MINUTES
Planning and Engineering Services Committee Meeting
Held on Monday 19 June 2017 at 4:00pm
City of Rockingham Boardroom
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<td>Date and Time of Next Meeting</td>
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<td>Closure</td>
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1. Declaration of Opening

The Chairperson declared the Planning and Engineering Services Committee Meeting open at 4.04pm, welcomed all present, and delivered the Acknowledgement of Country.

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

<table>
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<th>2.1 Councillors</th>
<th>2.2 Executive</th>
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<tr>
<td>Cr Chris Elliott</td>
<td>Mr John Pearson</td>
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<td>Cr Matthew Whitfield</td>
<td>Director Corporate Services</td>
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<td>Cr Leigh Liley</td>
<td>Mr James Henson</td>
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<tr>
<td>(Deputising for Cr Hamblin)</td>
<td>A/Director Planning and Development Services</td>
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<td>Cr Katherine Summers</td>
<td>Mr Peter Doherty</td>
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<td>Director Legal Services and General Counsel</td>
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<td>Mr Doug Forster</td>
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<td>A/Director Engineering and Parks Services</td>
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<td>Mr Michael Holland</td>
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<td>Director Community Development</td>
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<td>Mr Gary Rogers</td>
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<td>Manager Community Infrastructure Planning</td>
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<td>Mr Peter Ricci</td>
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<td>Manager Major Planning Projects</td>
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<td>Mr Brett Ashby</td>
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<td>Manager Strategic Planning and Environment</td>
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<td>Mr Mark Dudley</td>
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<td>Manager Building Services</td>
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<td>Mr Mike Ross</td>
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<td>Manager Statutory Planning</td>
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<td>Mr Rod Fielding</td>
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<td>Manager Health Services</td>
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<td>Mr Ian Daniels</td>
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<td>Manager Engineering Services</td>
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<td>Mr Kelton Hincks</td>
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<td>Manager Asset Services</td>
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<td>Mr Adam Johnston</td>
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<td>Manager Parks Services</td>
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<td>Ms Melinda Wellburn</td>
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<td>PA to Director Planning and Development Services</td>
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<th>2.3 Members of the Gallery:</th>
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<td>Cr Deb Hamblin (Deputy Mayor)</td>
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<td>Cr Barry Sammels (Mayor)</td>
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<th>2.5 Approved Leave of Absence:</th>
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3. Responses to Previous Public Questions Taken on Notice

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<th>3.1 Mr James Mumme, 36 Gloucester Avenue, Shoalwater - Various</th>
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<td>At the Planning and Engineering Services Committee meeting held on 15 May 2017, Mr Mumme asked the following questions that were taken on notice and the A/Director Planning and Development Services provided a response in a letter dated 18 May 2017 as follows:</td>
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(Preamble to questions) Coastal Council Conference

I refer to the Mayor’s public statements that "the City needs to act now to address coastal hazards" that "councils are knowledgeable about these matters" and "call[s] on the Australian Government to play a lead role … (Website 10/5/17).

Question

1. Phil Watson of Clarence Council talks about promoting no regret or low regret solutions. Given that in the hierarchy of adaptation, AVOID is first - cheaper and easier than retreat and protect - does the Mayor's statement mean the City will refuse to approve any development proposals that may be at risk from sea level rise and inundation and be regretted?

Response

In the 2017/18 financial year, the City will commence preparation of a Coastal Hazard Risk Management and Adaptation Plan for the entire coastline. This plan will identify areas which are potentially vulnerable to coastal hazards over the next 100 years and determine appropriate responses on a site specific basis relative to the risk management and adaptation hierarchy detailed in State Planning Policy 2.6. The development of the CHRMAP will involve community consultation and the draft plan will be made available for public comment.

Question

2. Prof Tim Smith said that only about 35% of councils surveyed (46% of 77% of the total sample) use coastal monitoring to improve decision making. Does our City use coastal monitoring to improve decision-making and if so, can you give three examples of decision improved by coastal monitoring?

Response

The Chairperson advised that he could not provide three decisions, however, the City is involved with the Coastal Sea Change Taskforce, Cockburn Sound Management Council and the Peron Naturaliste Partnership (provided at meeting).

For any coastal management works proposed through the Department of Transport Coastal Adaption and Protection Grants, monitoring must be undertaken for a period of 4-5 years to identify beach profiling and stability. This information is then used to determine the optimum location and design of infrastructure relative to coastal processes. Monitoring must also be undertaken for a number of years post construction in order to ascertain subsequent changes in coastal dynamics. The City continues to employ this best practise approach, which has been used most recently with respect to the new Mersey Point jetty and coastal protection at Waikiki foreshore.

Question

3. What specifically does the City want from the Australian Government given that the recent budget contained no reference to climate change?

Response (provided at meeting)

The Chairperson advised that he was not sure if the City had a specific policy on that question, but he would want the Australian Government to take a leadership role with respect to climate change.

(Preamble to question) Pest Plants Threatening Lake Richmond

The Local Laws (2000 amended 2010) provide the City with the power to deal with any of six plants, only one of which has been found to be a threat to Lake Richmond.

The biggest threat to Lake Richmond is Brazilian Pepper, *Schinus terebinthifolia*. I believe that most councillors have been sent a graphic email containing pictures of how threatening this plant is.

Question

4. What will the City need in order to add *Schinus terebinthifolia* to the City's Local Law and force owners of blocks with major infestations to remove them?
Response

Brazilian Pepper (Schinus terebinthifolius) is listed as a pest plant in the Local Law and the City has an ongoing program for managing the species within City controlled Reserves. However, the City doesn’t currently have a resourced program to actively seek out plants within private property.

Given the large area of conservation responsibility including those areas of Crown land managed by the Department of Parks and Wildlife (DPaW), a collaborative approach is fundamental to the control and we continue to work with other state agencies in an advocacy role to improve successful outcomes.

With respect to the situation at Lake Richmond, the City is currently working with Water Corporation and DPaW to undertake Brazilian Pepper removal along with other invasive weed control to minimise the impact on the broader environment.

4. Public Question Time

4:05pm The Chairperson invited members of the Public Gallery to ask questions.

4.1 Mr Peter Green, 25 Nabberu Loop, Cooloongup - Palm Beach Caravan Park and Mangles Bay Marina

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

(Preamble to question) Traffic Questions regarding DHA Local Structure Plan

I welcome the City's overall recommendations regarding the Traffic Impact Assessment, however, I feel some recommendations do not clearly address my submission.

Example, bottom of page 24 Planning Agenda, the submission states, "All trip attractors/generators within 800m of the structure plan area have not been provided (e.g. the Memorial Drive intersection (access to Garden Island) and the proposed Mangles Bay Marina)"

The applicants response page 25, "This exercise illustrated that no projects in the surrounding area will present a significant increase in background traffic on the Traffic Impact Assessment (TIA) study area to 2028."

City's comment, "The City supports the comments raised within the submission and recommends that the TIA be modified to address the Western Australian Planning Commission (WAPC) Transport Impact Assessment Guidelines. With respect to justification provided by the applicant, the City notes the following, the statement that 'no projects in the surrounding area will present a significant increase in background traffic on the TIA study area to 2028 needs to be justified'.

The City's recommendation states, "That the Traffic Impact Assessment be modified to address the WAPC's Traffic Impact Assessment Guidelines."

1. Will the City consider including in their recommendation, "with respect to justification submitted".

The Chairperson advised that the Officer Recommendation is that the Structure Plan be not approved until such time that a number of issues have been addressed. One of the reasons for the refusal is in regard to the Traffic Impact Assessment and a number of other items contained in the report.

(Preamble to question) Justification

I hasten to add that I have received authorisation from FOI section of WAPC to reveal the following.

In accordance with the MRS Amendment 1280/41 Cedar Woods were required to undertake a detailed traffic impact assessment which was to be finalised before the WAPC considers the Amendment.
CARDNO were engaged to prepare a detailed Traffic Impact Assessment which was completed in June 2016, the City received a copy of report in July 2016.

In the report it states that the Mangles Bay Marina Project was estimated to be completed by 2031, and that vehicles using Memorial Drive were estimated to be 15,000 vehicles per day. It also went on to say that during peak hours it would be expected that a build up of traffic could stretch over 100 metres at the Memorial Drive and Safety Bay Road intersection.

To read that GTA considers that there are no projects in the surrounding area that will present significant increase in background traffic, especially at the intersection of Memorial Drive and Safety Bay Road, beggars belief.

On page 42 under Traffic Impact Assessment, 3rd paragraph, it states in part, "it is recommended that SIDRA modelling be prepared for the intersection of Lake Street and Safety Bay Road".

2. Will the City consider adding "and Safety Bay Road and Memorial Drive intersection".

The Chairperson reiterated that one of the reasons for the refusal is in regard to the Traffic Impact Assessment requiring to be amended.

(Preamble to question) For Information

In the City's report there are several references to trees, in particular Tuarts, these trees currently are being assessed and expected to be identified as 'critically endangered under the EPBC Act', before the end of the year.

3. Will the City ensure that before any removal of the Tuarts, their status in accordance with the EPBC Act be researched.

The Chairperson advised that the recommendation is that the Environmental Assessment Report be modified with regard to the trees in question and that the Council may resolve not to approve the subdivision, however, the question will be taken on notice.

(Preamble to question) Waterways Management

In June 2015 the City wrote to Cedar Woods inviting Cedar Woods Properties to commence the process towards preparing the 'Deed of Agreement'.

Seven weeks later the City wrote again to Cedar Woods and because of the failure of any response from Cedar Woods the City stated, "The apparent lack of progress on these issues is concerning and undermines the City's confidence in the project. As a result I have instructed Planning Services to cease its preliminary consideration of the Town Planning Scheme Amendment and Local Structure Plan until there is resolution to the above matters."

The Planning Bulletin provides information that there has been no correspondence between Cedar Woods and the City since February 2017.

4. Has the City held meetings with Cedar Woods regarding the Waterways Management role, if so, when was the last meeting.

The Chairperson advised that waterways management is an item in the Planning Services Bulletin and that there has been no change since May 2017.

4.2 Mr James Mumme, 36 Gloucester Avenue, Shoalwater - Pepper Trees

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

1. Why has there been no action to kill the mature female pepper trees along the drain and along Point Peron Road since I raised this one month ago as a matter of urgency?

