be addressed, prior to the City formally considering the Scheme Amendment:

- The applicant demonstrating that future development could comply with the requirements of Liveable Neighbourhoods;
- Confirmation that the land could be serviced by the Water Corporation, given the height of the land being above the maximum servicing level; and
- Emergency vehicle and service vehicle access arrangements.

The City received no further correspondence from the Planning Consultant or landowner in regards to this matter.

In September 2010, Council considered MRS Omnibus Amendment No.1193/57, which included the rezoning of Lot 501 Crystaluna Drive, Golden Bay, from Rural to Urban. Council resolved not to support the MRS Amendment for the following reasons:

- "Rezoning the land to facilitate urban development was inconsistent with Planning Policy No.5.2 – Rural Land Strategy (‘the Policy’), which requires the Proponent to demonstrate that the landscape values of the region will not be compromised; and
- The land was also identified as a transition area between the existing and future urban land to the west and Mandurah Road to the east.”

In August 2011, the then Minister for Planning granted Final Approval to Amendment 1193/57 to the MRS to rezone Lot 501 Crystaluna Drive (Peelhurst Hill), Golden Bay, from Rural to Urban.

In March 2013 the Department of Planning contacted the City seeking advice on when it will be complying with the requirements of s.124 of the Planning and Development Act 2005, or when it will be amending its Town Planning Scheme for conformity with the Urban zoning in the MRS, in accordance with the Planning and Development Act 2005.

In April 2013, Council initiated Amendment No.135 to Town Planning Scheme No.2 (TPS2) to rezone Lot 101 and 102 Crystaluna Drive, Golden Bay from 'Rural' to 'Special Residential,' as follows:

1. Modifying the Scheme Text Schedule 5 Special Residential Zone ‘Portions of Planning Unit 3’ provisions as follows:
   (i) include ‘Lot 101 and Lot 102 Crystaluna Drive’ within Plan Reference 3(i) of the location table of Schedule 5 of the Scheme Text pertaining to ‘Special Residential’ zones ‘Portions of Planning Unit 3 of the Rural Land Strategy’;
   (ii) Amend Plan No.4 – Special Residential Zones (South) of the Scheme to include Lot 101 and Lot 102 Crystaluna Drive, Golden Bay outlined in black and annotated as 3(i);

2. Modify the Scheme Maps by rezoning Lot 101 and Lot 102 Crystaluna Drive, Golden Bay from ‘Rural’ to ‘Special Residential’;

3. Insert a new Clause 24 into Schedule No.5 Special Residential Zones (Portions of Planning Unit 3) to read as follows:

   "With respect to Location 3(i), prior to the Council recommending approval of a subdivision or approving development, subdivision and development must be in accordance with the Western Australian Planning Commissions Planning for Bushfire Protection Guidelines, which includes but is not limited to –
(i) identifying appropriate hazard separation zones and building protection zones.
(ii) construction to AS3959 (noting c) below;
(iii) no residential development within the bush fire attack level (BAL) zones BAL-FZ or BAL-40; and
(iv) consideration of ember protection features incorporated in all dwelling design within the precinct."

4. Insert a new Clause 25 into Schedule No. 5 Special Residential Zones ( Portions of Planning Unit 3) to read as follows:

"Regardless of whether the land has been designated as bush fire prone, any buildings to be erected within Precinct 3 shall comply with the requirements of AS3959."

5. Request the owner address the following matters, prior to advertising the Scheme Amendment as follows:

(i) A Bush Fire Hazard Assessment being prepared in accordance with the Western Australian Planning Commission Planning for Bush Fire Protection Guidelines (Edition 2), to determine the suitability of the site for development and to demonstrate that fire protection requirements can be achieved to the satisfaction of the City.
(ii) An Environmental Assessment of any native vegetation on-site, to determine the existence of any significant flora, fauna or habitats as listed in state or federal legislation, to determine the impacts of the development on such, and provide any measures recommended to mitigate or avoid the impacts.
(iii) A Proposed Subdivision Guide Plan which includes proposed Building Envelopes and Building Protection Zones and the identification of lot sizes based on building envelope locations that do not pose an unacceptable fire risk and unacceptable environmental impacts. Building Protection Zones are to be based on the outcomes of the Bush Fire Hazard Assessment in (i) above.
(iv) Provision of major infrastructure, including drainage, sewerage, reticulated water supply and other key infrastructure services."

In April 2013, the former landowner lodged an application for Subdivision Approval with the Western Australian Planning Commission (WAPC) seeking to create seven lots. The City advised the WAPC that it did not support the subdivision, on the basis that matters pertaining to servicing, bushfire, vegetation retention and earthworks had not been addressed. The WAPC refused the subdivision application in December 2013.

In July 2013, the City wrote to the former landowner advising that prior to the City commencing advertising of the Amendment, the matters raised in Part 5 of the Council's April 2013 resolution were required to be addressed.

In April 2017, Dynamic Planning and Developments Pty Ltd (the applicant), acting on behalf of the new landowner, submitted the required documentation, the assessment of which forms the basis of this report.

The site is comprised of a steep dune covered in extensive shrub vegetation, which stabilises the dune (Figures 6, 7 and 8).

Details

At the end of the public advertising period, the application must be considered by Council for Final Approval for Amendment No. 135 to TPS2 to rezone Lots 101 and 102 Crystaluna Drive, Golden Bay, from 'Rural' to 'Special Residential'. The proposal is supported by a Subdivision Guide Plan (SGP), which includes 6 lots between 2,006m² and 6,982m².

The applicant has submitted the following information in support of the application:

- A Bushfire Management Plan (BMP);
- An Environmental Assessment of the flora, vegetation and fauna values. This confirmed that there are no existing Threatened (Declared Rare) or Priority species recorded on-site;
- A Subdivision Guide Plan (Figure 3) identifying the proposed building envelopes and Asset Protection Zones (APZ) and identification of the proposed lot sizes; and
- An Engineering Servicing Report, which includes a geotechnical report, a stormwater drainage management plan and details pertaining to roadworks, sewer reticulation, water reticulation, Telstra, underground power and gas.

4. Proposed Earthworks
5. Proposed Clearing Plan

6. View to Site Looking East
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 18 SEPTEMBER 2017
PRESIDING MEMBER

Implications to Consider

a. Consultation with the Community

Scheme Amendments are required to be dealt with in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015, which includes a requirement to advertise proposals for public comment over a period of 42 days, prior to Council considering Final Adoption.
Advertising Methodology

The Amendment was advertised for a period of 42 days, commencing on the 5 May 2017 and concluding on the 16 June 2017. Public advertising was carried out in the following manner:

- A notice appeared in the public notices section of the Weekend Courier newspaper on the 5 May 2017;
- A sign was erected on site;
- Nearby and adjacent landowners and servicing agencies were advised of the proposal in writing and invited to comment, as shown in Figure 5 below; and
- Copies of the Amendment and supporting documentation were made available for inspection at the City’s Administration Offices and on the City's website.

9. Consultation Plan

At the conclusion of the advertising period, six submissions were received. These matters have been further discussed below.

<table>
<thead>
<tr>
<th>Amenity</th>
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<tr>
<td>Submission:</td>
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<tr>
<td>(i) Loss of privacy due to overlooking. The Scheme Amendment will restrict our chosen lifestyle as naturalists.</td>
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### Amenity (Cont…)

<table>
<thead>
<tr>
<th><strong>Proponent’s Response:</strong></th>
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<tbody>
<tr>
<td>The amendment does not propose any development rather, it simply seeks to rezone the subject property from ‘Rural’ to ‘Special Residential’ under the provisions of TPS No. 2. Privacy requirements are managed under the provisions of the Residential Design Codes of WA (R-Codes) and will form part of a future assessment for an application for planning approval for a dwelling submitted separate to this planning process. Based on the distance of building envelopes from existing dwellings, it is considered that any future dwelling should achieve adequate compliance with the Deemed-to-comply provisions of the R-Codes. Personal lifestyle pursuits and the implications that a planning proposal may have on these activities is not a relevant planning consideration. Ultimately, a proposal must be assessed on its planning merits.</td>
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<tr>
<th><strong>City’s Comment:</strong></th>
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<tr>
<td>The City acknowledges that due to the steep topography of the site, overlooking of adjacent properties is likely to occur based on the submitted application. Any residential development following rezoning would be assessed against the requirements of State Planning Policy 3.1 - Residential Design Codes, which includes assessment criteria pertaining to development setbacks and privacy.</td>
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<tr>
<th><strong>Submission:</strong></th>
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<tr>
<td>(ii) Construction will result in noise and will cause sand and dust to dirty pool, clog air-conditioning, fill gutters and down pipes, cover cars and come through the fly screens into the house.</td>
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<tr>
<th><strong>Proponent’s Response:</strong></th>
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<tr>
<td>There are no building works proposed or being approved as part of the scheme amendment. Any building works approved in the future should the amendment be supported will be subject to regulatory requirements under the Building Codes of Australia and Environmental Protection (Noise) Regulations 1997 which require the strict management of sand, dust and noise emissions during construction.</td>
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<tr>
<th><strong>City’s Comment:</strong></th>
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<tr>
<td>The Local Government Act 1995 requires the Council to ensure that roads and properties are not injuriously affected by sand drift or wind borne dust and to take prompt action to abate any sand drift of dust problems. Any subsequent engineering drawings associated with the future subdivision of the land would require a Dust Management Plan to be submitted to and approved by the City.</td>
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<tr>
<th><strong>Submission:</strong></th>
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<tr>
<td>(iii) Development of the land as Special Residential instead of a more intensive urban zoning will create no public reserves in the area.</td>
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<tr>
<th><strong>Proponent’s Response:</strong></th>
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<tr>
<td>Supported. In principle, the submitters comments are acknowledged as the existing residential zone to the west and large development zone to the north which will also likely be future residential zone would suggest that the same would apply to the subject site. Given servicing constraints mainly associated with reticulated water supply, the proposed zoning of ‘Special Residential’ does not preclude the redevelopment of the subject site for its current potential.</td>
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<th><strong>City’s Comment:</strong></th>
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<tr>
<td>Due to the larger lot sizes associated with Special Residential zoned lots, the WAPC does not specify the provision of Public Open Space for Special Residential zones as it otherwise would for Residential zoned land. The City considered that rezoning the land Special Residential would be more appropriate than rezoning the land Residential, as it allows Special Provisions to be applied to the land to seek to minimise the impact of future subdivision and development on the landscape.</td>
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<tr>
<td>Environment</td>
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<td>-------------</td>
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<tr>
<td><strong>Submission:</strong></td>
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<tr>
<td>(i) The development will remove and flatten the dune, resulting in the removal of the natural flora and fauna.</td>
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<tr>
<td><strong>Proponent's Response:</strong></td>
</tr>
<tr>
<td>The subject site is not currently zoned to perform the role of a reserve for the preservation of flora and fauna. Existing parcels of land are located in the area including reserved land located adjacent to the subject site for this purpose. Should the preservation of native flora and fauna be of the submitter’s preference, residents are encouraged to plant native species on their own property. Nevertheless, the proposal as presented maintains or otherwise proposes the re-vegetation of the majority of the subject site. Whilst site works (i.e. cut and/or fill) are required to facilitate the necessary driveways and building envelopes for future dwellings, the majority of the site topography and landform will remain untouched, including areas proposed for revegetation. Contrary to the concerns raised, the submitter's property contains minimal vegetation, the front yard and Council verge comprising artificial lawn, pebble mulch and paving.</td>
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<tr>
<td><strong>City's Comment:</strong></td>
</tr>
<tr>
<td>The applicant has provided an Environmental Assessment of the flora, vegetation and fauna values on-site, which confirmed there are no existing Threatened (Declared Rare) or Priority species recorded on-site. The vegetation onsite is representative of the Quindalup Complex. The vegetation on the site is also considered to be representative of the ‘Acacia shrublands’ which are Priority Ecological Community’s (PEC). Although not protected by any legislation, PECs are prioritised and considered for conservation because of their unique species composition and habitat values. The majority of vegetation on-site will be significantly modified to be classified as low threat vegetation, to achieve an acceptable level of bushfire risk. Extensive earthworks will also be required on site to facilitate the development, to achieve a level at which future special residential lots can be serviced by a reticulated water supply. As a consequence, much of the vegetation will be removed as part of this and thereafter be maintained as low threat vegetation. This has been further discussed in the Comments section of the report.</td>
</tr>
<tr>
<td><strong>Submission:</strong></td>
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<tr>
<td>(ii) The subject site is a habitat area for native wildlife, and provides a safe corridor through local residential areas and roads.</td>
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<tr>
<td><strong>Proponent's Response:</strong></td>
</tr>
</tbody>
</table>
| Whilst concerns raised are noted, they are dismissed based on the following reasons:  
- The subject site is not currently zoned to perform the role of a reserve for the preservation of flora and fauna. Existing parcels of land are located in the area including reserved land located adjacent to the subject site for this purpose.  
- As detailed in the concept development plan, the proposal will however involve the retention of existing vegetation where practical within bushfire safety to ensure habitat for wildlife is retained.  
- Should the preservation of native flora and fauna be of the submitter’s preference, residents are encouraged to plant native species on their own property.  
- As illustrated in the zoning map extract below, the rezoning of the property for residential purposes is a logical progression of the existing residential zones to the west and south, and development zone to the north. |
<table>
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<tr>
<th>Environment (Cont...)</th>
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<tr>
<td><img src="image" alt="Map of Development Zone (future Residential) and Special Residential Zone" /></td>
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</table>

City's Comment:

Most significant fauna species present in the region were deemed unlikely to be found on the site due to an absence of suitable habitat. Five significant species were identified as having the potential to utilise the site due to its proximity to larger natural areas, such as Marillana Nature Reserve. These include the Lined Skink, the Black Striped Snake, the Quenda, the Graceful Sun-Moth and the Rainbow Bee-Eater. The majority of the vegetation will be removed on-site, affecting fauna in the vicinity of the site. This has been further discussed in the Comments section of this report.

Traffic

**Submission:**

(i) Safety concerns regarding proposed access directly onto Crystaluna Drive.

**Proponent's Response:**

Provisions contained in the R-Codes will regulate vehicle sightline considerations at the future planning application phase, separate to this scheme amendment. The length of driveways and size of proposed building envelopes are likely to facilitate future residents being able to enter and exit their property in forward gear thereby reducing the likelihood of accidents.

City's Comment:

Additional information is required to ensure the sight line distances, at property entrances are in accordance with AustRoads and Main Roads Western Australia requirements. This would be further considered as part of the detailed design of any future subdivision or development application.

**Submission:**

(ii) Unwanted visitor parking on Golden Bay Drive.

**Proponent's Response:**

Parking constraints is not a relevant consideration forming part of the scheme amendment.

City's Comment:

State Planning Policy 3.1 - Residential Design Codes only requires two parking bays per dwelling. The creation of Special Residential lots with designated building envelopes will result in a maximum one dwelling per lot only and while no visitor's carparking bays are required, given the size of the lots visitor parking can be accommodated on-site.
### Appropriateness of Development

**Submission:**

(i) The subject land can support an intensive land use. Development of the land under the special residential zone will fragment the landholding and compromise its ability to be developed at a higher density as required by the State Planning Framework.

**Proponent's Response:**

Supported. In principle, the submitters comments are acknowledged as the existing residential zone to the west and large development zone to the north which will also likely be future residential zone would suggest that the same would apply to the subject site.

However, given servicing constraints mainly associated with reticulated water supply, the proposed zoning of 'Special Residential' does not preclude the redevelopment of the subject site for its current potential.

**City's Comment:**

The subject site is zoned 'Urban' under the MRS. Despite the Urban zoning under the MRS enabling the site to be rezoned for more intensive urban development under TPS2, the Council initiated the rezoning of the land to 'Special Residential'. As such, the Special Provisions of Schedule No.5 Special Residential Zone ‘Portions of Planning Unit 3’, would be applicable to the land, to ensure the impact of the future subdivision and development on the landscape would be minimised.

