MINUTES
Planning and Engineering Services Committee Meeting
Held on Monday 12 December 2016 at 4:00pm
City of Rockingham Boardroom
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## 1. Declaration of Opening

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

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

### 2.1 Councillors

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

### 2.2 Executive

- Mr Andrew Hammond
- Mr Bob Jeans
- Mr Peter Doherty
- Mr Kelton Hincks
- Mr Peter Ricci
- Mr Brett Ashby
- Mr Mike Ross
- Mr Rod Fielding
- Mr David Caporn
- Mr Jerome King
- Mr Tony Bailey
- Mr James Henson
- Mr Adam Johnston
- Mr Allan Moles
- Ms Melinda Wellburn

### 2.3 Members of the Gallery:

- 5

### 2.4 Apologies:

- Cr Katherine Summers

### 2.5 Approved Leave of Absence:

- Nil

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

### 4.1 Ms Christine St John, 7 Oneida Road, Secret Harbour - McDonalds, Secret Harbour

At the Planning and Engineering Services Committee held on 14 November 2016, Ms St John asked the following questions that were taken on notice and the Director Planning and Development Services provided a response in a letter dated 17 November 2016 as follows:
Question
1. Why has the trucks been changed yet again when it was agreed and approved to use Oasis drive. Who changed it why they changed.

Response
In October 2014, the City received a Development Assessment Panel (DAP) application for additions and alterations to the existing Secret Harbour District Shopping Centre. The applicant originally proposed to provide access to the Coles loading dock via Oasis Drive. The City raised concern with this proposal given Oasis Drive was to be a “main street” (similar to a “high street” which an emphasis on pedestrian movement). The applicant subsequently amended the application to provide heavy vehicle access for the Coles loading dock from the shopping centre car park access from Oneida Road. Refer to Figure 1 below:

Figure 1 Coles Loading Dock Access (February 2015)

In February 2015, the metro South West Joint Development Assessment Panel (SWJDAP) granted conditional Development Approval to the additions and alterations to the existing Secret Harbour District Shopping Centre, which included a condition that prohibited heavy vehicles from utilising the southern site access on Oasis Drive.

In January 2016, the proponent (Perpetual Limited) applied to modify conditions of the DAP Approval including the requirement of condition 21, which stated that heavy vehicles are not permitted to gain access to or from the site via the southern access driveway on Oasis Drive. The applicant proposed to amend the condition so that heavy vehicles could only access the southern driveway on Oasis Drive from south of the site and were not to travel along Oasis Drive between the northern driveway and the southern driveway. Refer to Figure 2 below:

Figure 2 – Coles Loading Dock Access Proposal (January 2016)
The SWJDAP refused a modification to the 2015 Planning Approval and modified Condition 21, as follows:

“Heavy vehicles may only access the southern driveway on Oasis Drive from south of the site and are not to travel along Oasis Drive between the northern driveway and the southern driveway.”

An Application for Review (Appeal) was lodged on behalf of Perpetual Limited, with the State Administrative Tribunal in relation to the SWJDAP refusal of the modified proposal including the proposed modified condition.

The SWJDAP was invited to reconsider its decision to refuse the DAP Form 2 application for the reconsideration of a Planning Approval condition pursuant to s.31 of the State Administrative Tribunal Act 2004.

In April 2016, the SWJDAP approved the Existing Loading Dock – Left in Oasis Drive Left Out Oneida Road, subject to the following conditions:

“21. A maximum of three (3) semi-trailer vehicles per day may access the site via the southern access driveway on Oasis Drive. These vehicles may only access the site between the hours of 7.00am - 10.00am in the mornings and 4.00pm - 7.00pm in the evenings. The vehicles must exit the site via the Oneida Road access driveway in accordance with Option 1 access proposed by the applicant.

28. Prior to applying for a Building Permit, detailed plans and specifications must be submitted to and approved by the City of Rockingham for the proposed access street intersection with Oasis Drive.”

Refer to Figure 3 below:

Figure 3 – Coles Loading Dock Approval Left in Oasis Drive and Left Out Oneida Road

(This plan is the current approval for truck access for Coles)

**Question**

2. The council says this was the plan from the start of the development, this statement is wrong, the plan was to build a police station and this was why those who bought the block on Oneida Rd did so, so to say it was the plan and those on Oneida need to accept it is wrong. Why was those highly affected by the change not included in the proposed changes.

**Response**

Access from Oneida Road was identified pre-development of the Secret Harbour Shopping Centre expansion, as shown on the Indicative Development Plan (IDP) which is included in City Planning Policy No.3.2.3 – Secret Harbour Town Centre (PP3.2.3). The IDP included a proposed Police Station site on the corner of Warnbro Sound Avenue and Oneida Road. The State Government decided not to proceed to build the Secret Harbour Police Station.
<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
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<tbody>
<tr>
<td>3. Charter Hall has said that they are putting landscaping along Oneida rd and a privacy fence/shield and provided us with the plan which was sent through for approval to the council, where is this, and has it been approved.</td>
<td>Landscaping will be installed by Charter Hall as a condition of Planning Approval prior to occupation of the development. On 1st September 2016, an application was submitted to the City which seeks various changes to the SWJDAP approval. One of the changes includes installing a 1.2m high metal screen and associated landscaping along a portion of the boundary adjacent to Oneida Road in front of the drive-thru. The application will be considered by the SWJDAP at 9:00am on 30th November 2016 at the Department of Planning.</td>
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<tr>
<td>4. The sign was to be moved to opposite side of the building, McDonalds said they were happy for it to be moved, Charterhall said they were but needed council approval, I mentioned this numerous times to Chris Elliott, why was this not done, as James Dann and Maccas rep said it would make no difference to them but make a lot to Oneida Rd so they agreed to do it.</td>
<td>The City has not received any further applications which seeking changes to signage for McDonalds since May 2015, when the SWJDAP granted Planning Approval to a Fast Food Outlet (McDonalds). The City will pursue this matter with Charter Hall to ask for an application to be lodged.</td>
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<tr>
<td>5. Included in the Truck access route change was the cancellation of intersection plans for Oneida Rd and Warnbro Sound Avenue, this has yet again changed. Oneida Rd residents have the right for as peaceful as possible place to live and it is clearly easier, safer and less impacted to use Oasis, why and who changed it.</td>
<td>The 1st September 2016 application seeks approval from the SWJDAP to modify Condition 4 of Planning Approval, to remove the term ‘signalised’ and instead refer to the submitted intersection design, on the basis that Main Roads WA (MRWA) has advised that it will not support a signalised intersection for Oneida Road and Warnbro Sound Avenue. The application was considered at the Planning and Engineering Committee Meeting on 14th November 2016 and Council will be making its recommendations to be considered by the SWJDAP at 9:00am on 30th November 2016 at the Department of Planning in Perth.</td>
</tr>
<tr>
<td>6. Why has the exit South been removed from Warnbro Rd? This was a direct exit for shoppers to exit south without driving the length of the shopping centre to exit out of Oneida Rd. Warnbro Rd is built for heavy traffic and there is a large strip of bush separating residents, and it was there before. The car lights heading South to exit via Oneida go straight into my bedroom and the traffic and noise I experience 24 hours is horrendous. Are the traffic lights going to be put there?</td>
<td>Following lodgement of the October 2014 DAP application with the City for additions and alterations to the existing Secret Harbour District Shopping Centre, the applicant proposed to remove the right turn movement onto Warnbro Sound Avenue (southbound) at this intersection. This was due to a post development scenario identifying that the right turn movement would result in a poor level of service with unacceptable traffic queuing lengths based on the proponent’s SIDRA analysis (traffic evaluation modelling tool).</td>
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</table>
In February 2015, the intersection (Access Street Middle) was approved by the SWJDAP with the deletion of the right turn movement out of the site on Warnbro Sound Avenue, in order to ensure an adequate level of service for the intersection based on projected traffic volumes. Condition 9 states:

“9. The Access Street Middle on Warnbro Sound Avenue must only provide for Left in/Left Out/Right in traffic movements from the site.”

Traffic movements will be distributed along Warnbro Sound Avenue and surrounding streets which include Oasis Drive and Oneida Road. South bound traffic movements will be possible using Secret Harbour Boulevard, Oneida Road and Oasis Drive. Future traffic volumes while higher than present will still be within the functional design capacity of Oneida Road. Please refer to the City’s response to Question 5 in relation to traffic signals.

Question
7. Why can't McDonalds have a direct exit onto Warnbro Road like the entry so residents can have some peace. The burnouts and loud music thumping from the cars at 11 at night is unbearable. Why should I have to sleep in my living room? Why is it 24 hours? Teenagers are gathering and causing havoc.

Response
There is a direct exit onto Warnbro Sound Avenue north and south sound via Oneida Road or Oasis Drive. The Department of Planning (Department) controls access onto Warnbro Sound Avenue, which is a Category 1 Other Regional Road (ORR). The Department did not support any additional access where alternative access is or could be made available and hence recommended no additional access point from Warnbro Sound Avenue. This was in accordance with the Western Australian Planning Commission’s (Commission) Regional Roads (Vehicular Access) Policy D.C. 5.1, which states that where alternative access is or could be made available from side or rear streets or from rights of way, no access is permitted to the regional road. The Commission’s policy seeks to reduce the number of accesses on to regional roads.

Concerns relating to speeding traffic or unsociable behaviour should be raised with the WA Police. Retail trading hours are set by the State Government and administered by the Department of Commerce.

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

Response
Your request for compensation has been forwarded to the City’s insurers Local Government Insurance Scheme (LGIS) which is responsible for managing our claims. The City’s insurers will respond to you accordingly with the outcome of your claim. Any future enquiries should be referred to LGIS on 9483 8888 or the City’s Finance department.

As you are aware, Charter Hall has advised dust/gravel along Oneida Road and at the exit from the centre (Oneida Road) will be maintained as part of a daily cleaning routine for the contractor and hopefully this will negate further issues.

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

Response
A recent change proposed by the applicant includes installing a 1.2m high metal screen and associated landscaping along a portion of the boundary adjacent to Onedia Road in front of the drive-thru. This proposal is the subject of the 1st September 2016 DAP application which will be considered by the SWJDAP at 9:00am on 30th November 2016 at the Department of Planning. Landscaping will be installed by the Builder along Oneida Road prior to occupancy of the development. Centre Management were advised about dumped trolleys and increased collection has been requested in this area.

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

Response
The City cannot require the Pylon Sign for McDonalds to be turned off because the SWJDAP granted Planning Approval for the Fast Food Outlet which included the Pylon Sign. The City will, however, request Charter Hall to consider its removal. The City would support its removal if it is affecting the residential amenity of nearby residents.

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

Response
Charter Hall is investigating this matter and has advised it will take action. The City has advised Charter Hall that illumination must comply with the requirements of Australian Standard AS 4282-1997, Control of the Obtrusive effects of outdoor lighting.

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

Response
Charter Hall does not have an out of hours noise management plan for works being undertaken at the moment. Therefore construction noise is currently limited to between 7:00am to 7:00pm Monday to Saturday.

Construction noise is noise on the site in regards to construction activities and does not include vehicles travelling on public roads.

Noise from vehicles on public roads such as Oneida Road is exempt from the Environmental Protection (Noise) Regulations 1997, so there is not any legislation that the City can enforce.

If Charter Hall apply for an Out of Hours Noise Management Plan, it will be determined in accordance with the Environmental Protection (Noise) Regulations 1997.

4. Public Question Time

4:01pm The Chairperson invited members of the Public Gallery to ask questions.

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

The Chairperson invited Mr Green to present his questions to the Planning and Engineering Services Committee. Mr Green asked the following question.
My question relates to the Mangles Bay Economic Study, which as the attached indicates was lodged with the City of Rockingham in May 2015, the attached also highlights that Parliament was in fact 'misled' maybe unknowingly, by answers given in September 2014, with regard to the Economic Study.

Briefly, and by way of explanation:

1. Question asked in August 2014, for Minister to table Economic Study response in September 2014, was that 'Economic Study' was 'not yet finalized'.

2. Refer to question 3 asked 14 October 2015, some 13 months later, 'In what month and year was the study completed?' response, 'In the first quarter of 2013'.

3. So the study had been completed some 16 months before the first question was asked in Parliament.

My question is,

1. Does the City of Rockingham consider an Economic Study which was completed in early 2013, will still be relevant when the Local Structure Plan is released for Public Comment, and can the City advise of any anticipated date that the Local Structure Plan will be released?

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

4:04pm There being no further questions the Chairperson closed Public Question Time.

5. Confirmation of Minutes of the Previous Meeting

Moved Cr Sammels, seconded Cr Hamblin:

That Committee CONFIRMS the Minutes of the Planning and Engineering Services Committee Meeting held on 14 November 2016, as a true and accurate record.

Committee Voting – 4/0

6. Matters Arising from the Previous Minutes

Nil

7. Announcement by the Presiding Person without Discussion

4:05pm The Chairperson announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.

8. Declarations of Members and Officers Interests

4:05pm The Chairperson asked if there were any interests to declare.

There were none.

9. Petitions/Deputations/Presentations/Submissions

9.1 Deputation - PDS-086/16 - Amendment to Private Recreation (Obstacle Course) Development Approval

4:05pm The Chairperson welcomed Mrs Blackshaw and invited her to make her deputation to the Committee.

Mrs Blackshaw advised the Committee of the proposal to increase trading hours and client numbers to allow their business to grow. Mrs Blackshaw asked for the Committee to support the application on the basis that their business has been operating without complaint and that there are five other nearby businesses on Mandurah Road with greater traffic impacts.
Mrs Blackshaw discussed the traffic and noise impact of the proposal and considered that their business is compliant with the Environmental Protection (Noise) Regulations. The Committee's support of the amendment to the Development Approval for the Private Recreation (Obstacle Course) was requested.

The Chairman thanked Mrs Blackshaw for her deputation.
10. Matters for which the Meeting may be Closed

4:15pm The Chairperson advised in accordance with section 5.23(2)(b) of the Local Government Act 1995 – if there are any questions or debate on Confidential Item EP-041/16 - Recommendation from the Disability Access and Inclusion Advisory Committee Meeting held on 26 October 2016 (Absolute Majority), then the Planning and Engineering Services Committee will need to defer the matter for consideration at Agenda Item 18 - Matters Behind Closed Doors.

There were no questions or request for debate.

Engineering and Parks Services

CONFIDENTIAL ITEM
NOT FOR PUBLIC ACCESS
Section 5.95(3) Local Government Act 1995 (the Act)
This item may be discussed behind closed doors as per Section 5.23(2)(b) of the Act

Engineering and Parks Services

Engineering Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-041/16 Recommendation from the Disability Access and Inclusion Advisory Committee Meeting held on 26 October 2016 (Absolute Majority)</th>
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<tbody>
<tr>
<td>File No:</td>
<td>CSV/763-07</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Ian Daniels, Manager Engineering Services</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>12 December 2016</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
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<tr>
<td>Attachments:</td>
<td>Minutes of the Disability Access and Inclusion Advisory Committee Meeting held on 26 October 2016</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>Confidential Attachment as per Section 5.95 of the Local Government Act 1995</td>
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</tbody>
</table>

Voting Requirements

Absolute Majority
### Recommendations to the Planning and Engineering Services Committee

#### Advisory Committee Recommendation 1 of 1:
**Appointment of Committee Member**

That Council **APPOINTS** Ms Emma Arnett to the Disability Access and Inclusion Advisory Committee for a two year term of office, commencing October 2016.

#### Officer Recommendation if Different to Advisory Committee Recommendation

That Council **APPOINTS** Ms Emma Arnett to the Disability Access and Inclusion Committee for the current term ending October 2018.

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

As stated in the Governance and Meeting Framework, all community memberships of advisory committees will be reviewed in the period between 1 July and 30 September in the year falling between ordinary elections. Therefore the term of appointment will be less than two years.

#### Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council **APPOINTS** Ms Emma Arnett to the Disability Access and Inclusion Committee for the current term ending October 2018.