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

2. Council wished to adopt an advocacy strategy instead of enforcing its powers under the Local Law. What more effective action will Council take to protect Lake Richmond and when?
The Chairperson advised that the advocacy position is a position that the Council will take to relay a point on an item outside of its control. As this is a State Government issue, it will take the role of an advocacy position.

The Chairperson advised that Council agreed several years ago to have Lake Richmond listed on the Municipal Heritage Inventory. Mr Mike Ross, Manager Statutory Planning advised that Lake Richmond is being considered to be entered onto the State Register of Heritage Places on a permanent basis.

Mr James Henson, Acting Director Planning and Development Services advised that Lake Richmond is under management control of the City and action will be taken in this regard.

3. Is there any reason why Council should not invoke the provision in the Local Law and kill or remove the trees itself and recoup the cost from Landcorp and the Water Corporation? If so what is it? Landcorp has just sent an email saying they will remove the them but not when.

The Chairperson advised that he is unsure of the legalities of this, however, the question will be taken on notice.

Funding for review of State of Cockburn Sound

4. What problem does the City see from following the Officer's recommendation to refuse to fund the peer review study into the state of Cockburn Sound?

The Chairperson advised that this is an item contained in tonight's Committee agenda and it will be debated later on in the meeting and your answers may be provided through that debate.

5. Will Councillors reconsider that recommendation and reverse it today?

The Chairperson again advised that this is an item contained in tonight’s Committee agenda and will be debated later on in the meeting.

4.3 Mr Colin Osborne, 42 Lake Street, Palm Beach - PDS-028/17 - Proposed Structure Plan (Palm Beach Caravan Park)

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

We suggest/request in relation to the Committee agenda on page 43 in "Conclusion" item (b)(iv) and page 44 in "Officer Recommendation" item (b)(iv) which reads "The Traffic Impact Assessment being modified to address the comments made in the Local Government Report" be extended to detail exactly what those recommendations and comments are in detail as most other items listed have been.

The Chairperson advised that this is an item contained in tonight’s Committee agenda and will be considered later in the meeting.

4:25pm There being no further questions the Chairperson closed Public Question Time.

5. Confirmation of Minutes of the Previous Meeting

Moved Cr Summers, seconded Cr Whitfield:

That Committee CONFIRMS the Minutes of the Planning and Engineering Services Committee Meeting held on 15 May 2017, 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**

4:26pm  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**

4:26pm  The Chairperson asked if there were any interests to declare.  There were none.

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

Nil

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

Nil

11. **Bulletin Items**

**Planning and Development Services Information Bulletin – June 2017**

**Health Services**

1. Health Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 FoodSafe
   3.2 Industrial and Commercial Waste Monitoring
   3.3 Mosquito Control Program
   3.4 Environmental Waters Sampling
   3.5 Food Sampling
3. 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

**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

### Compliance and Emergency Liaison

1. Compliance and Emergency Liaison Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Ranger Action Reports
   4.2 Emergency Management and Fire Prevention
   4.3 Customer Requests Emergency Service Team
   4.4 Permits to Burn – Restricted Burning Period
   4.5 Prescribed Burning Program
   4.6 Facility Upgrade – Rockingham SES
   4.7 Evacuation Centre Kit – Mike Barnett Centre
   4.8 Singleton Volunteer Bush Fire Brigade - Election Of Officers
   4.9 City Support for DFES Port Kennedy Fire and Rescue Station
   4.10 Training - Volunteer and Officers
   4.11 SmartWatch Key Result Area: Visibility
   4.12 Key Result Area: Engagement with Community
   4.13 Key Result Area: Increasing perception of Safety
   4.14 Notable Statistics

### 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 Greening Plan (PKR/52-02)
   3.5 Frog Population Monitoring Program (EVM/174)
4. Information Items
   4.1 Notification of Approval of Structure Plans by the Western Australian Planning Commission
   4.2 Delegated Advertising of Proposed Structure Plans
   4.3 Little Penguin Monitoring Program - Annual Report

### Land and Development Infrastructure

1. Land and Development Infrastructure Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Structure Plan Approval Referrals
   4.2 Subdivision Approval Referrals
   4.3 Urban Water Management Referrals
4.4 Traffic Report Referrals
4.5 Delegated Land & Development Infrastructure Assets Approvals
4.6 Subdivision Clearance Requests
4.7 Handover of Subdivisional Roads
4.8 Development Application Referrals
4.9 Delegated Subdivision Public Open Space Practical Completions
4.10 Delegated Authority to approve the release of Bonds for private subdivisional works

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

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 State Bushfire Prone Area Mapping Update

Advisory Committee Minutes

Committee Recommendation

Moved Cr Liley, seconded Cr Whitfield
That Councillors acknowledge having read the Planning Services Information Bulletin – June 2017 and the content be accepted.

Committee Voting – 4/0
Engineering and Parks Services Information Bulletin – June 2017

Engineering and Parks Services Directorate

1. Engineering and Parks Services Directorate Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Foreshore Masterplan – Detailed Design
4. Information Items
   4.1 Director’s Update
   4.2 Request for Information – Advertising on Infrastructure

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 approval of Directional Signage
   4.3 Authorised Traffic Management Plans for Works on City Controlled Roads
   4.4 Civil Works Program 2016/2017
   4.5 Civil Works Program 2017/2018
   4.6 Civil Maintenance Program 2016/2017
   4.7 Road Renewal Program Municipal Works 2016/2017
   4.8 Road Resurfacing Program Municipal Works 2016/2017
   4.9 Litter and Street Sweeping Program 2016/2017
   4.10 Graffiti Program 2016/2017
   4.11 Safety Bay Road – Principal Shared Path – Stage 2B Mandurah Road to Eighty Road
   4.12 Delegated Authority for the payment of Crossover Subsidies
   4.13 Significant Third Party works within the City
   4.14 Asset Inspections
   4.15 Coastal Infrastructure
   4.16 Fleet 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 and Koorana Reserve
   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
   3.9 Limestone Access Track Upgrade - Lark Hill Reserve
   3.10 Replace Conservation Reserve Fencing
   3.11 New Conservation Reserve Fencing – Foreshore Drive, Singleton
   3.12 New Conservation Reserve Fencing – Lake Richmond
   3.13 Tamworth Hill Swamp, Conservation Works
   3.14 Dixon Road Reserve, Conservation Works
3.15 Outdoor Gym Equipment - Harmony Park, Singleton
3.16 Outdoor Gym Equipment – Lions Park and Safety Bay Foreshore
3.17 Wilkes Loop Landscaping - Baldivis
3.18 Alexandra Street Vehicle Access Track - Rockingham

4. Information Items
4.1 Delegated Public Open Space Handovers
4.2 Parks Maintenance Program 2016/2017

Asset Services
1. Asset Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Path condition audit 2016-2017
   3.2 Public Toilet Maintenance and Provision Strategy
   3.3 Public area lighting projects
   3.4 Cannes Reserve, Warnbro Infrastructure Upgrade
   3.5 Asbestos Removal and Reinstatement
4. Information Items
   4.1 Strategic Asset Management
   4.2 2016/2017 Public area lighting and arterial lighting
   4.3 Aqua Jetty – Gym roof HVAC enclosure (design)
   4.4 Baldivis South Sports Pavilion Eighty Road Baldivis
   4.5 Laurie Stanford Reserve development
   4.6 Rhonda Scarrott Reserve development
   4.7 Administration building exterior render repairs – Clock Tower Render Replacement and Lotteries House
   4.8 Aqua Jetty solar PV system 328kw
   4.9 Aqua Jetty – Tiling of external 50m pool
   4.10 Secret Harbour – Inclusive play space
   4.11 Baldivis South Youth Space
   4.12 2016/2017 Reserve flood lighting
   4.13 Baldivis South Community Centre
   4.14 Mike Barnett Sports Complex – Netball courts resurfacing
   4.15 Building and Facility Maintenance
   4.16 Reserve Maintenance
   4.17 Electrical Maintenance
   4.18 Asset Maintenance statistics
   4.19 Lighting inspections
   4.20 Solar power generation
   4.21 Building Operations

Advisory Committee Minutes

Committee Recommendation

Moved Cr Liley, seconded Cr Whitfield:
That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – June 2017 and the content be accepted.

Committee Voting – 4/0
12. Agenda Items

Planning and Development Services

Planning and Development Services
Strategic Planning and Environment

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-027/17 Draft Community Plan Strategy – Natural Area Conservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>EVM/176</td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Rory Garven, Environmental Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Ms Natalie Elliott, Coordinator Sustainability and Environment</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 June 2017</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
</tbody>
</table>

| Site: | |
| Lot Area: | |
| LA Zoning: | |
| MRS Zoning: | |
| Attachments: | Draft Community Plan Strategy - Natural Area Conservation |
| Maps/Diagrams: | |

Purpose of Report

To seek Council approval of the draft Community Plan Strategy - Natural Area Conservation for the purpose of public advertising.

Background

A strategic direction is required to ensure the City of Rockingham’s natural areas are managed in an effective and sustainable manner. Environmental management actions are currently guided by three Specific Purpose Strategies (SPS) adopted by Council in February 2012 to meet Aspiration 10 of the City’s Community Plan 2011, which detailed the need for “Coastal and bushland reserves that are well utilised and managed in a way that will preserve them for future generations to enjoy”. These SPS were:
1. Bushland Management Strategy
2. Urban Wetlands Monitoring Plan
3. Feral Cat/Fish Control Plan

More recently, a review of the natural area management approach was undertaken with respect to
the City’s Strategic Community Plan (2015-2025) and the opportunity was identified to consolidate
the three SPS into one Community Plan Strategy - Natural Area Conservation (this Strategy).

**Details**

The purpose of this Strategy is to protect and enhance the City’s natural capital through effective
measurement and management of threatening processes.

The specific objectives of this Strategy are:

1. To review and rationalise the existing strategic framework relating to City managed natural
   areas
2. To provide for the development of targeted environmental management plans for the City’s
   bushland, wetland, foreshore and urban environments
3. To ensure management decisions are informed by accurate and comprehensive monitoring
4. To advocate for effective management of natural areas within the municipality which are the
   responsibility of other agencies.

The Strategy focuses on two key elements; Environmental Management Plans and Environmental
Monitoring Programs. Recommended actions apply to all City managed conservation areas and will
be undertaken progressively over the next ten years.