### Property Value

**Submission:**

(ii) The development will de-value our property.

**Proponent's Response:**

Impact on property values is not a relevant planning consideration.

**City's Comment:**

Property values are not a relevant planning consideration.

### Consultation with Government Agencies

All Scheme Amendments are required to be referred to the Environmental Protection Authority (EPA) to determine if an environmental assessment is required, prior to advertising. The EPA advised that the Amendment should not be assessed under the Act, and that it was not necessary to provide any environmental advice or recommendations on the Amendment.

The following Government Agencies were also consulted:

- Department of Aboriginal Affairs
- Department of Fire and Emergency Services
- Department of Environment Regulation
- Department of Health
- Department of Parks and Wildlife
- Department of Water
- Main Roads WA
- Public Transport Authority
- Telstra
- Water Corporation
- Western Power
Following the close of the advertising period, the City had received seven submissions from State Agencies. A full copy of all submissions received during the advertising period is set out in the Schedule of Submissions (Attachment to this Report). The submissions that raised issues for consideration are summarised and addressed as follows:

1. **Department of Aboriginal Affairs**

   **Submission:**
   The Department of Aboriginal Affairs (DAA) advises there are no reported Aboriginal sites or Aboriginal heritage places or Aboriginal sites within the areas of the Proposal. The DAA recommends that developers within the area of the Proposal take into consideration the DAA’s Aboriginal Heritage Due Diligence Guidelines when planning specific developments associated with the Proposal.

   **City's Comment:**
   The submission is noted.

2. **Department of Fire and Emergency Services**

   **Submission:**
   DFES provided the following comments with regard to State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines).
   
   (i) **Policy Measure 6.3 a) (ii) Preparation of BAL Contour Map**
   *Vegetation Plot 16, 17, 19, 20 & 21 – not demonstrated*
   
   The exclusions applied have not been substantiated. Please provide the enforcement mechanism to ensure that the area in question is going to be maintained to low threat as per AS3959 in perpetuity.
   
   The proposed building envelopes appear contiguous across proposed lots. It is not clear if this is compliant with planning requirements. Furthermore there is no evidence of enforcement to ensure the low-threat exclusion applied. Should there be no enforcement mechanism, the plots should apply the worst case scenario and be classified as per AS 3959.
   
   **Action:** Provide substantiated evidence and verification to support classification as per AS 3959.

   (ii) **Policy Measure 6.3 c) Non-compliance with the bushfire protection criteria**
   *A1.1 – not demonstrated*
   
   It is unclear if the scheme amendment is located in an area that is or will, on completion, be subjected to an extreme bushfire hazard level, and that the risk can be managed. Many of the lots abut areas with a rating of extreme have BAL-40 and BAL-FZ within them.
   
   **Action:** Modification required. The BAL contour map requires revision in line with information requested in the above table.

   *A3.7 – Does not comply*

   In bushfire prone areas, fire service access routes (FSAR) or perimeter roads are to be established to provide access within and around the edge of the subdivision and related development to provide direct access to bushfire prone areas for fire fighters and link between public road networks for firefighting purposes. Provision of an enforceable mechanism to allow unrestricted access over the FSAR should be discussed within the BMP, such as the inclusion of an access easement.
   
   **Action:** Does not comply. Please amend or provide evidence to support the performance principle.

   **Recommendation – not supported, modifications required.**

   DFES has assessed the BMP, and has identified a number of critical issues that need to be addressed prior to providing support for the proposal.

   We recommend that this application be deferred to allow the proponent to address the policy requirements of SPP 3.7 and the Guidelines.
2. Department of Fire and Emergency Services (Cont...)

Proponent’s Comment:
1. Vegetation Exclusion (Plots 16, 17, 19, 20 & 21 not demonstrated)
   - Plots 16, 17, 19 are all within proposed Lot 1.
   - Plot 16 can remain and simply be modelled in further detail at a later stage. Importantly its location will not affect the BAL rating onto the existing house.
   - Plots 17 & 19 can be justified as being part of the APZ requirements of SPP3.7, for the existing house.
   - Plot 20 forms part of proposed Lot 6. This can be excluded as part of the APZ to achieve BAL-29, as per the guidelines.
   - Plot 21, we are proposing to leave the vegetation as is, bar the 3m wide firebreak, APZ for the existing house and earthwork area relative to the building envelopes. It also includes proposed Lots 2-6, which can be excluded through the APZ requirements of SPP3.7.
   - Enforcement is able to be applied through the City’s firebreak notice.

2. Location
   - DFES’s comments are based on the original BAL contour plan / concept development plan which did not contain specific building envelopes. The latest plan submitted to the City now designates specific building envelopes which indicate no building will be within a rating higher than BAL29.

3. Vehicle Access
   - The design requirements of a Fire Service Access Route (FSAR) are as per Table 4 of the Guidelines.
   - If a FSAR was to be designed into the subject proposal, there are a number of implications:
     - Access through proposed Lot 6, back to Crystaluna Drive is not possible due to the steep grade from the existing house down to Crystaluna Drive (i.e. where the service easement is currently proposed).
     - With reference to the sketch below, creating a FSAR may be possible via the existing driveway of the existing house as the gradient generally appears to be 1:10. It would then be required to loop around other proposed lots before exiting out, ideally, to Crystaluna Drive however, as noted above, the gradient on the subject site is too steep. One solution would be to loop out to the adjoining Telstra road via some an easement as illustrated. This solution however would evidently be easier said than done.
     - The FSAR needs to be 6.0m wide with other design standards as per the above table. Therefore, what should already be evident from the image below is the fact that the addition of a FSAR on top of the proposed APZ and 3.0m firebreak is that it results in the loss of a significant amount of vegetation that was otherwise proposed to be maintained under our latest design proposal (i.e. we were mindful of the Local Planning Policy stance of maintaining as much as possible, the existing character / vegetation).
     - In light of the above, one would probably prefer to adopt an alternative solution approach to this issue rather than the implementation of a FSAR.

Given the proposal is only at the scheme amendment phase, it is considered that the detailed matters raised by DFES can be addressed further at the subdivision stage. Nevertheless, the level of information we have submitted to date is considered to support the progression of the proposal.

City’s Comment:
State Planning Policy 3.7 - Planning in Bushfire Prone Areas, requires the advice of the relevant authority (DFES) to be considered in the determination of all strategic planning proposals where compliance with the policy measures are unlikely to be achieved or additional/alternative measures are proposed and some of the BALs were calculated using Method 2 in AS 3959.
## 2. Department of Fire and Emergency Services (Cont…)

DFES has assessed the BMP and has identified a number of critical issues relating to vegetation exclusions and compliance with two of the elements of the Guidelines for Planning in Bushfire Prone Areas, namely location and access. The BAL Contour Map has also not been prepared in accordance with the Guidelines. DFES recommended that the application be deferred until such a time that these issues have been addressed.

There are significant fire risks associated with developing the land that have not been satisfactorily addressed by the proponent based on DFES’s comments.

## 3. Water Corporation

### Submission:

The corporation has previously commented on this subject area in regard to water supply servicing issues. The current limit of supply for the ultimate water supply scheme can only guarantee that properties below 28m AHD be served. The drawings accompanying the scheme amendment for the proposed lots reflect building envelopes and contours broadly aligned to the 28m AHD water supply limit.

However, it should be noted that the upper water supply limit specified is dependent on the planned long term future distribution mains in this general area. Effectively this means that prospective lot owners will have to accept reduced water pressures for future connections at building stage of development.

Property owners can apply for a water supply provided by Service By Agreement to address these potential pressure shortfalls. Given that this option provides a service which is below the standard required in the Corporation’s Operating Licence, they are not considered an adequate means of satisfying subdivision conditional approval requirements.

If required, wastewater connections can be made available through reticulation main extensions to the proposed lots. If the proposal has not proceeded within the next 6 months, the Water Corporation should be contacted to confirm if the information is still valid.

### Proponent’s Response:

Noted.

- Preliminary investigations undertaken and as reported in the submitted Engineering Servicing Report indicate that the proposed future lots can be adequately serviced.
- Revised concept development plans illustrate that the maximum 28m AHD water supply limit can be achieved whilst still maintaining reasonable amounts of existing vegetation and respecting the natural site contours.

### City’s Comment:

The City notes the advice that only properties below 28 AHD can be serviced and acknowledges the applicants revised SGP providing lots at these levels. The City must balance the need to service the lots against the impact the significant earthworks on the landscape of the site. This has been further discussed in the Policy and Comments section of this report.

## 4. Department of Health

### Submission:

The Department of Health (DOH) has no objection to the proposal provided all developments are required to connect to scheme water and reticulated sewerage as required by the Government Sewerage Policy - Perth Metropolitan Region.

### City’s Comment:

As stated above, the Water Corporation require the properties to be below 28m Australian Height Datum (AHD) in order to be serviced. The natural surface area of the site currently ranges from 22m to 44m AHD. Significant earthworks are therefore required to service the lots, which is not supported for environmental reasons. This is further discussed in the comments section of the report.
5. **Department of Parks and Wildlife**  

**Submission:**  
The Department of Parks and Wildlife has no comments on the application. It is considered that the proposal and any potential environmental impacts will be appropriately addressed through the existing planning framework.

**City's Comment:**  
The submission is noted.

6. **Department of Water**  

**Submission:**  
The Department of Water (DoW) has reviewed the application and has no comment to offer.

**City's Comment:**  
The submission is noted.

7. **Main Roads WA**  

**Submission:**  
The abovementioned development is not in the vicinity of any road under the care and control of Main Road. Therefore, Main Roads has no comment.

**City's Comment:**  
The submission is noted.

c. **Strategic**  

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

- **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 3.7 - Planning in Bushfire Prone Areas (SPP3.7)**  
Further assessment of bushfire risk is required before Final Approval of the Scheme Amendment can be considered.

SPP 3.7 guides the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.

The site has been designated bushfire prone under the *Fire and Emergency Services Act 1998 (as amended)* and therefore the requirements of SPP3.7 are applicable.

The objectives of SPP3.7 are to:

- “Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and the management of bushfire impact are paramount.”
- “Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.”
- “Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specified bushfire protection measures.”
Achieve an appropriate balance between bushfire risk management measures and, biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change.”

The proposal fails to meet an objective of SPP3.7 – Planning in Bushfire Prone Areas as it fails to provide an appropriate balance between bushfire risk management measures, biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change. The impact of the proposal on vegetation has been further discussed in the Comments section of this report.

Based on the applicant’s submitted proposal, the City does not consider that it is compliant with SPP3.7.

Guidelines for Planning in Bushfire Prone Areas (Guidelines)

The Guidelines provide supporting information to assist in the interpretation of the objectives and policy measures outlined in SPP3.7.

The State Map is based on the Office of Bushfire Risk Management’s Bushfire Prone Area Mapping Standard Western Australia (May 2014). It essentially includes any bush fire prone vegetation with a 100m buffer around the vegetation. It is a binary system, in that land is either classified as 'bush fire prone' or not. The mapping does not indicate any level of hazard; it is simply a tool to trigger further assessment.

The State Map is reviewed on an annual basis. For all planning applications (Structure Plans, Scheme Amendments, Subdivision Applications, Development Applications), SPP3.7 and the Guidelines will apply immediately to all applications in designated bushfire prone areas identified on the State Map.

For Scheme Amendments proposing the rezoning of an area, the Guidelines require consideration as to whether the rezoning will increase the bushfire risk in that area. Bushfire risk may be increased by introducing higher fuel loads or changing the land use intensity or vulnerability, particularly through increased residential development and settlement. The Guidelines recommend a conservative approach in relation to any proposed local planning scheme or amendment which proposes to facilitate intensified settlement or development; in particular rural residential subdivisions within a bushfire prone area.

The Guidelines require the applicant to demonstrate, by way of a Bushfire Hazard Level Assessment, that the land proposed to be rezoned has, or can be made to have, a low to moderate bushfire hazard level (i.e. BAL-Low to BAL-29).

The Bushfire Management Plan provided in support of the application, determines the worst case BAL as BAL-FZ. The applicant has demonstrated that future dwellings within the proposed lots are able to achieve a moderate bushfire hazard level of BAL-29 via the implementation of mandatory setbacks and Asset Protection Zones (APZ). These setbacks can be imposed by way of the designation of Building Envelopes at the subdivision stage. It should be noted that given the dwelling within proposed Lot 1 (BAL-FZ) is existing, it is not required to retrospectively comply with the requirements of the Guidelines.

The BMP was referred to DFES for comment as some of the BALs were calculated using Method 2 in AS 3959 and its advice is required for all strategic planning proposals where compliance with the policy measures are unlikely to be achieved or additional/alternative measures are proposed.

DFES has assessed the BMP and has identified a number of critical issues relating to vegetation exclusions and compliance with two of the elements of the Guidelines for Planning in Bushfire Prone Areas, namely location and access. A turnaround area within the site has been shown on the amended site plan received on the 17th July 2017, however, this has not been discussed in the BMP.

The proposal fails to comply with policy measures 6.3 (a) (ii), which requires the preparation of a BAL Contour Map in accordance with the Guidelines as well as policy measure 6.3 (c), which requires clear demonstration that compliance with the bushfire protection criteria in the Guidelines can be achieved in subsequent stages. DFES recommended that the application be deferred until such a time that these issues have been addressed.
Development Control Policy 2.5 - Special Residential Zones (DC2.5)

The WAPC’s DC2.5 sets out the requirements of Special Residential zones in terms of location, internal design, servicing and statutory provisions.

DC2.5 provides for the creation of lots of between 2,000m² and one hectare in suitable locations. With respect to the design of lots, DC2.5 requires the lot sizes selected for a particular Special Residential zone should reflect the topographical and environmental characteristics of the land concerned and a variety of lot sizes should be provided.

The revised SGP provides lots between 2,006m² and 6,738m². Whilst consistent with the recommended lot sizes of DC2.5, the City considers that the earthworks required to create and service four additional lots on the site will compromise the topographical and environmental characteristics of the site. Consequently the development will not maintain the landscape values of the site.

DC2.5 requires Special Residential development to be provided with the type and standard of services typical of normal Residential zones. In particular, reticulated water will be required as a condition of Subdivision approval.

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

The City's PP3.1.1 provides the basis for land use planning in the rural area of the City. It provides the Council with a framework for the assessment of proposals to rezone, subdivide, manage and develop rural land. The subject site is located within Planning Unit No.3 of PP3.1.1 and is contained within the Golden Bay Precinct.

The objective of PP3.1.1 in regard to Planning Unit No.3 is as follows:

"to encourage special rural/residential development which is compatible with the land capability of the Quindalup dune system and that subdivision and development accords with the recommendations of the Visual Landscape Evaluation."

The recommendations of the Visual Landscape Evaluation (VLE) are also incorporated into PP3.1.1 to inform the City’s consideration of regional and local planning initiatives and proposals. This has been further discussed below.

Furthermore, PP3.1.1 provides possible landscape and visual management strategies for the site, including limitations and vetting of development plans to restrict cut/fill levels, restrictions on the siting of the built form so that the roof line falls sufficiently below the ridge line and endemic planting schemes.

Rural Concept Plan

PP3.1.1 requires that a Rural Concept Plan (RCP) be provided, prior to initiating a Scheme Amendment, the purpose of which is to demonstrate the relationship between the proposal and the surrounding properties. RCP's are a means of ensuring orderly subdivision and development. In this instance, an RCP will not be requested as the land to the west has already been developed for residential purposes.

The recommended minimum lot size for the Golden Bay precinct in PP3.1.1 is 1ha, which is not achievable given the combined lot size is 1.7ha. The revised Subdivision Guide Plan provides lots between 2,006m² and 6,738m².