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
## 11. Bulletin Items

### Planning and Development Services Information Bulletin – December 2016

#### Health Services

1. Health Services Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 FoodSafe
   - 3.2 Industrial and Commercial Waste Monitoring
   - 3.3 Mosquito Control Program
   - 3.4 Environmental Waters Sampling
   - 3.5 Food Sampling
4. Information Items
   - 4.1 Mosquito-Borne Disease Notifications
   - 4.2 Food Recalls
   - 4.3 Food Premises Inspections
   - 4.4 Public Building Inspections
   - 4.5 Outdoor Public Event Approvals
   - 4.6 Permit Approvals
   - 4.7 After Hours Noise and Smoke Nuisance Complaint Service
   - 4.8 Complaint - Information
   - 4.9 Noise Complaints - Detailed Information
   - 4.10 Animal Exemptions
   - 4.11 Building Plan Assessments
   - 4.12 Septic Tank Applications
   - 4.13 Demolitions
   - 4.14 Swimming Pool and Drinking Water Samples
   - 4.15 Rabbit Processing
   - 4.16 Hairdressing and Skin Penetration Premises
   - 4.17 New Family Day Care Approvals
   - 4.18 Caravan Park and Camping Ground Inspections
   - 4.19 Update on the City's Mosquito Control Program
   - 4.20 Emergency Services
   - 4.21 Social Media
   - 4.22 Customer Requests Emergency Service Team
   - 4.23 Restricted Burning Period
   - 4.24 Structural Fire Fighting Capability – Baldivis
   - 4.25 Training
   - 4.26 Bush Fire Risk – Evacuation/Prevention
   - 4.27 Bush Fire Management
   - 4.28 Bush Fire Hazard Reduction Program
   - 4.29 Ranger Services Action Reports
   - 4.30 Prosecutions
   - 4.31 SmartWatch - Key Result Area: Visibility
   - 4.32 SmartWatch - Key Result Area: Engagement with Community
   - 4.33 SmartWatch - Key Result Area: Increasing perception of Safety
   - 4.34 SmartWatch Statistics

#### Building Services

1. Building Services Team Overview
2. Human Resource update
3. Project Status Reports
4. Information Items
4.1 Monthly Building Permit Approvals - (All Building Types)
4.2 Private Swimming Pool and Spa Inspection Program
4.3 Demolition Permit
4.4 Permanent Sign Licence
4.5 Community Sign Approval
4.6 Street Verandah Approval
4.7 Occupancy Permits
4.8 Strata Titles
4.9 Unauthorised Building Works (Section 51 of the Building Act)
4.10 Monthly Caravan Park Site Approvals
4.11 R Code Variations

**Strategic Planning and Environment**
1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Local Planning Strategy (LUP/1352)
   3.2 Waterwise Council Program (EVM/56-02)
   3.3 Karnup District Structure Plan (LUP/1546)
   3.4 Cockburn Sound Coastal Alliance – Vulnerability & Flexible Adaptation Pathways Project Stage 3 (EVM/149)
   3.5 Greening Plan (PKR/52-02)
   3.6 Frog Population Monitoring Program (EVM/174)
4. Information Items
   4.1 Urban Development Snapshot from Approved and Proposed Structure Plans in 2016
   4.2 Proposed Metropolitan Region Scheme Amendment – South East Baldivis Urban Cell - Lots 1272, 1006 and 1007 Baldivis Road and Lots 1 and 503 Serpentine Road, Baldivis
   4.3 Port Rockingham Marina - Changes to Implementation Conditions in Ministerial Statement 826
   4.4 Submission on the revised State Planning Policy 3.6 – Development Contributions for Infrastructure

**Land and Development Infrastructure**
1. Land and Development Infrastructure Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Structure Plan Approval Referrals
   4.2 Subdivision Approval Referrals
   4.3 Urban Water Management Referrals
   4.4 Traffic Report Referrals
   4.5 Delegated Land and Development Infrastructure Assets Approvals
   4.7 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 substational works

**Statutory Planning**
1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Planning Products via the Web formerly eDA
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

### Planning and Development Directorate

1. Planning and Development Directorate Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Primary Centre, Centre Plan Implementation (LUP/137-08)
   3.2 Northern Smart Village Sector – Masterplan, Development Policy Plan and Proposed Amendment No’s.161 and 162 to Town Planning Scheme No.2
   3.3 Southern Gateway/Rockingham Station Sector – Masterplanning, Development Policy Plan and TPS (LUP/1846 and LUP/1847)
   3.4 Leeuwin Sector – Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.5 Northern Gateway Sector – Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.6 Redevelopment of City Square and Civic Plaza (LUP/1933)
   3.7 ‘Mangles Bay Marina’
4. Information Items
   4.1 Bushfire Risk Planning Area Risk Assessment - Warnbro Dunes

### Advisory Committee Minutes

### Committee Recommendation

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

Committee Voting – 4/0

### Engineering and Parks Services Information Bulletin – December 2016

#### Engineering and Parks Services Directorate

1. Engineering and Parks Services Directorate Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Foreshore Masterplan – Detailed Design
4. Information Items

#### Engineering Services

1. Engineering Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Stormwater Drainage Plan
   3.2 Coastal Management Consultants (Sand Drift/Erosion Problems)
3.3 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)

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

Parks Services
1. Parks Services Team Overview
2. Human Resource Update
3. Project Status Reports
3.1 Rockingham Dog Exercise Area
3.2 Weld Street shower and drink fountain - Rockingham
3.3 Practice Cricket Net Modification - Rhonda Scarrott Reserve, Golden Bay
3.4 Practice Cricket Net Renewal – Careeba Reserve, Koorana Reserve and Warnbro Oval
3.5 Bore and Irrigation Cabinet – Malibu Reserve
3.6 City Parks – Central Irrigation Management System
3.7 Play Equipment Replacements
3.8 Synthetic Turf Renewal - Lark Hill Practice Cricket Nets
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<tr>
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<tbody>
<tr>
<td>3.9</td>
<td>Limestone Access Track Upgrade - Lark Hill Reserve</td>
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<tr>
<td>3.10</td>
<td>Replace Conservation Reserve Fencing</td>
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<tr>
<td>3.11</td>
<td>New Conservation Reserve Fencing – Foreshore Drive, Singleton</td>
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<tr>
<td>3.12</td>
<td>New Conservation Reserve Fencing – Lake Richmond</td>
</tr>
<tr>
<td>3.13</td>
<td>Tamworth Hill Swamp, Conservation Works</td>
</tr>
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<td>3.14</td>
<td>Dixon Road Reserve, Conservation Works</td>
</tr>
<tr>
<td>3.15</td>
<td>Outdoor Gym Equipment - Harmony Park, Singleton</td>
</tr>
</tbody>
</table>

### Asset Services

1. Asset Services Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 Road condition inspection and modelling
   - 3.2 Path condition audit 2016-2017
   - 3.3 Maintenance and provision of public toilets
   - 3.4 Lighting consultants (Technical Planning/Design, Underground Power Program)
4. Information Items
   - 4.1 Asset Management improvement strategy
   - 4.2 2016/2017 Public area lighting and arterial lighting
   - 4.3 Aqua Jetty – Gym roof HVAC enclosure (design)
   - 4.4 Rockingham Day Care fire panel replacement
   - 4.5 Baldivis South Club Facility Eighty Road Baldivis
   - 4.6 Laurie Stanford Reserve development
   - 4.7 Rhonda Scarrott Reserve development
   - 4.8 Administration building exterior render repairs
   - 4.9 Aqua Jetty solar PV system 328kw
   - 4.10 Aqua Jetty – Tiling of external 50m pool
   - 4.11 Secret Harbour – Inclusive play space
   - 4.12 Baldivis South youth space
   - 4.13 2016/2017 Reserve flood lighting
   - 4.14 Baldivis South Community Centre
   - 4.15 Mike Barnett Sports Complex and Warnbro Recreation Centre - Renovations
   - 4.16 Mike Barnett Sports Complex – Netball courts resurfacing
   - 4.17 PV (Solar) Array installation at various sites
   - 4.18 Mike Barnett Sports Complex - Awning installation
   - 4.19 Bus shelter replacements
   - 4.20 Albenga Place Toilet – Rust treatment and internal refurbishment
   - 4.21 Baldivis Hall – Replacement of toilet partitioning
   - 4.22 Engineering office redesign
   - 4.23 Larkhill – Bench seating replacement
   - 4.24 Mary Davies Library and Community Centre – additional meeting space
   - 4.25 Building and Facility Maintenance
   - 4.26 Reserve Maintenance
   - 4.27 Electrical maintenance
   - 4.28 Asset Maintenance Statistics
   - 4.29 Lighting Inspections
   - 4.30 Solar Power Generation

### Waste Services
1. Waste Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Waste Collection Services; Introduce Three Bin Collection System
   3.2 Waste Collection Services; Waste Audit
   3.3 Waste Collection Services; School Recycling Program
   3.4 Waste Collection Services; Bin Tagging Program
   3.5 Landfill Services; Construction of Cell 16 and Leachate Dams
   3.6 Landfill Services; Landfill Access Road and Associated Infrastructure
   3.7 Landfill Services; Construction of Cell 17
   3.8 Landfill Services; Landfill Capping of Cells 12 and 13
4. Information Items
   4.1 Waste Collection Services; Kerbside Collection
   4.2 Waste Collection Services; Bulk Verge Collection
   4.3 Waste Collection Services; Waste Diversion Percentage
   4.4 Landfill Services; Tip Passes
   4.5 Landfill Services; Landfill Statistics
   4.6 Landfill Services; Waste Education and Promotion
   4.7 Garage Sale Trail Award
   4.8 Paintback Temporary Collection Day

**Committee Recommendation**

 Moved Cr Hamblin, seconded Cr Whitfield:

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

 Committee Voting – 4/0
## Planning and Development Services

### Reference No & Subject:

- **PDS-083/16** Proposed Telecommunications Infrastructure (Fixed Wireless Facility)

### File No:

DD020.2016.0000329.001

### Applicant:

Planning Solutions (Aust) Pty Ltd

### Owner:

Nicrow Nominees Pty Ltd

### Author:

Ms Keara Freeley, Planning Officer

### Other Contributors:

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

### Date of Committee Meeting:

12 December 2016

### Previously before Council:

22 November 2016 (PDS-080/16)

### Disclosure of Interest:

Tribunal

### Site:

Lot 9001 Leary Road, Baldivis

### Lot Area:

5.7ha

### LA Zoning:

Rural

### MRS Zoning:

Rural

### Attachments:

- Schedule of Submissions

### Maps/Diagrams:

1. Location Plan
2. Aerial Photo
3. Original Site Plan
4. Amended Site Plan
5. Amended Site Layout and Setout Plan
6. Elevation
7. View from site looking north to Freeway Service Centre
8. View to site looking south from Leary Road
9. Consultation Plan
10. MRS Plan showing development in relation to Urban zoned land
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 16 JANUARY 2017

PRESIDING MEMBER
Purpose of Report

To re-consider an application seeking Development Approval for Telecommunications Infrastructure (Fixed Wireless Facility) at Lot 9001 Leary Road, Baldivis, based on additional information provided by the applicant.

Background

Subject Site

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

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

Original Application

The development was proposed to be setback 3.8 metres from the western boundary and 3.5 metres from the northern boundary. In November 2016, the Council resolved to defer the application to the December 2016 meeting because the applicant attended the Planning and Engineering Services Committee meeting held on 14 November 2016 and tabled a plan showing a revised location for the Telecommunications Infrastructure.
Revised Application

The applicant has proposed a revised location for the monopole, 35 metres from the northern boundary and 10 metres from the western boundary. The compound area has also proposed to be reduced from 96m² to 60m².

The amended location for the Telecommunications Infrastructure is the subject of this report.

Details

Development Approval is sought for a telecommunications facility (as amended) which comprises the following:

- A 35 metre high monopole tower with proposed triangular headframe, a 7.5m² equipment shelter at ground level on a 60m² compound;
- Twelve panel antennas mounted on a triangular headframe with one GPS antenna mounted on the roof of the proposed equipment shelter and one radio communications dish;
- 21 remote radio units as well as ancillary components including cabling;
- The monopole will be of galvanised steel construction and the equipment shelter will be comprised of sandwich panel in the colour ‘paperbark’;
- The panel antennas will be comprised of plastic/aluminium in the colour ‘grey’ and the radio communications dish will be comprised of fibreglass in the colour ‘white’;
- The structure will be setback 35 metres from the northern boundary and 10 metres from the western boundary;
- The existing ground level under the proposed development may be required to be raised to ensure that it is 0.5 metres above the 1:100 year flood level;
- A 2.4 metre high chain link fence is proposed to be erected around the compound and a 3 metre wide access track will allow upgrades to the facility as required; and
- An elevated work platform service car bay indicated on the plans is proposed to be utilised during construction phase only and also during maintenance work, which will be up to three times a year.

The applicant has provided the following justification for the amended location:

- *The land is cleared rural land, well separated from sensitive sites and residential development, adjacent to Freeway Service Centres and the Kwinana Freeway;*
- *There will be no impact on the characteristics of the area by locating the facility adjacent to the western boundary of Leary Road, which in fact will be less prominent than the location along the shorter northern carriageway, which is devoid of any concealing natural vegetation; and*
- *The proposed additional 20 metre setback from the western boundary will have no benefit for the amenity or visual impact of the area or upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality*

The applicant has submitted the following documents in support of the revised application:

- Site Specifications;
- Overall Site Plan;
- Site Layout and Setout Plan;
- Site Elevation;
- Panel Antenna System Configuration
- RF Plumbing Diagram
- Equipment Shelter Layout Plan
- Planning Report; and
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 16 JANUARY 2017

PRESIDING MEMBER
6. Site Elevation

7. View from subject site looking north to Freeway Service Centre
Implications to Consider

a. Consultation with the Community

The original application was referred to 27 property owners and occupiers within 500 metres of the proposed Telecommunications Infrastructure as per the consultation plan below. At the close of the advertising period, a total of two submissions were received, both objecting to the proposal. The location of the revised proposal has not been advertised.

9. Consultation Plan

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

Proponent’s Response:
The proposed infrastructure is located a minimum of approximately 300 metres south east from the submissioners’ land, and is separated by the Kwinana Freeway.
Amenity (Cont…)

The proposed infrastructure is of a galvanised finish, considered to be the most unobtrusive option for the proposed infrastructure. The impact on the visual amenity to the submissioners’ land will be minimal.

City’s Comment:
Assessment of the visual impact of development proposals for Telecommunications Infrastructure is made on a case by case basis.

The structure will be located in close proximity to the Kwinana Freeway and the Freeway Service Centre, which includes an advertising sign 20 metres high. As such, the development is considered to be in an appropriate location. The closest residential development is the Greenlea Estate, located on the western side of the freeway, approximately 145 metres away. The Telecommunications Infrastructure will have some impact on the visual amenity of this residential development, which can be reduced by setting the development back further from the western boundary. This is further detailed in the Legal and Statutory section of this report. The revised site will be located where it will not be visible from significant viewing locations, lookouts, scenic routes or recreational sites.

Health Impacts

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

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

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

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

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

Property Values

Submission:
(iii) The proposed development will reduce property values.
### Property Values

**Proponent’s Response:**

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

**City’s Comment:**

The impact of the proposed development on property values is not a relevant planning consideration.

### Location

**Submission:**

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

**Proponent’s Response:**

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

**City’s Comment:**

SPP5.2 states that buffer zones and/or setback distances should not be included in local planning schemes or policies. The Telecommunications Infrastructure will be located approximately 300 metres from the submissioners' property and is separated by the Kwinana Freeway, which reduces the visual impact of the development. There is however, a basis to increase the western boundary setback of the development in compliance with TPS2, which would increase the distance to future residential development, west of the Kwinana Freeway.

### Consultation with Government Agencies

#### 1. Department of Water

**Submission:**

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

**City’s Comment:**

Noted

#### 2. Department of Environment Regulation

**Submission:**

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

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

City's Comment:
Advice provided to applicant for their consideration.

3. Department of Lands

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

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

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 5.2 - Telecommunications Infrastructure (SPP5.2)
The WAPC’s SPP5.2 seeks to balance the need for effective telecommunications services and effective roll-out of networks, with the community interest in the protection of the visual character of local areas. The objectives of this policy are to:

- “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 revised 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>
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</thead>
<tbody>
<tr>
<td>Assessment of the visual impact of development proposals for Telecommunications Infrastructure should be made on a case by case basis.</td>
<td>The application for Telecommunications Infrastructure was assessed on a case by case basis.</td>
<td>Yes</td>
</tr>
<tr>
<td>Policy Requirement</td>
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<td>Compliance</td>
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<tr>
<td>Telecommunications Infrastructure should be sited and designed to minimise visual impact and whenever possible:</td>
<td>The Telecommunications Infrastructure will be visible from the Kwinana Freeway and the Urban zoned land to the west.</td>
<td>Partially Compliant</td>
</tr>
<tr>
<td>a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites; 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 maybe compromised and d) display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape.</td>
<td>It will not be visible from any significant viewing locations, heritage sites, lookouts or recreational sites. The applicant has advised that the monopole structure will be of a galvanised finish, consistent with the Kwinana Freeway lighting, which is considered to be the most unobtrusive option for the proposed development. The Telecommunications Infrastructure will be located just south of the Freeway Service Centre and east of the Kwinana Freeway. The location of the development should be setback further from the western boundary, to minimise any adverse visual impacts to the residential development on the western side of the Kwinana Freeway, which is detailed further in the Legal and Statutory section of this report.</td>
<td>Yes</td>
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<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 that the revised site has been specifically selected to provide continuous network coverage and improved telecommunications services along the Kwinana Freeway and to the surrounding rural and future residential developments in the Baldivis area.</td>
<td>Yes</td>
</tr>
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</table>
| 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. | The submitted site plan indicates that the power route will be underground. The applicant has advised that detailed investigations have confirmed that there are no co-location opportunities in the vicinity of the subject site which would satisfy the coverage objectives for the facility. There are also no existing structures within the vicinity of the subject site suitable for accommodating low-impact Telecommunications Infrastructure. Adequate space will be provided on the infrastructure to allow two further carriers to be accommodated, if required and this will be recommended to be applied as a condition of Development Approval. | Yes                      |
The revised proposal is considered to comply with SPP5.2, subject to the development being setback further from the western boundary as detailed further in the Legal and Statutory section of this report.