Should Council support be obtained, the draft Strategy will be publicly advertised for a period of 28
days.

**Implications to Consider**

a. Consultation with the Community
   Community consultation will commence should the Council approve the draft Strategy for
   public advertising.

b. Consultation with Government Agencies
   Department of Parks and Wildlife were engaged during the preparation of the draft Strategy.
   Formal comments from the Department of Parks and Wildlife will be sought, should Council
   approve the draft Strategy for public advertising.

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

   **Aspiration D:** A Sustainable Environment
   **Strategic Objective:** Climate Change – Planning systems, infrastructure standards and
   community awareness progress that acknowledge, mitigate and adapt to the impacts of climate change; and
   Coastal and Bushland Reserves – Coastal and bushland reserves that are well used and sustainably managed preserving them for
   future generations to enjoy.

d. Policy
   Nil

e. Financial
   The costs associated with implementing the strategic actions outlined in the Strategy will be
   met through:
   1. Operating projects identified in the Parks Services and Strategic Planning and
      Environment Team Plans
   2. Parks Services operating budgets for monitoring programs
f. Legal and Statutory
Nil

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

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

Nil

Comments

The City’s natural areas support a variety of significant environmental attributes. The key elements of this Strategy will together ensure that these areas are effectively managed.

The City has already commenced a number of components outlined in this Strategy, including the Foreshore Management Plan and Greening Plan. These existing operational documents were reviewed ahead of the draft Strategy being approved by Council as they were programmed and budgeted for under the previous SPS. The next step in the new process is for Council to consider approval of the draft strategy for the purpose of public advertising.

Public comment will be sought for 28 days through the City’s website, advertising in local newspapers and making the document available at the City’s administration building and libraries. Following the closing of the public comment period, all feedback will be reviewed for possible inclusion in the final Strategy which will be presented to Council for adoption.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVES the draft Community Plan Strategy - Natural Area Conservation for the purpose of public advertising.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Liley:
That Council APPROVES the draft Community Plan Strategy - Natural Area Conservation for the purpose of public advertising.

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
### Purpose of Report

To consider a proposed Structure Plan over Lot 1512 Lake Street and Lot 5000 Fisher Street, Rockingham following completion of the advertising period.

### Background

The site previously operated as the Palm Beach Caravan Park for approximately fifty years. The caravan park predates the former Town Planning Scheme No.1 introduced for the City of Rockingham in 1975.
In 2014, Defence Housing Australia (DHA) acquired the land with the intention of redeveloping the site for accommodation to house navy personnel who are based at HMAS Stirling.

In September 2016, the Minister for Planning granted Final Adoption to Amendment No.157 to Town Planning Scheme No.2 (TPS2) to rezone Lots 1512 Lake Street and Lot 5000 Fisher Street, Rockingham, from 'Special Use No.1 - Caravan Park' to 'Development' zone, subject to amending Schedule 9 - Development Areas of TPS2 to modify Development Area DA 43 as follows:

<table>
<thead>
<tr>
<th>Reference No.</th>
<th>Area</th>
<th>Provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>DA 43</td>
<td>Lot 1512 Lake Street and Lot 5000 Fisher Street, Rockingham</td>
<td>1. A structure plan prepared and approved pursuant to Part 4 of the deemed provisions shall apply to the area to guide subdivision and/or development.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. All subdivision and/or development must comply with the R60 residential density code of the R-Codes.</td>
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<tr>
<td></td>
<td></td>
<td>3. A maximum top of external wall height of 6 metres (or 2 storeys) shall apply within 25 metres of the Lake Street and Fisher Street lot boundary.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. A maximum top of external wall height of 9 metres (or 3 storeys) shall apply within 25 metres of any land reserved for Public Open Space or Parks and Recreation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5. A maximum top of external wall height of 15 metres (or 5 storeys) may be permitted by Council where it can be demonstrated that the development is not visible from the adjacent lot boundary of Lake Street and Fisher Street and Public Open Space.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6. The preparation of a Fire Management Plan in accordance with the requirements of State Planning Policy 3.7 - Planning in Bushfire Prone Areas.</td>
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<tr>
<td></td>
<td></td>
<td>7. The provisions applying to the area are not a standard or requirement capable of variation pursuant to Clause 4.20.1.</td>
</tr>
</tbody>
</table>

**Details**

**Site Context**

The site is bound by Lake Street to the north, Fisher Street to the east and a Water Corporation easement and Lake Richmond to the south and west. All former structures on the site associated with the Caravan Park have been cleared. The site is largely devoid of vegetation, although significant remnant vegetation remains on the periphery of the site (including within the road reserves). Access to the site is available via Lake and Fisher Streets.
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 JULY 2017

PRESIDING MEMBER
Description of the Proposal (As Advertised)
The proposed structure plan contains the following elements (see Figure 3)
- A residential density of R60 to facilitate development of approximately 340 dwellings.
- A commercial component of approximately 3,500m². (Note: The Structure Plan Report refers to the commercial component only comprising a small Café or Corner Store limited to a maximum net lettable area of 80m²).

3. Advertised Structure Plan

Implications to Consider

a. Consultation with the Community

Advertising Methodology
The proposed Structure Plan was advertised for a period of 28 days, commencing on 17 March 2017 and concluding on 14 April 2017. Public advertising was carried out in the following manner:
- Nearby owners (253) were notified of the proposal in writing and invited to comment (as shown on Figure 4 within the yellow border). The advertising area is consistent with that conducted for the Scheme Amendment to rezone the subject land;
- The applicant erected two signs on the property facing Lake and Fisher Streets;
- A notice was placed in the Weekend Courier newspaper on the 17th March 2017; and
- Copies of the proposed Structure Plan and relevant documents were made available for inspection at the City's Administrative Offices and placed on the City's website.

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

Following the close of the advertising period, the City had received 14 public submissions. A full copy of the submissions received during the advertising period is set out in the Schedule of Submissions (Attachment No.1 to this report). The content of the issues raised within these submissions are summarised and addressed as follows:

<table>
<thead>
<tr>
<th>Amenity</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>Dwelling density proposed will encourage anti-social behaviour and increased crime.</td>
</tr>
<tr>
<td><strong>Applicant's Response:</strong></td>
</tr>
<tr>
<td>Discouraging anti-social behaviour will be an important part of detailed design, and this is reflected in the LSP (refer to part 2, section 3.3.7 of the LSP).</td>
</tr>
<tr>
<td>However the assertion that density per se encourages anti-social behaviour is not borne out in planning policy or practice. WAPC’s Designing Out Crime Guidelines say nothing about density as a contributing factor to crime or anti-social behaviour.</td>
</tr>
<tr>
<td>Nonetheless, a number of design elements identified in the LSP will be proposed in development applications and detailed design to minimise opportunity for anti-social behaviour</td>
</tr>
<tr>
<td><strong>City's Comment:</strong></td>
</tr>
<tr>
<td>There is no basis to assert that the introduction of residential development at the proposed density over the subject land will generate or contribute to anti-social behaviour.</td>
</tr>
<tr>
<td>Any future development application will be assessed to ensure that adequate surveillance is provided to all public areas, including streets, parks, and paths to discourage anti-social behaviour in accordance with the WAPC’s Designing Out Crime: Planning Guidelines (2006). The Guidelines outline urban design standards for crime prevention through environmental design (CPTED) to reduce the potential for crime.</td>
</tr>
</tbody>
</table>
**Amenity (Cont…)**

The Structure Plan encourages passive surveillance into the public realm provided from habitable spaces within dwellings. Any future development application over the site will be subject to an assessment against these principles to ensure passive surveillance into the public realm is provided.

**Submission:**
Property values will be impacted by residential development from the Structure Plan area.

**Applicant's Response:**
With the proposed development come proposed upgrades to Lake and Fisher Street which will improve amenity in the area. In addition nearby residents will no longer be located near an ageing caravan park. Both of these will increase the amenity and appeal of the area.

In any event, although this comment is noted, it is recognised that property values are not a relevant planning consideration.

**City's Comment:**
The potential impact to property values is not a valid planning consideration in the City's assessment of a proposed Structure Plan.

**Submission:**
The Structure Plan will facilitate unacceptable noise, parking and traffic congestion during construction.

**Applicant's Response:**
Noted. DHA is eager to be a good neighbour. It is expected that potential disruption during construction would be minimised and managed through a condition of development approval requiring a construction management plan or similar. This is standard practice and ensures construction is undertaken in accordance with defined and established standards.

**City's Comment:**
A Construction Management Plan will be required for any development in the Structure Plan area at the Building Permit stage.

For any construction activity required as part of the subdivision and/or development process, the applicant is required to comply with the *Environmental Health (Noise) Regulations* (1999). In the event that a breach to the regulations is reported, the City will investigate the matter and take any appropriate action deemed necessary.

**Environment**

**Submission:**
Development will result in the invasion of weeds to the adjacent Bush Forever site, and will also adversely impact Thrombolites in Lake Richmond.

**Applicant's Response:**
- The Bush Forever site is located to the south and west of the project site. The western Bush Forever boundary is separated from the site by Lot 1513 (R35176) as shown on Figure 6 of the EAR.
- The development design provided for a hard edge (internal road) interface along these boundaries which is a strategy recommended by Department of Parks and Wildlife to prevent weed invasion into adjacent reserves.
- Further the landscaping proposed along these boundaries is limited street trees planting within breaks in the pavement (see Appendix C of the EAR for the Landscape Concept Plan). Invasive tree species will not be selected for these locations. The species to be planted in this area will be agreed with City of Rockingham as part of the landscape approvals prior to installation.
### Environment (Cont…)

- The thrombolites occur in a 15m wide zone around much of the lake. The lake is over 100m from the development boundary.
- Potential impacts on Thrombolites were considered by the Federal government when the project was referred under the EPBC Act. The Federal Department of Sustainability, Environment, Water, Population and Communities (now the Department of the Environment and Energy) determined that the development would not have a significant impact on the Lake Richmond thrombolites.
- Impacts on thrombolites were also considered by the EPA when the site was rezoned under the Town Planning Scheme. The EPA supported the rezoning of the project.
- Stormwater management strategies included in the LWMS provide for protection of groundwater quality and therefore protection of the thrombolites.