Visual Landscape Evaluation (VLE)

The subject site is located within LCU7: Rural Residential on Remnant Dune, reflected in Figure 10 below.
10. LCU7: Rural Residential on Remnant Dune

The landscape of the area is characterised by a steep undulating coastal dune network, coastal vegetation, large Special Residential lots to the east and south and urban and future urban land on the flat lands to the west. The subject site is predominantly occupied by a steep dune (as shown in Figure 6), with one dwelling towards the top of the site adjacent to Peelhurst Hill. The site is visually prominent from the Golden Bay townsite and from Mandurah Road and is the highest landform in the locality.

PP3.3.1 recommends that cut and fill be minimised to retain natural landform contours and areas of dune vegetation, particularly coastal scrub, should be maintained and development height should be maintained below the dune ridge as viewed from key thoroughfares (distant views).

The VLE has identified that the vista obtained from Mandurah Road provides a positive natural/rural outlook and is a highly valued natural asset that is worthy of ongoing preservation. This site is visible from Mandurah Road and it is therefore recommended that its existing rural character is preserved to protect the viewshed.
The SGP shows a large portion of the site requiring extensive earthworks to achieve the required RL28.00 to accommodate reticulated water supply. The extent of cutting required and associated removal of vegetation is considered to be visually intrusive into the existing topography of the landscape and therefore fails to comply with the objective of PP3.1.1 and recommendations of the VLE. Further assessment of the proposed earthworks is contained in the Comments section of this report.

e. Financial
Nil

f. Legal and Statutory

Planning and Development Act 2005

Part 9 Section 124 (2) of the Planning and Development Act (2005) states that:

“If a region planning scheme is inconsistent with a local planning scheme, the local government of the district in which the land directly affected is situated is to, not later than 90 days after the day on which the region planning scheme has effect, resolve to prepare:

(a) a local planning scheme which is consistent with the region planning scheme; or

(b) an amendment to the local planning scheme which renders the local planning scheme consistent with the region planning scheme, and which does not contain or removes, as the case requires, any provision which would be likely to impede the implementation of the region planning scheme.”

As such, the TPS2 is required to be updated to be consistent with the modified MRS.

Part 1 of Section 76 of the Planning and Development Act (2005) states that:

“If the Minister is satisfied on any representation that a local government:

(a) has failed to take the requisite steps for having a satisfactory local planning scheme or an amendment to a local planning scheme prepared and approved in a case where a local planning scheme or an amendment to a local planning scheme ought to be made; or

(b) has failed to adopt a local planning scheme or an amendment to a local planning scheme proposed by owners of any land, in a case where a local planning scheme or an amendment to a local planning scheme ought to be adopted; or

(c) has refused to consent to any modifications or conditions imposed by the Minister,

the Minister may order the local government, within such time as is specified in the order, to prepare and submit for the approval of the Minister a local planning scheme, or an amendment to a local planning scheme or to adopt a local planning scheme, or an amendment to a local planning scheme or to consent to the modifications or conditions imposed.

Part 2 of Section 76 of the Planning and Development Act (2005) states that:

“If the representation under subsection (1) is that a local government has failed to adopt a local planning scheme or an amendment to a local planning scheme, the Minister, in lieu of making an order to adopt the scheme or amendment, may approve of the proposed scheme or amendment subject to such modifications and conditions, if any, as the Minister thinks fit.”

Planning and Development (Local Planning Scheme) Regulations 2015

The procedures for dealing with proposals to amend a local planning scheme, as per the Planning and Development Act 2005, are set out in the Planning and Development (Local Planning Schemes) Regulations 2015.

Regulation 47(3) provides that the City shall:

“As soon as practicable after the end of the consideration period for a standard amendment to a local planning scheme, or if no submissions have been received within the submission period, after the end of the submission period, the local government must pass a resolution:

(a) to support the amendment to the local planning scheme with or without modification; or

(b) not to support the amendment to the local planning scheme.
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

Earthworks

The topography and vegetation of the site is considered an important part of the landscape and visual character of the area. The site is visually prominent and forms part of the highest landform in the locality. The City considers that maintaining the integrity of the natural topography of the land and the landscape features of the remanent dune system are imperative in retaining the visual amenity of the area.

The natural surface area of the site currently ranges from 22m to 44m AHD (Australian Height Datum). Significant earthworks are required to lower the level of the site from 44AHD to RL28.00 to enable the proposed lots to be serviced by reticulated water, as shown in Figure 4.

The earthworks required will also result in the removal of more than half of the existing coastal vegetation, with a further portion being required to be modified to achieve an acceptable level of bushfire risk. The vegetation onsite currently stabilises the dune and minimises the effect of wind erosion. As such, the clearing of vegetation will result in the rapid erosion of the dune following the completion of earthworks.

The extent of modification to the natural topography of the land required to create the lots is considered to detrimentally impact the visual amenity of the site and the visual amenity enjoyed by surrounding residents and the wider community.

Notwithstanding the extensive modifications to the natural topography of the site, the City is concerned that the future need for excessively steep driveways, large retaining walls and the loss of vegetation to achieve an acceptable level of bushfire risk will be a further detriment to the visual character of the site.

Flora

The vegetation onsite is representative of the Quindalup Complex and is also considered to be representative of the ‘Acacia shrublands on taller dunes, southern Swan Coastal Plain’ protected ecological community (PEC). Although not protected by any legislation, PECs are prioritised and considered for conservation because of their unique species composition and habitat values.

The vegetation on site is in a ‘Very Good’ or ‘Degraded’ condition, as per Vegetation Condition Scale, Keighery BJ 1994, with the degraded portion existing towards the western side of the site, in an area that has been previously cleared. The earthworks and bushfire risk mitigation associated with the proposal will result in significant clearing of priority high quality native vegetation, and removal or modification of the remaining vegetation on site.

The proposal will result in an unacceptable environmental outcome for the site.

Conclusion

The City considers that the applicant has not adequately demonstrated that rezoning the land to Special Residential can be achieved without adversely impacting the visual amenity of the site, by virtue of significant earthworks and vegetation clearing required to service the lots and reduce the bushfire risk to an acceptable level.

Furthermore, given the applicant has failed to comply with the requirements of SPP3.7 and associated Guidelines and has not received support of the proposal from DFES, the City cannot recommend approval to the Scheme Amendment. The City therefore recommends the Scheme Amendment not be adopted.

Next Steps

Following the decision of Council on the Scheme Amendment, the Council’s decision will be referred to the WAPC for consideration by the Minister for Planning. The Minister may in relation to the Scheme Amendment:
(a) approve the Scheme Amendment; or
(b) require the Council to modify the Scheme Amendment; or
(c) refuse to approve the Scheme Amendment.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **NOT ADOPTS** for Final Approval Amendment No.135 to Town Planning Scheme No.2 for the following reasons:
   (i) The proposal fails to comply with *State Planning Policy 3.7 - Planning in Bushfire Prone Areas*, as it fails to provide an appropriate balance between bushfire risk management measures, biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change.
   (ii) The proposal fails to comply with the Guidelines of *State Planning Policy 3.7 – Planning in Bushfire prone Areas*, as measures 6.3(a)(ii) and 6.3(c) are not complied with, which requires the preparation of a BAL Contour Map in accordance with the Guidelines and clear demonstration that compliance with the bushfire protection criteria in the Guidelines can be achieved in subsequent stages.
   (iii) The proposed development is inconsistent with the objectives of Planning Unit No.3 of *Planning Policy 3.1.1 - Rural Land Strategy*, as the modification of vegetation and earthworks required to facilitate development is incompatible with the Quindalup Dune System and the recommendations of the Visual Landscape Evaluation.
   (iv) The extent of modification to the natural topography of the land and removal of vegetation required to create the lots will adversely impact the amenity of the site and results in an unacceptable environmental outcome.

2. **ADOPTS** the recommendations contained within the Schedule of Submissions.

**Committee Recommendation**

Moved Cr Elliott, seconded Cr Sammels:

That Council:

1. **NOT ADOPTS** for Final Approval Amendment No.135 to Town Planning Scheme No.2 for the following reasons:
   (i) The proposal fails to comply with *State Planning Policy 3.7 - Planning in Bushfire Prone Areas*, as it fails to provide an appropriate balance between bushfire risk management measures, biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change.
   (ii) The proposal fails to comply with the Guidelines of *State Planning Policy 3.7 – Planning in Bushfire prone Areas*, as measures 6.3(a)(ii) and 6.3(c) are not complied with, which requires the preparation of a BAL Contour Map in accordance with the Guidelines and clear demonstration that compliance with the bushfire protection criteria in the Guidelines can be achieved in subsequent stages.
   (iii) The proposed development is inconsistent with the objectives of Planning Unit No.3 of *Planning Policy 3.1.1 - Rural Land Strategy*, as the modification of vegetation and earthworks required to facilitate development is incompatible with the Quindalup Dune System and the recommendations of the Visual Landscape Evaluation.
   (iv) The extent of modification to the natural topography of the land and removal of vegetation required to create the lots will adversely impact the amenity of the site and results in an unacceptable environmental outcome.
2. **ADOPTS** the recommendations contained within the Schedule of Submissions as follows:

**CITY OF ROCKINGHAM**

**AMENDMENT NO.135 TO TOWN PLANNING SCHEME NO.2**

**SCHEDULE OF SUBMISSIONS**

<table>
<thead>
<tr>
<th>SUBMISSION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public Submissions</strong></td>
</tr>
<tr>
<td>1. Mr Paul &amp; Ms Joanne Lockwood-Hall</td>
</tr>
<tr>
<td>3 Harlequin Close</td>
</tr>
<tr>
<td>GOLDEN BAY WA 6174</td>
</tr>
<tr>
<td>2. Ms Amanda Youd</td>
</tr>
<tr>
<td>2 Harlequin Close</td>
</tr>
<tr>
<td>GOLDEN BAY WA 6174</td>
</tr>
<tr>
<td>3. Ms Nina Staniford</td>
</tr>
<tr>
<td>79 Bluefin Drive</td>
</tr>
<tr>
<td>GOLDEN BAY WA 6174</td>
</tr>
<tr>
<td>4. Cape Bouvard Developments Pty Ltd</td>
</tr>
<tr>
<td>Mr Tristan Cribb</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMENT</th>
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<tbody>
<tr>
<td>1. Privacy as they would be able to see directly into our back garden.</td>
</tr>
<tr>
<td>2. De-value our property. Having other homes look down on us.</td>
</tr>
<tr>
<td>3. Sand and dust would dirty our pool, clog air con, fill gutters and down pipes, cover solar panels, cars, through all fly screens and all through the house.</td>
</tr>
<tr>
<td>4. We purchased this land and built our home in a way that we could look onto the dunes and natural flora.</td>
</tr>
<tr>
<td>5. Construction noise.</td>
</tr>
<tr>
<td>6. Disruption to traffic.</td>
</tr>
<tr>
<td>We are strongly against the rezoning of lots 101 &amp; 102 Crystaluna Drive. We purchased our property because of the surrounding dunes and the privateness of this area. Having houses build on those lots that could potentially be able to see into our yard and our neighbours property will ruin the wonderful safe community feel that we have here.</td>
</tr>
<tr>
<td>I strongly object to this submission to re-zone Lot 101 &amp; 102 Crystaluna Drive and all re-zoning and development of the Golden Bay hills area as it is a valuable habitat area for native wildlife. The lot mentioned offer wildlife a rare safe corridor through local residential areas and roads.</td>
</tr>
<tr>
<td>I refer to your letter dated 5th May regarding proposed Scheme Amendment No.135. Cape Bouvard objects to Scheme Amendment No. 135 as we do not believe it represents proper and orderly planning for the area for the following reasons: a. The subject land can support an intensive urban use and is located close to the Karnup train station, which should require a higher density to be achieved.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the submission be not upheld.</td>
</tr>
<tr>
<td>That the submission be not upheld.</td>
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<tr>
<td>That the submission be noted.</td>
</tr>
<tr>
<td>That the submission be not upheld.</td>
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<tr>
<td>SUBMISSION</td>
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<td>------------</td>
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<tr>
<td>b. The subject land is designated as Urban Expansion under the draft South Metropolitan Peel Planning Framework (2015). Development of the land under the Special Residential Zone will fragment the landholding and compromise its ability to be developed at a higher density as required by the State Planning Framework.</td>
</tr>
<tr>
<td>c. The land is within the development front and power, sewer and water and telecommunications services have capacity and are in close proximity to the site.</td>
</tr>
<tr>
<td>d. The visual amenity of the area can be retained through appropriate design and retention of landform through public open spaces. Development of the land as Special Residential will create no public reserves in the area.</td>
</tr>
</tbody>
</table>

5. Mr Ryan McDonald 4 Harlequin Close GOLDEN BAY WA 6174

The proposed plans include 3 new driveways onto Crystaluna Drive. This is a blind hill to drivers coming over the hill and cars pulling out. There has been an accident on this road already from a driver pulling out. Also, that hill is what makes Golden Bay unique and now you want to flatten it.

That the submission be not upheld. This does not need to be addressed as the Scheme Amendment stage.

6. Mr Timothy John & Mrs Tanya Lee 5 Golden Bay Drive GOLDEN BAY WA 6174

The rezoning of Lot 101 and 102 Crystaluna Drive, Golden Bay from ‘Rural’ to ‘Special Residential’ will impact deeply on the living conditions at our property, 5 Golden Bay Drive, Golden Bay.

My husband and I are both in the military. We spend a great deal of time working away from each other, sometimes years at a time with little opportunity to visit. We purchased 5 Golden Bay Drive for a number of reasons, being that it was quiet, a well-established area, well away from an shopping centres and importantly, not overlooked by any buildings or businesses and with complete privacy throughout all areas of our yard. When we moved to WA 4 years ago, Tim had been living/working in Canberra and I had been living/working in Sydney. We’d both come from high density areas with little to no green zones or privacy. We saw the purchase of 5 Golden Bay Drive as an opportunity to have a place of peace and quiet to help us cope with our busy, stressful lives.

That the issues regarding privacy be not upheld.
That the submission relating to the earthworks and flora be noted.
<table>
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<tr>
<th>SUBMISSION</th>
<th>COMMENT</th>
<th>RECOMMENDATION</th>
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<tbody>
<tr>
<td>6. Cont...</td>
<td>We specifically chose this block as it was one of the last in the estate to be built on and we had the chance to view what others had built to ensure our home would not be devalued by cheaper builds. We chose this block because of the dune in front and that we would never be built out, never be overlooked and never have to deal with high density housing and the inevitable issues that comes with it. We have had just that over the last 2 years that we’ve been able to live in our dream home build through Blueprint. I understand there is already a dwelling on the top left of the dune in front of our residence 5 Golden Bay Drive. This dwelling is quite set back and does not look down on any aspect of our street. I have no issues with the location of this property nor do I have any privacy issues with the residents of this property. I do however, have an issue with Proposed Amendment No.135. Lots 2-4 begin directly in front of the existing retaining walls on Golden Bay Drive. I can see from the elevation plans that a great deal of earth works will be required to provide a flat area large enough to build the dwellings. This would place the residences at approx. just above the height of our roof line. This would also give the future residents of Lots 2-4 a direct view into all areas of our yard. I’m not just referring to our front yard. I’m referring to our entire back yard. There will be no area within our property that would be private unless my husband and I remained indoors or hidden under our alfresco area. Even the alfresco would be able to be seen into from Lot 2's advantage point. To maintain our privacy the developer would need to build a 2 meter fence directly in front of Lots 2-4 so that there would be no line of sight view access to our property. Let’s talk about the environmental impact of the proposed earth works. The dune in question has an abundance of wildlife and vegetation. My family and I have often sat on our verge to watch the birds of prey hover and dive for their evening meal. We’ve seen lizards, snakes and many birds. All quite amazing after coming from high density living.</td>
<td></td>
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</tbody>
</table>
6. Cont…

Over the last few years we've watched the vegetation grow to expand all over the dune providing shelter for the native animals and birds and a beautiful natural backdrop to the sunrise. The dune also provides an excellent noise and pollution barrier from Mandurah Road/Ennis Avenue which was another positive consideration when purchasing our block.