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 revised proposal against the requirements of PP3.3.16:

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<tr>
<th>Policy Requirement</th>
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<tbody>
<tr>
<td>In terms of PP3.3.16 - Telecommunications Infrastructure the preferred location for telecommunications Infrastructure that cannot be classified as low impact facilities is in the Industrial, Commercial and Rural Zones.</td>
<td>The proposed facility will be located in the Rural zone and can therefore be considered for approval if it complies with the policy statement regarding its location.</td>
<td>Yes</td>
</tr>
<tr>
<td>Telecommunications Infrastructure should be sited to minimise adverse impacts on the visual character and amenity of residential areas. In this regard, such facilities should not be located within 200 metres of land zoned Urban or Urban Deferred in the Metropolitan Region Scheme (or Residential, Special Residential or Development Zone in Town Planning Scheme No.2), unless the infrastructure is attached to an existing structure and does not adversely impact on the visual amenity of an area.</td>
<td>The revised location of the Telecommunications Infrastructure will be setback 145 meters from the nearest Urban zoned land to the west, in lieu of 200 metres required by PP3.3.16. All land to the east, north and south of the proposed facility is zoned Rural or Special Rural. It should be noted that PP3.3.16 is under review for consistency with SPP5.2, which states that local planning policies should not include any setback distances. Considering the setback requirements of PP3.3.16, it is recommended that the development is setback 30 metres from the western boundary in lieu of 10 metres, to increase its separation from the Urban zoned land to the west. This will increase the setback to urban zoned land from 145 metres to 165 metres. Changes to setback distances are also addressed in the legal and statutory section of this report.</td>
<td>Partially compliant</td>
</tr>
</tbody>
</table>
Policy Requirement | Provided | Compliance
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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. | The Telecommunications Infrastructure will be visible from the Kwinana Freeway; the proposed site will be located where it will not be visible from significant viewing locations, heritage sites, lookouts and recreational site. The proposal is likely to be visually prominent to motorists on the Kwinana Freeway. | Partially compliant

The proposal is partially compliant with PP3.3.16, with the exception of its setback to Urban zoned land west of the Kwinana Freeway. A relatively small area of Urban zoned land is within 200 metres of the proposed Telecommunications Infrastructure, which can be addressed by increasing the setback of the Telecommunications Infrastructure from the western boundary.

10. MRS Plan showing the development in relation to Urban zoned land

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

The subject site is located within Planning Unit 6C of PP3.1.1, which recommends that a 50 metre landscape buffer strip is provided on the Kwinana Freeway alignment. The lot is setback 18 metres from the Kwinana Freeway road reserve, which includes the Leary Road road reserve. The provision of a 30 metre setback from the western boundary, in lieu of 10 metres, will ensure that a landscape buffer can be provided in this area, as recommended by PP3.1.1.
e. Financial
Nil

f. Legal and Statutory

Town Planning Scheme No.2 (TPS2)

Clause 3.2 - Zoning and Land Use

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

Clause 4.11.1 - Rural Zone

The objective of the Rural zone is as follows:

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

Clause 4.11.2 - General Provisions (Rural Zone)

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

<table>
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<tr>
<th>Provision</th>
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<th>Compliance</th>
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<tbody>
<tr>
<td><strong>Setbacks</strong></td>
<td></td>
<td>No - Should the application be approved, a condition requiring the development to be setback at least 30 metres from the western boundary, to ensure that the development is setback in accordance with TPS2 requirements.</td>
</tr>
<tr>
<td>All development, including the clearing of land, shall be setback a minimum of 30 metres from the primary street and 10 metres from all other boundaries, other than for the purpose of providing a fire break or vehicular accessway.</td>
<td>The revised development will be setback 10 metres from the primary street (Leary Road), 35 metres from the northern side boundary and greater than 10 metres from all other lot boundaries. The primary street on the subject site has been determined to be the western boundary which has the shorter lot frontage at 149 metres compared to 155 metres on the northern boundary, which is also where access is obtained to the lot. Additionally, prior to the adjacent lots being subdivided to accommodate the Freeway Service Centre, the lot would not have had road frontage on the northern side boundary. It is recommended that the Telecommunications Infrastructure be setback in accordance with TPS2 requirements for the Rural zone. This will also increase the separation from the Urban zoned land to the west to at least 165 metres.</td>
<td></td>
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</tbody>
</table>
Clearing of Native Vegetation

<table>
<thead>
<tr>
<th>Provision</th>
<th>Provided</th>
<th>Compliance</th>
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</thead>
<tbody>
<tr>
<td>No native or remnant vegetation shall be removed or cleared unless approved by the Council, and other than for the purpose of a fire break, fire protection within a building protection zone, dwelling, outbuilding, fence and vehicular access or where such vegetation is dead, diseased or dangerous.</td>
<td>The development will not impact upon any vegetation.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### 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 revised Telecommunications Infrastructure facility will be in a location that is generally compliant with SPP5.2 and PP3.3.16, while still ensuring a proper mobile telephone network can be provided.

It is recommended that the application be approved, subject to the setback to the primary street being increased to 30 metres in accordance with the TPS2 Rural zone requirements. The 165 metres setback provides for a better separation between the Urban zoned land to the west of the proposed Telecommunication Infrastructure. The increased setback will also allow for the provision of a landscaped buffer to the Kwinana Freeway, as required by PP3.1.1.

### Voting Requirements

Simple Majority

### Officer Recommendation

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

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
   - Site Specifications, Drawing No.P0704-G1, Revision B, dated 18.11.2016;
   - Overall Site Plan, Drawing No.P0704-G2, Revision B, dated 18.11.2016;
   - Site Layout and Setout Plan, Drawing No.P0704-G3, Revision B, dated 18.11.2016;
   - Site Elevation, Drawing No.P0704-G4, Revision B, dated 18.11.2016;
   - Equipment Shelter Layout Plan, Drawing No.P0704-F1, Revision B, dated 18.11.2016;

2. Adequate space must be provided on the Telecommunications Infrastructure to allow for two additional Telecommunications Carriers to be co-located.

3. The development being relocated to ensure that it is setback 30 metres from the western boundary (Leary Road).
4. Screening vegetation must be planted such that the visual impact of the development from public spaces is minimised, to the satisfaction of the City, and must be retained and maintained in good condition at all times.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Hamblin:
That Council **APPROVES** the revised application for Telecommunications Infrastructure (Fixed Wireless Facility) at Lot 9001 Leary Road, Baldivis subject to the following condition:

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
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   - Site Elevation, Drawing No.P0704-G4, Revision B, dated 18.11.2016;
   - Equipment Shelter Layout Plan, Drawing No.P0704-F1, Revision B, dated 18.11.2016;

2. Adequate space must be provided on the Telecommunications Infrastructure to allow for two additional Telecommunications Carriers to be co-located.

3. The development being relocated to ensure that it is setback 30 metres from the western boundary (Leary Road).

4. Screening vegetation must be planted such that the visual impact of the development from public spaces is minimised, to the satisfaction of the City, and must be retained and maintained in good condition at all times.

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
### Planning and Development Services
#### Statutory Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-084/16 Metro South-West Joint Development Assessment Panel Application - Amendment to Development Approval for 167 Multiple Dwellings</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2016.00000429.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Yaran Property Group Pty Ltd</td>
</tr>
<tr>
<td>Owner:</td>
<td>Westralia Garden Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Greg Delahunty, Senior Projects Officer</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>12 December 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>February 2014 (PDS-03/14)</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>
<td>Executive</td>
</tr>
<tr>
<td>Site:</td>
<td>Lots 900-907 (No.12-26) Westralia Garden, Rockingham</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>Lot 900 - 954m²                                               Lot 901 - 1,022m²                                           Lot 902 - 875m²                                               Lot 903 - 1,115m²                                               Lot 904 - 1,143m²                                               Lot 905 - 1,849m²                                               Lot 906 - 1,549m²                                               Lot 907 - 1,092m²                                               Total: 9,599m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Primary Centre City Centre</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Central City Area</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Responsible Authority Report</td>
</tr>
</tbody>
</table>
8. Upper Levels
9. Apartments (Type A & B)
10. Apartments (Type A2 & B2)
11. Southern and Eastern Elevations
12. Northern and Western Elevations
13. Easement Plan

1. Location Plan
2. Aerial Photo
Purpose of Report

To provide recommendations to the Metro South West Joint Development Assessment Panel (SWJDAP) on an application for an amendment to a Development Approval for 167 Multiple Dwellings at Lots 901 (No.14) and Lot 902 (No.16) Westralia Garden, Rockingham.

Background

The following outlines the history of approvals on the site:

- March 2014 - Metro South-West Joint Development Assessment Panel (JDAP) Development Approval issued - 167 Multiple Dwellings
- June 2014 - Subdivision Approval issued creating eight lots (one for each block of multiple dwellings including common property area)

Construction has commenced on Blocks 1 and 2 (Lot 900 and Lot 907) and is yet to be finalised. The remainder of the site remains vacant.
Details

The application proposes to amend the JDAP Development Approval as outlined below:

- Blocks 5 and 6 (Lots 901 and 902) will be merged into a single building;
- The height of the single building will be four storeys. Blocks 5 and 6 were approved as three storey buildings;
- The total number of multiple dwellings in Blocks 5 and 6 will increase from 28 to 30, bringing the total number of multiple dwellings to 169; and
- One additional carparking bay will be provided.

The applicant has provided the following justification for the amendment:
- Allow for greater separation and open space between the proposed buildings on Blocks 1 and 7;
- Allow for larger apartments thereby increasing the diversity of apartment sizes within the development, while maintain the yield be adding an extra floor;
- Larger foyer and circulation spaces increasing the amenity of the building; and
- Allow for separate store rooms on the ground floor.

5. Proposed Site Plan
6. Approved Ground Floor Plan (Blocks 5 & 6)

7. Proposed Ground Floor Plan (Blocks 5 & 6)
8. Upper Levels

9. Apartment Types A & B
10. Apartment Types A2 & B2

11. Southern and Eastern Elevations
Implications to Consider

a. Consultation with the Community
   Consultation with the community was not considered necessary given the proposed development will be four storeys high, which is within the 2-4 storey height limit permitted by the adopted Planning Policy 3.2.1 - Development Policy Plan - City Centre Sector, which is applicable to the subject site and surrounding land. The proposed development will also not result in any overshadowing of the adjacent site, and overlooking issues can be addressed via the provision of screening to major openings and balconies.

b. Consultation with Government Agencies
   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 D:** Sustainable Development
   
   **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 3.1 - Residential Design Codes
   Clause 4.3A.2 states that the Residential Design Codes (R-Codes) do not apply to the development of land in the Primary Centre City Centre Zone. Notwithstanding this, the R-Codes are used in the assessment of the carparking and end-of-trip facilities which have been discussed in the Planning Assessment section of this report.

   State Planning Policy 3.7 - Planning in Bushfire Prone Areas
   SPP 3.7 seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.
Portions of the site have 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.***”

As the land is designated as a Bushfire Prone Area, the applicant submitted a Bushfire Attack Level Assessment in support of the application as per the requirements of SPP3.7. The Bushfire Attack Level Assessment determined the land had a Bushfire Attack Level of BAL-Low, and therefore no construction requirements in accordance with *Australian Standard 3959 - Construction of Buildings in Bushfire Prone areas*, are required.

Planning Policy 3.2.1 - Development Policy Plan - City Centre Sector (PP3.2.1)

PP3.2.1 was prepared to meet the requirement of the then State Planning Policy 4.2 (Metropolitan Centres Policy), which required the City of Rockingham to prepare and maintain an endorsed Centre Plan to guide the development of public and private property within the Rockingham Strategic Regional Centre.

The subject site is located within the Park Precinct.

The proposal is compliant with the Policy requirements of the Park Precinct, with an assessment of the density and height requirements of the Policy detailed below. A full assessment of the proposal against all requirements of the Policy is included in the Responsible Authority Report.

### Density and Height

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consistent with Figure 4.2 of the Policy (Density and Height), residential development within the Precinct is to be designed to accommodate a balanced mix of dwelling types and sizes at preferred densities ranging between 80 and 100 dwellings per hectare with a minimum density of 80 dwellings per hectare in any development which includes a residential component.</td>
<td>158 dwellings per hectare have been provided over Lots 901 and 902. Overall, 176 dwellings per hectare have been provided, which is 2 dwellings per hectare greater than the approved Development Application. This is above the preferred density range of the Precinct. This variation is considered acceptable as the site is nearby to amenities, with good public transport connectivity. The increase in density will also contribute to infill density target of 47% for Perth and Peel, as per Directions 2031. The increase in density is considered to make more effective use of the land in an existing developed area.</td>
<td>Partial compliance</td>
</tr>
</tbody>
</table>

Whilst the height of the building complies, the density is greater than what is preferred for this Precinct in the Policy. This variation is considered acceptable.
Density and Height

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A 2-4 storey height is required for the subject site in accordance with the Policy.</td>
<td>A four storey building is proposed.</td>
<td>Yes</td>
</tr>
<tr>
<td>Consistent with Section 4.3, buildings are to present a 2 storey or equivalent parapet height (to a maximum of 7 metres) to the street or relevant public space, with any additional height to be setback a minimum of 3 metres.</td>
<td>The building is proposed to be developed on Lots 901 and 902, which are internal to the overall development and do not face the street or public space.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The scale and massing of buildings is to be designed to minimise any overshadowing of adjoining properties and public spaces to the satisfaction of the City.</td>
<td>Given the orientation of the lot, there will be no overshadowing of adjoining properties.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Planning Policy 3.3.14 - Bicycle Parking and End-of-Trip Facilities (PP3.3.14)

Bicycle Space Provision

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Required</th>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple Dwelling (169 Dwellings)</td>
<td>1 bay per 3 dwellings for residents</td>
<td>57</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 bay to each 10 dwellings for visitors</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>74 spaces</td>
</tr>
</tbody>
</table>

Note:
1. The Residential Design Codes do not specify whether the spaces are to be designed as long term or short term spaces, and thus the spaces have been taken to be short term as per the requirements of PP3.3.14.
The approved Development Application required the provision of 73 spaces, based on a total of 167 dwellings. The revised total of 169 dwellings as a result of the proposed amendment will result in a total of 74 spaces being required for the development overall.

No provision of bicycle spaces has been made.

Condition 9 of the Development Approval is recommended to be amended to require the provision of 74 short term bicycle parking spaces.

**Provision of End-of Trip Facilities**

Given the use of the land will be for Multiple Dwellings only, all of which have showers, no additional showers are considered necessary.

e. **Financial**

Nil

f. **Legal and Statutory**

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

*Schedule 2 - Deemed Provisions*

Clause 77 - Amending or cancelling development approval

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

(c) to amend an aspect of the development approved which, if amended, would not substantially change the development approved.

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

*Clause 4.3A.1 - Objectives of the Zone*

The subject site is zoned ‘Primary Centre City Centre’ under TPS2. The objectives of the Primary Centre City Centre Zone include, but are not limited to:

(i) Achieving a high density land use environment with a range of medium to high density housing;

(ii) To encourage vibrant and diverse uses which promote the Primary Centre City Centre Zone as a destination;

(iii) Providing a contiguous, activated street front development; and

(iv) Promote an active day and night time retail and social environment."

The proposed development provides a high density land use environment due to the proposed high density housing. The proposed development is considered to address the streetfront and will promote an active day and night social environment. For these reasons, the proposed development is considered to comply with the objectives of the zone.

*Clause 4.3A.3 - Minimum Residential Density*

In the Primary Centre City Centre Zone, all development for the purpose of Multiple Dwellings must have a minimum of one dwelling per 125m² of land area.

Given the site area of Lots 901 and 902, 16 dwellings are required. A total of 30 dwellings are proposed and as such the minimum density requirement has been satisfied.

Overall, 77 dwellings are required and a total of 169 dwellings are proposed.

*Clause 4.15.1.1 - Carparking Requirements*

Pursuant to clause 4.15.1.1, where land is proposed to be developed in the Primary Centre City Centre Zone, for a purpose specified in Table No.3, the minimum number of car parking bays required, and the maximum number of car parking bays allowable, for the proposed development is to be determined in accordance with Table No. 3.

The following table outlines the carparking requirements of the proposed amended portion of the overall development based on TPS2:
### Land Use

<table>
<thead>
<tr>
<th>Carparking Required for Blocks 5 &amp; 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate</td>
</tr>
<tr>
<td>Multiple Dwelling</td>
</tr>
<tr>
<td>(30 dwellings - less than 110m² and/or 1 or 2 bedrooms)</td>
</tr>
<tr>
<td>Visitors Car Spaces (per dwelling)</td>
</tr>
<tr>
<td>0.25 per dwelling</td>
</tr>
<tr>
<td><strong>Total Required</strong></td>
</tr>
<tr>
<td><strong>Total Bays Provided for Blocks 5 &amp; 6</strong></td>
</tr>
</tbody>
</table>

**Notes:**

1. In calculating the minimum number of on-site carparking spaces provided per dwelling, Location ‘A’ uses of the Deemed to Comply requirements of the Residential Design Codes was used as the subject site is within 250m of a high frequency bus route.