#### City's Comment:

Weed control will be considered as part of a Construction Management Plan that will be required for any development in the Structure Plan area at the Building Permit stage. The City acknowledges that weed spread can occur as a result of informal pedestrian accessways being created from the site to Lake Richmond and therefore the control of access to Lake Richmond from the site post development must be taken into consideration. This has been further discussed in the comments section of this Report.

With respect to off-site impacts onto Thrombolites in Lake Richmond, it is recommended that the Environmental Assessment Report and Local Water Management Strategy be modified to discuss how the ecological water requirements of the Thrombolites will not be impacted from groundwater abstraction during construction and operation of the development.

#### Recommendation:

*The Environmental Assessment Report and Local Water Management Strategy being modified to discuss how the ecological water requirements of the Thrombolites will not be impacted from groundwater abstraction during construction and operation of the development.*

#### Submission:

The clearing undertaken and the proposed removal of trees (including significant Tuart trees on site and within the Fisher and Lake Street Road reserves) to facilitate development results in an unacceptable environmental outcome.

#### Applicant's Response:

- The trees located within the site consist mostly of exotic planted species, with a limited number of planted Tuart and Peppermints. As such the environmental value of these trees is limited.
- A landscape assessment was undertaken by Blackwell and Associates to determine which planted trees (native and exotic) were viable for retention and relocation within the site. The landscape concept plan has been developed having regard to the landscape assessment. This plan includes retention of many Peppermints and Tuarts along Fisher Street.
- The trees located within the site consist mostly of exotic planted species, with a limited number of planted Tuart and Peppermints. As such the environmental value of these trees is limited.
- A landscape assessment was undertaken by Blackwell and Associates to determine which planted trees (native and exotic) were viable for retention and relocation within the site. The landscape concept plan has been developed having regard to the landscape assessment. This plan includes retention of many Peppermints and Tuarts along Fisher Street.
Environment (Cont…)

City's Comment:
The site has a number of mature trees within the Structure Plan area and along the periphery of the site to Fisher Street (both within the adjacent street reserve and the setback area) that provide significant landscape value to the adjacent streetscape which the City agrees must be retained.

This issue is dealt with in more detail in the Comments section of this Report where it is recommended that the Environmental Assessment Report (EAR) is required to be updated to provide a detailed Tree Survey to determine those trees to be cleared and retain to facilitate development, which can be further assessed by the City at the subdivision or development application stage. The trees identified for retention in the Tree Survey need to be reflected on the Landscape Concept Plan and the Bushfire Management Plan is recommended to be revised to demonstrate how tree retention within and adjacent the site of the can be maximised whilst meeting the requirements of AS3959 and the Guidelines for Planning in Bushfire Prone Areas (2017).

The clearing already undertaken on the site has been done without the prior approval of the City. The City is currently investigating this matter.

Public Open Space

Submission:
The Structure Plan needs to identify land for Public Open Space to ensure its future provision at the subdivision/development stage. Alternatively, should provide for a contribution to be used for the upgrading of nearby Public Open Space or the provision of additional carparking for Rockingham Beach Primary School.

Applicant's Response:
The structure plan identifies (part 1, clause 4.6) that public open space is to be provided in accordance with WAPC policy. There are a number of ways to comply with WAPC policy, if this involves provision of POS on-site, it is suggested in the LSP that this be provided in the south east corner of the site (refer section 2, part 3.4 of the LSP).

City's Comment:
There is no basis under the Western Australian Planning Commissions Development Control Policy 2.3 - Public Open Space in Residential Areas to provide carparking in lieu of Public Open Space (POS). Furthermore, additional carparking at Rockingham Beach Primary School is determined by the Department of Education, which own the school site. The City’s further assessment of the POS is contained within the Comments section of this Report.

Submission:
The Structure Plan should provide for POS on Fisher Street in response to the R60 density proposed.

Applicant's Response:
The structure plan identifies (part 1, clause 4.6) that public open space is to be provided in accordance with WAPC policy. There are a number of ways to comply with WAPC policy, if this involves provision of POS on-site, it is suggested in the LSP that this be provided in the south east corner of the site (refer section 2, part 3.4 of the LSP).

City's Comment:
The City’s assessment of the POS is contained within the Comments section of this Report.
<table>
<thead>
<tr>
<th><strong>Public Open Space (Cont...)</strong></th>
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<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td><strong>Applicant's Response:</strong></td>
</tr>
<tr>
<td><strong>City's Comment:</strong></td>
</tr>
</tbody>
</table>

| **Submission:** | The Structure Plan does not identify community facilities or provide for a public benefit to the existing community. |
| **Applicant's Response:** | The potential for community facilities or some sort of off-site community benefit was discussed at length with the community during community engagement undertaken by DHA. As part of this discussion members of the community identified that providing community benefits was contingent on achieving sufficient development outcomes also. Development constraints imposed on the land are greater than what was expected, however DHA remains hopeful of negotiating some community benefit, either on-site or in the immediate surrounds. |
| **City's Comment:** | The City's assessment of the POS is contained within the Comments section of this Report. |

<table>
<thead>
<tr>
<th><strong>Structure Plan Design</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td><strong>Applicant's Response:</strong></td>
</tr>
<tr>
<td><strong>City's Comment:</strong></td>
</tr>
</tbody>
</table>
**Structure Plan Design (Cont...)**

Further, in order to encourage housing diversity, the City has supported ‘medium density’ development outside of walkable catchments to centres and transit nodes. In this circumstance the density is supported by the amenity of adjacent Lake Richmond regional open space.

The Western Australian Planning Commission's Structure Plan Framework classifies medium density as between R30-R60. The City expects that any future development application will address the principles of Draft State Planning Policy No.7 – *Design of Built Environment*, to ensure the built form respects the detached dwelling character of the locality. Further commentary is provided with respect to this within the Policy section of this Report.

The City considers a Local Development Plan must be provided at subdivision or development stage to address built form and scale. The City can therefore ensure a graduation in height to provide an appropriate built form outcome to the adjacent lower density single storey dwellings. This has been further discussed in the Policy section of this Report.

**Submission:**
The commercial node is not required because locality is adequately served by cafes/shops.

**Applicant's Response:**
The node was identified by the community in community engagement undertaken by DHA. The commercial node (in practice, a tenancy of 80sqm, which would likely be a small café) likely serve the immediate locality and residents, those visiting the school and those using Lake Richmond.

**City's Comment:**
The City's assessment of the commercial component is contained within the Policy section of this Report.

**Submission:**
The Structure Plan Report refers to the commercial component only comprising a small Café or Corner Store limited to a maximum net lettable area of 80m². The location of the 80m² commercial component should be detailed on the Structure Plan.

**Applicant's Response:**
The general location of the tenancy is indicated on the plan: it will be somewhere within the land identified as commercial. However at this stage it is not possible to be more detailed in identifying the site. Furthermore, being more precise would be fruitless and potentially misleading, as the structure plan is a due regard document and would not guarantee the precise location of the tenancy.

**City's Comment:**
The City's assessment of the commercial component is contained within the Policy section of this Report.

**Submission:**
No commercial component should be included on the Structure Plan.

**Applicant's Response:**
The node was identified by the community in community engagement undertaken by DHA. The commercial node (in practice, a tenancy of 80sqm, which would likely be a small café) likely serve the immediate locality and residents, those visiting the school and those using Lake Richmond.
### Structure Plan Design (Cont…)

<table>
<thead>
<tr>
<th><strong>City's Comment:</strong></th>
<th>The City's assessment of the commercial component is contained within the Policy section of this Report.</th>
</tr>
</thead>
</table>

### Traffic and Parking

#### Impacts on Existing Road Network

<table>
<thead>
<tr>
<th><strong>Submission:</strong></th>
<th>The Structure Plan will facilitate increased traffic and congestion on the local road network.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Applicant's Response:</strong></th>
<th>The Traffic Impact Assessment (TIA) demonstrates that any additional traffic expected to be generated can be accommodated on the local road network, while retaining a high level of service. It is important to note that despite the existing infrastructure having the ability to accommodate all demands associated with the proposed development, existing users of the intersection may experience marginal additional delays in comparison to their existing journeys. Any additional delays however, will be minor and below the thresholds identified by WAPC policy.</th>
</tr>
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</table>

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<tr>
<th><strong>City's Comment:</strong></th>
<th>The traffic generation rate applied in the TIA was based on the Transport Consultant's internal database model and not prepared in accordance with WAPC’s Traffic Impact Assessment Guidelines. As such, the assumptions and conclusions made within the TIA regarding traffic impacts cannot be relied upon.</th>
</tr>
</thead>
</table>

It is recommended that the TIA be modified in accordance with the with WAPC’s Traffic Impact Assessment Guidelines, including the provision of additional SIDRA modelling to Lake Street and Safety Bay Road intersections to assess the extent of traffic impact to surrounding roads.

**Recommendation:**

**That the Traffic Impact Assessment be modified in accordance with the with WAPC’s Traffic Impact Assessment Guidelines, including the provision of additional SIDRA modelling to Lake Street and Safety Bay Road intersections to assess the extent of traffic impact to surrounding roads.**

<table>
<thead>
<tr>
<th><strong>Submission:</strong></th>
<th>Increased traffic and congestion as a result of development in the Structure Plan area will obstruct access and egress to Rockingham Beach Primary School.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Applicant's Response:</strong></th>
<th>In addition to the above comments about traffic and congestion expected to be well within acceptable limits on the local road network, it should be noted that there is no formal vehicular access to the school from Fisher Street. There is an informal pedestrian access point to the school located on the east side of Fisher Street and on-site observations showed that there is a strong pedestrian demand to cross Fisher Street by those walking to school and by those being driven and dropped off on Fisher Street. The lack of a formal crossing point at this location for existing school users presents a key road safety concern at present. It is recommended that a crossing facility is installed here, irrespective of the outcome of the LSP. The current condition of Fisher Street was identified as conducive to higher speeds by the project Traffic Engineers and, before that, by residents themselves as part of community engagement voluntarily undertaken by the proponent.</th>
</tr>
</thead>
</table>
### Traffic and Parking (Cont…)