When considering the building envelope of our property, we purposely requested a 3 car garage and front paving to the verge to support it. We have teenagers who will hopefully be getting their licenses soon so we wanted to make sure our front driveway paving allowed for sufficient parking to ensure we don't have to park on the road. Having no residences opposite our home ensures that there are no vehicles parked on the street or lining the verge. With the proposed elevations, I will assume that parking and access to these elevated properties will be tricky and will inevitably result in their visitors parking along Golden Bay Drive both on the road and verge. I'm sure you will understand how untidy this will make our rather short street look, turning a relatively quiet street into a busy one and creating blockages and restrictions to the access to our driveway.

My last issue with the proposed decimation of a natural environment, huge increase in housing density in our small street and marked devaluation of our home is at a much more personal level.

Noting the stage my husband and I are at in our lives and that our children will be leaving the nest soon we will be able to indulge more regularly in another aspect of our chosen lifestyle. We are both naturalists. That is; we prefer to be comfortable in our own private environment without apparel. We understand the restrictions with being deliberately nude in public view. We also understand that we have the right to participate in our chosen lifestyle within the confines of our home and yard and as long as we are not visible to the public. If Scheme Amendment No 135 goes ahead it will greatly impact on our ability to participate in an important part of our lives.
## SUBMISSION

### 6. Cont...

Noting the extent that our property will be overlooked, there is nowhere within our extremely private backyard, that we could comfortably be unclothed without inadvertently exposing ourselves to the people in the properties at Lots 2-4. This is completely unacceptable to us and indeed unfair to the potential residents above. Having potentially 3 families able to look directly into all parts of our backyard including our alfresco is certainly an impingement against our right to privacy within the confines of our home and yard. It is also an impingement against our legal right to participate in a naturalist lifestyle without accidently offending families who would have no choice but to look into our private space due to the placement and elevation of their Lots.

The fact that we are not currently overlooked was of huge importance when selecting a plot of land to build our dream home for all of the reasons above. My husband and I are strongly opposed to Scheme Amendment No.135 and can be contacted via our mobile phone numbers listed above for further information and discussion.

## Service Authorities

### 1. Main Roads

Mr Lindsay Broadhurst  
Manager of Road Planning  
PO Box 6202  
EAST PERTH WA 6892

The abovementioned development is not in the vicinity of any road under the care and control of Main Road. Therefore, Main Roads has no comment. Please forward a copy of Council's final determination on this proposal quoting file reference 04/6857-10 (D17#387372).

That the submission be noted.

### 2. Water Corporation

Mr Brett Coombes  
Development Services Branch  
PO Box 100  
LEEDERVILLE WA 6007

Thank you for your letter dated May 5, 2017. The Water Corporation offers the following comments in regard to water supply servicing issues. The corporation has previously commented on this subject area in regard to water supply servicing issues. The current limit of supply for the ultimate water supply scheme can only guarantee that properties below 28m AHD be served. The drawings accompanying the scheme amendment for the proposed lots reflect building envelopes and contours broadly aligned to the 28m AHD water supply limit.

That the submission be noted.
### SUBMISSION

**2. Cont...**

However, it should be noted that the upper water supply limit specified is dependent on the planned long term future distribution mains in this general area. Effectively this means that prospective lot owners will have to accept reduced water pressures for future connections at building stage of development.

Property owners can apply for a water supply provided by Service By Agreement to address these potential pressure shortfalls. Services by agreement are only provided where a service cannot be provided which meets the requirements of the Corporation’s Operating Licence.

Given that this option provides a service which is below the standard required in the Corporation’s Operating Licence, they are not considered an adequate means of satisfying subdivision conditional approval requirements.

If required, wastewater connections can be made available through reticulation main extensions to the proposed lots.

If the proposal has not proceeded within the next 6 months, the water Corporation should be contacted to confirm if the information is still valid.

---

**3. Department of Water**

Mr Brett Dunn  
Program Manager - Urban Water Management  
PO Box 332  
MANDURAH WA 6210

Thank you for the referral of the abovementioned site received with correspondence dated 9 May 2017. The Department of Water (DoW) has reviewed the application and has no comment to offer.

If you have any queries relating to the above matter, please contact Catherine Taylor at the DoW's Mandurah office on 9550 4237.

**Recommendation:** That the submission be noted.

---

**4. Department of Parks and Wildlife**

Chief Executive Officer  
Locked Bag 104  
BENTLEY DELIVERY CENTRE WA 6983

The Department of Parks and Wildlife has no comments on the application. It is considered that the proposal and any potential environmental impacts will be appropriately addressed through the existing planning framework.

**Recommendation:** That the submission be noted.

---

**5. Department of Health**

Mr Jim Dodds  
PO Box 8172  
PERTH BUSINESS CENTRE WA 6849

Thank you for your letter of 5 May 2016 requesting comment from the Department of Health (DOH) on the above proposal.

**Recommendation:** That the submission be noted.
<table>
<thead>
<tr>
<th>SUBMISSION</th>
<th>COMMENT</th>
<th>RECOMMENDATION</th>
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<tbody>
<tr>
<td>5. Cont…</td>
<td>The DOH has no objection to the proposal provided all developments are required to connect to scheme water and reticulated sewerage as required by the Government Sewerage Policy - Perth Metropolitan Region. Should you have queries or require further information please contact Vic Andrich on (08) 9388 4978 or <a href="mailto:vic.andrich@health.wa.gov.au">vic.andrich@health.wa.gov.au</a>.</td>
<td></td>
</tr>
<tr>
<td>6. Department of Aboriginal Affairs</td>
<td>Thank you for your letter dated 5 May 2017 regarding the proposed amendment (the Proposal). The Department of Aboriginal Affairs (DAA) advises there are no reported Aboriginal sites or Aboriginal heritage places or Aboriginal sites within the areas of the Proposal. The DAA recommends that developers within the area of the Proposal take into consideration the DAA’s Aboriginal Heritage Due Diligence Guidelines when planning specific developments associated with the Proposal. These guidelines have been developed to assist proponents to identify any risks to Aboriginal heritage and to mitigate risk where heritage sites may be present. The guidelines are available at: <a href="https://www.daa.wa.gov.au/heritage/land-use/">https://www.daa.wa.gov.au/heritage/land-use/</a>. If you have any queries in regards to this please do not hesitate to contact me on (08) 6551 8040 or via email <a href="mailto:aidan.ash@daa.wa.gov.au">aidan.ash@daa.wa.gov.au</a>.</td>
<td>That the submission be noted.</td>
</tr>
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</table>

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-039/17 Proposed Modification to Building Envelope</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD024.2017.0000010.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Jackson Pavletich</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr Jackson Pavletich</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Kevin Keyes, 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>14 August 2017</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>
<tr>
<td>Site:</td>
<td>Lot 1033 (No.3) Gaze Grove, Golden Bay</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>2,064m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Special Residential</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Rural</td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photograph</td>
</tr>
<tr>
<td></td>
<td>3. Site Photograph</td>
</tr>
<tr>
<td></td>
<td>4. Existing and Proposed Building Envelope Plan</td>
</tr>
<tr>
<td></td>
<td>5. Consultation Plan</td>
</tr>
</tbody>
</table>
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 18 SEPTEMBER 2017

PRESIDING MEMBER
Purpose of Report

To consider an application to vary the approved Building Envelope at Lot 1033 (No.3) Gaze Grove, Golden Bay.

Background

The site is located west of Mandurah Road, south of Dampier Drive, and east of Golden Bay Estate. The existing Building Envelope was created as part of the original subdivision of Peelhurst Estate, Golden Bay and has never been modified.

The existing Building Envelope has an area of 602m² and is setback 18.2m from the primary street, 9.7m from the secondary street, 6m from the east boundary and 9m from the rear boundary.

Details

The applicant proposes to modify the Building Envelope for the purposes of accommodating a future Outbuilding to the rear of the existing Single House. The size of the Building Envelope will increase from 602m² to 630m².

3. Site Photograph
Implications to Consider

a. Consultation with the Community

In accordance with clause 64 of the deemed provisions 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 for comment for a period of 14 days, as shown on the Consultation Plan below. At the conclusion of the advertising period, no comments were received from adjoining neighbours.
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>Compliance with Schedule No.5 of 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>The varied Building Envelope must not result in an adverse environmental impact.</td>
<td>No vegetation will be removed for the purposes of varying the Building Envelope.</td>
<td>Yes</td>
</tr>
<tr>
<td>Requirement</td>
<td>Provided</td>
<td>Compliance</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>The varied Building Envelope must not result in an unacceptable level of bushfire risk.</td>
<td>The proposed modification will not result in an increased level of bushfire risk.</td>
<td>Yes</td>
</tr>
<tr>
<td>No unacceptable amenity impacts to neighbours.</td>
<td>The proposal was referred to the adjoining neighbours and no objections were received.</td>
<td>Yes</td>
</tr>
<tr>
<td>The variation is 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 original Building Envelope will be increased from 602m² to 630m², which is an increase of 4.7% and less than the permitted 10% increase in size.</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 existing Building Envelope has a regular rectangular shape. The modification will change the overall envelope to an irregular shape, but it will remain a single contiguous area and will not impact on the residential amenity of the neighbours.</td>
<td>No</td>
</tr>
</tbody>
</table>

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

A non-habitable Outbuilding must be set back at least 6m from a dwelling to be exempt from complying with the construction requirements of Australian Standard 3959. It is, however, noted that the Outbuilding must be constructed from non-combustible material and must not be used to store any combustible materials in order to comply with the Asset Protection Zone requirements of the Guidelines for Planning in Bushfire Prone Areas 2017.

The location of the proposed Building Envelope addition will allow for an Outbuilding to be setback a minimum of 6m from the existing dwelling on-site. It also allows for a setback of 6m from the Single House being constructed on the adjoining lot to the east (Lot 1034 Gaze Grove) and a setback of over 6m from the adjoining neighbour’s Building Envelope on Lot 1032 Peelfold Glen. Therefore, the construction requirements of Australian Standard 3959 will not apply to the future Outbuilding provided that it demonstrates a 6m setback from all habitable buildings.

The approved Fire Management Plan (May 2014) for Stage 2A of Peelhurst Estate provides landowners with an optional provision to implement firebreaks on their individual property. The reason firebreaks are optional is because the lot sizes are less than 0.5ha and have a “Low Bushfire Hazard” classification. The proposed modification will extend 1m into the optional 3m wide firebreak. Therefore, the Building Envelope projection of 1m into the firebreak on the subject lot 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. The impact of the proposed Building Envelope on the amenity of neighbouring properties is considered minimal given no vegetation is required to be removed, the proposal will not result in an increased level of bushfire risk and no objections were received from adjoining owners. The proposed Building Envelope modification will facilitate the construction of a future Outbuilding and 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 1033 (No.3) Gaze Grove, Golden Bay.

### Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council **APPROVES** the application to vary the Building Envelope at Lot 1033 (No.3) 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 seek Council approval of the Community Plan Strategy - Bushfire Risk Mitigation (The Strategy), following the completion of public advertising.

Background

The risk from bushfire to life and property is increasing. Consequently, significant changes have been made to legislation and policy relating to bushfire risk in Western Australia.

The City has responsibilities for planning, preparation, response and recovery relating to bushfire, as well as land use planning decision making and enforcement roles. In 2014, the actual bushfire risk throughout the City was not yet completely understood and the legislative and policy framework was fragmented as a result of incremental changes over time. Acknowledging this, the Chief Executive Officer prepared a Bushfire Risk Discussion paper in December 2014. This paper:

- Acknowledged the changing bushfire environment;
- Identified the risks to the City;
- Established key actions for further clarification; and
- Proposed to develop a Community Plan Strategy to address bushfire risk mitigation.

This Strategy has been developed as a direct result of the Discussion Paper.

Given the urgent nature of dealing with bushfire risk, the City has already commenced a number of actions that were considered necessary. A major component of the Strategy is the undertaking of a bushfire risk assessment of the whole Local Government Area. This involves the assessment of all bushfire prone vegetation, as well as identifying the associated risks.
Due to the complexity of preparing a bushfire risk assessment for such a large area, it was decided that the Warnbro Dunes Bushfire Risk Management Plan (BRM Plan) pilot project should be developed.

In May 2015, Council endorsed the preparation of the BRM Plan Pilot Project for the Warnbro Dunes. This pilot project was used to iron out any issues with methodology and implementation for the City wide assessment as well as expediting attention to an area with extreme bushfire risk.

The risk assessment component was endorsed by Council in May 2016 and the site specific property management plans were subsequently issued in time for the 2016/2017 fire season.

In December 2016, City Officers commenced property inspections in the Warnbro Dunes to assess compliance with issued property management plans. All 119 properties were inspected, with 28 properties requiring further works to be completed. As such, these properties were issued with work orders to complete the works. Numerous site meeting have occurred with residents to ensure work orders are sufficiently completed.

The methodology and the conclusions of the Warnbro Dunes Pilot Project have been incorporated into the City wide bushfire risk assessment and the City wide BRM Plan. A City wide, tenure blind, BRM Plan is required under the State Hazard plan for Fire (Westplan Fire) and is also a key element of the Strategy.

The City has progressed significantly through the preparation of the City wide BRM Plan and is seen as one of the leaders in the State.

The draft Strategy was approved for advertising purposes by the Council in May 2017.

**Details**

The purpose of this Strategy is to identify and outline the City’s role in providing for improved protection against bushfires and to establish a culture of community awareness of bushfires.

This Strategy seeks to review, rationalise and update the legislative and policy framework relating to bushfire and the City's responsibilities. It will incorporate a City wide bushfire risk assessment and associated plan, and provide for a consolidated and coordinated approach to community awareness and education of bushfire risk and management throughout the City. The elements of the Strategy will be implemented over the next two years.

The specific Objectives of this Strategy are:

- To review and rationalise the existing legislative and policy framework relating to bushfire protection in the City.
- To understand the bushfire risk throughout the City.
- To facilitate appropriate management of the bushfire risk throughout the City.
- To provide for community education and awareness of bushfire risk and management.

**Implications to Consider**

a. **Consultation with the Community**

**Advertising Methodology**

The draft Strategy was advertised for a period of 29 days, commencing on 31 May 2017 and concluding on 28 June 2017. Advertising was carried out in the following manner:

- Letters and a copy of the Strategy were sent to the Singleton Volunteer Bushfire Brigade and the Baldivis Volunteer Fire Service;
- The Strategy was distributed to interested residents through Rockport, the City's online portal;
- The Strategy was made available on the ‘Share Your Thoughts’ section on the City’s website;
- A notice was placed in the Sound Telegraph for two weeks over the course of the advertising period, appearing in the newspaper on 31 May and 7 June 2016;
- A notice was placed in the Weekend Courier for two weeks over the course of the advertising period, appearing in the newspaper on 2 and 9 June 2017; and
- Copies of the draft Strategy were made available for inspection at the City’s Administrative Offices.

Following the close of the advertising period, no submissions were received.

b. Consultation with Government Agencies

Relevant government agencies were notified of the Strategy in writing, provided with a copy and invited to comment. In this regard, the City invited comments from the following agencies:

- Department of Planning;
- Department of Fire and Emergency Services;
- Office of Bushfire Risk Management; and
- Department of Parks and Wildlife.