Across the entirety of the development, 176 bays are proposed. It should be noted that at the time the approved development was assessed, the R-Codes only required 0.75 bays per dwelling, which resulted in a total of 168 bays for 167 multiple dwellings being required, including visitors bays.

The R-Codes were amended in October 2015, and now require 1 bay per dwelling, meaning the number of bays required for the amended portion of the development increases to 30 bays, when previously only 23 bays would have been required for 30 dwellings (or 21 bays for the original proposed development of 28 units on blocks 5 and 6).

Given the applicant only intends to amend blocks 5 and 6, the new parking rate should only apply to this portion of the development, as the balance of the development has been calculated on the superseded rate of 0.75 bays per dwelling and the applicant has not proposed any changes to the other undeveloped portions of the development.

Notwithstanding the City considers this 7 bay shortfall in carparking bays is acceptable given there are enough bays on site for each multiple dwelling to have a carparking space, whilst still providing space for 7 visitors on site. The development is considered to comply with the Design Principles of the R-Codes in that car parking on-site is in accordance with the projected need related to the type, number and size of dwelling and the proximity of the development to public transport and other facilities.

### 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

**Amalgamation**

The proposed development extends over the existing lot boundary between Lots 901 and 902 Westralia Garden, Rockingham. As the Building Act 2011 does not permit development to protrude over a lot boundary, a new condition of approval is recommended requiring the amalgamation of these lots prior to the occupation of the development.
Pedestrian and Vehicular Access

Conditions 7 and 8 of the Subdivision Approval pertaining to the land required easements in accordance with Sections 195 and 196 of the *Land Administration Act 1997* to ensure pedestrian and vehicular access throughout the site. The applicant has confirmed that these easements will not need to be amended on the deposited plan to reflect the changes to carparking locations and emergency escape access points as a result of the amended building design.

13. Easement Plan

Walls on the Boundary

The revised application proposes the storerooms for each Multiple Dwelling to be located on the ground floor with a nil setback to the western boundary. Given the height of the stores are 2.7m, they will be visible to the adjoining property owners above the height of the existing 1.8m high fence. The height of the stores is compliant with the requirements of the R-Codes, which permit a maximum height of 3.5m with an average height of 3m for walls on the boundary.

To ensure the amenity of the adjacent properties is maintained, a new condition is recommended requiring the standard of finish to the walls built up to the boundaries to be to satisfaction of the adjoining owner(s) or, in the case of a dispute, to the satisfaction of the City.

Privacy

The modified building design will result in balconies and windows overlooking the adjacent Lot 11 Westralia Garden. This was identified in the current Development Approval, and a condition requiring screening for visual privacy was included to ensure visual privacy of the adjacent site was maintained. Should the application be approved, this condition is proposed to be modified to reflect the new location of the building over both Lots 901 and 902 Westralia Garden.
Conclusion
The proposed development is compliant with TPS2 and Policy requirements.
The proposed complies with the intent and objectives of the Park Precinct and the Rockingham City Centre Sector and is considered a desirable and suitable addition to the Precinct.

It is recommended that the application be approved subject to the approval dated 12 March 2014, amended conditions relating to the number of bicycle parking bays required and privacy screenings on the building, and additional conditions relating to the amalgamation of the lots and the treatment of walls on the boundary.

Voting Requirements
Simple Majority

Officer Recommendation
That Council ADOPTS the Responsible Authority Report for the proposed amendment to the Development Approval for 169 Multiple Dwellings at Lots 900-907 (No.12-26) Westralia Garden, Rockingham (contained as Attachment 1) as the report is required to be submitted to the presiding member of the South West Joint Development Assessment Panel pursuant to Regulation 17 of the Planning and Development (Development Assessment Panels) Regulation 2011, which recommends:

*That the Metro South-West JDAP resolves to:

1. **Accept** that the DAP Application reference DP/14/00064 as detailed on the DAP Form 2 dated 8 November 2016 is appropriate for consideration in accordance with regulation 17 of the Planning and Development (Development Assessment Panels) Regulations 2011;

2. **Approve** the DAP Application reference DP/14/00064 as detailed on the DAP Form 2 dated 8 November 2016 and accompanying plans:
   - Site Plan, Drawing No.A002 Rev A, dated November 2016;
   - Ground Floor Plan, Drawing No.A003, dated November 2016;
   - Upper Levels, Drawing No.A004 Rev F, dated November 2016;
   - Apartment Types, Drawing No.A005 Rev C, dated November 2016;
   - Apartment Types, Drawing A006 Rev C, dated November 2016;
   - Elevations, Drawing No.A007 Rev D, dated November 2016;

in accordance with the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Metropolitan Region Scheme, for the proposed minor amendment to the approved 167 Multiple Dwellings at Lot 12 (No.12-24) Westralia Garden, Rockingham, subject to the approval dated 12 March 2014, amended condition 9 and 20 and additional conditions 21 and 22:

Amended Conditions

9. 74 short-term bicycle parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities, prior to applying for a Building Permit. The bicycle parking spaces must be constructed prior to the occupation of the development, and must be retained and maintained in good condition at all times.

20. Vertical or Horizontal loover screening must be installed on all west facing balconies and windows of the building on Lots 901 and 902 Westralia Garden, Rockingham to prevent direct overlooking of the adjoining development, in accordance with a design submitted to the City's satisfaction prior to lodgement of a Building Permit.

21. Prior to applying for a Building Permit, arrangements must be made to the satisfaction of the City of Rockingham for the amalgamation of Lot 901 and Lot 902 Westralia Garden, Rockingham, onto one Certificate of Title. The amalgamation must be completed prior to occupation of the development.
22. The standard of finish to the walls built up to boundaries must be to the satisfaction of the adjoining owner(s) or, in the case of a dispute, to the satisfaction of the City of Rockingham. All other conditions and requirements detailed on the previous approval dated 12 March 2014 shall remain unless altered by this application.

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

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   - Apartment Types, Drawing A006 Rev C, dated November 2016;
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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
### Planning and Development Services

#### Statutory Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-085/16 Recommendation from the Heritage Reference Group Advisory Committee Meeting held on 7 September 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/449-24</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>12 December 2016</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Advocacy</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
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<tr>
<td>Attachments:</td>
<td>Minutes of the Heritage Reference Group Advisory Committee Meeting held on 7 September 2016</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photo of the Dixon Road Precinct (Reserve 52208)</td>
</tr>
<tr>
<td></td>
<td>3. Aerial Photo</td>
</tr>
<tr>
<td></td>
<td>4. Removed Graffiti - Side of Abattoir</td>
</tr>
<tr>
<td></td>
<td>5. Removed Graffiti - Front of Abattoir</td>
</tr>
<tr>
<td></td>
<td>6. Propping of Roof</td>
</tr>
</tbody>
</table>

#### Diagram

1. Location Plan

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CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 16 JANUARY 2017

PRESIDING MEMBER
Purpose of Report

To consider funding options for restoration works to the Old Abattoir at Lot 902 Dixon Road (Reserve 52208), Hillman, to reinstate the roof structure in order to conserve the Old Abattoir, and to investigate methods to increase security measures onsite.

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 16 JANUARY 2017

PRESIDING MEMBER
Recommendations to the Planning and Engineering Services Committee

Advisory Committee Recommendation 1 of 1:

That the Heritage Reference Group SUPPORTS the City investigating funding options for restoration works to the Old Abattoir recommended in the revised Structural Report, to reinstate the roof structure in order to conserve the Old Abattoir, and to investigate methods to increase security measures onsite, and:

1. Acknowledge the efforts of Mr Hincks in sourcing and implementing materials for the conservation and maintenance efforts undertaken to the Old Abattoir;

2. Acknowledge the efforts of Mr Carrick in the overall heritage advisory process.

Officer Recommendation if Different to Advisory Committee Recommendation

That Council DIRECTS the Chief Executive Officer to investigate the feasibility and funding options for the reconstruction of the Old Abattoir roof and methods to increase security on Lot 902 Dixon Road, Reserve 52208.

The Officer’s Reason for Varying the Advisory Committee Recommendation

The Officer’s recommendation is a simplified version of the Advisory Committee Recommendation.

Background

In 2013, as an outcome of the Rockingham Lakes Regional Park Management Plan which rationalised management arrangements, the Council accepted the vesting of the Dixon Road Precinct. This was conditional upon receiving suitable assistance (i.e. Area Assistance Grants) to progress Management Plans and resultant capital works. The Western Australian Planning Commission grant for capital works did not include any funding for the Abattoir Conservation Works.

The Dixon Road Precinct is a “C” class Crown Reserve which is vested in the City of Rockingham for conservation and public recreation. The Dixon Road Precinct is currently referred to as Reserve 52208.

At its February 2015 meeting, the City’s Heritage Reference Group (HRG) raised concerns with respect to the Old Abattoir including the dilapidated state of the building, graffiti vandalism and that a roof was required to ensure the limestone brickwork was not further degraded. It should be noted the HRG has previously raised these concerns with the City.

With regards to the Old Abattoir, there is a recognisable need to protect the cultural heritage significance of the place, as there are no abattoirs of similar age or scale known to exist in the State. The place is also listed on the City’s Municipal Heritage Inventory, and has been recommended for entry onto the State Heritage Register.

In April 2016, in response to these concerns, the City undertook minor building maintenance such as repairing the fence around the Old Abattoir and removal of graffiti.
4. Removed Graffiti - Side of Abattoir

5. Removed Graffiti - Front of Abattoir

The HRG also supported the City's Regional Heritage Advisor (HA) and the City reviewing the Abattoir Conservation Plan and Structural Report as a basis for identifying conservation measures for the dilapidated roof and walls of the Old Abattoir.
The City's Asset Services undertook building stabilisation works in July 2016, to ensure the roof structure is retained and conserved in accordance with a Structural Engineer's Report. This included Stage one (deconstruction and make-safe) of the heritage works. Roof tiles have been removed and sorted, temporary propping has been installed and roof and wall timbers have been labelled, removed and stacked. Selected timbers have been left in place and braced to determine what elements could be re-used for reconstruction.

6. Propping of Roof

In September 2016, the HRG supported the City investigating funding options for restoration works to the Old Abattoir recommended in a revised Structural Report, to reinstate the roof structure in order to conserve the Old Abattoir and to investigate methods to increase security measures onsite.

### Implications to Consider

**a. Strategic**

**Community Plan**

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

**Aspiration C:** Quality Leadership

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

**Aspiration D**

**Strategic Objective:** 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.
b. **Policy**

**Planning Policy 3.3.21 - Heritage Conservation and Development (PP3.3.21)**

The objectives of PP3.3.21 are as follows:

"(i) To conserve and protect places of cultural heritage significance within the City of Rockingham;

(ii) To ensure that development does not adversely affect the significance of heritage places;

(iii) To ensure that heritage significance is given due weight in decision making for applications for planning approval; and

(iv) To provide greater certainty to landowners and the community about the planning processes for heritage identification and protection in the City of Rockingham."

The Old Abattoir is listed as a Management Category B on the City's Heritage List, which is contained within PP3.3.21, as the place has aesthetic, historic, scientific and social value; is representative and is rare.

The restoration works to the Old Abattoir are considered to comply with the objective of PP3.3.21 as it will ensure the conservation and protection of the Old Abattoir, which has cultural heritage significance within the City.

c. **Financial**

The financial implications and feasibility of reconstructing the Old Abattoir roof and security measures need to be considered further in a future report to Council, together with funding options.

d. **Legal and Statutory**

Not applicable

e. **Voting Requirements**

Simple Majority

f. **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

**Committee Recommendation**

Moved Cr Hamblin, seconded Cr Sammels:

That Council **DIRECTS** the Chief Executive Officer to investigate the feasibility and funding options for the reconstruction of the Old Abattoir roof and methods to increase security on Lot 902 Dixon Road, Reserve 52208.

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
### Planning and Development Services

#### Statutory Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-086/16 Amendment to Private Recreation (Obstacle Course) Development Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2016.00000341.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Ted Blackshaw</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr Ted and Mrs Sandra Blackshaw</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>12 December 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>January 2014 (PDS-006/14)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Tribunal</td>
</tr>
</tbody>
</table>

### Site:

- **Lot 4 Mandurah Road, Baldivis**
- **Lot Area:** 2ha
- **LA Zoning:** Rural
- **MRS Zoning:** Rural

### Attachments:

1. Acoustic Report
2. Traffic Impact Statement

### Maps/Diagrams:

1. Location Plan
2. Aerial Photo
3. Existing Approved Development
4. Shed and Carparking Area
5. Obstacle Course
6. Site Plan
7. Shared Driveway
8. Consultation Plan
9. Approved Building Envelope
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 16 JANUARY 2017

PRESIDING MEMBER
Purpose of Report

To consider an application seeking approval for an amendment to modify the Development Approval for a Private Recreation (Obstacle Course) at Lot 4 Mandurah Road, Baldivis.

Background

In January 2014, the Council granted retrospective Development Approval to operate an Obstacle Course from the subject land subject to the following conditions:

1. Clients must only arrive and depart the premises between the hours of 8:00am and 5:00pm on Sundays and not at all on any other days.
2. No more than two exercise sessions are to take place and no exercise session is to exceed 1.5 hours in duration.
3. Not more than 20 clients are permitted to attend the premises during each exercise session.
4. All clients must park within the on-site car parking area marked in red on the approved plan. No client vehicle parking is permitted on Mandurah Road at any time.
5. The carpark must:-
   (i) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking unless otherwise specified by this approval, prior to applying for a Building Permit - Certified;
   (ii) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;
   The car park must comply with the above requirements for the duration of the development.
6. All stormwater must be contained on site.
7. Strategic revegetation must be undertaken within 60 days of Planning Approval, in accordance with the attached Development Plan dated 6 January 2014 and maintained for the continuation of the development.
8. Existing Sea Containers must be relocated to be within the approved Building Envelope.
9. The crossover onto Mandurah Road must be designed and constructed in accordance with the City’s specifications for crossovers."

In August 2016, the City received a complaint regarding the Obstacle Course business alleging that it was operating in breach of the conditional Development Approval. This promoted an application being submitted to amend the Development Approval.
3. Existing Approved Development
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 16 JANUARY 2017

PRESIDING MEMBER
Details

The applicant is seeking to modify the current Development Approval as follows:

- Permit trading on Saturdays and during School Holiday periods in lieu of Sundays only;
- Increase the number of clients from 20 to 50; and
- Provide space for 16 additional vehicles to park, including 2 for the exclusive use of people with disability, bringing the total capacity of the car parking area to 34 vehicles.

The applicant has provided the following additional details in relation to the operation of the Obstacle Course:

- The Obstacle Course is not open to the public, and operates on a booking only basis;
- Only one group is permitted to use the Obstacle Course per booking, with each booking provided a timeslot to use the course;
- The typical duration of sessions on the Obstacle Course is 1.5 hours;
- Starting and finishing times of bookings are typically after 10:00am and 3:30pm;
- There is a 30 minute to 1 hour break between sessions to enable one group to depart the session before the next group accesses the site;
- There are a maximum of 3 sessions held per day; and
- Groups are requested to carpool to the venue, and all vehicles are parked in a designated area on site controlled by parking attendant/s.
6. Site Plan

In response to the City's request for more information, the applicant submitted a Transport Impact Statement and an Acoustic Report. Both of these documents were prepared by the applicant.
7. Shared Driveway

Implications to Consider

a. Consultation with the Community

In accordance with clause 6.3.3 of Town Planning Scheme No.2 (TPS2) the application was referred to the adjacent landowners as shown on the Consultation Plan below. At the conclusion of the advertising period, two submissions objecting the proposal were received.
Compliance with Development Approval

Submission:
(i) Concern that applicant is failing to comply with current approval, including client numbers exceeding 100 on any given day.

Proponent’s Response:
Firstly, the claim that we welcome more than 100 clients on any given day is a false claim. However, we are one of the very few businesses in the Rockingham area that has significantly grown during the past 6 months, to be exact since May of this year. We didn’t foresee, nor plan for this success and were somewhat taken by surprise of the sudden growth. Initially we were of the view this was a one off, or temporary demand. However, as soon as we realised the demand and increased bookings and number of clients was likely not a temporary demand (we are still not sure of that) we made contact with the Council for guidance and started the process to seek approval for extended hours and extended number of visitors.

Secondly, we do like to take the opportunity to confirm that these concerns come from an individual/s who fails to submit applications to the Council for a full front wall across his rural property (quoted by Council Rockingham) AND failed to seek approval for the structure/shed on his own property. We, on the other hand, have always followed the correct process and sought Council approval for all activities and developments on our property (home, shed, obstacle course).

We like to make you aware that the concerns submitted by our neighbour/s follow on from an intolerance from the moment we purchased the property. Prior to us occupying the property, this property was used by number 1631, number 1635 and number 1637 as their own. The sheep of number 1631 were kept on 1633, the children's play area of 1635 was set up on 1633, the fences were opened and gates installing in between the property for easy access. Many concerns were raised to use directly when we became owners of 1633 over private activities (grass was too long, fences should remain open between the properties, comments about our dog even to the extent of the way how we were dressed, etc.) long before we asked approval for the obstacle course.