<table>
<thead>
<tr>
<th>Impacts on Existing Road Network (Cont…)</th>
</tr>
</thead>
</table>
| **City's Comment:**<br>It is noted that although there is no formal vehicular access to the school from Fisher Street, development traffic is likely to use Bay View Street and could add to congestion such that access to and from the school may be obstructed. |<br>It is recommended that the TIA be modified to consider the level of this potential impact by determining the probable level of traffic increase on Bay View Street and how this may impact on school access.  
The impact of pedestrians informally crossing Fisher Street is recommended to be considered in the TIA as a safety issue, as required by the WAPC Guidelines, to address known concerns. |
| **Recommendation:**<br>That the Traffic Impact Assessment be modified to:<br>(a) consider the level of potential impact on school access by determining the probable level of traffic increase on Bay View Street; and<br>(b) consider the safety implications of pedestrians informally crossing Fisher Street. |<br><br><br>

### Submission:

<p>| The gated access proposed to the future development is likely to result in vehicles 'banking' to access the site in Lake and Fisher Streets. | The potential for the use of a gate will be determined at development application stage and its design will have regard for various factors, including queuing of vehicles. It is likely that any gate will be located at basement car parks entries and not on the property boundary, to ensure access to on-site surface level visitor parking without queueing. |
| <strong>Applicant's Response:</strong> |&lt;br&gt;The Landscape Concept Plan provided with the Structure Plan shows gated entry at both Lake and Fisher Streets. The City agrees that the volume of traffic accessing the site associated with the anticipated 340 dwellings could obstruct traffic flow on Lake and Fisher Streets and therefore gated access is not supported. The Landscape Concept Plan should be updated to remove reference to gated entries. |
| <strong>City's Comment:</strong> | The future development will obstruct informal parking on Lake and Fisher Streets. Informal parking is currently used for the drop off and pick up of children attending Rockingham Beach Primary School to compensate for the insufficient car parking available to service the school. |
| <strong>Submission:</strong> | The informal parking on the western side of Fisher Street includes parking on the caravan park land (as the fence is not located on the property boundary). Some formal on-street parking may be provided as depicted on the indicative concept plan, which may be available for use during school times. However, if parking for the school is insufficient, this is not a matter for the proponent to rectify since the current parking for the school here is an informal arrangement with vehicles crossing the shared use path to park on the verge behind, as opposed to parking on the carriageway where any parking would effectively make the route one-lane, two-way. |
| <strong>Applicant's Response:</strong> |&lt;br&gt;The gated access proposed to the future development is likely to result in vehicles 'banking' to access the site in Lake and Fisher Streets. The potential for the use of a gate will be determined at development application stage and its design will have regard for various factors, including queuing of vehicles. It is likely that any gate will be located at basement car parks entries and not on the property boundary, to ensure access to on-site surface level visitor parking without queueing. |
| <strong>City's Comment:</strong> | The Landscape Concept Plan provided with the Structure Plan shows gated entry at both Lake and Fisher Streets. The City agrees that the volume of traffic accessing the site associated with the anticipated 340 dwellings could obstruct traffic flow on Lake and Fisher Streets and therefore gated access is not supported. The Landscape Concept Plan should be updated to remove reference to gated entries. |
| <strong>Submission:</strong> | The future development will obstruct informal parking on Lake and Fisher Streets. Informal parking is currently used for the drop off and pick up of children attending Rockingham Beach Primary School to compensate for the insufficient car parking available to service the school. |
| <strong>Applicant's Response:</strong> | The informal parking on the western side of Fisher Street includes parking on the caravan park land (as the fence is not located on the property boundary). Some formal on-street parking may be provided as depicted on the indicative concept plan, which may be available for use during school times. However, if parking for the school is insufficient, this is not a matter for the proponent to rectify since the current parking for the school here is an informal arrangement with vehicles crossing the shared use path to park on the verge behind, as opposed to parking on the carriageway where any parking would effectively make the route one-lane, two-way. |</p>
<table>
<thead>
<tr>
<th>Traffic and Parking (Cont…)</th>
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<tbody>
<tr>
<td>Impacts on Existing Road Network (Cont…)</td>
</tr>
</tbody>
</table>

**City's Comment:**
All future development will be wholly contained on site and not within the road reserve. Illegal verge parking is not supported by the City.

**Submission:**
The additional traffic movements as a result of the Structure Plan will increase vehicle movements using Lake Street to access Safety Bay Road. Lake Street has not been designed to accommodate the additional traffic movements.

**Applicant's Response:**
The TIA demonstrates that Lake Street has ample capacity to accommodate expected increased traffic without exceeding acceptable levels of service, or the number of vehicles for which the road was designed to accommodate.

**City's Comment:**
It is recommended that additional SIDRA modelling of the Lake Street/Safety Bay Road intersection be undertaken, which includes a more detailed understanding of the impacts of the Garden Island expansion and residential travel distribution.

**Submission:**
George Street should be closed at one end and traffic diverted to Parkin Street, to ensure George Street it not utilised as a through road to Safety Bay Road.

**Applicant's Response:**
Noted. This is a separate matter for the City to address.

**City's Comment:**
The potential closure of George Street is not a relevant consideration in the assessment of the Structure Plan.

**Road/Infrastructure Upgrades**

**Submission:**
The Structure Plan fails to provide for road and infrastructure upgrades to the local street network required as a result of the R60 density of the site.

**Applicant's Response:**
Note that it is expected that some upgrades to the southern and western sides of Lake and Fisher Streets (respectively) will be provided. The intent is to design this in such a way that it will also serve to calm traffic and create a friendlier street environment. The TIA and modelling demonstrates that upgrades are not required to maintain acceptable operational standards for Fisher or Lake Streets.

**City's Comment:**
The Structure Plan provides for additional visitor parking to be provided as parallel on-street parking within the Lake and Fisher Street road reserves only, and does not propose any modifications or upgrades to the public road network.

**Submission:**
The Indicative Concept Plan does not provide for boat parking.
| Traffic and Parking (Cont…)

| Road/Infrastructure Upgrades (Cont…)

<table>
<thead>
<tr>
<th>Applicant's Response:</th>
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<tbody>
<tr>
<td>The indicative concept plan should only be considered indicative – there is still a possibility that storage for boats or recreation items will be provided for on-site (however there is no obligation to do so).</td>
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<tr>
<th>City's Comment:</th>
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<tr>
<td>There is no planning requirement to accommodate the parking of boats.</td>
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| Road Safety Implications

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<tr>
<th>Submission:</th>
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<tbody>
<tr>
<td>The proposed access to the site via Fisher Street detailed on the Indicative Concept Plan will create an unsafe traffic environment due to its proximity to Rockingham Beach Primary School.</td>
</tr>
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<thead>
<tr>
<th>Applicant's Response:</th>
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<tr>
<td>It is noted that this access point was not raised as an issue by the City’s technical officers. The access point will be designed in accordance with relevant City of Rockingham Design Standards and “AS/NZS 2890.1:2004 Parking facilities - Off-street car parking”, and so proximity is in accordance with relevant standards.</td>
</tr>
<tr>
<td>There is an informal pedestrian access point to the school located on the east side of Fisher Street and on-site observations showed that there is a strong pedestrian demand to cross Fisher Street by those walking to school and by those being driven and dropped off on Fisher Street. The lack of a formal crossing point at this location for existing school users presents a key road safety concern. It is recommended that a crossing facility is installed here, irrespective of the outcome of the LSP.</td>
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<tr>
<th>City's Comment:</th>
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<tr>
<td>The location of access and egress to the site must take into consideration adjacent access to Rockingham Beach Primary School, and the location of significant trees on the site and within the road reserve. The City considers that a Local Development Plan is required at subdivision stage to address access to the site. In this regard, the City can therefore ensure the abovementioned matters are taken into consideration when determining appropriate locations for access to the site. This has been further discussed in the Policy section of this Report.</td>
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<thead>
<tr>
<th>Submission:</th>
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<tbody>
<tr>
<td>The existing speed limits on Lake and Fisher Streets will result in an unsafe environment due to the additional traffic movements as a result of the Structure Plan.</td>
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<thead>
<tr>
<th>Applicant's Response:</th>
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<tr>
<td>Fisher Street has been identified as unsuitable and requiring of improvement, regardless of whether development proceeds on the LSP site. The long straight road is at present conducive to higher traffic speeds which have an undesirable impact on the Fisher Street environment. The LSP will not increase speeds but may be able to reduce speeds along Fisher Street as part of streetscape improvements.</td>
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<tr>
<th>City's Comment:</th>
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<tr>
<td>The speed limit is determined by Main Roads WA based on a number of factors including the general topography of the location, the urban density and road design. Lake and Fisher Streets both have a speed limit of 50km/h, which is reduced to 40km/hr in school zones during designated times. Main Roads WA was consulted on the proposed Structure Plan and has raised no concerns with respect to the existing speed limits.</td>
</tr>
</tbody>
</table>
### Traffic and Parking (Cont…)

#### Traffic Modelling

| Submission: | The TIA does not identify traffic movements on the local road network, including Safety Bay Road, Memorial Drive, and the intersections of Safety Bay Road/Lake Street and Safety Bay Road/Memorial Drive. |
| City's Comment: | The TIA does not appropriately address sections 10.7 and 10.8 of the WAPC’s *Transport Impact Assessment Guidelines* relating to the changes to external transport networks and integration of the Structure Plan area with its immediate context, including those identified in the submission. |
| Recommendation: | That the Traffic Impact Assessment be modified to address the impact to the movement network within 800m of the boundary to the Structure Plan area. |

| Submission: | The timeframe of the traffic survey data is insufficient in providing realistic figures for the long term traffic movements/impact statistics on the local road network. |
| City's Comment: | The TIA does model future traffic but applies a low growth rate. The choice of growth rate is not justified by evidence to inform the assumptions provided. |
| Recommendation: | That the Traffic Impact Assessment be modified to justify the growth rate and include the impact of the Rockingham City Centre growth into the future traffic scenario. |

<p>| Submission: | The TIA does not comply with the Western Australian Planning Commission’s Traffic Impact Assessment Guidelines (August 2016) (TIA Guidelines) for the following reasons: |
| - | All trip attractors/generators within 800m of the Structure Plan Area have not been provided (e.g the Memorial Drive intersection (access to Garden Island) and the proposed Mangles Bay Marina); |
| - | The New South Wales RMS Guide and GTA data has incorrectly been used in lieu of the TIA Guidelines; |</p>
<table>
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<tr>
<th>Traffic and Parking (Cont...)</th>
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<tr>
<td><strong>Traffic Modelling (Cont...)</strong></td>
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<tr>
<td>- The Bus Service referenced in the TIA (551 Bus Service) fails to meet the TIA Guidelines criteria for inclusion as a public transport as it does not meet the Public Transport Authorities definition of a high frequency service;</td>
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<tr>
<td>- The AM and PM peak hour trip rates including in the TIA are not in accordance with Table I: Typical Land Use and Vehicle Trip Rates of the TIA Guidelines;</td>
</tr>
<tr>
<td>- The TIA fails to factor in a growth factor in determining traffic flows on the surrounding road network.</td>
</tr>
</tbody>
</table>

**Applicant's Response:**

- In developing the scope of assessment, GTA sought advice from the City of Rockingham with respect to other development proposals in the surrounding area that may have an impact on the levels of traffic travelling along the roads / intersection considered as part of the TIA (Ref Section 5.3.1 of TIA). This exercise illustrated that no projects in the surrounding area will present a significant increase in background traffic on the TIA study area to 2028. Further, the function of Fisher Street and Lake Street, and the area to which they provide access in unlikely to see any significant changes which will change traffic volumes i.e. the area is already well established and no further growth which will significantly change traffic volumes is expected to occur.