Following the close of the advertising period, the City received one (1) submission from the Office of Bushfire Risk Management (OBRM). The content of the submission is summarised and addressed as follows:

<table>
<thead>
<tr>
<th>Office of Bushfire Risk Management</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>OBRM welcomes the City’s proactive efforts to document the role of its role in providing for improved protection against bushfires and in enhancing community awareness of bushfire risk. OBRM also supports the City’s intention to review and update the policy framework relating to bushfire risk management in light of recent state government reforms. OBRM also strongly welcomes the City’s intention to develop a Bushfire Risk Management Plan (BRM Plan), as outlined in Section 4.2.1 of the draft strategy. The Bushfire Risk Management Planning Program was implemented in late 2015 to support local governments to develop and implement an integrated bushfire risk management framework for their local area.</td>
</tr>
<tr>
<td><strong>City Comment:</strong></td>
</tr>
<tr>
<td>Noted.</td>
</tr>
</tbody>
</table>

| Submission:                      |
| Clarification required on roles and responsibilities of the Office of Bushfire Risk Management. |
| **City Comment:**                |
| Sections 3.2.1 and 4.2.1 have been updated as requested. |

| Submission:                      |
| Update terminology for BRM Plan to be consistent with State terminology. |
| **City Comment:**                |
| BRMP changed to BRM Plan throughout the document. |

| Submission:                      |
| Section 3.1.4 state that the City of Rockingham will focus on the first three approaches of the risk treatment hierarchy. Please apply the full hierarchy as per the State methodology for preparing a BRM Plan. |
| **City Comment:**                |
| Section 3.1.4 updated to reflect State methodology for preparing a BRM Plan. |
Office of Bushfire Risk Management (Cont…)

**Submission:**
Section 4.2.1 - Bushfire Risk Assessment may be read as suggesting that the risk assessment component of a BRM Plan only considers fuel load. You may wish to amend this section to highlight other considerations, including the 'identification of high value assets, the vulnerability of these assets to bushfire, and the vegetation hazard, as consistent with the state methodology for preparing a BRM Plan.

**City Comment:**
The City has already Section 4.2.1 updated to reflect State methodology for preparing a BRM Plan.

**Submission:**
It is unclear how 'Risk Reduction' (Section 3.3) was established within Section 3.2.

**City Comment:**
Risk Reduction is identified in Section 3.3 as a key element of the Strategy. Being a key element, it is supported by the following two sub-elements in section 4.2:
1. Bushfire Risk Assessment; and

The requirements for a Bushfire Risk Assessment are established in section 3.2.1.1, however, a new section entitled Westplan Fire has been added to provide further context for the preparation of the Bushfire Risk Assessment and the associated BRM Plan.

Section 3.2.3 Waste Management sets the context for the Green Waste Strategy sub-element that forms part of the Risk Reduction Key Element.

c. Strategic

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

**Aspiration D:** A Sustainable Environment

**Strategic Objectives:** Climate Change: Planning systems, infrastructure standards and community awareness programs that acknowledge, mitigate and adapt to the impacts of climate change; and
Land Use and Development Control: Planning for population growth and guiding development and land use to ensure that future generations enjoy a sustainable city and a genuinely desirable lifestyle.

d. Policy
Nil

e. Financial
$450,000 allocated in 2017/2018 Budget for bushfire risk mitigation.

f. Legal and Statutory
Nil

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

Implications and comment will only be provided for the following assessed risks.
Customer Service / Project management / Environment: High and Extreme Risks
Finance / Personal Health and Safety: Medium, High and Extreme Risks
Risk Description:
- Risk of bushfires on the City’s owned or managed land

Action:
- Implementation of the Bushfire Risk Mitigation Community Plan Strategy will provide strategic direction based on comprehensive and accurate information.

Risk Assessment:
- High Risk

Comments
The Strategy has been updated to reflect the content of OBRM’s submission, which is minor in nature and has not materially affected the content of the Strategy.

Additionally, a new sub-element entitled Advocacy, has been included under the Statutory and Policy Key Element. This new sub-element captures Council’s advocacy role to State Government on bushfire matters and the desire to participate in any bushfire legislative or policy review.

The Strategy will provide Council with a strategic guide to mitigate bushfire risk throughout the City. As such, it is recommended that Council adopts the Community Plan Strategy - Bushfire Risk Mitigation.

Voting Requirements
Simple Majority

Officer Recommendation
That Council ADOPTS the Community Plan Strategy - Bushfire Risk Mitigation (with the modifications to the advertised copy shown in red).

Committee Recommendation
Moved Cr Whitfield, seconded Cr Hamblin:
That Council ADOPTS the Community Plan Strategy - Bushfire Risk Mitigation (with the modifications to the advertised copy shown in red).

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 seek Council approval of the draft Community Plan Strategy - Rockingham Strategic Metropolitan Centre Public Parking (CPS) for the purpose of public advertising.

**Background**

The City’s approach to public parking within the Rockingham Strategic Metropolitan Centre (RSMC) has been guided by various strategies and adopted planning frameworks.

The endorsed RSMC Activity Centre Plan contains guiding principles for the distribution and location of parking which is translated at a more detailed level within the Planning Policies for each Sector. The Indicative Development Plan for the City Centre Sector identifies two future decked off-street carpark locations, one of which is under City ownership.

Within the Waterfront Village, the City prepared the Rockingham Beach Parking Strategy (2004) which identified four off-street parking carpark locations. It also sought to introduce a regime where short-term parking would be located in proximity to the foreshore with long-term parking at off-street carparks within walking distance of the major attractions. The adopted Rockingham Beach Foreshore Master Plan (2015) confirmed this general approach to public parking.
Details

The Strategic Community Plan 2015 – 2025 recommends the preparation of a Public Parking Strategy to facilitate ‘planning for increased parking spaces in the City Centre and Waterfront Village’. The draft CPS seeks to satisfy this outcome by providing a strategic approach to the management and provision of public parking.

The study area for the draft CPS comprises the high traffic generating precincts within the RSMC being the City Centre Sector and Waterfront Village Sector, as depicted below.

1. City Centre Sector Study Area

2. Waterfront Village Sector Study Area

The CPS focuses on public parking only, or that under the City’s jurisdiction (comprising on-street parking and City managed off-street carparks), but recognises that private parking resources informally satisfy a proportion of parking demand.

To establish the usage patterns of public parking, surveys were undertaken during three timeslots on typically busy days; the Waterfront Village on Sunday, 12 February and the City Centre on Thursday, 16 February 2017. The surveys assessed the 1,130 public bays in the Waterfront Village and 816 public bays in the City Centre. Given that the Rockingham (Shopping) Centre is a significant attractor of parking, and supplies over 3,200 bays, its usage patterns were also surveyed.
In summary, within the Waterfront Village Sector, the average on-street parking occupancy was less than 70% with the busiest streets being Railway Terrace, Rockingham Beach Road and Val Street. The average off-street carpark occupancy varied from 92% (Railway Terrace carpark) to 5% ('Museum Carpark' Kent Street) with the Railway Terrace carpark reaching 100% occupancy in the late afternoon survey period.

Within the City Centre Sector, the average on-street parking occupancy was generally below 75% with the peak occupancy on several streets being over 80%. Average off-street carpark occupancy (including the City owned public carparks) was above 60% for all carparks with the peak occupancy being above 80%.

During the survey days in February 2017, there were an average of 381 bays available in the Waterfront Village and 243 bays available in the City Centre (excluding the Shopping Centre).

**Implications to Consider**

a. **Consultation with the Community**

Prior to preparing the draft CPS, several stakeholder groups were invited to workshops, including landowners and commercial traders within the two Sectors and City Officers who deal with parking related issues.

The workshops were held on 8 March 2017 at the City’s Offices and on 4 April at the Gary Holland Community Centre at the Waterfront Village. Approximately twelve traders and landowners attended the Waterfront Village workshop. The City also met with representatives of Vicinity Centres with respect to parking at the Rockingham Centre.

In order to assist stakeholders who were unable to attend the workshops, the City also offered those consulted with the opportunity to complete an on-line survey.

The consultation was designed to elicit opinion on the existing parking challenges and solutions.

The feedback from the stakeholders is summarised below:

- Parking is not adequate and more is needed close to foreshore attractions;
- Visitors will go elsewhere if convenient parking not provided;
- Special event/overflow parking required;
- Large private carparks (ie. Rockingham Hotel) are being used as a public parking resource;
- There is poor directional signage and promotion of off-street public carparks;
- Parking enforcement is inconsistent; and
- Free public transport should be provided.

The draft CPS will be advertised for comment prior to it being referred back to Council for endorsement.

b. **Consultation with Government Agencies**

Consultation with Government Agencies is not required.

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 C:** Quality Leadership

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

d. **Policy**

Nil

e. **Financial**

Individual projects and actions will be allocated funding via Team Plan processes.
f. Legal and Statutory
Nil

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

Comments
The public parking surveys established that, on most occasions, there is availability of public parking within both Sectors. All public parking is within industry standard walkable catchments of most destinations (less than five minutes walk), however, there is an apparent reluctance for patrons to park and walk. This is likely to be influenced by a number of factors including engrained behaviours, inadequate directional signage/information and undesirable pedestrian environments.

Within both Sectors it could be concluded that there is a parking management, not a parking supply problem.

Although the remit of the CPS is public parking, the presence of large privately owned carparks in both Sectors provides a resource that satisfies a proportion of the demand. The CPS needs to be responsive enough to ensure adequate public parking supply in the event that these private parking resources are no longer available.

The draft CPS seeks to move away from a ‘predict and provide’ approach where the response to increased parking demand is to simply provide more parking. This approach can be detrimental to achieving other urban design aspirations, discourage the use of alternate transport modes and involve significant expenditure.

Many of the proposed Outcomes/Actions of the draft CPS are based on a ‘demand management’ approach which requires the regular survey of public parking to ensure that parking supply is maintained at reasonable levels. In this regard, the CPS sets the trigger at 85% occupancy; that is, if the occupancy of the public parking regularly exceeds 85% then the City should institute actions to moderate or meet demand. These actions could include modified time restrictions, parking education campaigns, more enforcement, greater parking supply or paid parking.

Other key Outcomes/Action of the CPS are described below.

(i) Private Parking
Some landowners of consolidated private parking areas have expressed a desire to privately manage access to the parking such that its use is regulated. A proposed Outcome is that this practice be supported in the event that there is a surplus of bays (above the statutory requirement) and it can be demonstrated that the arrangement can be efficiently coordinated and enforced.

(ii) Marina - Wanliss Street
The draft CPS acknowledges the potential for a proposed marina in proximity to Wanliss Street to be the subject to an application to renew the Planning Approval that lapsed in early 2015. The lapsed Planning Approval involved the majority of parking bays being provided in the adjacent foreshore reserve and road reserves.

Upon reflection, this approach is inequitable compared to other commercial proposals at the Waterfront Village and relies on valuable public land to service a private facility. The draft CDP therefore recommends that the requisite parking demand not be allocated and built in the public domain and that the marina be subject to the same cash-in-lieu requirements as other Waterfront Village proposal with the funds directed to building a proximate decked parking station.

(iii) City Centre Parking Station
The planning framework for the City Centre Sector identifies a Parking Station on land owned by the City, in proximity to the corner of Contest Parade and Chalgrove Avenue, and funds have been included in previous City of Rockingham Business Plans to construct the facility.
As it stands presently, parking supply in the City Centre Sector is adequate and there is no immediate need to progress the parking station. The CPS recommends that construction be deferred until all other demand management measures have been exhausted to meet demand and/or the availability of the City's existing off-street parking resources significantly alters.

(iv) Enforcement

An effective ‘demand management’ method is to provide consistent and thorough enforcement of time restrictions and other standards. The creation of the new Compliance and Emergency Liaison team within the City provides an opportunity for enforcement to be more effective.

It is recommended that the City develop a more sophisticated and contemporary parking enforcement regime by investing in new technology, allocating dedicated resources and revisiting its private enforcement contracts.

(v) Additional Parking Locations

Previous planning initiatives have identified locations at the Waterfront Village where additional public parking supply is possible. The two public parking stations south of Kent Street (‘Village Green’ carpark and ‘Museum carpark’) are two such facilities that were identified in planning initiatives and built.

The draft CPS recommends that the location of additional parking be identified, including the decking of existing carparks, and triggers be established for their construction.

(vi) Overflow Parking

There are circumstances when parking supply can not meet demand, particularly during large community events at Rockingham Beach. To assist in addressing demand on these occasions, the draft CPS recommends that Guidelines be prepared that enables overflow parking resources to be identified, including remote locations, for the mass parking of vehicles. With remote parking, patrons would likely be transported to and from the event by bus.

It is recommended that the draft CPS be released for public comment.

Voting Requirements

Simple Majority

Officer Recommendation

That Council Approves the draft Community Plan Strategy - Rockingham Strategic Metropolitan Centre Public Parking for the purpose of public advertising.

Committee Recommendation

Moved Cr Hamblin, seconded Cr Whitfield:

That Council Approves the draft Community Plan Strategy - Rockingham Strategic Metropolitan Centre Public Parking for the purpose of public advertising.

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 Engineering Services Committee Minutes
Monday 14 August 2017
PDS-042/17

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 18 SEPTEMBER 2017

Planning and Development Services
Directorate, Planning Services

Reference No & Subject: PDS-042/17 Proposed Modifications to Planning Policy No.7.4 - Design Review Panel

File No: LUP/2001

Applicant: Owner:

Author: Mr Bob Jeans, Director Planning and Development Services

Other Contributors: Mr Sharon Peacock, Special Projects Research Officer

Date of Committee Meeting: 14 August 2017

Previously before Council: May 2016 (PDS-032/16); September 2016 (PDS-063/16); December 2016 (PDS-087/16); June 2017 (PDS-031/17)

Disclosure of Interest:

Nature of Council’s Role in this Matter: Executive

Site:

Lot Area:

LA Zoning:

MRS Zoning:

Attachments:

Maps/Diagrams:

Purpose of Report

To consider the adoption of modifications to Planning Policy No.7.4 - Design Review Panel for the purpose of aligning the City’s processes and operation with the State Planning Policy 7 - ‘Design WA For a Better Built Environment - Design Review Guide’.

Background

In May 2016, the Council resolved to approve the publishing of a notice that it had prepared a draft Planning No.7.4 - Design Advisory Panel for public comment.

Public consultation was subsequently undertaken seeking comment from the community and relevant government agencies. Submissions were received from the Rockingham Kwinana Chamber of Commerce and the Department of Housing, both offering no objection to the proposal.

In September 2016, the Council, in light of the submissions received, resolved to adopt the subject Planning Policy.

In December 2016, the Council considered a proposal to amend to amend Planning Policy No.7.4 - ‘Design Advisory Panel’ to ‘Design Review Panel’ to ensure consistency with the nomenclature of the State Government’s ‘Design WA - For a Better Built Environment’ initiative. The Council approved the amended Policy in the same month.
In February 2017, City officers met with representatives from the Western Australian Planning Commission (WAPC) and the Office of the Government Architect (OGA) to discuss Planning Policy 7.4 and the proposed supporting Scheme Amendment No.163 in the context of the ‘Design WA’ suite of policies, including the ‘Design Review Guide’, which provides guidance for Local Governments to establish and operate design review processes.

In addition to the abovementioned discussions, the OGA offered to undertake a comprehensive review of Planning Policy 7.4 to ensure consistency with the processes and operation with the State’s Policy.

**Details**

As a result of the comprehensive review of the Policy by the OGA, it was considered that the suggested OGA modifications were of a significant nature, such as to warrant the readvertising of the Policy to comply with statutory requirements.

In June 2017, the Council considered the proposal to amend the Planning Policy and resolved to advertise the modifications for public comment.

At the conclusion of the advertising period, no submissions had been received.

**Implications to Consider**

a. **Consultation with the Community**

   **Advertising Methodology**

   An advertisement was published in a local newspaper on the 5 July 2017 giving details of:

   (a) the subject and nature of the proposed amendments to the policy;

   (b) the objectives of the policy;

   (c) where the policy may be inspected; and

   (d) to whom, in what form and during what period submissions in relation to the proposed amendments to the policy may be made.

   The proposal was also advertised on the City’s website from 5 to 26 July 2017 and included the following details:

   (a) a link to Council Report PDS-031/17 – Proposed Modifications to Planning Policy 7.4 - Design Review Panel

   (b) the objectives of the policy;

   (c) where the policy may be inspected; and

   (d) to whom, in what form and during what period submissions in relation to the proposed amendments to the policy may be made, including an option to provide an on-line submission.