The reason for highlighting the above, is for the mere reason that we believe it is important to validate the motives of the submissions since 2014 by these individuals and verify the reason and validity of the concerns raised, oppose to a character and personal vendetta over the loss of power of the usage of 1633, since we have become the owners.

Lastly, the increased demand for the services offered by XLR8 Fitness on the obstacle course is proof of the positive impact and reception of the general public of the services offered on the obstacle course.

Offering a unique, outdoor, active and healthy activity to children, teens and adults has already changed so many people's lives. I can provide 87 testimonials in where parents and other individuals thank us for the positive impact on the health and general life of their children or themselves. It is no coincidence that we have recently been awarded with the RKCC SOHO Business of the Year 2016.

In addition, we are also asking you to take into account the business' and economic advantages the obstacle course brings to the area of Rockingham/Baldivis. There is no other permanent outdoor obstacle course in WA as of yet, whilst we understand this brings some complication in the set up and application of this new concept, it also brings interest, business and many other benefits to the area.

City’s Comment:
Condition No.3 of the 2014 Development Approval required that not more than 20 clients are permitted to attend the premises during each exercise session.

In response to the submissions, the applicant was requested to provide a Transport Impact Statement (TIS). The applicant provided a TIS that it had prepared, which included a logbook measuring times, sessions and cars accessing and egressing the site from 5 June 2016 til 23 October 2016. This report concluding that over 21 weeks, the traffic generated by the proposal will not exceed on average 17.3 vehicles accessing and egressing the site per trading day.
### Compliance with Development Approval (Cont…)

A City Officer met with the submissioners to discuss this concern. Based on these discussions it appears that more than 20 clients have been attending the premises and the applicant has not been operating in accordance with the conditional Development Approval.

It is also noted that the applicant stated in the TIS that the trading days were Saturdays, Sundays and School Holidays. The current Development Approval only permits trading on Sundays. The applicant has therefore been trading outside the approved day of operation.

The City has contacted the applicant to reaffirm the requirement to limit numbers to 20 people and comply with approved operating hours.

### Location of Obstacle Course

**Submission:**

(i) **Obstacle course extending to Mandurah Road as opposed to the rear of the block as per the approved Development.**

**Proponent’s Response:**

We have recently erected 2 obstacles at the front/side of the property. These obstacles are not in use but have been privately tested. After consultation with the planning department of the City of Rockingham and consideration we can confirm that these obstacles will not be made available or active till further notice or a separate application is made to the City of Rockingham for the use of these obstacles.

**City’s Comment:**

The applicant has acknowledged that there are two obstacles located at the front of the site. The approved Development Approval located all obstacles to the rear eastern portion of the site, and not extending towards Mandurah Road.

The applicant is not proposing to relocate obstacles as part of this application and the applicant has advised that two obstacles to the front/side of the property are not in use as part of the operation.

Should the application be approved, a condition of Development Approval can be imposed requiring the applicant to remove all obstacles outside of the existing approved area for obstacles.

### Noise

**Submission:**

(ii) **Concern regarding the use of whistles, an all-terrain vehicle and yelling from instructors.**

**Proponent’s Response:**

a) There has never been any use of any whistle/s of any kind. This is an invalid claim.

b) All-terrain vehicles in our possession and used on the property are 125cc kids’ size quad and a golf cart. It is correct that these all-terrain vehicles are used for the purpose of the business.

The quad is used for health & safety purposes including:

a. A check-up of the course before every event to ensure wildlife, including snakes are identified.

b. If any injury occurs we will pick up the injured individual with the quad from the course, avoiding further injury, if needed.

As the golf cart as a small open back, it is used for maintenance purposes including:

a. carrying of tools such as spades

b. carrying of cones
### Noise (Cont…)

- **c.** The golf cart is also used for the provision of medical assistance, should this be needed. It carries the first aid kit and we have the option to pick up the possible injured from the course, avoiding further injury.

None of the all-terrain vehicles or the drives of the vehicles, break any Council, State or Federal policy, regulation or law.

The concern raised that there is a noise disturbance from these vehicles is absurd considering the engine size of these vehicles and the fact that the neighbours drive tractors and jeeps on the surrounding properties all day long when they are there with much more powerful engines producing noise far beyond the noise of the all-terrain vehicles in our possession.

- **c) Yelling from instructors:**
  - **a.** We only have 1 instructor at all times, not multiple instructors. To suggest that there are multiple instructors yelling is an invalid claim.
  - **b.** The instructor and owner, Ted Blackshaw, does indeed use words of encouragement with the natural voice but no implements including megaphones are ever used. It is part of the requirement of the job, being the instructor, to encourage people and guide them through their paces of exercise. This is inherent of the fitness industry and as the activities haven’t changed, nor should this be a concern taken into the account under this application (the purpose of the land and the usage of the obstacle course has already been approved in 2014).
  - **c.** As the distance between all other properties, with the exception of property 1631, is too far to able to hear the natural voice used it is our assumption that this is only concerning 1631. That being the case, the owner of 1631 is not only rarely at his property, he is also almost at all times on his tractor. We greatly doubt that the volume of the natural voice of 1 person exceeds the volume and noise of the tractor.

**City’s Comment:**
The applicant has advised that no music or noise amplifying equipment such as whistles will be used, and the applicant has not proposed the use of such equipment as part of this application.

The current Development Approval prohibits the use of whistles.

The applicant provided an Acoustic Report that it had prepared, which was not deemed sufficient by the City on the basis that:

- The conclusions drawn in the report are incorrect, in that they have compared predicted noise levels to the incorrect part of the *Environmental Protection (Noise) Regulations 1997.* Table 5 on page 5 is incorrect, and this type of activity is required to comply with stricter assigned noise levels; and
- The ATVs are required to comply with the assigned noise levels under the *Environmental Protection (Noise) Regulations 1997* when used on private property, and not just the maximum exhaust noise emission for the vehicle.

The applicant was advised that the City did not deem the report sufficient, and chose not to engage the services of a suitably qualified Acoustic Consultant to prepare a report.

In discussions with the submissioners, the submissioners advised that the applicant had been using whistles, and they could hear shouting from the instructors from their properties.

The City agrees that it is likely that noise and instructors voices would be audible from neighbouring properties which will adversely impact the amenity of these properties.

### Traffic

**Submission:**

(i) **Concern regarding vehicles entering and exiting the property based on the number of clients and the use of a shared driveway.**
<table>
<thead>
<tr>
<th>Traffic (Cont…)</th>
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</thead>
<tbody>
<tr>
<td><strong>Proponent’s Response:</strong></td>
</tr>
<tr>
<td><strong>a.</strong> The vehicles entering and exiting the private property of number 1633 (the obstacle course) is not affecting or should not be the concern of the neighbour/s:</td>
</tr>
<tr>
<td>(i) vehicles only enter and exit the private property of number 1633 (the obstacle course) and not any other private property.</td>
</tr>
<tr>
<td>(ii) A fully tarmacked road with sufficient width for 2 cars (one entering and one exiting at the same time) runs from the entry of 1633 to the bottom of the property.</td>
</tr>
<tr>
<td><strong>b.</strong> Shared Driveway</td>
</tr>
<tr>
<td>(i) There is no shared driveway. However, there is a shared side road from Mandurah Road towards the entry of both properties (Council owned) with separate entries to number 1631 and 1633. The address of 1633 is published on all business communication and all visitors are directed to enter and exit the obstacle course from 1633 (the obstacle course) only, which therefore the majority of visitors do.</td>
</tr>
<tr>
<td>(ii) We acknowledge that drivers familiar with (the director to) the obstacle course, and those only coming from Safety Bay Road will most likely enter the shared side road in front of 1631. However, during the past 21 weeks, we have measured the number of vehicles entering and exiting the property. The average number of cars per session is 11! This taken into account, as well as the facts pointed out under point 1b, (ii), (i), we believe the concern about the shared side road to be minimal or even insignificant. However, if this remain to be a concern, we are prepared to discuss a barrier between the shared side road to stop any traffic entering and exiting from 1631 (e.g. a permanent barrier or a temporary barrier).</td>
</tr>
<tr>
<td><strong>c) Speed</strong></td>
</tr>
<tr>
<td>(i) The claim that vehicles enter the shared side road of 1633 (the obstacle course) with high speed is a false claim. The owner of 16331 has claimed that people drive as fast as 80km/hr (quote). This has been tested by 6 people and not once could exceed 40km/hr. The condition of the side road (lose gravel) and its fairly sharp turn from Mandurah Road onto the shared side road with an even sharper turn into 1633 (the obstacle course) makes it impossible to speed. The fastest clocked speed was 40km/hr from Mandurah Road onto the shared side road. If this is classified as 'high speed' then we are more than willing to:</td>
</tr>
<tr>
<td>i. Put up signage with an acceptable speed limit for the owner of number 1631;</td>
</tr>
<tr>
<td>ii. Discuss the option of a sleeper on the shared side road (1631 side).</td>
</tr>
<tr>
<td>(ii) On the 8th of November 2016 entry walls with gates will be installed at 1633 (the obstacle course) which will further support our claim that speeding is not a possibility (awaiting building permission).</td>
</tr>
<tr>
<td>(iii) Although the speed on the private road of 1633 is not and never has been a concern, we are prepared to do the same as suggested under point 2Ci; (e.g. signage and install a sleeper, if this would eliminate the concern raised by the neighbour/s.</td>
</tr>
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</table>

**City's Comment:**

The City previously raised concern that the northern crossover to access the subject land presents a potential safety hazard due to roadside vegetation limiting drivers sightlines and therefore, view of oncoming traffic. To address this, clients were only permitted to exit the side from the southern crossover, with exit signage to be installed within the property boundary advising clients to 'turn left' to take the southern crossover to access Mandurah Road.
### Traffic (Cont…)

As previously advised, the applicant's TIS concluded that over 21 weeks, the traffic generated by the proposal will not exceed on average 17.3 vehicles accessing and egressing the site per trading day.

The City does not agree with this given the number of clients expected to attend the premises is proposed to more than double, and considers that vehicle movements likely to be generated by the proposed development will be more than double than what occurs presently.

Despite the applicant's proposal to install barriers and signage to reduce speeds and direct vehicles, the volume of traffic associated with 50 clients will significantly increase traffic to and from the site and impact on the amenity of neighbouring landowners.

### Amenity

**Submission:**

(ii) Loss of privacy due to number of clients attending premises.

**Proponent's Response:**

It is our view that the loss of privacy due to the request to run larger groups, weekends and school holidays is minimum, for the following reasons:

- **a.** There is no impact on loss of privacy for the surrounding properties including number 1635 and up. The obstacle course and its carparking area is located at the bottom of the property and cannot be seen. The view is blocked by distance, trees, a house on 1633 Mandurah Road, a sea container on 1633 Mandurah Road and a 12m x 18m shed on 1633 Mandurah Road - all located between the neighbouring properties (1635 and up) and the obstacle course. We like to refer to the drawings submitted to Council on 20 October 2016 to confirm the above.

- **b.** We acknowledge that there is an open view between number 1631 and number 1633 (the obstacle course). We still believe the impact on the privacy to be minimum for the following reasons:

  - **(i)** There is no residence on this property and the owners do not live at this property.
  - **(ii)** The owners occasionally are at the property. A logbook kept for the last 21 weeks give the following results:
    - **(i)** In the past 21 weeks, the owners of 1631 were not present between 59% to 82% of the time whilst the obstacle course was being used! As the overlap is so minimum, we believe there to be plenty of privacy opportunities and the 'disturbance' to privacy is minimal for this matter.
    - **(ii)** On average, there are just 1.5 sessions per day.
    - **(iii)** On average the hours of activities on the course is just 3 hours per day.
    - **(iv)** The hours of activities on the course over the past 21 weeks never started before 10am and always finish before 5pm. The owners of 1631 have never been seen at the property before 11am or after 2.30pm in the last 21 weeks.
  - **(iii)** The usage of property 1631 is agricultural and the owners (and his team/staff) grow and maintain their crops. The claim that the property is used for peace and privacy is false as the tractor/s and work related activities are observed 100% of the time.
  - **(iv)** The concern raised by the neighbour/s in regards to 'loss of privacy' can be eliminated by the erection of fencing, screening or vegetation and we are more than willing to discuss this option with them and find an acceptable solution.

**City's Comment:**

A site inspection was undertaken by a City Officer, which revealed that the obstacle course and carparking area was clearly visible from No.1631 Mandurah Road.
The City is of the opinion that the privacy of the adjoining landowner is compromised due to the location of the development on the site. This was acknowledged in the current Development Approval, and a condition was applied requiring strategic vegetation to be undertaken and maintained for the continuation of the development. The site inspection revealed that this had not been undertaken.

The City considers that increasing the client numbers and days of operation will further erode the privacy and amenity of the adjacent neighbours and the application should therefore not be supported.

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 3.1.1 - Rural Land Strategy (PP3.3.1)**

   The City’s PP3.1.1 provides the basis for land use planning in the rural area of the district. In particular, it provides Council with a planning framework for its assessment of proposals to rezone, subdivide, manage and develop rural land in the City.

   The subject site is within Planning Unit No.4 of the City's Rural Land Strategy (RLS).

   The primary objective for this Planning Unit is to encourage special rural/special residential development which recognises and enhances the landscape and natural resource attributes of the unit and provides a natural viewshed to Mandurah Road and a rural context to proposed urban development to the east.

   The proposal is generally consistent with this objective, as the location of the obstacle course and the small scale of the obstacles maintains the viewshed to Mandurah Road and is sympathetic to the natural landscape with low-impact structures.

e. **Financial**

   Nil

f. **Legal and Statutory**

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

   **Clause 3.2 - Zoning**

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

   Town Planning Scheme No.2 (TPS2) defines Private Recreation as:-

   “A premises used for indoor or outdoor leisure, recreation or sport which are not normally open to the public without charge”.

   **Clause 4.11.1 - Rural Zone Objective**

   The objective of the Rural Zone is to preserve land for farming and foster semirural development, which is sympathetic to the particular characteristics of the area in which it is located.
The increase in client numbers will generate a significant number of vehicle movements that is not what is typical or expected within a Rural Zone, therefore, which will impact on the amenity of the surrounding landowners. It is therefore considered that the proposal is inconsistent with the objective of the Rural zone.

Clause 4.11.2 - Rural Zone Setbacks

TPS2 requires development on Rural land to be set back 30 metres from the front lot boundary and 10 metres from other boundaries.

The proposed location of carparking is within 10m of the northern side boundary and therefore fails to comply with the setback requirements of TPS2.

Clause 4.15 - Carparking

Pursuant to clause 4.15.1.1, car parking is required to be provided in accordance with Table No.2 of TPS2.

TPS2 requires 1 bay per every 4 people attending the Private Recreation at any one time. The proposed maximum of 50 clients therefore generates demand for 13 carparking bays. A total of 16 carparking bays, including two for the exclusive use of people with disability, have been proposed which is compliant.

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

Building Envelope

Building Envelopes are not required for Rural zoned land, however, as part of a previous Subdivision Approval for the subject land, Building Envelopes were included on Lots 3 and 4 Mandurah Road by the Western Australian Planning Commission (WAPC). The approved Building Envelope for Lot 4 is as follows:

9. Approved Building Envelope

The Council previously required all buildings to be constructed or moved into the approved Building Envelope, including existing sea containers on the site.
It was previously considered acceptable that car parking areas and the obstacle course could be located outside of the approved Building Envelope, given the structures were of a small scale and not considered to be permanent.

Given the increase in client numbers, the car parking area will be required to be increased in size. The car park is required to be constructed, sealed, kerbed and drained. The City considers that given the increased size of the carpark and the nature of its construction, it will likely be a permanent structure. The City does not consider the larger carparking area to be compatible with the rural character of the area and is likely to adversely impact the amenity of No.1631 Mandurah Road given it is directly visible from the dwelling on this property.

Amenity

The City considers proposed development will have an adverse impact on the amenity of neighbours for the following reasons:

Operation/Scale

The City considers that the anticipated volume of traffic entering and exiting the site is expected to be greater than the average of 17.3 vehicles accessing and egressing the site per trading day as stated by the applicant. The increase in the number of people utilising the site, in addition to the anticipated increase in traffic to and from the site, is considered to be significantly greater than the surrounding rural properties and what is to be expected within a Rural zone.

The site is only 2ha in size and has an allocated Building Envelope, and is therefore considered more closely related to a Special Rural lifestyle lot than a large scale Rural lot in terms of function. Due to the size of the lot, the dwellings are in closer proximity than what would otherwise be experienced on a typical larger sized rural landholding. The land was granted Subdivision Approval by the Western Australian Planning Commission without rezoning the land via the Scheme Amendment process, which would typically enable the City to apply appropriate land use provisions under TPS2. The City would not typically permit a Private Recreation on a Special Rural lot.

On the basis of the reduced setback to neighbouring dwellings and the increase in vehicle movements to and from the premises, the operation of the proposed development is likely to detrimentally impact the existing rural amenity of the locality. It is noted that submissioners were also concerned about the potential impact on their amenity.