- Given the lack of availability of traffic generation rates for the proposed development type, GTA could not simply apply standard WAPC trip rates as these represent single dwellings (detached houses). As such, an exercise was carried out to compare a number of sources available to GTA to determine the most applicable and relevant using sound traffic engineering judgement, as discussed in Section 5.5 of the TIA. Ultimately, it was determined that the most relevant and conservative data to use was a trip rate derived from GTA’s own internal database of traffic generating development that has been developed over the last 26 years of the company’s existence. The data used to derive this trip rate was refined using the following criteria:
  - Exclude any data older than 10 years
  - Exclude any data with less than 50 residential units
  - Adopted the 85th percentile demand (more conservative than average)
  - Trip rates based upon 20 data points (i.e. 20 different surveys) in total.

- Agreed. Note that the TIA does not rely on access to the bus service to justify a reduction in trip generation.

- A high frequency bus service is referenced in the WAPC Guidelines in the context of reduced vehicle trip generation, whereby a justification in reduced trip generation can only be used when residents have access to a high frequency service.

- If bus patronage from future residents is greater than expected, it would reduce traffic generation from the site.

- The rates quoted in Table 1 are not applicable to the proposed development type, rather they are representative of single dwellings. Adoption of these rates would result in an inaccurate representation of vehicle trips for the proposed development.

**City's Comment:**

The City supports the comments raised within the submission and recommends that the TIA be modified to address the WAPC’s *Transport Impact Assessment Guidelines*. With respect to the justification provided by the applicant, the City notes the following:
Traffic and Parking (Cont…)

Traffic Modelling (Cont…)

- The statement that “no projects in the surrounding area will present a significant increase in background traffic on the TIA study area to 2028” needs to be justified. The assumptions made in relation to the low growth rate are not conservative and supported by evidence. The City notes that the impacts of Rockingham City Centre Growth should be incorporated into the future traffic scenario.

- It is accepted that the WAPC Guidelines only detail trip rates to be used “in the absence of any site-specific trip rates”. The justification provided for the use of GTA’s own internal database of traffic generating development is inadequate and not supported.

- It is noted that GTA’s response that the “TIA does not rely on access to the bus service to justify a reduction in trip generation” appears to contradict the TIA which states that the GTA’s own internal database has been used for reasons including “strong connections to active and public transport networks”. The bus route servicing the site is not high-frequency and traffic generation rates determined for the Structure Plan area are not conservative.

**Recommendation:**
*That the Traffic Impact Assessment be modified to address the WAPC’s Traffic Impact Assessment Guidelines.*

**Submission:**
The road networks (Lake Street and Fisher Street) have incorrectly been identified in accordance with the *Liveable Neighbourhoods* road hierarchy.

**Applicant’s Response:**
Lake and Fisher Street were developed before the introduction of Liveable Neighbourhoods, as such more traditional road hierarchy applies. As extracted from Main Roads WA GIS Mapping system ([https://mrapps.mainroads.wa.gov.au/publicmaps/rim](https://mrapps.mainroads.wa.gov.au/publicmaps/rim)) both streets are identified as Access Streets which have a primary purpose of “Provision of vehicle access to abutting properties”.

**City’s Comment:**
The TIA identifies Lake and Fisher Streets as Access Streets, which the City agrees with given both streets have an indicative volume range of between 1000 and 3000 vehicle movements per day.

**Submission:**
The TIA incorrectly references vehicle movements per day. City of Rockingham Traffic Counts as per February 2014 of 1923 vehicle movements per day on Fisher Street.

**Applicant’s Response:**
The figure of 1,923 vehicles is quoted in Section 2.2.3 of the TIA.

**City’s Comment:**
The TIA correctly references the City’s traffic counts.

**Submission:**
The trip generating potential of the development of 1.5 persons per unit is considered insufficient as 70% of the proposed development are 2 bedroom units and 10% are 3 bedroom units.
Traffic and Parking (Cont…)

Traffic Modelling (Cont…)

Applicant's Response:

An average of 1.5 persons per unit is a reasonable assumption based on ABS data and precedent for similar projects, including accounting for the proposed mix of units. The figure adopted is based upon GTA’s own internal database of traffic generating development that has been developed over the last 26 years of the company’s existence. The data used to derive this trip rate was refined using the following criteria:

- Exclude any data older than 10 years
- Exclude any data with less than 50 residential units
- Adopted the 85th percentile demand (more conservative than average)
- Trip rates based upon 20 data points (i.e. 20 different surveys) in total.

City's Comment:

The City recommends that the TIA be modified to use the trip generation rates provided within the WAPC’s Transport Impact Assessment Guidelines.

Recommendation:

That the Traffic Impact Assessment be modified to use the trip generation rates provided within the WAPC’s Traffic Impact Assessment Guidelines.

Submission:

Reference to the shuttle bus as a means of reducing vehicle movements should not be included in TIA given Defence Housing are unlikely to occupy the future development perpetuity.

Applicant's Response:

A shuttle bus has been proposed and is anticipated to reduce vehicular traffic, but this has not been assumed or included in traffic calculations. Traffic modelling undertaken has been conservative, i.e. representing a maximum likely traffic impact. Provision of a shuttle bus would further reduce traffic numbers shown in the TIA.

City's Comment:

The City notes that while reference is provided to a Shuttle Bus, the impact of which is not included within the traffic modelling assumptions.

b. Consultation with Government Agencies

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

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

**Department of Aboriginal Affairs**

**Submission:**
The Department of Aboriginal Affairs (DAA) advises there are no reported Aboriginal sites or Aboriginal heritage places within the areas of the Proposal. The DAA recommends that developers take into consideration the DAA’s Aboriginal Heritage Due Diligence Guidelines when planning specific developments associated with the Proposal. These have been developed to assist proponents to identify any risks to Aboriginal heritage and to mitigate risk where heritage sites may be present.

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

**Department of Education**

**Submission:**
The Department of Education has reviewed the document and wishes to advise that it has no objection to this proposal. There is sufficient capacity at the nearest local primary school to accommodate the anticipated student yield from this development.

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

**Department of Health**

**Submission:**
The DoH provides the following comment:

1. **Water Supply and Wastewater Disposal**
   All developments are required to connect to scheme water and reticulated sewerage as required by the *Government Sewerage Policy - Perth Metropolitan Region*.

2. **Food Act Requirements**
   All food related aspects within the commercial component are to comply with the provisions of the *Food Act 2008* and related code, regulations and guidelines.

3. **Increased Density - Public Health Impacts**
   The City of Rockingham should also use this opportunity to minimise potential negative impacts of the increased density development such that noise, odour, light and other lifestyle activities. To minimise adverse impacts on the residential component, the City of Rockingham could consider incorporation of additional sound proofing/insulation, double glazing on windows, or design aspects related to location of air conditioning units and other appropriate building/construction measures.
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<tr>
<th>Department of Health (Cont…)</th>
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<tbody>
<tr>
<td><strong>City's Comment:</strong></td>
</tr>
<tr>
<td>1. Any future development will be required to be connected to reticulated water and sewerage as required by the Government Sewerage Policy - Perth Metropolitan Region.</td>
</tr>
<tr>
<td>2. On receipt of a Development Application for any proposed food premises, the premises will be required to comply with the Food Act 2008 and obtain approval from the City's Health Services.</td>
</tr>
<tr>
<td>3. Design elements to mitigate any potential negative impacts associated with density will be considered on receipt of a Development Application for any future development on the site. The applicant will be encouraged to meet the design requirements with respect to amenity and sustainability of Draft State Planning Policy No.7 - Design of the Built Environment, which address such elements as noise, thermal ventilation and building orientation. This has been further discussed in the Policy section of this Report.</td>
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<tr>
<th>Department of Parks and Wildlife</th>
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<tr>
<td><strong>Submission:</strong></td>
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<tr>
<td>The subject land (Lots 1512 and 5000 Lake Street) is located adjacent to Lake Richmond, a conservation area that forms part of Bush Forever site No. 358, and Rockingham Lakes Regional Park. The subject land is within a mapped Environmentally Sensitive Area as it is within the buffer of a Threatened Ecological Community, namely the thrombolites of Lake Richmond. The Department provided advice to the City in a letter dated 23 September 2015 in relation to the proposed Scheme Amendment, the relevant aspects of the Department's earlier advice and additional comments are provided in the following information.</td>
</tr>
<tr>
<td>1. Rockingham Lakes Regional Park Boundary</td>
</tr>
<tr>
<td>Should development be approved, there is to be no vegetation, earth spoil or any other debris disposed of within the boundary of the regional park.</td>
</tr>
<tr>
<td>2. Weed and Disease Control</td>
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<tr>
<td>In order to protect the conservation values of the adjacent Lake Richmond the proponent should ensure that flora species known to be invasive or environmentally damaging are not used in any landscaping in order to prevent them spreading into the adjoining park. It is also important that any soil imported during development is free of Phytophthora dieback and weed seed.</td>
</tr>
<tr>
<td>3. Drainage</td>
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<tr>
<td>The department is aware that a Local Water Management Strategy (LWMS) has been prepared for the subject land (Coterra Environment 2016) and that the Department of Water (DoW) has specified that some amendments are required to the LWMS prior to approval. In addition to the DoW's concerns, Parks and Wildlife questions the reasoning for Coterra's selection of trigger values in Table 12 of the LWMS. The trigger values are 20 % higher than current values for TN and TP in the two bores (BH1 and BH2) and yet the proponent states that the development will improve water quality through connection to deep sewerage and other water management practices. The department expects the proponent to demonstrate that water quality post-development will be better than pre-development. Following approval of the Local Water Management Strategy, Parks and Wildlife supports the preparation and implementation of an Urban Water Management Plan to the satisfaction of the DoW, as a condition of any future subdivision.</td>
</tr>
<tr>
<td>4. Fire Management</td>
</tr>
<tr>
<td>All necessary fire management requirements should be provided for within the structure plan area, in accordance with the provisions of State Planning Policy 3.7 Planning in Bushfire Prone Areas and any other relevant policies.</td>
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</tbody>
</table>
The department does not support the clearing of native vegetation in conservation areas outside the site boundary for fire management purposes and reiterates its position that all provisions for fire management must be met within the structure plan area. Parks and Wildlife notes that a Bushfire Management Plan has been prepared (Strategen 2017).