   Advertising was undertaken in accordance with clause 5 (1) of the Planning and Development (Local Planning Policies) Regulations 2015.

b. **Consultation with Government Agencies**

   Consultation with relevant State Government agencies has already occurred and is ongoing.

c. **Strategic**

   **Community Plan**

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

   **Aspiration A:**  **Tourism Lifestyle**

   **Strategic Objectives:**  *Investment Attraction - A strategic and focussed approach to attracting major investment to the City’s coastal nodes, City Centre and inland settlements that promotes quality retail, commercial and residential development, improved civic infrastructure and leisure tourism experiences for residents and visitors.*
Coastal Facilities - A range of quality and contemporary leisure tourism facilities including a “major brand” hotel, marinas, boat ramps, jetties, boardwalks and foreshore parks that contribute to the City’s reputation as the premier metropolitan coastal tourism destination.

d. Policy
The changes to Planning Policy No.7.4 were advertised in accordance with Section 4 of the Planning and Development (Local Planning Policies) Regulations 2015.

e. Financial
Nil

f. Legal and Statutory
Under the provisions of Clause 3 (4) of the Planning and Development (Local Planning Policies) Regulations 2015, the Council may amend or repeal a Planning Policy.

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

Given that no submissions were received during the advertising period, it is recommended that Council adopt the modified Planning Policy No.7.4 - Design Review Panel.

Should the modified Policy be adopted, the City will commence the selection process for Design Review Panel members.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ADOPTS the modified Planning Policy No.7.4 - Design Review Panel (shown in red bold) to align with the processes and operation with the State Planning Policy 7 - ‘Design WA For a Better Built Environment - Design Review Guide’.

Committee Recommendation

Moved Cr Sammels, seconded Cr Whitfield:

That Council ADOPTS the modified Planning Policy No.7.4 - Design Review Panel (shown in red bold) to align with the processes and operation with the State Planning Policy 7 - ‘Design WA For a Better Built Environment - Design Review Guide’ as follows:

“Planning Policy 7.4 - Design Review Panel

1. Introduction

This Policy is to facilitate the provision of independent expert advice to the Council, City’s Administration and proponents on the design and site planning of specified development proposals. This shall include but not be limited to, architectural and urban design elements/sustainability, amenity and landscape architecture.

Purpose of Design Review

Design review, particularly when undertaken early has multiple benefits for a range of stakeholders including the delivery of quality development outcomes, a reduction in time and cost through early identification of issues, and progressive certainty for design teams provided through collaborative resolution of planning and design issues.
Design review undertaken by suitably qualified and independent experts provides confidence and empowers decision makers to better meet the needs and expectations of the community. Design review can also support Local Authorities in their role as clients, helping them secure high quality design.

Wherever possible, proponents are encouraged to seek the advice of the Design Review Panel from the earliest possible stages of conceptual design.

2. Policy Application
   This Policy applies to the administration and operation of the Design Review Panel.

3. Policy Objective
   The objective of this Planning Policy is to provide guidelines for the selection and appointment of members to the Design Review Panel involved with the assessment of development applications and to facilitate an improvement in the urban design and built form outcomes.

4. Policy Statement
   4.1 Design Review Panel
      4.1.1 The Design Review Panel (the Panel) provides expert and technical advice to proponents, City Officers and Council in relation to the design of buildings and other related matters. The Panel performs an advisory function and does not make decisions on applications.
      4.1.2 Panel members either collectively or individually are not authorised to speak on behalf of the City or provide comment to the media in respect of any item under consideration.
      4.1.3 The Panel (or its members) is not to provide advice directly (outside of the process of formal design review) to a proponent or Council Member in respect of any item under consideration.
      4.1.4 The Panel is to provide comments and advice to City Officers to assist in the formulation of recommendations to the Council on particular applications for planning approval, or in determining applications under delegated authority.
      4.1.5 The Panel shall only deal with matters which have been referred to it by the Chief Executive Officer or the Council.
      4.1.6 The Panel is not a Committee established pursuant to section 5.8 of the Local Government Act 1995.

5. Membership
   5.1 The Panel is to comprise of up to five (5) design professionals appointed by the Chief Executive Officer to fulfil the requirements outlined in the Policy.
   5.2 Selection Criteria for membership on the Panel include but are not limited to the following:
      (a) Skills and experience in the interpretation, analysis and application of local government planning mechanisms such as planning schemes, structure plans, activity centre plans, local development plans, strategies and policies. An understanding of the composition, character and desired built form of the City of Rockingham is highly desirable.
      (b) Possession of relevant qualifications, expertise or experience in architecture, town planning, urban design or other applicable design professions.
      (c) Demonstrated expertise in Design Review, design critique or the provision of strategic advice on design quality issues. The ability to analyse, evaluate and offer objective and constructive feedback on complex design quality issues.
      (d) Eligibility for membership to the Royal Australian Institute of Architects, the Planning Institute of Australia or other relevant professional associations as determined by the Chief Executive Officer. Panel members should be highly regarded amongst their professional and reputable design review peers.
5.3 Elected Members of the City of Rockingham and City Officers are not eligible for appointment to the Panel.

5.4 The term of appointment of a Panel Member will be for a maximum of two (2) years. Appointment for additional terms may be approved by the Chief Executive Officer.

5.5 The Chief Executive Officer may terminate the appointment of a Panel member prior to expiry of their term if it is considered that the member is not providing a positive contribution to the intended function of the Panel or if the member has not demonstrated a satisfactory level of attendance at Panel meetings.

5.6 A Panel member may resign at any time. The resignation must be in writing in the form of a letter or email addressed to the Director, Planning and Development Services stating their intention to resign from the Design Review Panel.

6. Referral Requirements

6.1 Referral of proposals is strongly encouraged to occur prior to lodging a formal Development Application. Development proposals that fall within the following categories will be referred to the Panel for comment:

(a) Non-residential development which, in the opinion of the delegated officer, is likely to have a significant impact on the City;

(b) Residential development which, in the opinion of the delegated officer, involves a substantial departure from the applicable maximum height standards identified by the Scheme or Policy;

(c) Residential development which comprises 10 or more dwellings;

(d) Residential development which, in the opinion of the delegated officer, involves a substantial departure from the Deemed-to-Comply provisions of the Residential Design Codes;

(e) Development which in the opinion of the delegated officer, is contentious, likely to be of significant community interest or involves unusual or unconventional design elements;

(f) All Joint Development Applications must be referred to the Panel for a design review; and

(g) Any Development applications and Joint Development Assessment Panel applications, which, as a result of public consultation, are the subject of opposition on relevant planning grounds.

6.2 Referral of applications in the above categories is required regardless of whether the application is to be determined by a Joint Development Assessment Panel, Council or by an officer acting under delegated authority.

6.3 Other planning matters in the following categories may be referred to the Panel where it is considered that the City would benefit from Panel members input:

(a) Proposed planning or design studies including structure plans, planning strategies, policies, precinct plans, design guidelines or amendments to the City's Town Planning Scheme No. 2;

(b) Any other matter relating to, but not limited to, the design of buildings or places or any issue relating to sustainable design.

6.4 The Panel will examine design elements of development applications and other planning proposals having regard to the statutory context of the particular proposal including the provisions of the City’s Town Planning Scheme No. 2, the Residential Design Codes and relevant Local and State Planning Policies.

7. Joint Development Assessment Panel Application Referral Requirements

7.1 To ensure that development is of a high quality and standard, proponents are encouraged to seek preliminary design advice from the Design Review Panel prior to lodging a formal JDAP application. Applications should be submitted in accordance with Planning Procedure 1.20 – Design Review Panel.
8. Terms of Reference

8.1 To provide the City and proponents with independent expert advice on urban design, architecture, landscape design, sustainability and heritage in relation to proposals referred to the Panel for consideration.

8.2 To act in an advisory capacity on specified proposals with respect to matters including, but not limited to:

1. Context and Character

Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.

The distinctive characteristics of a local area include its prominent natural and built features, the overall qualities of its built environment, significant heritage elements, as well as social, economic and environmental conditions.

Good design responds intelligently and sensitively to these factors, interpreting rather than replicating existing features and enhancing the identity of the area, including the adjacent sites, streetscape and neighbourhood.

Good design also responds positively to the intended future character of an area. It delivers appropriate densities that are consistent with projected population growth, and are able to be sustained by existing or proposed transport, green networks and social infrastructure.

Consideration of local context is particularly important for sites in established areas that are undergoing change or identified for change.

2. Landscape Quality

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.

Good landscape design protects existing environmental features and ecosystems, enhances the local environmental context and regenerates lost or damaged ecosystem functionality, where possible. It balances consideration of environmental factors such as water and soil management, ground conditions, solar access, microclimate, tree canopy, habitat creation and preservation of green infrastructure with social, cultural and economic conditions.

Good landscape design employs hard and soft landscape and urban design elements to create external environments that interact in a considered manner with built form, resulting in well-integrated, engaging places that contribute to local identity and streetscape character.

Good landscape design provides optimal levels of external amenity, functionality and weather protection while ensuring social inclusion, equitable access and respect for the public and neighbours.

Well-designed landscape environments ensure effective establishment and facilitate ease of long term management and maintenance.

3. Built Form and Scale

Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.

Good design achieves an appropriate built form by responding to its site, as well as surrounding built fabric, in a considered manner, mitigating negative impacts on the amenity of neighbouring properties and public realm.

Good design considers the orientation, proportion, composition, and articulation of built form elements, to deliver an outcome that is suited to the building’s purpose, defines the public domain, respects important views, contributes to the character of adjacent streetscapes and parks, and provides a good pedestrian environment at ground level.
4. Functionality and Build Quality

*Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full life-cycle.*

Designing functional environments involves ensuring that spaces are suited to their intended purpose and arranged to facilitate ease of use and good relationships to other spaces. Good design provides flexible and adaptable spaces, to maximise utilisation and accommodate appropriate future requirements without the need for major modifications.

Good build quality is achieved by using good quality and robust materials, finishes, elements and systems. Projects should be well-detailed, resilient to the wear and tear expected from its intended use, and easy to upgrade and maintain.

Good design accommodates required services in an integrated manner, without detriment to the overall design outcome.

5. Sustainability

*Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.*

Sustainable buildings utilise passive environmental design measures that respond to local climate and site conditions by providing optimal orientation, shading, thermal performance and natural ventilation. Reducing reliance on technology for heating and cooling minimises energy use, resource consumption and operating costs over the whole life-cycle of the project.

Other sustainable design measures include the use of sustainable construction materials, recycling, material re-use, harnessing of renewable energy sources, appropriate water management. Good design considers the ease with which sustainability initiatives can be maintained and managed.

Sustainable landscape and urban design adheres to established principles of water-sensitive urban design, and minimises negative impacts on existing natural features and ecological processes, as well as facilitating green infrastructure at all project scales.

6. Amenity

*Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive.*

Good design provides internal rooms and spaces that are a adequately sized, comfortable and easy to use and furnish, with good levels of daylight, natural ventilation and outlook.

Delivering good levels of internal amenity also includes the provision of appropriate levels of acoustic protection and visual privacy, adequate storage space, and ease of access for all.

Well-designed external spaces provide welcoming, comfortable environments that are universally accessible, with effective shade as well as protection from unwanted wind, rain, traffic and noise. Good design mitigates negative impacts on surrounding buildings and places, including overshadowing, overlooking, glare, reflection and noise.

7. Legibility

*Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.*

Good urban design makes places easy to navigate, with recognisable routes, intersections and landmarks while being well-connected to existing movement networks. Sightlines are well-considered, with built form responding to important vantage points.
Within buildings, legibility is served by a clear hierarchy of spaces with identifiable entries and clear wayfinding. Externally, buildings and spaces should allow their purpose to be easily understood, and provide clear distinction between public and private spaces.

Good design provides environments that are logical and intuitive, at the scale of building, site and precinct.

8. Safety

Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.

Safety and security is promoted by maximising opportunities for passive surveillance of public and communal areas and providing clearly defined, well-lit, secure access points that are easily maintained and appropriate to the purpose of the development.

Good design provides a positive, clearly defined relationship between public and private spaces and addresses the need to provide optimal safety and security both within a development and to adjacent public realm.

Designing for safety also involves mitigating any potential occupational safety and health hazards that might result from a development during its construction, maintenance and operation.

9. Community

Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.

Good design encourages social engagement and physical activity in an inclusive manner, enabling stronger communities and improved public health outcomes.

In residential developments, good design achieves a mix of dwelling types, providing housing choice for different demographics, living needs and household budgets, and facilitating ageing-in-place.

10. Aesthetics

Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.

Good design resolves the many competing challenges of a project into an elegant and coherent outcome. A well-conceived design concept informs all scales, from the articulation of building form through to materiality and detail, enabling sophisticated, integrated responses to the complexities of local built form and landscape character.

In assessing design quality, consideration of aesthetics should not be limited to style and appearance; it should also account for design integrity, creativity, conceptual coherence and cultural relevance in a proposal.

9. Operations

9.1 Meetings of the Panel are held when required.

9.2 A Panel meeting cannot proceed unless a quorum comprising a minimum of three members is present.

9.3 City officers are not members of the Design Review Panel.

9.4 The City will provide a Support Officer who will be responsible for providing administrative support to the Panel including the preparation and distribution of Agendas, notice of meeting and business papers, recording of notes and contacting alternative Panel members as required covering an absence.

9.5 Notice of meetings is to be given by way of distribution of agendas to each Panel member 1 week in advance of the meeting date.
9.6 Items listed on the agenda are to be accompanied with a package of information including minimum drawing requirements, information relating to the preliminary assessment of the proposal against relevant statutory criteria and an indication of any particular aspects of the proposal requiring the Panel's comment.

9.7 Meetings of the Panel are not open to the public.

9.8 The Director, Planning and Development Services or Manager, Statutory Planning shall convene the meeting, while the Design Review Panel Chair will manage and facilitate the interactive design review, discussions and identify the key recommendations for reporting.

9.9 All design reviews are to include a proponent presentation, with the client and design team present.

9.10 Having reviewed the proposal, the Panel members are to provide comments or advice in response to the particular matters requiring their comment, together with any other comments or advice the Panel wishes to provide.

9.11 Proceedings at the Panel meeting are to be recorded in the form of a Design Review Report. The report shall document the advice and recommendations made by the Panel. Draft reports are to be circulated to all members for comment to be finalised by the Chair. Final reports will be subsequently circulated to the full Panel.

9.12 Design Review Reports will be included (in full) in any subsequent report on the particular development application or proposal under consideration.

9.13 Items considered at the meeting will not be formally voted upon. The Design Review Report will record consensus agreement on actions and any points of agreement/disagreement. The report will not reflect verbatim discussion on issues or matters discussed during debate prior to consensus agreement being reached. At the end of each meeting, the City Officers will read out the agreed actions and any points of agreement to the meeting to ensure they accurately reflect the consensus view.

10. Code of Conduct

10.1 Each member of the Panel is required to observe the City of Rockingham Code of Conduct.

10.2 The Chief Executive Officer, or their nominee, is available to provide any assistance or guidance concerning the Code or any matters of interest.

11. Conflict of Interest

11.1 Where a member of the Panel has a financial interest (as defined by the Local Government Act 1995) in a matter to be considered by the Panel, the member must disclose the interest to the convenor of the meeting (in writing) and must not participate in or be present during any discussion on the matter.

11.2 Where a member of the Panel has an impartiality interest in a matter to be considered by the Panel (an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest arising from kinship, friendship or membership of an association), the member must disclose the nature of the interest to the convenor of the meeting, prior to any discussion on the matter.

12. Confidentiality

12.1 Proceedings of a meeting of the Panel and details of any proposal before the Panel are to remain confidential unless such details are disclosed in an authorised manner by a City Officer to the proponents or presented in a report which is available to the public.

13. Financial

13.1 A sitting fee is payable to each member of the Panel for attendance at a Panel meeting. The sitting fee will be reviewed annually.
13.2 When a member of the Panel is required to appear on the City’s behalf as an expert witness at the State Administrative Tribunal, the member is to be paid at the mutually agreed hourly rate between the member and Chief Executive Officer, which is consistent with the qualifications, experience and professional status of the member.