Land Use Compatibility

TPS2 requires the Council to consider the compatibility of a use or development with its setting. The surrounding land is largely occupied by houses on rural lots and small scale rural and agricultural pursuits, which do not generate large volumes of traffic. The proposed amendment to the Development Approval for the Obstacle Course is considered incompatible with the existing surrounding land uses, as it will increase vehicle movements to the premises not consistent with the surrounding land uses.

Conclusion

On the basis that the proposal is incompatible with the surrounding land uses and has the potential to impact detrimentally on the amenity of neighbours the proposed changes to the approved Obstacle Course are recommended for refusal.

Voting Requirements

Officer Recommendation

That Council **REFUSES** the application for an amendment to the Development Approval for a Private Recreation (Obstacle Course) on Lot 4 Mandurah Road, Baldivis, as the proposal is inconsistent with Clause 1.6.2(b) of Town Planning Scheme No.2, as it is likely to adversely affect the amenity of neighbours associated with the extra number of clients, noise from the activity and the increase in traffic and activity at the site.
Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council **DEFERS** consideration of the application to give the proponents the opportunity to revise the application to demonstrate that the proposal will not adversely impact on the amenity of the neighbours.

Committee Voting – 4/0

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

To give the proponents the opportunity to revise the application.

Implications of the Changes to the Officer’s Recommendation

Not Applicable
Purpose of Report

To seek the Council’s approval to amend proposed Clause 6.5 of Town Planning Scheme No.2 and Planning Policy 7.4 – Design Advisory Panel’ to ensure consistency with the nomenclature with the State Government’s recently released ‘Design WA – For a better built environment’ initiative.

Background

In September 2016, the Council resolved to adopt Amendment No.163 to Town Planning Scheme No.2. The Amendment sought to introduce a new Clause 6.5 to provide statutory effect to the new Planning Policy No.7.4 - Design Advisory Panel. The Amendment was subsequently referred to the Hon Minister for Planning for final approval.

In November 2016, the State Government launched its own initiative referred to as ‘Design WA – For a better built environment’. The Design WA project includes State Planning Policy 7 – Design of the Built Environment (SPP7) and proposes to introduce three interrelated design quality mechanisms to improve design outcomes:
- Design Principles - performance based approach to policy
- Design Skills - skilled design expertise
- Design Review - skilled evaluation expertise

**Details**

**Scheme Amendment:**

The design principles and design review mechanisms detailed in SPP7 reflect the City’s adopted Planning Policy No.7.4 - Design Advisory Panel in all aspects with the exception of the nomenclature.

To ensure consistency across the design review processes, the State Government seeks to streamline the processes required to undertake design reviews, including the nomenclature.

In this regard, it is proposed to amend the new Clause 6.5 in the Town Planning Scheme from ‘Design Advisory Panel’ to ‘Design Review Panel’ as follows:

6.5 Design Review Panel

6.5.1 The Council may appoint a Design Review Panel for the purposes of considering and advising the Council with respect to applications.

6.5.2 The Design Review Panel may be consulted on design matters relating to development.

**Planning Policy 7.4 – Design Advisory Panel**

To ensure consistency between the nomenclature of Scheme Amendment No.163 and the associated Planning Policy No.7.4 – Design Advisory Panel, it is also necessary to rename the Planning Policy to 'Design Review Panel'.

The statutory requirement to readvertise a Planning Policy is discussed in more detail in the ‘Policy’ section below.

**Implications to Consider**

a. **Consultation with the Community**

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

In this regard, the proposal was readvertised for public comment for a period of 42 days and appeared in the Public Notices section of the Weekend Courier on the 28 October 2016 and is scheduled to close on 12 December 2016.

b. **Consultation with Government Agencies**

Given that the current proposal is a minor textual amendment, it is considered that the requirement to consult with government agencies was satisfied in accordance with the required advertising process undertaken previously and additional consultation is therefore 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 D:** Quality Leadership

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

In accordance with Schedule 2 Part 5 (2) of the Planning and Development Regulations amendments to a local Planning Policy are not required to be readvertised if, in the opinion of the local government, it considers the amendment to be of a minor nature.

In this regard, it is considered that an amendment to the nomenclature of adopted Planning Policy No.7.4 is considered to be of a minor nature and is therefore not required to be readvertised.

e. Financial

Nil

f. Legal and Statutory

The procedures for dealing with proposals to amend a local planning scheme, as per the Planning and Development Act 2005, are set out in the Planning and Development (Local Planning Schemes) Regulations 2014.

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

In accordance with advertising requirements for a ‘Standard’ Amendment, the proposal was readvertised for a period of 42 days during which time a notice was published in the public notices section of a local newspaper. At the time of writing this report, no submissions have been received.

In light of the above, it is recommended that subject to no submissions being received by the end of the advertising period, that Council adopts the revised Scheme Amendment No.163 to Town Planning Scheme No.2 and request the Hon Minister for Planning grant Final Approval.

Voting Requirements

Simple Majority

Officer Recommendation

That subject to no submissions being received during the advertising period (closing on 12 December 2016), Council ADOPTS Amendment No.163 for Final Approval, subject to the following modifications:

1. Substitute the word ‘Review’ to replace the word ‘Advisory’, so that Clause 6.5 is amended to read as follows (changes in bold and red):

“6.5 Design Review Panel

6.5.1 The Council may appoint a Design Review Panel for the purpose of considering, and advising the Council with respect to applications.

6.5.2 The Design Review Panel may be consulted on design matters relating to development.”
2. That Council confirms that Amendment No.163 to Town Planning Scheme No.2 is considered to be a ‘Standard’ Amendment in accordance with Regulation 34 (c) of the Planning and Development (Local Planning Schemes) Regulations 2015.

3. That Planning Policy No.7.4 – be amended to substitute the word ‘Review’ to replace the word ‘Advisory’ (changes in bold and red).

4. That Council confirms that the textual changes to Planning Policy No.7.4 are of a minor nature and therefore, in accordance with Schedule 2 Part 5 (2) of the Planning and Development Regulations amendments to a local Planning Policy are not required to be readvertised.

**Committee Recommendation**

Moved Cr Hamblin, seconded Cr Sammels:

That subject to no submissions being received during the advertising period (closing on 12 December 2016), Council **ADOPTS** Amendment No.163 for Final Approval, subject to the following modifications:

1. Substitute the word ‘Review’ to replace the word ‘Advisory’, so that Clause 6.5 is amended to read as follows (changes in bold and red):

   “6.5 **Design Review Panel**

   6.5.1 The Council may appoint a Design **Review** Panel for the purpose of considering, and advising the Council with respect to applications.

   6.5.2 The Design **Review** Panel may be consulted on design matters relating to development.”

2. That Council confirms that Amendment No.163 to Town Planning Scheme No.2 is considered to be a ‘Standard’ Amendment in accordance with Regulation 34 (c) of the Planning and Development (Local Planning Schemes) Regulations 2015.

3. That Planning Policy No.7.4 – be amended to substitute the word ‘Review’ to replace the word ‘Advisory’ to read as follows (changes in bold and red):

   “**PLANNING POLICY No.7.4 - Design Review Panel**

1. **Introduction**

   The introduction of this Policy is to facilitate the provision of independent expert advice to the Council, City’s Administration and applicants 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 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 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 to an applicant 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) Demonstrated knowledge of the composition, character and desired built form of the City of Rockingham.

(b) Possession of relevant qualifications, expertise or experience in architecture, town planning, urban design or other applicable design professions.

(c) 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.

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 Development applications 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) 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, applicants 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 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:

(a) The overall built form merits;

(b) The quality of architectural design including its relationship to the adjoining development;

(c) The relationship with and impact on the broader public realm and streetscape;

(d) The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;
(e) The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmentally sustainability, including TOD principles;

(f) The demonstration of other qualities of best practice urban design including Crime Prevention Through Environmental Design performance, protection of important view corridors and lively civic places.

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 two 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 arranging 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 in advance of the meeting date.

9.6 Items listed on the agenda are to include information relating to the preliminary assessment of the proposal against relevant statutory criteria and an indication of the 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 and chair proceedings at meetings of the Panel.

9.9 Deputations by an applicant at a meeting of the Panel will only be permitted with the approval of the Director, Planning and Development Services or the Manager, Statutory Planning.

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 “notes”. The notes shall document the comments and/or advice of the Panel.

9.12 Notes of the Panel meeting will be included 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 notes of the Committee will record consensus agreement on actions and any points of agreement/disagreement. The notes 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 his 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 applicant 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 Planning Policy was adopted by the Council at its ordinary Meeting held on 27 September 2016.”

4. That Council confirms that the textual changes to Planning Policy No.7.4 are of a minor nature and therefore, in accordance with Schedule 2 Part 5 (2) of the Planning and Development Regulations amendments to a local Planning Policy are not required to be readvertised.

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
**Reference No & Subject:**

**File No:** EP-042/16

**Proponent/s:**

**Author:** Ms Kolina Brennan, Building Operations Supervisor

**Other Contributors:**

- Mr Kelton Hincks, Manager Asset Services
- Mr Digby Wilson, Contracts Officer

**Date of Committee Meeting:**

12 December 2016

**Previously before Council:**

12 December 2016

**Disclosure of Interest:**

Executive

**Nature of Council's Role in this Matter:**

Executive

**Site:**

**Lot Area:**

**LA Zoning:**

**MRS Zoning:**

**Attachments:** Schedule of Rates for Tender T16/17-34

**Maps/Diagrams:**

### Purpose of Report

Provide Council with details of the tenders received for Tender T16/17-34 – Period Provision of Cleaning Services, document the results of the tender assessment and make recommendations regarding award of the tender.

### Background

Tender T16/17-34 – Period Provision of Cleaning Services was advertised in the West Australian on Saturday, 10 September 2016. The Tender closed at 2.00pm, Wednesday, 5 October 2016 and was publicly opened immediately after the closing time.

### Details

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

- General cleaning services
- Public toilet and change room facilities
- Sporting club change rooms
- Community halls
- Public libraries
- City operational facilities

- Window cleaning at nominated facilities
- Roof and gutter cleaning at nominated facilities

The period of the contract shall be from the date of award until 1 February 2020.

Submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning</td>
<td></td>
</tr>
<tr>
<td>DMC Cleaning Corporation Pty Ltd trading as DMC Cleaning</td>
<td></td>
</tr>
<tr>
<td>Mission Impossible Cleaning Pty Ltd the Trustee for S&amp;S Samawi Family Trust trading as Mission Impossible Cleaning Services</td>
<td></td>
</tr>
<tr>
<td>Multiclean WA Pty Ltd</td>
<td></td>
</tr>
<tr>
<td>Storm International Pty Ltd – Non Conforming</td>
<td></td>
</tr>
<tr>
<td>Cleandustrial Services Pty Ltd</td>
<td></td>
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<tr>
<td>OCS Services Pty Ltd – Non Conforming</td>
<td></td>
</tr>
<tr>
<td>Iconic Property Services Pty Ltd</td>
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</tbody>
</table>

A panel comprising of Director Engineering and Parks Services, Manager Asset Services, Operations Supervisor, and Contracts Officer undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Level of Service</th>
<th>Understanding Tender Requirements</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Max. Points</td>
<td>30 Pts</td>
<td>30 Pts</td>
<td>40 Pts</td>
</tr>
<tr>
<td>Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning (Alternative Tender)</td>
<td>25.50</td>
<td>26.25</td>
<td>16.25</td>
<td>68.00</td>
</tr>
<tr>
<td>Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning</td>
<td>25.50</td>
<td>26.25</td>
<td>15.36</td>
<td>67.11</td>
</tr>
<tr>
<td>Cleandustrial Services Pty Ltd</td>
<td>25.25</td>
<td>24.50</td>
<td>15.96</td>
<td>65.71</td>
</tr>
<tr>
<td>Multiclean WA Pty Ltd</td>
<td>19.75</td>
<td>19.5</td>
<td>26.20</td>
<td>65.45</td>
</tr>
<tr>
<td>Iconic Property Services Pty Ltd</td>
<td>22.88</td>
<td>21.25</td>
<td>21.23</td>
<td>65.36</td>
</tr>
<tr>
<td>Mission Impossible Cleaning Pty Ltd the Trustee for S&amp;S Samawi Family Trust trading as Mission Impossible Cleaning Services</td>
<td>9.00</td>
<td>7.75</td>
<td>40.00</td>
<td>56.75</td>
</tr>
</tbody>
</table>
Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning submitted an alternate tender with payment conditions that included a 5.5% reduction in price for 14 day payment terms.

The Contract rates will be subject to a price variation every twelve (12) months from the date of award. Such a price variation will be calculated in accordance with the variation in the Consumer Price Index (CPI) for Perth Western Australia for all groups for the 12 months preceding the last completed CPI quarter as at the date the price variation is due.

**Implications to Consider**

a. **Consultation with the Community**

The City carries out an annual survey to measure overall satisfaction with the City's services. The survey contains a specific section on public toilets which has shown a slight but continual increase in performance as well as an increase in importance over the past seven years.

The 2015 survey highlighted this service as an area to focus on improving:

“This service is used often / very often by 17% and considered to be of high / extremely high importance by 74%. Performance is moderate. 53% perceive this service to be performed well / very well. Perceptions of performance are stronger among males, older residents and residents of Safety Bay. There is most room to improve perceptions among residents of Baldivis, Secret Harbour and Shoalwater”.

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 Aspirations and Strategics Objectives contained in the Community Plan 2015-2025:

**Aspiration A:**

**Strategic Objective:** 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.

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

**Aspiration B:**

**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:**

**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.
Strategic Objective: 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.

Aspiration D: Sustainable Environment

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

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

e. Financial
Expenditure will be in accordance with the Engineering and Parks annual operational budgets.
Expenditure on these services for the 2015/2016 financial year was $992,895. It was anticipated this figure would increase as a result of cleaning consumables no longer being provided by the City, as well as additional monthly, biannual, and annual cleaning schedules at nominated facilities. Furthermore, the inclusion of a Patrol Management System was another contractual requirement that contributed to the forecasted 10.4% increase on expenditure.

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
The tender submissions submitted from Storm International Pty Ltd and OCS Services Pty Ltd failed to comply with the tender pricing schedule requirements, were deemed non-conforming and not assessed by the panel.

The results of the Annual Community Satisfaction Survey highlights that the presentation of these facilities has a high visual impact on visitors to the City, local community members, hall hirers, businesses and employees. To ensure the City continues to improve and maintain this service, the tender specification was designed to be outcome based with very specific standards that must be met. This required a more detailed assessment of the methodology and management systems of the top four shortlisted tenderers who were invited to an interview with the panel.

During the interview process, tenderers were asked a series of questions to validate their level of understanding of the tender requirements, proposed methodology and management systems in order to achieve the desired level of service for the City.
It was determined by the panel members that not all companies could provide the level of service required for the prices submitted. The alternate submission received from Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning best demonstrated their ability to meet the requirements of the tender for their submitted price schedule and are therefore recommended as the preferred tenderer.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council *ACCEPTS* the alternate tender submitted from Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning for Tender T16/17-34 – Period Provision of Cleaning Services in accordance with the tender documentation for the contract period being from 1 February 2017 to 1 February 2020.

**Committee Recommendation**

Moved Cr Sammels, seconded Cr Hamblin:

That Council *ACCEPTS* the alternate tender submitted from Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning for Tender T16/17-34 – Period Provision of Cleaning Services in accordance with the tender documentation for the contract period being from 1 February 2017 to 1 February 2020.

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
To consider an approach received from Western Australian Local Government Association (WALGA) with the support of Municipal Waste Advisory Council (MWAC) to determine the City’s position on the prevention of plastic pollution entering the environment, particularly litter in the form of plastic bags.

Background

A number of local governments in WA have expressed an interest to WALGA in the implementation of local laws to ban plastic bags in the municipal areas.

A discussion paper (attached) has been prepared by WALGA on a range of issues associated with plastic pollution and plastic bags in particular.

A recent Commonwealth Scientific and Industrial Research Organisation (CSIRO) study found that about 75% of floating debris along the Australian coastline is plastic. WALGA and MWAC are seeking feedback from local authorities across WA in order to determine the appropriate advocacy for this issue.

The feedback requested from local authorities is based around four fundamental questions:

- Is plastic pollution and litter an issue for your local government?
- What actions is your local government taking to address littering and prevent plastic entering the environment?
- Does your local authority support a state wide plastic bag ban?
- Would your local authority introduce a local law to ban plastic bags?

This report seeks to determine Council’s position on the last two questions which require a policy decision.

### Details

Any proposed local law would focus on elimination of the plastic bags from source as the majority of plastic bag litter is from shopping bags, however it is noted that some retailers and traders have already switched to the use of biodegradable or recyclable materials for their bags.

Although as much as two thirds of plastic bags are reused once or twice prior to disposal very few are recycled and many become litter. The information gathered by Clean Up Australia through its annual clean up days suggests that between 30-50 million plastic bags could be entering the Australian environment as litter every year. This rate is consistent with the amount of plastic bags LitterBusters also pick up within the City’s boundaries, noting that they often get caught in fences and make the area look untidy.

### Implications to Consider

a. **Consultation with the Community**
   - Nil

b. **Consultation with Government Agencies**
   - Nil

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

   **Aspiration D:** Sustainable Environment

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

d. **Policy**
   - None currently exist.

e. **Financial**
   - No budget or financial implications for the City at this time, pending further developments on this issue.

f. **Legal and Statutory**
   - If the City intended to implement a local law it would be necessary to follow the Local Government Act and procedure requiring referral to the State Joint Standing Committee on delegate legislation.