City's Comment:

1. **Rockingham Lakes Regional Park Boundary**
   The City supports the submission that no vegetation, earth spoil or any other debris should be disposed to in the Rockingham Lakes Regional Park. The Environmental Assessment Report (EAR) provided in support of the Structure Plan is recommended to be updated to reflect this requirement.

2. **Weed and Disease Control**
   The EAR provides management measures such as the incorporation of local native species in landscaped areas, monitoring of dust and stormwater runoff and temporary fencing during development to control the spread of weed. It is recommended the EAR be updated to also ensure any soil imported during development is free of Phytophthora dieback and weed seed.

3. **Drainage**
   The City supports the submission that the Local Water Management Strategy is required to be updated to ensure post-development water quality exceeds pre-development water quality. Further matters pertaining to the LWMS have been further discussed in the Comments section of this report.

4. **Fire Management**
   An Asset Protection Zone is provided to achieve an acceptable Bushfire Attack Level rating (i.e. BAL 29 or lower) is provided within the Structure Plan area. In this regard, no clearing of native vegetation in the Rockingham Lakes Regional Park is required to address State Planning Policy 3.7 Planning in Bushfire Prone Areas.

**Recommendation:**

(i) The Environmental Assessment Report being modified to include measures to ensure any soil imported during development is free of Phytophthora dieback and weed seed, and to ensure no vegetation, earth spoil or any other debris associated with the development is disposed of within the Rockingham Lakes Regional Park.

(ii) The Local Water Management Strategy being modified to ensure post-development water quality exceeds pre-development water quality.

**Department of Water (DoW)**

Submission:

Consistent with Better Urban Water Management (BUWM) (WAPC, 2008) and policy measures outlined in State Planning Policy 2.9: Water Resources, the proposed Local Structure Plan (LSP) should be supported by an approved Local Water Management Strategy (LWMS) prior to finalising and supporting the LSP.

The DoW has reviewed the Local Water Management Strategy Lot 1512 Lake Street & 5000 Fisher Street, Rockingham (Coterra Environment, 2016) and amendments are required. It is recommended that the LSP should not be finalised in the absence of a LWMS approved by the City of Rockingham and the Department, in accordance with the BUWM. DoW is yet to receive an amended LWMS and the LSP does not contain a revised strategy.
Department of Water (DoW) (Cont…)

City's Comment:
The City agrees that approval of the Structure Plan should not be granted until such time a Local Water Management Plan is approved to the satisfaction of the City and the Department of Water. This has been further discussed in the Comments section of this Report.

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

Aspiration D: Sustainable Environment

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

d. Policy
State Planning Policies

Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon

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

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

To achieve this target, the Policy sets a density target of 15 dwellings per gross urban zoned hectare of land in new development areas. A residential density of R60 to facilitate development of approximately 340 dwellings has been proposed, which meets the density target of Directions 2031.

Liveable Neighbourhoods

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

LN contains eight 'elements' under which Structure Plans and subdivisions are assessed, as follows:
- Element 1 - Community Design
- Element 2 - Movement Network
- Element 3 - Lot Layout
- Element 4 - Public Parkland
- Element 5 - Urban Water Management
- Element 6 - Utilities
- Element 7 - Activity Centres and Employment
### Liveable Neighbourhoods (Cont…)

<table>
<thead>
<tr>
<th>Element 8 - Schools</th>
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<tbody>
<tr>
<td>Each Element has two components - 'Objectives' and 'Requirements'. Objectives describe the principal aims of each Element, and Requirements present a range of qualitative and quantitative responses to meeting the Objectives. Requirements include matters that 'should' be considered, where there is a range of design solutions, and matters that 'must' be satisfied.</td>
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<tr>
<td>The City has assessed the proposal in accordance with the Objectives' and 'Requirements' of Liveable Neighbourhoods. The assessment outcomes are summarised as follows:</td>
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</table>

#### Element 1 - Community Design

The density of the site has been established under TPS2 and the R60 density is considered appropriate in meeting LN and Directions 2031 requirements.

#### Element 2 - Movement Network

No road reserves are proposed as part of the Structure Plan. Access to the site is proposed via gated entries in the north western and south eastern portion of the site to an internal private road.

The City's assessment of the movement network and traffic impacts is contained within the Comments section of this Report.

#### Element 3 - Lot Layout

The Structure Plan contains an Indicative Design Concept that provides for one contiguous building over the site. The ultimate design of the development on the site will be determined through the Development Application process.

#### Element 4 - Public Parkland

No POS has been provided. The City's assessment of the POS is contained within the Comments section of this Report.

#### Element 5 - Urban Water Management

A Local Water Management Strategy prepared to accompany the Structure Plan has been assessed by the City. The assessment of the Local Water Management Strategy is contained within the Comments section of this Report.

#### Element 6 - Utilities

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

#### Element 7 - Activity Centres and Employment

A commercial component of approximately 3,500m² has been provided on the Structure Plan Map, which does not correspond to the intended extent of commercial development as detailed in the Structure Plan Report.

The Structure Plan Report refers to the commercial component only comprising a small Café or Corner Store limited to a maximum net lettable area of 80m².

The City's assessment of the commercial component is contained within the Comments section of this Report.

#### Element 8 - Schools

There are no Schools proposed in the Structure Plan area. The site is directly adjacent Rockingham Beach Primary School and approximately 1km from Rockingham Senior High School.
State Planning Policy No.3.7 - Planning in Bushfire Prone Areas and Guidelines for Planning in Bushfire Prone Areas

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

The Guidelines for Planning in Bushfire Prone Areas 2017 (Guidelines) provide further detail on the requirements of SPP3.7.

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

The State Map is reviewed on an annual basis.

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

The Guidelines recommend that the following issues be addressed for Structure Plans:

- **Location of bushfire prone areas within and adjacent to the structure plan area and the need for further assessment of the risk in such areas;**
- **Avoidance of land use and development intensification in any areas likely to maintain or generate a hazard level of extreme;**
- **Existing firefighting infrastructure such as response or suppression capacity, water tanks, brigades etc.;**
- **Existing and proposed road network, its’ likely effectiveness in a bushfire emergency, and any gaps in the local access network from a bushfire safety perspective;**
- **Biodiversity issues and their interrelationships with bushfire prone areas;**
- **Means of protection for areas with high conservation values to accommodate biodiversity objectives such as, adequate separation from existing or proposed buffers for wetlands and foreshores;**
- **Accommodation of biodiversity objectives such as, adequate separation from existing or proposed buffers for wetlands and foreshores; and**
- **Location of any vulnerable or high-risk land uses within identified bushfire prone areas and whether such uses may require management strategies to be prepared.**

Comments were sought from the Department of Fire and Emergency Services and no response was provided in relation to the proposed Structure Plan.

The City has assessed the Bushfire Management Plan and the Applicant has provided comments in response to the assessment. The following key issues are raised in relation to the Bushfire Management Plan:

(i) **Classified Vegetation**

The Bushfire Management Plan does not identity and correctly classify all classified vegetation within 100m of the site as required by the Guidelines. Small plots of vegetation to the east of Fisher Street and within the Fisher Street road reserve to the south east are recommended to be included in the Bushfire Attack Level Assessment.
Also a plot of unmanaged vegetation, to the West of the site, must be correctly classified as ‘Class A Forest’. The City has determined that inclusion and reclassification of the vegetation as above will not result in an unacceptable level of bushfire risk (i.e. exposure to BAL.40 or BAL-FZ).

Whilst it is acknowledged that the plot of vegetation within the eastern side of Fisher Street is <0.25ha within 100m of the site, it is >0.25ha in total. The following points justify its inclusion as classified vegetation:

- The Fire Protection Association Australia Bushfire Attack Level Assessor training uses a 150m buffer from the site to provide site context. The reason for including this context is to deal with situations such as this. It cannot be reasonably argued that the whole of this vegetation plot will not contribute to fire behaviour and that only the section within 100m of the site is relevant; and
- V1.2 of the Guidelines was approved by the WAPC Statutory Planning Committee at the 14 February 2017 meeting. V1.2 includes a 150m buffer area for the assessment of classified vegetation.

(ii) Guidelines

The Bushfire Management Plan is recommended to be updated to reflect the latest Guidelines which were released in February 2017.

(iii) Tree Retention

The Bushfire Management Plan is recommended to be revised to demonstrate how tree retention within and adjacent the site of the can be maximised whilst meeting the requirements of AS3959 - Construction of Buildings in Bushfire Prone Areas and the Guidelines.

Conclusion

The City’s assessment of the Bush Fire Management Plan did identify some minor modifications, points of clarification and corrections required to be made to the document, the details of which will be forwarded to the WAPC for its consideration.

Recommendation:

**The Bushfire Management Plan being modified to correctly classify and include all classified vegetation within 100m of the site and to reflect the requirements of the latest WAPC Guidelines for Planning in Bushfire Prone Areas (2017).**

State Planning Policy 4.2 - Activity Centres for Perth and Peel

Statutory Framework

State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP4.2) specifies broad planning requirements for the planning and development of new activity centres and the redevelopment and the redevelopment and renewal of existing centres. SPP4.2 is primarily concerned with and provides provisions with respect to the distribution, function, broad land use and urban design criteria of activity centres, together with coordinating their land use and infrastructure planning.