14. Authority

This Planning Policy has been adopted by the Council under clause 8.9 of Town Planning Scheme No.2 and whilst it is not part of the Scheme and does not bind it in respect of any application for planning approval, due regard will be given to the provisions of the Policy and the objectives which the Policy is designed to achieve.

15. Interpretations

For the purposes of the Planning Policy, the following term shall have the following meaning:
‘Delegated Officer’ means – Director, Planning and Development Services or Manager, Statutory Planning.

16. Delegation

Nil.

17. Adoption

This amended Planning Policy was adopted by the Council at its ordinary Meeting held on 22 August 2017.”

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable
To provide Council with details of the tenders received for Tender T16/17 - 111 – Provision of energy supply for contestable sites (T16/17-111), document the results of the tender assessment and make recommendations regarding the award of the tender.

Background

The City of Rockingham (the City) has 355 energy supply accounts at numerous properties at various tariff rates with a total spend of around $4.8 million a year. Twenty three of these sites consume approximately 50 megawatt hours per annum. These sites are known as ‘contestable’ sites and this enables the City to tender the supply of energy for these sites to the open market.

To get the best value for the City, officers engaged the services of a suitably qualified and experienced energy procurement consultant to assist with the preparation of the tender documents and the evaluation process. To ensure the City retains the option to improve its energy utilisation, respondents were requested to allow for:

- the flexibility to install solar panels to additional facilities,
- 30 business day payment terms,
- no penalties for minimum usage,
- no maximum usage restriction, and
- no change to prices due to market influences.
- Tender T16/17-111 was advertised in the West Australian on Saturday, 3 June 2017. The tender closed at 2.00pm, Wednesday, 28 June 2017 and was publicly opened immediately after the closing time.

## Details

The contract is for the supply of electricity to the following nominated sites:

<table>
<thead>
<tr>
<th>Name of Site</th>
<th>Site Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Autumn Centre</td>
<td>Lot 277 McNicholl St, Rockingham</td>
</tr>
<tr>
<td>Mersey Point</td>
<td>U2 Lot 2068 Arcadia Dr, Shoalwater</td>
</tr>
<tr>
<td>City Depot</td>
<td>Lot 1209 Crocker St, Rockingham</td>
</tr>
<tr>
<td>Warnbro Oval</td>
<td>Lot 14 Okehampton Rd, Warnbro</td>
</tr>
<tr>
<td>Harrington Gardens</td>
<td>Lot 712 Harrington Waters Dr, Waikiki</td>
</tr>
<tr>
<td>Churchill Park</td>
<td>Lot 148 Rockingham Beach Rd, Rockingham</td>
</tr>
<tr>
<td>Bell Park</td>
<td>Lot 22568 Rockingham Beach Rd, Rockingham</td>
</tr>
<tr>
<td>Harmony Park</td>
<td>Lot 995 Navigator Dr, Singleton</td>
</tr>
<tr>
<td>City Administration Building</td>
<td>Lot 201 Central Prom, Rockingham</td>
</tr>
<tr>
<td>Chelmsford Reserve</td>
<td>Lot 634 Chelmsford Ave, Port Kennedy</td>
</tr>
<tr>
<td>Secret Harbour Foreshore</td>
<td>Lot 1073 Albenga Pl, Secret Harbour</td>
</tr>
<tr>
<td>City Landfill</td>
<td>Lot 2170 Millar Rd, W Baldvis</td>
</tr>
<tr>
<td>Veterans Memorial Park</td>
<td>Lot 30 Endeavour Dr, Port Kennedy</td>
</tr>
<tr>
<td>Port Kennedy Community Centre and Health Clinic</td>
<td>Lot 2 Warnbro Sound Ave, Port Kennedy</td>
</tr>
<tr>
<td>Churchill Park</td>
<td>Flinders Lane, Rockingham</td>
</tr>
<tr>
<td>Lark Hill</td>
<td>Lot 102 Warnbro Sound Ave, Port Kennedy</td>
</tr>
<tr>
<td></td>
<td>Lot 103 Warnbro Sound Ave, Port Kennedy</td>
</tr>
<tr>
<td></td>
<td>Lot 104 Warnbro Sound Ave, Port Kennedy</td>
</tr>
<tr>
<td>Gary Holland Community Centre</td>
<td>Lot 8002 Kent St, Rockingham</td>
</tr>
<tr>
<td>Rockingham Aquatic Centre</td>
<td>Lot 11 Council Ave, Rockingham</td>
</tr>
<tr>
<td>Anniversary Park</td>
<td>Lot 2237 Kitson St, Rockingham</td>
</tr>
<tr>
<td>Mary Davis Library</td>
<td>Lot 16 Nancy Ally, Baldvis</td>
</tr>
<tr>
<td>Aqua Jetty</td>
<td>87 Warnbro Sound Ave, Warnbro</td>
</tr>
</tbody>
</table>

Submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th>Estimated Contract Lump Sum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electricity Generation and Retail Corporation trading as Synergy</td>
<td>$2,136,234</td>
</tr>
<tr>
<td>Alinta Sales Pty Ltd trading as Alinta Energy</td>
<td>$2,110,078</td>
</tr>
</tbody>
</table>
The period of the contract shall be from the date of award until 31 July 2019.

The Acting Director Engineering and Parks Services nominated the following tender evaluation panel:

- Manager Asset Services,
- Coordinator Asset Maintenance, and
- the City’s contracted energy procurement consultant.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Level of Service</th>
<th>Understanding of Tender Requirements</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electricity Generation and Retail Corporation trading as Synergy</td>
<td>5</td>
<td>5 pts</td>
<td>14.80</td>
<td>79</td>
<td>98.80</td>
</tr>
<tr>
<td>Alinta Sales Pty Ltd trading as Alinta Energy</td>
<td>5</td>
<td>5 pts</td>
<td>6.65</td>
<td>80</td>
<td>91.65</td>
</tr>
</tbody>
</table>

Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Nil

c. Strategic

   Community Plan

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

   **Aspiration B:** Strong Community
   **Strategic Objective:** Services and Facilities - Community facilities and services that accommodate contemporary community expectation and are justified, well used, cost effective and, where appropriate, multi-functional.

   **Aspiration C:** Quality Leadership
   **Strategic Objectives:** Financial Sustainability - A City that understands the importance of sustainable revenue streams, long term resource planning and allocation, and the need to prioritise spending on core services and strategic asset management programs.

   Governance - Governance systems that enable Council to make informed and considered decisions, effectively supported by an executive informing and implementing those decisions; all within an accountable, legally compliant, transparent and ethical environment.

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

   The estimated energy costs associated with these 23 sites is approximately $1,068,000 per year and has been allowed for in the City’s 2017/2018 operating budgets.
f. Legal and Statutory


‘Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $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

Electricity prices have continued to rise in 2017/2018 with regulated gazetted tariffs for homes and businesses increasing between 1% and 11%.

The responses to this tender have provided lower tariffs than the current rates for the City. The saving are estimated at $48,000 per annum or 2.2%.

The offer from Alinta contains several terms and conditions that create a level of risk and uncertainty for the City. The offer from Synergy contains favourable terms.

Based on the complete analysis of pricing, qualitative responses against the desired and essential requirements and using the assessment criteria of the tender, Synergy’s offer is considered to be best value to the City.

Synergy is recommended to be selected as the preferred tenderer for the supply of energy for the City.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ACCEPTS the tender submitted from Electricity Generation and Retail Corporation trading as Synergy for Tender T16/17-111 – Provision of energy supply for contestable sites in accordance with the tender documentation for the contract period being from 31 August 2017 to 31 July 2019.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Sammels:

That Council ACCEPTS the tender submitted from Electricity Generation and Retail Corporation trading as Synergy for Tender T16/17-111 – Provision of energy supply for contestable sites in accordance with the tender documentation for the contract period being from 31 August 2017 to 31 July 2019.

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

For Council to approve the reallocation of funds to the Rockingham Beach Foreshore Revitalisation Stage One.

### Background

The Rockingham Beach Foreshore Revitalisation Stage One Project has been estimated to cost $15.748 million, however, $13.500 million funding was approved resulting in a shortfall of $2.248 million.

A number of potential funding options were considered.

<table>
<thead>
<tr>
<th>Option</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduce scope – defer construction of the boardwalk</td>
<td>Although technically feasible, this option would impact on the outcomes of the project, by creating a missing link. Delivering this element at a later time would further impact on businesses and the community.</td>
</tr>
<tr>
<td>Option</td>
<td>Comment</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Use inferior materials and reduce number of community assets.</td>
<td>The detailed design has been completed holistically and although this is an option, the outcomes would not be as strong as was envisaged by the design consultants. Use of inferior materials may have long term financial impacts if the inferior assets have shorter effective lives or result in increased maintenance requirements. Reducing the number of community assets will impact on the functionality of the space.</td>
</tr>
<tr>
<td>Abort the project</td>
<td>This is not seen as a viable option.</td>
</tr>
<tr>
<td>Allocate additional funds to the project.</td>
<td>This is the preferred option as it maintains the design objectives of the project.</td>
</tr>
</tbody>
</table>

**Details**

It has been identified that the Wanliss Street marina development is likely to require an area for storage and site amenities during the development period.

This has created a need to defer the expansion of the Wanliss Street car park and also impacts on the delivery of the Rockingham Foreshore Activity Node.

The 2018 and 2019 allocation to the Rockingham Foreshore Activity Node is $2.248 million.

The deferral of this project will allow the redistribution of $2,248,000 to the Rockingham Beach Foreshore Revitalisation Stage One Project.

**Implications to Consider**

a. **Consultation with the Community**
   
   Nil

b. **Consultation with Government Agencies**
   
   Nil

c. **Strategic**
   
   **Community Plan**
   
   This item addresses the Community’s Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Community Plan 2015-2025:
   
   **Aspiration A:** Tourism Lifestyle

   **Strategic Objectives:** Rockingham Beach Foreshore Precinct - A world-class foreshore precinct capitalising on its unique location and aspect, delivering a quality leisure tourism experience through contemporary design, best practice facilities and seamless linkage between beach, parkland and tourism-based commercial, retail and food and beverage outlets.
   
   Investment Attraction - A strategic and focussed approach to attracting major investment to the City’s coastal nodes, City Centre and inland settlements that promotes quality retail, commercial and residential development, improved civic infrastructure and leisure tourism experiences for residents and visitors.
Safety, Appearance and Cleanliness - Attractive, appealing and welcoming foreshores, beaches and public spaces that are clean, safe and litter free.

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

**Aspiration B:** Strong Community

**Strategic Objective:** Mobility and Inclusion - Community services, programs and infrastructure that effectively cater 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**

Nil

e. **Financial**

<table>
<thead>
<tr>
<th>Project/Activity</th>
<th>2018 Budget</th>
<th>Current Budget</th>
<th>2018 Proposed Budget</th>
<th>Budget Adjustment</th>
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<tr>
<td>Rockingham Beach Activity node</td>
<td>$2,248,000</td>
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<td>Rockingham Beach Foreshore Revitalisation - Stage One</td>
<td>$10,549,939</td>
<td>$12,797,939</td>
<td>+$2,248,000</td>
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<tr>
<td>Other Funding</td>
<td>$2,950,000</td>
<td>$2,950,000</td>
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</table>

Total Project Funding after redistribution is $15.748 million

f. **Legal and Statutory**

Nil

g. **Risk**

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

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

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

Nil

**Comments**

The deferral of the Rockingham Beach Foreshore Activity Node will have minimal impact on the community as this area will be under development during the development of the Wanlliss Street Marina.

The allocation of these funds is seen as providing a strong nexus with both projects supporting the long term development of a foreshore open space area.

**Voting Requirements**

Absolute Majority
### Officer Recommendation

That Council **APPROVES** the reallocation of $2.248 million funds from the Rockingham Beach Foreshore Activity Node to the Rockingham Beach Foreshore Development Project Stage One.

### Committee Recommendation

**Moved Cr Sammels, seconded Cr Summers:**

That Council **APPROVES** the reallocation of $2.248 million funds from the Rockingham Beach Foreshore Activity Node to the Rockingham Beach Foreshore Development Project Stage One.

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
4.59pm Cr Summers declared a proximity interest in EP-014/17 and departed the Planning and Engineering Services Committee meeting.

---

### Engineering and Parks Services

#### Engineering Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-014/17 Pedestrian refuge islands on Safety Bay Road (Waimea Road to Rand Avenue)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>SAF1-06</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Paul Gillbanks, Traffic Officer</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Changeeka Jayakody, Coordinator Planning, Design and Construction</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Ian Daniels, Manager Engineering Services</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>14 August 2017</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>October 2016 (EP-037/16)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
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</table>

#### Site:
- Safety Bay Road, Waimea Road to Rand Avenue

#### Purpose of Report
For Council to endorse the location and design of pedestrian refuge islands along Safety Bay Road, Safety Bay and Waikiki.

#### Background
In 2015/2016 the City’s Capital Works Program included the installation of six pedestrian refuge islands along Safety Bay Road from Waimea Road, Safety Bay to Rand Avenue, Waikiki.

The project was as a result of the concerns raised by a number of residents about the difficulty that pedestrians experienced in crossing Safety Bay Road to access the bus stops and the foreshore.
The 2015/2016 concept design sought to provide safe crossing points that linked the path networks but with minimal road widening. The pedestrian refuge islands were marked onsite and the feedback from the community engagement process highlighted that cyclists were not adequately catered for in the concept design.

In October 2016, Councillor Liley submitted a Notice of Motion to stop the installation of pedestrian islands due to this adverse feedback from cyclists who use the road. The outcome from the Notice of Motion was that on the 25 October Council resolved the following:

“That Councillor Liley’s Notice of Motion not be supported and results of the redesign be referred back to Council prior to works being commenced.”

The reason given for Cr Liley’s Notice of Motion not being supported was that Council requested a review be undertaken and a report submitted back to Council.

Details

In April 2017 the City commissioned Donald Veal Consultants (DVC) to review pedestrian crossing facilities on Safety Bay Road between Waimea Road and Rand Avenue. The objective of the study was to investigate and recommend pedestrian crossing improvements along this section of Safety Bay Road with consideration of road safety and other community benefits.

Location plan of potential pedestrian refuge islands across Safety Bay Road.

Safety Bay Road is a District Distributor Road and 54 crashes have been recorded over the last five years. Traffic volumes and speed indicate heavy morning and evening peak periods with a continuous peak volume during Saturdays and Sundays.

The PTA operate bus services along Safety Bay Road and passenger boarding and alighting figures indicate up to 950 bus passengers crossing Safety Bay Road each month. The passenger numbers continue to increase.

The investigation of pedestrian crossing facilities found that the interaction between pedestrians and vehicles was at a level that justified an increase in the number of pedestrian refuge islands. A review of the consultant’s recommendations resulted in the addition of one crossing to the original six locations identified in the 2015/2016 concept design.

The following locations are now recommended for the installation of pedestrian refuge islands on Safety Bay Road:

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 SEPTEMBER 2017
1. Berry Street
2. Hawker Street
3. Ernest Street
4. Warnbro Beach Road and Short Street
5. Vista Place
6. Viking Road
7. Raymond Place and Michael Road.

### Implications to Consider

#### a. Consultation with the Community

Initial consultation on the concept has been completed.

#### b. Consultation with Government Agencies

It is proposed to consult with the Public Transport Authority and obtain Main Roads WA approval for signs and line marking prior to completing the final design.

#### c. Strategic

**Community Plan**

This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective(s) 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.

#### d. Policy

Nil

#### e. Financial

There are no specific funds allocated to this project in the 2017/2018 financial year however the City’s Corporate Business Plan has $340,000 allocated in 2018/2019 (stage 1) and $200,000 in 2019/2020 (stage 2).

The preliminary cost estimates for the seven pedestrian refuge islands is $420,000. This estimate will be revised once the detailed design is completed.

#### f. Legal and Statutory

Nil

#### g. Risk

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

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

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

Nil

### Comments

Safety Bay Road is part of the Rockingham Coastal Tourist Drive.