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

To date this is not an issue Council has considered and therefore resolved a position on. Plastic bags present an environmental impact, particularly in coastal environments like ours where marine wildlife is also affected. Large volumes of plastic bags end up in the Millar Road landfill each day, adopting this stance would improve waste disposal practices. Two States and two Territories are moving away from plastic bags, and have state legislation mandating this (ACT, Northern Territory, South Australia and Tasmania). Plastic bags have also been banned in many major cities and countries around the world.

Confusion still exists between different Councils in respect to placing recycling in plastic bags or placing all items loosely in the recycling bin, contamination can occur and have a negative impact on recycling loads.

A number of points can be made about the WALGA initiative on this matter.

- By acting collectively, WALGA believes that an advocacy network will be created which will have one of two outcomes. It will either encourage the State to endorse the laws “en bloc” and not to move motions of disallowance, or it will encourage the State to consider enacting its own legal frameworks around banning single use plastic bags. Either outcome would be a positive step.

- The purpose of implementing a local law mandating plastic bag reduction would be to make provisions to significantly reduce the use of plastic shopping bags within the City.

- By prohibiting retailers from providing to customers single-use, disposable plastic bags made of materials which are not biodegradable this local law will drastically reduce the quantity of plastic bags entering the waste and litter streams and commensurate environmental and waste management benefits.

- Plastic bags, while they seem to be a convenience, have become a huge part of our waste management process and present major little issues. As a society we have become conditioned to believe that we can continue to dispose of single use disposable items into our natural environment without this having an adverse environmental consequence. These throwaway items have a major negative impact on our environment

- While it is clear that many community members have been working towards reducing their use of plastic bags, Australians still use over four billion plastic checkout bags a year, all of them made from non-renewable fossil fuels. These bags are often only used once or twice, but can take hundreds of years to break down in landfill, and often end up polluting our natural environment and posing a major threat to wildlife.

- Marine wildlife in particular is affected by plastic bags. Within the marine environment wildlife can mistake bags for jellyfish and other food sources. The World Wide Fund for Nature has estimated that over 100,000 whales, seals and turtles die every year as a result of eating or being trapped by plastic bags. As a City with a beautiful coastline, which is a primary tourism feature, it is critical to ensure that the coastal and marine environment is protected.

- Polyethylene plastic bags are made from non-renewable fossil fuels, which contribute to greenhouse gas emissions in our environment. The City has a commitment to emissions reduction as part of its strategies and policies.

- The Town of East Fremantle Council has resolved unanimously to develop a local law banning single use plastic bags in July 2016, to follow the City of Fremantle’s attempts, and recently the City of Cockburn also resolved to support the banning of all non-biodegradable bags so Rockingham would be joining its regional Councils in making a firm commitment to sustainability and waste reduction.

The City of Fremantle is also about to start the process of submitting the local law again. This time they are asking for support from other local governments, not in the form of letters or media support, but in the form of local laws, submitted to the Joint Standing Committee on Delegated Legislation.
It is considered that a State wide approach would be more effective and accountable than individual Local Governments adopting Local Laws that may differ, have a scatter gun approach thus not providing the consumer uniformity and ease of understanding, and therefore compliance.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council SUPPORTS a state wide ban on plastic bags.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Hamblin:

That Council SUPPORTS a state wide ban on plastic bags.

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
### Engineering and Parks Services
#### Waste Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-044/16</th>
<th>Delegated Authority for the Award of WALGA Quote W16/17-80 – Collection and processing of recyclable material</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>File No:</td>
<td>W16/17-80</td>
</tr>
<tr>
<td></td>
<td>Proponent/s:</td>
<td>Mr Allan Moles, Manager Waste Services</td>
</tr>
<tr>
<td></td>
<td>Author:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Date of Committee Meeting:</td>
<td></td>
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<td></td>
<td>Previously before Council:</td>
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<tr>
<td></td>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td></td>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>MRS Zoning:</td>
<td></td>
</tr>
</tbody>
</table>

#### Purpose of Report

For Council to delegate authority to the Chief Executive Officer (CEO) to award WALGA Quote W16/17-80 - Collection and processing of recyclable material.

#### Background

The City has committed to introducing a three bin waste collection system in 2016/2017 and to facilitate the new service, Tender T16/17-67 for the collection and processing of recyclable material and green waste was advertised on Saturday 3 December 2016 and closes on Wednesday 18 January 2017. The anticipated commencement date for the new contract is Monday 26 June 2017, following the rollout of the bins under the Better Bins program.

The current contract with Cleanaway Pty Ltd for the collection and processing of recyclable material is due to end on 15 January 2017.

There is a requirement for a short term contract to cover the period between 15 January 2017 and 26 June 2017.
Details

The scope of work for this contract comprises the collection and processing of recyclable material from 16 January 2017 to 25 June 2017.

Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Nil

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

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

e. Financial
   Included in the 2016/2017 budget is $2,225,000 for the collection and processing of recyclable material. The estimated value of the contract is $750,000.

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’.
   Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11(2) states that;
   ‘Tenders do not have to be publicly invited according to the requirements of this Division if,
   (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program’.
   In accordance with section 5.42, subsection (1) read in conjunction with section 5.43 of the Local Government Act 1995.
   ‘A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties’.

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
Delegation to the CEO is sought to award the short term contract to provide a continuation of the existing collection and processing service during the period from the end of the existing contract, to the commencement of the new contract.

Voting Requirements
Absolute Majority

Officer Recommendation
That Council **DELEGATES** authority to the Chief Executive Officer to award WALGA Quote W16/17-80 - Collection and processing of recyclable material.

Committee Recommendation
Moved Cr Whitfield, seconded Cr Sammels:
That Council **DELEGATES** authority to the Chief Executive Officer to award WALGA Quote W16/17-80 - Collection and processing of recyclable material.

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
<table>
<thead>
<tr>
<th></th>
<th>Reports of Councillors</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td><strong>Addendum Agenda</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
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</tbody>
</table>
15. **Motions of which Previous Notice has been given**

### Engineering and Parks Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-045/16 Notice of Motion – Move the Replacement of the Skate Park to 2018/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td></td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Cr Matthew Whitfield</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Kelton Hincks, Manager Asset Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Miss Claire O’Neil, Community Infrastructure Projects Officer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>12 December 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>R 45678, Veterans Memorial Park - Endeavour Drive</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>28,827m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td></td>
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<tr>
<td>MRS Zoning:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td>1. Population demographic</td>
</tr>
<tr>
<td></td>
<td>2. Veterans Memorial Skate Park</td>
</tr>
<tr>
<td></td>
<td>3. Large construction joins</td>
</tr>
<tr>
<td></td>
<td>4. Exposed coping ends and structural cracks</td>
</tr>
<tr>
<td></td>
<td>5. Other high risk hazards</td>
</tr>
</tbody>
</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 December 2016 Council Meeting:

"That Council **DIRECTS** the Chief Executive Officer to move the following project from the 2017/2018 Business Year through to the 2018/2019 Business Year – Work Order 25180 Replacement of the Skate Park valued costed at $680,000."

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 16 JANUARY 2017

PRESIDING MEMBER
Details

According to City’s demographer Forecast.id, in 2016, 22% of the Port Kennedy population is between the ages of five and 17 with a total of 3,217 young people. When it is considered that the same age groups account for 18.9% of the City’s overall population, this suggests that a high proportion of young people live in this area.

The Veteran’s Memorial Skate Park (Skate Park) was constructed in the year 2000 and forms part of a City wide distribution of skate and youth facilities. The Skate Park is constructed from a combination of concrete, steel and composite materials. The size of the facility is approximately 480m², the largest in the City, which indicates it is a sub-district level asset that services people living in and around Port Kennedy as well as the wider City. Due to the location of the facility next to Warnbro Sound Avenue and the demographics of Port Kennedy, it is the most heavily utilised skate park in the City.

As there are no neighbourhood level outdoor recreation areas in the suburb of Port Kennedy, the Skate Park serves a neighborhood function in addition to its sub-district classification within the Community Infrastructure Plan. It also serves as the only sub-district outdoor recreation area in the Coastal Central sub-district of Port Kennedy, Warnbro and Waikiki.

As a sub-district space, the Skate Park and associated activity nodes such as the playground directly service an estimated total of 7,792 young people between the ages of five and 17, or approximately 20% of the Coastal Central sub-district population.

<table>
<thead>
<tr>
<th>Area</th>
<th>Age group (years)</th>
<th>Population (number)</th>
<th>Percentage of area population (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Port Kennedy (Neighbourhood)</td>
<td>5 - 17</td>
<td>3,217</td>
<td>22</td>
</tr>
<tr>
<td>Coastal Central (Sub district)</td>
<td>5 - 17</td>
<td>7,792</td>
<td>19.67</td>
</tr>
<tr>
<td>City of Rockingham (District)</td>
<td>5 - 17</td>
<td>25,410</td>
<td>18.9</td>
</tr>
</tbody>
</table>

1. Population Demographic

Due to the Skate Park’s proximity to other activity nodes and amenities on the same reserve such as the playground, public toilets, barbeques, shelters and car parking, it is considered a prime venue for family events. Skate competition events and clinics attract an average of 30 to 50 young people as well as additional spectator numbers. A competition held at Port Kennedy Skate Park in January 2015 attracted approximately 200 spectators and families to support the 39 skate and scooter competitors. Unfortunately due to the poor condition of the facility the two skate event providers, Freestyle Now and Skateboarding WA, have requested not to use the facility for events until such time as the condition of the park can be addressed.

Following this event, City Officers organised an inspection of the Skate Park which identified both immediate and long term attention was required to avoid injuries. The Skate Park had obvious signs of severe deterioration and design deficiencies. All short term maintenance defects were addressed as a matter of urgency, but the facility was still in poor overall condition.

In January 2016, City officers arranged full condition, defect and design compliance audits to all of the City’s skate parks to ensure they were also not posing such a high risk. The audits were carried by an external consultant specialising in skate park design and maintenance. The scope of works was to audit the current condition and function of the skate parks, determine the life span, corrective actions and prioritise works utilising a risk approach.

The results from the audits highlighted a multitude of issues across all of the skate parks that were categorised into the following categories;

1. Urgent maintenance
2. Non-urgent maintenance
3. Long term redesign and replacement

All urgent maintenance items have been addressed and non-urgent items have been planned to take place in order of priority. The long term redesign and replacement of all the parks have been planned for future years.
The function of the Skate Park does not meet current skate, BMX and scooter trends or best practice design. The facility also does not have shade, seating, drinking fountains or bins. The Skate Park was therefore recommended to be demolished, redesigned and replaced meeting current best practice design to cater for a greater number of varying users and the wider community.

2. Veterans Memorial Skate Park

3. Large construction joins

4. Exposed coping ends and structural cracks
The City’s Business Plan includes a project for the replacement of the Skate Park for an estimated cost of $680,000 and is planned for 2017/2018.

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

**Asset Management Policy**

Council Policy Statement.

The City of Rockingham is committed to implementing a systematic asset management methodology in order to implement appropriate asset management best practices across all areas of the City. This includes ensuring that assets are operated, maintained, renewed, upgraded, expanded and disposed of in accordance with the City's priorities for service delivery.

e. **Financial**

The consultant report completed in January 2016 estimated the following works;

- Demolition and disposal: $25,000
- New concrete works: $350,000 to $600,000
- Supply and install new amenity: $55,000 to $100,000
- Lighting: $50,000 to $100,000

**Total Estimated Costs**: $480,000 to $825,000

Officers have interpreted the consultant’s report and future requirements of this facility and estimated the works to be $680,000.

The City's Infrastructure Asset Management Plan 2014 details the renewal requirements for all infrastructure assets managed by the City. The average required level of renewal expenditure is $19.16 million per year.

**Asset Renewal Funding Ratio**

The asset renewal funding ratio is the planned renewal expenditure over required/predicted renewal expenditure. It is a measure of the ability of a local government to fund its projected asset renewals in the future. The City's current ratio is 87%. The recommended target is between 95% and 105%.

**Increase in Infrastructure**

The City’s infrastructure asset network has increase by an average of $47 million per year for the last three years.

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

**High**

**Comments**

The location of the Skate Park is well situated and is within close proximity to Wambro Sound Avenue and the Port Kennedy local business centre. The park has a variety of infrastructure which has made it ideal for various activities and events. The sub-district nature of the park and associated infrastructure service a large area including Port Kennedy, Warnbro and Waikiki.

The recommended useful life of a skate park of this design is 20 years. This Skate Park is 16 years old and has not reached the expected life due to the extensive use of the facility, out-dated design and construction techniques.

The facility is in very poor condition and a high risk to users, but closing the park is not straight forward, as fencing or barricading it off will not prevent people from entering and using the facility which will likely increase the risk of injury.
The current design is out dated and doesn’t cater for a wide range of users. The new proposed design will broaden the capabilities and catchment and also include associated amenities to better accommodate spectators, users and security.

Delaying this project will put more pressure in future years to not only fund this project, but others that are also due. The City has worked hard over the years to increase its renewal expenditure on existing infrastructure assets and has avoided a reduction in levels of service. The City must continue to fund renewal projects as close to the predicted deterioration rate as possible to avoid cumulative renewal cost totals and therefore pass onto future generations the liability of past users.

The Skate Park is the most heavily utilised youth facility in the City and requires replacement. To delay this project is a high risk from a personal injury perspective and a moderate risk from an asset management perspective. The delay of renewal expenditure puts pressure on future Business Plans and eventually in the longer term if funding is continuously reduced, future generations will have to fund the shortfall at a greater cost.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Cr Matthew Whitfield’s Notice of Motion not be supported.

### Notice of Motion from Cr Matthew Whitfield

That Council **DIRECTS** the Chief Executive Officer to move the following project from the 2017/2018 Business year through to the 2018/2019 Business Year – Work Order 25180 Replacement of the Skate Park valued costed at $680,000.

### Committee Recommendation

Due to a request by Cr Whitfield this matter was deferred until the January 2017 meeting of Committee.
<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-046/16 Notice of Motion – providing an updated report on boat launching facilities within the City</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>GRS/12-02</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Cr Matthew Whitfield</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Matthew Donaldson, Coastal Engineering Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>12 December 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
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<td>Disclosure of Interest:</td>
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<td>Nature of Council’s Role in this Matter:</td>
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<td>LA Zoning:</td>
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<tr>
<td>MRS Zoning:</td>
<td></td>
</tr>
</tbody>
</table>
| Attachments: | 1. Mersey Point to Port Kennedy Coastal Study – May 2012  
| Maps/Diagrams: |  |

### 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 December 2016 Council Meeting:

“That Council **DIRECTS** the CEO to present an updated report on boat launching facilities within the City, current and future demand and any environmental impacts with possible alternatives to keeping the Bent Street Jetty launching facility open.”

### Details
In May 2012, the City completed an investigation of the existing boating facilities and marine infrastructure future requirements within the Warnbro Sound region between Mersey Point and Port Kennedy – ‘Mersey Point to Port Kennedy Coastal Study’.
A key component of the study was to identify potential expansion of existing and proposed future facilities.

Given the coastal processes in Warnbro Sound there are limited options for new boating facilities that would address the Australian Standard design criteria. The majority of Warnbro Sound coastline is too exposed to open water sea state to allow for safe launching and retrieval of boats and new facilities are restricted by the high dunes adjacent to the beach and the exposure to waves.

In April 2015, a targeted mail based boating survey was conducted with local registered boat owners. Approximately 5,000 surveys were sent to boat owners. In total, 899 valid surveys were received at a completion rate of 18%.

The objective of the survey was to receive feedback from the recreational boating community regarding the City’s marine infrastructure usage, developments and improvements to the City’s boat launching facilities, including support and desired facilities for the Donald Drive Boat Ramp development.

The high level of support for Donald Drive Boat Ramp at 85% helped secure a Recreational Boating Facilities Scheme Grant to undertake a detailed Feasibility Study of redeveloping and formalising the facility.

Detailed wave modelling was completed at the site to assess the wave conditions. Due to exposure to waves, swell and sea breeze a formal ramp would require breakwater protection to meet the requirements of the Australian Standards for safe operation.

The final report was issued to the City in September 2016. Currently it is not proposed to undertake any of the recommended works at this location over the next five years

**Implications to Consider**

<table>
<thead>
<tr>
<th>Implication</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>b. Consultation with Government Agencies</td>
<td>Department of Transport – Recreational Boating Facilities Scheme.</td>
</tr>
<tr>
<td>c. Strategic</td>
<td>Community Plan</td>
</tr>
<tr>
<td>Strategic Objective: 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 contributes to the City’s reputation as the premier metropolitan coastal tourism destination.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>Strategic Objective: Climate Change – Planning systems, infrastructure standards and community awareness programs that acknowledge, mitigate and adapt to the impacts of climate change.</td>
<td></td>
</tr>
</tbody>
</table>
d. Policy
Nil

e. Financial
An amount of $90,000 was allocated in the 2015/2016 Budget for the Donald Drive Feasibility Study.