The section between Waimea Road and Rand Avenue is a significant barrier to pedestrians accessing the Safety Bay and Waliki foreshore.

Currently, opposing traffic is separated by a single white line. This provides no protection for pedestrians and increases the level of risk for pedestrians, cyclists and vehicles.
To ensure cyclists and pedestrians can utilise the road network safely, the construction of pedestrian refuge islands will include minor road widenings and pedestrian cut-throughs at asphalt level with pedestrian ramps and tactile ground surface indicators.

Lane widths on Safety Bay Road are also maintained to the maximum available width for PTA buses and relocation of power poles and other services will be minimised.

From the consultant’s recommendation of twelve potential crossing locations, seven were identified as practical and appropriate at this time. This included the original six crossing locations plus an additional location at Berry Street. Construction of the seven crossings is to commence in the 2018/2019 financial year and to be completed in the 2019/2020 financial year.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **ENDORSES** the following list of pedestrian refuge islands to be located along Safety Bay Road at:

- Berry Street
- Hawker Street
- Ernest Street
- Warnbro Beach Road and Short Street
- Vista Place
- Viking Road
- Raymond Place and Michael Road.

**Committee Recommendation**

Moved Cr Hamblin, seconded Cr Sammels:

That Council **ENDORSES** the following list of pedestrian refuge islands to be located along Safety Bay Road at:

- Berry Street
- Hawker Street
- Ernest Street
- Warnbro Beach Road and Short Street
- Vista Place
- Viking Road
- Raymond Place and Michael Road.

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

5:08pm Cr Summers rejoined the Planning and Engineering Services Committee meeting.

---

1 Correction of typographical error
## Engineering and Parks Services

### Engineering and Parks Services Directorate

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-015/17</th>
<th>Rockingham Beach Foreshore Revitalisation Stage One – Detailed Design</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>C15/16-80</td>
<td></td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Sam Assaad, Director Engineering and Parks Services</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Michael Wilson, Senior Projects Officer</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>14 August 2017</td>
<td></td>
</tr>
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<td>Date of Committee Meeting:</td>
<td>14 August 2017</td>
<td></td>
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<tr>
<td>Previously before Council:</td>
<td>24 May 2016 (EP-015/16); 28 July 2015 (PDS-054/15); April 2015 (PDS-029/15)</td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Railway Terrace; and the Boardwalk between Railway Terrace and Val Street</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Rockingham Beach Foreshore Revitalisation Final Design Report</td>
<td></td>
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<tr>
<td>Lot Area:</td>
<td>1. Trip Advisor Visitor Perceptions</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>2. Destinations and Activities</td>
<td></td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>3. Proposed Foreshore Revitalisation Plan Stage One</td>
<td></td>
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<tr>
<td>Attachments:</td>
<td>4. Proposed Boardwalk Development</td>
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<tr>
<td>Maps/Diagrams:</td>
<td>5. Proposed Beach Bowl</td>
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</tr>
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<td></td>
<td>6. Proposed Lookout Development</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7. Proposed Park Plaza</td>
<td></td>
</tr>
<tr>
<td></td>
<td>8. Proposed Beach Plaza Development</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9. Proposed Railway Terrace Development</td>
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</tr>
<tr>
<td></td>
<td>10. Colour and Material Palettes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>11. Accessibility</td>
<td></td>
</tr>
</tbody>
</table>

### Purpose of Report

For Council to endorse the Rockingham Beach Foreshore Revitalisation Stage One – Detailed Design.
Background

The Rockingham Beach Foreshore Master Plan (July 2015) envisioned a significant waterfront development to integrate a series of beachfront sites into a single 4km long public park. The ultimate design will transform Rockingham into one of the most distinctive waterfronts in Western Australia and provide a range of recreational, cultural and leisure attractions for residents and tourists.

An extensive community engagement process has been conducted throughout August and September 2016 which has included community members, local residents, business, staff, Councillors and the Reconciliation Action Committee. This feedback has been valuable in informing the detailed design.

Details

Consultation Feedback

The community engagement included key questions to gain an understanding of community emotion towards the current and future foreshore requirements. The table below highlights the concepts that had the highest level of community importance.

<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>How would you describe the current feel of Rockingham Beach Foreshore and what would you like the future atmosphere to be like?</td>
<td>Fun/Playful</td>
</tr>
<tr>
<td>What do you consider is attractive about the Rockingham Beach Foreshore?</td>
<td>beach, grassed Areas, park, trees</td>
</tr>
<tr>
<td>What makes Rockingham Foreshore extraordinary?</td>
<td>North-facing beach, natural surrounds, trees, parkland</td>
</tr>
<tr>
<td>What is your favourite memory about the Rockingham beach Foreshore?</td>
<td>Family-occasions, Beach, playing and walking, swimming</td>
</tr>
</tbody>
</table>

Visitor Perceptions

An assessment of current perceptions of visitors was obtained indicating a high rating for the Rockingham Beach Foreshore overall as can be seen from the following extract from Trip Advisor.

1. Trip Advisor Visitor Perceptions
Unique Qualities
The following attributes have been identified as unique qualities of the Rockingham beach foreshore
- North-facing
- Sheltered
- Direct access
- Parkland
- Commercial activity
- Residential population (close to beach)

Creative template
The consultation feedback, visitor perceptions and unique qualities were combined with a number of studies to reveal the character of Rockingham Beach Foreshore. The characteristics were developed into the following themes.
- Relaxed
- Intergenerational
- Colourful
- Vibrant
- Young at heart
- Social

These themes became the primary drivers of the design of spaces and selection of elements throughout the site.

Place Principles
In addition to the themes, several place principles were developed to guide the planning and detailing of the project:
- Connect the City to the sea and sea to the City
- Activate the edges
- Enable civic life
- Create new sources of activity
- Tell the story of the place
- Create a new civic heart
2. Destinations and Activities

3. Proposed Foreshore Revitalisation Plan Stage One

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 18 SEPTEMBER 2017
4. Proposed Boardwalk Development
5. Proposed Beach Bowl
6. Proposed Lookout Development
7. Proposed Park Plaza
8. Proposed Beach Plaza Development

1. Promenade
2. Existing tree planting retained
3. Flexible event space for markets and cultural events.
4. Feature lighting
5. Resident only access driveway
9. Proposed Railway Terrace Development
10. Colour and Material Palettes

Furniture, Planting and Lighting

The selection of furniture, planting and lighting details has been designed to unify spaces and routes, frame views and highlight focal points whilst integrating the constraints of the development. The furniture reinforces the overall design character of the site as a colourful and vibrant foreshore. The planting will create year-round interest and seasonal highlights. The lighting aims to create a joyful and aesthetically pleasing experience after dark whilst supporting various events and enabling visitors to safely navigate all routes and open space areas.
Accessibility

The design aspiration included the creation of an inclusive environment throughout the foreshore. The design has been independently audited to ensure that this aspiration is met.

11. Accessibility

Implications to Consider

a. Consultation with the Community

The consultation and stakeholder engagement process was conducted in the second half of 2016 and included a range of community and stakeholder groups.

The information was collected via face to face engagement with 279 individuals through 12 meetings and workshops as well as feedback forms and online communications.

In excess of 900 community member contacts were made through this process.

b. Consultation with Government Agencies

Consultation regarding the design has been undertaken with:

- ATCO Gas
- Department of Environmental Regulation
- Department of Lands
- Department of Transport – Marine
- Department of Transport – Transperth
- Main Roads Western Australia
- National Broadband Network Company
c. **Strategic Community Plan**

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

**Aspiration A:** Tourism Lifestyle

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

*Investment Attraction* - A strategic and focussed approach to attracting major investment to the City’s coastal nodes, City Centre and inland settlements that promotes quality retail, commercial and residential development, improved civic infrastructure and leisure tourism experiences for residents and visitors.

*Safety, Appearance and Cleanliness* - Attractive, appealing and welcoming foreshores, beaches and public spaces that are clean, safe and litter free.

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

**Aspiration B:** Strong Community

**Strategic Objective:** Mobility and Inclusion - Community services, programs and infrastructure that effectively cater 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**

Nil

e. **Financial**

The total project budget has been estimated at $15.748 million. Project funds have been included in the 2017/2018 Community City’s Corporate Business Plan.

f. **Legal and Statutory**

Nil

g. **Risk**

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

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

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

Nil
Comments

The Rockingham Beach Foreshore Revitalisation Stage One - Detailed Design is reflective of both the Council approved Rockingham Beach Foreshore Master Plan, and of consultation undertaken during both the master planning and detailed design processes.

The majority of the design has been presented to the community, including all the principal structural elements and gained positive comment. The principal negative sentiment has been around the loss of parking in the proposed event space development area.

The detailed design was undertaken with the input of a leading accessibility organisation and this has also ensured that the design goes well beyond statutory accessibility requirements.

The forthcoming Parking Strategy (expected late 2017/2018) will present a long term plan to address parking in the Rockingham Beach Village Precinct.

The Rockingham Beach Foreshore Revitalisation project includes federal government funding of $4,999,667.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ACCEPTS the Rockingham Beach Foreshore Stage One - Detailed Designs.

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council ACCEPTS the Rockingham Beach Foreshore Stage One - Detailed Designs.

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
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<tr>
<th></th>
<th>Reports of Councillors</th>
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<table>
<thead>
<tr>
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## Motions of which Previous Notice has been given

### Engineering and Parks Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-016/17 Notice of Motion - Investigations into Possible Pedestrian Crossing Safety Bay Road, Baldivis</th>
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<tbody>
<tr>
<td>File No:</td>
<td>GOV/7</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Councillor Matthew Whitfield</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Ian Daniels, Manager Engineering Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Sam Assaad, Director Engineering and Parks Services</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>14 August 2017</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
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</table>

### Purpose of Report

To provide officer comment and advice on Cr Matthew Whitfield’s Notice of Motion.

### Background

Cr Matthew Whitfield submitted the following motion for consideration at the 22 August 2017 Council Meeting:

That Council –

1. **DIRECTS** the Chief Executive Officer to undertake a feasibility and costing study for a bridge over Safety Bay Road in Baldivis to assist with safe crossing for pedestrians and to provide the Council with that report as soon as practicable.

2. **DIRECTS** the Chief Executive Officer to provide the Council with a suite of further options that could potentially assist with pedestrian movements over Safety Bay Road in Baldivis and to provide the Council with that report as soon as practicable.
In support of the motion Cr Whitfield supplied the following information:

“The issue of, mainly high school, pedestrians crossing Safety Bay Road has been an issue for many years now.

Many pedestrians are crossing Safety Bay Road at, or very close to, the large roundabout on Safety Bay and Baldivis Roads. Currently at that location there are ‘crossing points’ but there have been reports of incidents where pedestrians are being involved in collisions.

On Friday 23rd June a 12 year old student was taken to hospital after being involved in an accident on Safety Bay road when attempting to cross.

The City worked with Cedar Woods (the developer of the Rivergums Estate) a few years ago to ensure that students could access the freeway bike path directly from the school which would allow them to cross under Safety Bay Road.

There are also Safe Crossing Points 400m near the Repco building.

As a Councillor I have raised this internally through the Roadwise committee where the City, and Ian Daniels in particular, have conducted some excellent research months ago and already liaised with Main Roads to seek solutions.

Main Roads appear reluctant to reduce the speed limit, or install traffic lights and it is my belief that we now need to push this issue as a top priority to find a working solution.

It is my understanding that, approximately 10 years ago, there may have been provisional plans drawn up by a developer for a pedestrian overpass (bridge) so this may not be a completely new proposal but either way I am asking that the City fully cost this option and conduct a feasibility study which would include potential external funding options.

I stress that I believe there may be more affordable options which could include more pedestrian education coupled with improved treatments to existing crossing points but I feel the option of an overpass needs exploring in full detail so that the City and Council can make an informed decision on the merits of such a proposal.”

Details

The first stage of the Baldivis Secondary College (high school) opened in 2013. The access along Stillwater Drive through to Baldivis Road was opened in late 2014 which included the current footpath network. The High School, in its current form (except for a number of transportable classrooms), was completed in 2015.
Safety Bay Road is a District Distributor A Road with a speed limit of 70km/h and an approximate current traffic volume of 30,000 vehicles per day including 5% heavy vehicles.

A location exists immediately to the west of the roundabout on the corner of Safety Bay Road and Baldivis Road that includes pedestrian ramps and a refuge area in the median island.

**Implications to Consider**

a. **Consultation with the Community**
   
   This issue has been discussed at RoadWise Advisory Committee Meetings. It has also been discussed with the High School. Consultation with the wider community has not taken place at this stage.

b. **Consultation with Government Agencies**
   
   Consultation has taken place with Main Roads Western Australia (MRWA) regarding possible solutions for the pedestrian crossing issue.

   MRWA have advised the City that they would not support a reduction in the speed limit or installing any form of pedestrian crossing that could potentially stop the traffic in the portion of Safety Bay Road from Baldivis Road to Goulburn Road.

   The main issues with these types of modifications on this portion of road are its proximity to the roundabout and the gradient of the road. These issues do not make it conducive to stopping heavy vehicles and could also cause congestion at the roundabout. Both of these would make this portion of road unsafe.

c. **Strategic**

   **Community Plan**

   This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective(s) 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.

d. **Policy**

   Nil

e. **Financial**

   Indicative costs to employ an appropriately qualified consultant to complete a needs analysis, looking into pedestrian safety along this portion of Safety Bay Road and to recommend appropriate actions would be approximately $30,000. The city’s 2017/2018 operating budget includes a figure of $30,000 for road safety projects.

   The overall estimated cost of a pedestrian footbridge would be up to $8,000,000, however, this does not include provision for service adjustments.

f. **Legal and Statutory**

   Nil

g. **Risk**

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

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

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

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

   Nil
Comments

A straight, visible pathway exists from the intersection of Stillwater Drive and Baldivis Road through to the commercial area of the Baldivis Shopping Precinct. This is not a formal, constructed pathway but a route that the students from the high school follow.

Without being able to reduce the speed limit on Safety Bay Road or provide a pedestrian crossing at the location where the students are currently crossing the following options are available:

- redirect pedestrians to the correct crossing locations at the roundabout through programmed landscaping works.
- Construct a pedestrian bridge.

A complete needs analysis and independent report on these safety issues would be beneficial for the City to ensure future planning of the area.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **DIRECTS** the Chief Executive Officer to undertake a needs analysis and costing study on all available options to assist with the safe crossing for pedestrians across Safety Bay Road, Baldivis.

Notice of Motion from Cr Matthew Whitfield

That Council:

1. **DIRECTS** the Chief Executive Officer to undertake a feasibility and costing study for a bridge over Safety Bay Road in Baldivis to assist with safe crossing for pedestrians and to provide the Council with that report as soon as practicable.

2. **DIRECTS** the Chief Executive Officer to provide the Council with a suite of further options that could potentially assist with pedestrian movements over Safety Bay Road in Baldivis and to provide the Council with that report as soon as practicable.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council **DIRECTS** the Chief Executive Officer to undertake a needs analysis and costing study on all available options to assist with the safe crossing for pedestrians across Safety Bay Road, Baldivis **and to provide the Council with that report as soon as practicable.**

Committee Voting – 5/0

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

To ensure the report on all available options is provided to the Council as soon as practicable.

Implications of the Changes to the Officer’s Recommendation

Not Applicable
<table>
<thead>
<tr>
<th></th>
<th>Notices of Motion for Consideration at the Following Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>16.</td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
</tr>
<tr>
<td>17.</td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Matters Behind Closed Doors</td>
</tr>
<tr>
<td>18.</td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Date and Time of Next Meeting</td>
</tr>
<tr>
<td>19.</td>
<td>The next Planning and Engineering Services Committee Meeting will be held on Monday 18 September 2017 in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
</tr>
<tr>
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<td>Closure</td>
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<tr>
<td>20.</td>
<td>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 5:15pm.</td>
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</tbody>
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