The Recreational Boating Facilities Scheme contributes 75% of the total cost of the planning phase works of awarded projects upon successful completion.

f. Legal and Statutory
On 2 July 2014, the City entered an agreement with the Department of Transport to undertake a detailed coastal process and feasibility study at Donald Drive boat ramp in accordance with Round 19 Recreational Boating Facilities 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
The City has undertaken detailed analysis of the local coastal processes, including wave conditions and sediment dynamics, consultation with the community and various stakeholders to investigate future marine infrastructure requirements and potential locations for such developments specific to Warnbro Sound.

Future marine infrastructure investigations for new facilities have been included in the Marine Infrastructure Business Plan in 2021/2022 – Identify Future Boat Launching Facility Site – Feasibility/Investigation, Cockburn Sound.

The relevant coastal studies and investigative reports, including possible alternatives to keeping the Bent Street boat launching facility open have already been completed.

Voting Requirements
Simple Majority

Officer Recommendation
That Councillor Matthew Whitfield’s Notice of Motion not be supported.

Notice of Motion from Cr Matthew Whitfield

Moved Cr Whitfield, seconded Cr Hamblin:
That Council DIRECTS the CEO to present an updated report on boat launching facilities within the City, current and future demand and any environmental impacts with possible alternatives to keeping the Bent Street Jetty launching facility open.

Committee Voting – 1/3
(Cr Sammels, Hamblin and Elliott voted against)

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:
That Councillor Matthew Whitfield’s Notice of Motion not be supported.

Committee Voting – 3/1
(Cr Whitfield voted against)
<table>
<thead>
<tr>
<th><strong>The Committee's Reason for Varying the Officer's Recommendation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
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</table>

<table>
<thead>
<tr>
<th><strong>Implications of the Changes to the Officer’s Recommendation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
Reference No & Subject: EP-047/16  Notice of Motion – Postponing of works planned for extra two Point Peron boat launching facilities

File No: CPR/65-03; GRS/12-02
Proponent/s: Councillor Matthew Whitfield
Author: Mr Matthew Donaldson, Coastal Engineering Officer
Other Contributors:
Date of Committee Meeting: 12 December 2016
Previously before Council:
Disclosure of Interest: Executive
Nature of Council’s Role in this Matter:

Site:
Lot Area: Lot 2804, R39475, Point Peron Boat Launching Facility
LA Zoning:
MRS Zoning:
Attachments:
Maps/Diagrams:

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 December 2016 Council Meeting:

“That Council DIRECTS the CEO to postpone immediately any work (that has not already commenced) associated with the planned extra two Point Peron boat launching facilities.”

Details
Works to develop the Point Peron Boat Launching Facility are currently included in the Business Plan for construction in 2017/2018 with an amount of $1,000,000 allocated. To enable these works to be undertaken, the City has started preparing for detailed design with initiation of the following preliminary works:

- Surveying Services - Feature and Hydrographic Surveys of the facility undertaken in September 2016.
- State Agency Approvals - Department of Parks and Wildlife Regional Parks
Finalising the specification to be issued for quotation to prospective coastal engineering consultants to provide conceptual and detailed designs, technical specifications, and estimate of costs for the construction of the proposed upgrades.

In 2016, the City was awarded $45,000 funding contribution through the Department of Transports Recreational Boating Facilities Scheme for the detailed design phase of the works.

Point Peron Boat Launching Facility is the premier boating facility in the Rockingham Municipality with 41% of boat owners using the ramps most often due to the established amenities and boat trailer parking available, as well as being the only ‘marina’ style ramps in the area protected by breakwaters.

During peak boating periods such as crayfish season, demersal fishing season and the peak summer period, all recreational boating facilities located in Rockingham are at capacity. The limitation on the capacity of facilities is due to the limited amount of boat trailer parking available and formal boat ramps at the sites.

Due to the City’s coastline being exposed to coastal processes such as wave action, sea breeze, swell and sediment dynamics, the potential for constructing new boat launching facilities in the region is difficult without meeting the required Australian Standards for design.

The design of boat launching facilities generally falls under the requirements of the following Australian Standards;

- AS3926-2001 Guidelines for design of marinas
- AS4997-2005 Guidelines for the design of maritime structures

The Department of Transport has also published a guideline for the design of boat launching facilities;

- Guidelines for the Design of Boat Launching Facilities in Western Australia below the 25th Parallel (DoT, 2009)

Of all boat launching facilities managed by the City, Point Peron Boat Launching Facility is the only current facility that meets the design standards.

Design and construction of two (2) additional concrete boat ramp lanes and associated infrastructure at Point Peron shall improve current boat launching and retrieval pressures, reduce congestion and waiting times at the ramps and ultimately, take pressure off the City’s surrounding boat ramp facilities located in Cockburn Sound and Warnbro Sound.

It is proposed to submit applications to the Recreational Boating Facilities Scheme for grant funding for up to 75% of the construction cost of the boat ramps and for the Boat Trailer Car Park extension and car park modifications.

### Implications to Consider

**a. Consultation with the Community**

City of Rockingham Marine Infrastructure Advisory Committee


**b. Consultation with Government Agencies**

Department of Transport – Recreational Boating Facilities Scheme

Department of Parks and Wildlife – Regional Parks Department and Swan Coastal District

**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 Objective:** 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 contributes to the City’s reputation as the premier metropolitan coastal tourism destination.
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 Objective: Infrastructure - Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis.

Aspiration D: Sustainable Environment

Strategic Objective: Climate Change – Planning systems, infrastructure standards and community awareness programs that acknowledge, mitigate and adapt to the impacts of climate change.

d. Policy
Nil

e. Financial

an amount of $60,000 has been allocated in the 2016/2017 Budget

The Recreational Boating Facilities Scheme contributes 75% of the total cost of the detailed design and construction phase of awarded projects upon successful completion relieving financial pressure from Local Government Authorities.

f. Legal and Statutory

On 21 June 2016 the City entered an agreement with the Department of Transport to undertake detailed design of the Point Peron boat launching facility, boat ramp lanes five (5) and six(6) in accordance with Round 21 Recreational Boating Facilities 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

The City of Rockingham has experienced a significant increase in boat owner registrations in recent years and this growth is projected to continue into the future.

To ensure the City meets the needs of the recreational boating community, the planning of future facility upgrades has been undertaken to meet the medium term and long term objectives of the Department of Transport ‘Perth Recreational Boating Facilities Study 2008’.

The outcomes and initiatives of the study are based on registered boat ownership and future population growth and demand for facilities in each Local Government Area within the Perth Metropolitan region.

Following is excerpts of the Department of Transport’s Perth Recreational Boating Facilities Study 2008 highlighting the City’s boat ownership and infrastructure planning requirements up to 2025.
8.3.2 New Facilities: planning confirmed or Existing Facilities: expansion feasible

Two Rocks Marina: The marina at Two Rocks has expansion capacity for an estimated further 250 pens. As demand grows in the north metropolitan area in the Medium Term it is anticipated that more pens will be made available in this harbour. These pens have been included in the Study proposals. An additional two ramp lanes with accompanying trailer parking is also planned.

Point Peron Launching Ramps: The Boat Launching facility has the capacity to add two additional launching lanes. Trailer parking expansion to match will be required. This upgrade has been included within the Long Term proposals within this Study.

Port Kennedy: The redevelopment of the Becher Point precinct of Kennedy Bay is currently being progressed by Government agencies. As a part of the project agreement the developer is required to provide public infrastructure items, including a public boat ramp and associated parking. The two lane ramp is envisaged to be a jetty style structure that will be built over the beach. This facility has been included within the Short Term development proposals in this Study.

Eglinton Marina: A number of approvals are in place for the development of a small new marina at Eglinton. Current plans indicate that a two lane ramp and approximately 200 pens will be included in the marina. Eglinton Estates Pty Ltd is currently working to secure the balance of approvals to commence work on the breakwaters. These are proposed to be established towards the end of the Short Term period within this Study.

The Port Coogee Boat Harbour is currently under construction. The boat harbour will provide approximately 60 residential canal berths and a marina with about 300 boat pens. The first half of these facilities may not be available until 2010 followed some years later by the second half. Boat ramps are not included at this site but a funding contribution is to be made towards the new ramp development at Woodman Point.

The Fremantle Sailing Club is seeking to expand its operational area with current estimates of about 500 additional pens. This expansion may be achieved in conjunction with the implementation of the Fremantle Harbours Policy. This Study has factored in an expansion of 500 pens over the Medium Term.
6. Growth in the Number of Recreational Boats

Registered recreational boats range in size from small dinghies to large luxury power boats. As a general rule and for the purpose of this study, boats over 7.5 metres in length are considered as being too large to transport on a trailer and therefore will require a pen or mooring. However there is no finite boat size division between trailer, pen and stacker storage types.

Boats over 24 metres in length are commonly referred to as Super Yachts. Whilst Perth is home to relatively few Super Yachts (18) there is evidence that this is a growth area and some facilities are required for boats of this size in Perth and in the Regions (see Section 7.4.4).

6.1 Boat Registrations

Table 3 shows the number and percentage of recreational boats in each Local Government Area within the Perth Metropolitan region. The distribution is derived from the home address post code for each boat as extracted from DPI’s recreational boat registration database.

Table 3. Boat Registration By Local Government, December 2007

<table>
<thead>
<tr>
<th>Local Government</th>
<th>Boats 0.01 - 7.50m</th>
<th>Boats &gt; 7.50m</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Numbers</td>
<td>Per Cent</td>
<td>Numbers</td>
</tr>
<tr>
<td>ARMADALE</td>
<td>1,396</td>
<td>3.2%</td>
<td>52</td>
</tr>
<tr>
<td>BASSENGDEAN</td>
<td>459</td>
<td>1.0%</td>
<td>19</td>
</tr>
<tr>
<td>BAYSWATER</td>
<td>1,152</td>
<td>2.7%</td>
<td>94</td>
</tr>
<tr>
<td>BELMONT</td>
<td>732</td>
<td>1.7%</td>
<td>57</td>
</tr>
<tr>
<td>CAMBRIDGE</td>
<td>754</td>
<td>1.7%</td>
<td>190</td>
</tr>
<tr>
<td>CANNING</td>
<td>1,096</td>
<td>2.4%</td>
<td>155</td>
</tr>
<tr>
<td>CLAREMONT</td>
<td>343</td>
<td>0.8%</td>
<td>197</td>
</tr>
<tr>
<td>COOKSBURN</td>
<td>2,032</td>
<td>4.6%</td>
<td>282</td>
</tr>
<tr>
<td>COTESLOE</td>
<td>286</td>
<td>0.7%</td>
<td>134</td>
</tr>
<tr>
<td>EAST FREMANTLE</td>
<td>342</td>
<td>0.8%</td>
<td>96</td>
</tr>
<tr>
<td>FREMANTLE</td>
<td>1,048</td>
<td>2.4%</td>
<td>331</td>
</tr>
<tr>
<td>GOSNELLS</td>
<td>2,135</td>
<td>5.0%</td>
<td>128</td>
</tr>
<tr>
<td>JOONDALUP</td>
<td>5,524</td>
<td>12.7%</td>
<td>557</td>
</tr>
<tr>
<td>KALAMUNDA</td>
<td>1,446</td>
<td>3.3%</td>
<td>193</td>
</tr>
<tr>
<td>KWINANA</td>
<td>775</td>
<td>1.8%</td>
<td>39</td>
</tr>
<tr>
<td>MELVILLE</td>
<td>3,076</td>
<td>7.1%</td>
<td>616</td>
</tr>
<tr>
<td>MOSMAN PARK</td>
<td>374</td>
<td>0.9%</td>
<td>148</td>
</tr>
<tr>
<td>MUNDARING</td>
<td>1,034</td>
<td>2.5%</td>
<td>65</td>
</tr>
<tr>
<td>NEDLANDS</td>
<td>764</td>
<td>1.8%</td>
<td>294</td>
</tr>
<tr>
<td>PEPPERMINT GROVE</td>
<td>190</td>
<td>0.4%</td>
<td>88</td>
</tr>
<tr>
<td>PERTH</td>
<td>252</td>
<td>0.6%</td>
<td>66</td>
</tr>
<tr>
<td>ROCKINGHAM</td>
<td>4,519</td>
<td>10.4%</td>
<td>240</td>
</tr>
<tr>
<td>SERPENTINE-</td>
<td>864</td>
<td>1.9%</td>
<td>56</td>
</tr>
<tr>
<td>JARRAHDALE</td>
<td>883</td>
<td>2.1%</td>
<td>131</td>
</tr>
<tr>
<td>SOUTH PERTH</td>
<td>3,099</td>
<td>7.3%</td>
<td>427</td>
</tr>
<tr>
<td>STIRLING</td>
<td>290</td>
<td>0.7%</td>
<td>95</td>
</tr>
<tr>
<td>SWAN</td>
<td>2,213</td>
<td>5.1%</td>
<td>120</td>
</tr>
<tr>
<td>VICTORIA PARK</td>
<td>388</td>
<td>0.9%</td>
<td>37</td>
</tr>
<tr>
<td>VINCENT</td>
<td>359</td>
<td>0.8%</td>
<td>43</td>
</tr>
<tr>
<td>WANNEROO</td>
<td>3,116</td>
<td>7.2%</td>
<td>193</td>
</tr>
<tr>
<td>GRAND TOTALS</td>
<td>43,421</td>
<td>100%</td>
<td>5,047</td>
</tr>
</tbody>
</table>

(Excerpt from the Perth Recreational Boating Facilities Study 2008)
### Medium Term Initiatives (to 2018)

<table>
<thead>
<tr>
<th>Item</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government funded facilities:</td>
<td></td>
</tr>
<tr>
<td>Develop a marina in Mangles Bay.</td>
<td>500 pens</td>
</tr>
<tr>
<td>Develop a coastal public boat launching facility in the Fremantle area (Stage 2).</td>
<td>4 lanes</td>
</tr>
<tr>
<td>Develop a new public harbour near Alkimos on the north Metropolitan coast (Stage 1).</td>
<td>4 lanes, 200 pens</td>
</tr>
<tr>
<td>Privately funded facilities</td>
<td></td>
</tr>
<tr>
<td>Expand the number of boat pens in Two Rocks Boat Harbour.</td>
<td>2 lanes, 250 pens</td>
</tr>
<tr>
<td>Expand and or re-organise the pen capacity of Yacht Clubs. (Part 2)</td>
<td>82 pens</td>
</tr>
<tr>
<td>Develop private marina pens and residential berths at Port Coogee (Part 2)</td>
<td>180 pens</td>
</tr>
<tr>
<td>Expand the number of pens within the Fremantle Sailing Club.</td>
<td>500 pens</td>
</tr>
</tbody>
</table>

### Long Term Initiatives (to 2025)

<table>
<thead>
<tr>
<th>Item</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government funded facilities:</td>
<td></td>
</tr>
<tr>
<td>Expand the number of ramps within the Point Peron Boat launching harbour.</td>
<td>2 lanes</td>
</tr>
<tr>
<td>Develop a new harbour with pens, incorporating the existing Ocean Reef boat launching facility.</td>
<td>250 pens</td>
</tr>
<tr>
<td>Develop a new public harbour near Alkimos on the north Metropolitan coast (Stage 2).</td>
<td>4 lanes, 600 pens</td>
</tr>
<tr>
<td>Commence Stage 1 of the expansion to the Fremantle Boat Harbours (as per the Harbours Policy).</td>
<td>500 pens</td>
</tr>
<tr>
<td>Privately funded facilities</td>
<td></td>
</tr>
<tr>
<td>None currently identified</td>
<td></td>
</tr>
</tbody>
</table>

(Excerpt from the Perth Recreational Boating Facilities Study 2008)
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 16 JANUARY 2017

Voting Requirements

Simple Majority

(Excerpt from the Perth Recreational Boating Facilities Study 2008)
Officer Recommendation

That Cr Matthew Whitfield’s Notice of Motion not be supported.

Notice of Motion from Cr Matthew Whitfield

That Council *DIRECTS* the Chief Executive Officer to postpone immediately any work (that has not already commenced) associated with the planned extra two Point Peron boat launching facilities.

Cr Whitfield withdrew this item as Item EP-046/16 - Notice of Motion - providing an updated report on boat launching facilities within the City, was not supported.
<table>
<thead>
<tr>
<th></th>
<th>Notices of Motion for Consideration at the Following Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>As a consequence of Cr Matthew Whitfield's request to defer consideration of Item EP-045/16, the following motion is submitted for consideration at the January 2017 Committee meeting:</td>
</tr>
<tr>
<td></td>
<td>“That Council DIRECTS the Chief Executive Officer to move the following project from the 2017/2018 Business Year through to the 2018/2019 Business Year - Work Order 25180 Replacement of the Skate Park valued costed at $680,000.”</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Urgent Business Approved by the Person Presiding or by Decision of the Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Matters Behind Closed Doors</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Date and Time of Next Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The next Planning and Engineering Services Committee Meeting will be held on <strong>Monday 16 January 2017</strong> in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Closure</th>
</tr>
</thead>
<tbody>
<tr>
<td></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 <strong>4:45pm</strong>.</td>
</tr>
</tbody>
</table>