SPP4.2 provides a hierarchy of centres to distribute activity centres to meet different levels of community need and enable employment, goods and services to be accessed efficiently and equitably by the community. The hierarchy acts to support a wide range of retail and commercial premises and promote a competitive retail and commercial market.

Structure Plan Proposal

The City's assessment of the Structure Plan has identified an inconsistency between Part One of the Structure Plan Report and the Structure Plan Map. The Structure Plan Map provides a commercial component of approximately 3,500m² whilst the Structure Plan Report refers to the commercial component only comprising a small Café or Corner Store limited to a maximum net lettable area of 80m².
State Planning Policy 4.2 - Activity Centres for Perth and Peel (Cont…)

Commercial Component Assessment

The City considers the Structure Plan Map and Report must be consistent. The Structure Plan Map is recommended to be modified to provide a maximum of 150m² of ‘Commercial’ zoned land, akin to the maximum permitted floor space of a ‘Homestore’. The maximum 150m² net lettable area of a ‘Homestore’ will adequately accommodate a café or corner store limited to a maximum net lettable area of 80m² as proposed in the Structure Plan Report.

**Recommendation:**

*The Structure Plan and Structure Plan Map being modified to provide for a maximum 150m² commercial component, consistent with the applicant’s intended use as a small café or corner store.*

Draft State Planning Policy 7 - Design of the Built Environment (Draft SPP7)

An Indicative Design Concept (IDC) has been prepared as part of the Structure Plan report to illustrate an indicative design outcome for the site (see Figure 5 below). Whilst it is noted that the design is concept only and carries no statutory weight, the City considers it important to provide commentary on the IDC given it will shape the preparation of a Local Development Plan and future development on the site.
To guide its assessment of the IDC, the City has utilised the design principles of draft SPP7. Draft SPP7 was released for public comment in October 2016, and seeks to address the quality of built environment across all planning and development types. It applies to Structure Plans, Local Development Plans, subdivision and residential development, including residential components of mixed use development.

Draft SPP7 includes the following ten Design Principles used to provide detailed criteria relating to specific planning or development proposal types:

1. **Context and Character**: Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.
2. **Landscape Quality**: Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.
3. **Built Form and Scale**: Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.
4. **Functionality and Built Quality**: Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full life-cycle.
5. **Sustainability**: Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.
6. **Amenity**: Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive.
7. **Legibility**: Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.
8. **Safety**: Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.
9. **Community**: Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.
10. **Aesthetics**: Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.

The following is an assessment of the IDC against the ten Design Principles of draft SPP7:

**Context and Character**
The City considers it important to ensure the development is appropriate to the existing and planned character of the area, which features a detached suburban streetscape, at low to medium density. The character of the area requires a response which balances the built form with adequate separation between buildings, landscaping, and retention of existing trees.

**Landscape Quality**
The IDC only provides for the potential retention of mature Tuart trees. The City considers that retaining existing trees on the site and in the road reserve is important in preserving the existing character of the neighbourhood, and reducing the building bulk and scale of the development on both the subject site and at neighbourhood level. The existing trees along the street edges, both within the street reserve and within the nominal setback area, are important to the community, contribute to their sense of place, and must be retained.

**Built Form and Scale**
The City considers that it is important, given the surrounding suburban context of the locality, to ensure buildings fronting streets maintain a suburban scale rather than presenting a linear urban form to the streets. The proposed contiguous building frontage along both Fisher and Lake Streets fails to respond to or contribute to the character of surrounding streetscapes, or provide a good pedestrian environment at ground level.
### Draft State Planning Policy 7 - Design of the Built Environment (Draft SPP7) (Cont…)

#### Functionality and Built Quality

The City would expect any future development to use good quality and robust materials, and be well designed to suit the intended use of the building. The design of the building should have a good relationship to the existing adjacent developments and Lake Richmond, including ease of access to and from the site to these spaces. The commercial component of the development should be designed to be flexible to ensure re-use of the space for a variety of commercial or community purposes.

#### Sustainability

Sustainable buildings utilise passive environmental design measures that respond to local climate and site conditions by providing optimal orientation, shading, thermal performance and natural ventilation. The City would expect that the future design of the building would be designed to enable cross ventilation of the dwelling to utilise the sea breeze, be designed to maximise access to northerly winter sun and be constructed of appropriate building materials given the coastal climate. The City notes that cross ventilation may not be achievable if there are no breaks between buildings.

#### Amenity

The City would expect any future development to be functional and provide a high level of amenity for occupants and the surrounding community, as well as ensuring the design mitigates any adverse impacts on adjacent properties with respect to overlooking, overshadowing, noise and other potential negative impacts on the surrounding locality.

#### Legibility

In addition to proving no public roads, the City considers the IDC fails to provide for clear pedestrian connections between the wider community and throughout the site. The City is concerned that the lack of separation between buildings, fenced boundaries to Lake Richmond and gated vehicle accessways fail to provide connections to existing movement networks and results in a loss of public benefit.

#### Safety

The City considers that the future design of buildings must provide passive surveillance of any adjacent pathways, both to the street and to adjacent bushland, that are visible from the site. The location of buildings on the periphery of the site will provide for this opportunity, however, it is noted that major openings from habitable rooms must be externally orientated to provide for this surveillance.

#### Community

The City considers the IDC does not to respond to local community needs, as no POS has been provided. Good design should encourage social engagement and physical activity in an inclusive manner. The poor connectivity between the site and the surrounding community as a result of limited access to the site and the massing of building frontage results in a loss of interaction between the site and with the wider community.

#### Aesthetics

Whilst not applicable at this stage, upon receipt of any future Development Application, the City would expect the design of the building to provide a recognisable ‘sense of place’ exhibited by a strong commonality of materials, architectural details and landscape elements. Any future development should respond to the local built form and landscape character.

#### Recommendation:

- The Part One Implementation Section being modified to require that a Local Development Plan will be prepared at subdivision or development stage, with satisfactory arrangements being made for the implementation of the approved plan.
- The Local Development Plan must address the following:
  - Access
Draft State Planning Policy 7 - Design of the Built Environment (Draft SPP7) (Cont…)

- Built Form and Scale
- Carparking
- Legibility
- Tree Retention

Local Planning Policies

Planning Policy 3.4.1 - Public Open Space

Planning Policy 3.4.1 - Public Open Space provides guidance regarding the location and design of POS within the City. The objectives of the Policy are:

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

No POS has been provided. The City’s assessment of the POS is contained within the Comments section of this Report.

e. Financial

Nil

f. Legal and Statutory

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

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

(a) must consider all submissions made to the local government within the period specified in a notice advertising the structure plan; and
(b) may consider submissions made to the local government after that time; and
(c) may request further information from a person who prepared the structure plan; and
(d) may advertise any modifications proposed to the structure plan to address issues raised in submissions.

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

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

(a) the last day for making submissions specified in a notice given or published under clause 18(2); or
(b) the last day for making submissions after a proposed modification of the structure plan is advertised under clause 19(2); or
(c) a day agreed by the Commission.

(2) The report on the proposed structure plan must include the following:

(a) a list of the submissions considered by the local government, including, if relevant, any submissions received on a proposed modification to the structure plan advertised under clause 19(2);
(b) any comments by the local government in respect of those submissions;
(c) a schedule of any proposed modifications to address issues raised in the submissions;
(d) the local government’s assessment of the proposal based on appropriate planning principles;
(e) a recommendation by the local government on whether the proposed structure plan should be approved by the WAPC, including a recommendation on any proposed modifications.

g. Risk

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

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

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

Nil

Comments

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

Environmental Assessment Report

In review of the technical appendices provided to support the Structure Plan Report, the Engineering Services Report provides a 'Detail Survey' which identifies trees on and directly adjacent to the site. The Environmental Assessment Report (EAR) does not make reference to the trees identified within the 'Detail Survey'.

The Structure Plan Report refers to the retention of trees to improve the character of the streetscape, however, the City considers the 'Detail Survey' provided as part of the Engineering Services Report provides insufficient detail for the City to assess vegetation worthy of retention. The Landscape Master Plan also provides insufficient detail in this respect.

As such, it is recommended that a Tree Survey must be included with the Structure Plan documentation to identify trees worthy of retention.

Additionally, the Structure Plan Report and EAR are recommended to be modified to require that a Tree Protection Management Plan be submitted to the City and the WAPC at subdivision or development stage, with satisfactory arrangements being made for the implementation of the approved Tree Protection Management Plan. The plan is to ensure the protection and management of significant trees on the site identified for retention.

Recommendation:

(i) That the EAR be modified to provide a Tree Survey undertaken by a suitably qualified environmental professional for trees that partly and fully fall within the site. The survey must include all trees (no minimum diameter), shown on a map and in a table. The information should include:

- Unique tree ID’s;
- Tree species;
- GPS coordinates from the tree trunks; and
- Diameter at Breast Height.

(ii) That the Part One Implementation Section Report be modified to require that a Tree Protection Management Plan be submitted to the City and the Western Australian Planning Commission at subdivision or development application stage, with satisfactory arrangements being made for the implementation of the approved plan. The plan is to ensure the protection and management of significant trees on the site identified for retention.

Local Water Management Strategy

The applicant submitted a revised Local Water Management Strategy (LWMS) following advertising that was prepared in response to issues identified by the City. The City assessed the revised LWMS and considers that additional information must be provided prior to the Structure Plan being approved as follows:
Local Water Management Strategy (Cont…)

Irrigation:
Whilst it is acknowledged that the applicant has lodged an application for a groundwater licence and required allocation with the Department of Water, an approved water allocation for irrigation from the Department of Water must be included in the LWMS.

Groundwater Levels:
Given the site previously utilised septic tanks for wastewater management, the LWMS must be updated to specify a minimum setback of 30m from the decommissioned septic tank site and the requirement for microbial testing is to be included in the production bore water quality sampling.

Relationship to Landscape Concept Plan:
The LWMS must be updated to show how the objectives of the LWMS will be implemented in the Landscape Concept Plan.

The Landscape Concept lacks sufficient detail to demonstrate how the LWMS stormwater management concepts will be implemented. Typical bio-retention and underground storage cross sections have been provided but as they differ it is unclear where they relate to the Structure Plan.

Implementation:
The LWMS must show that the indicative finished floor levels shown meet the 100yr ARI floor level 0.5m separation criteria. The flood level information for the Water Corporation's Rockingham North Branch Drain must be used in this regard.

The City recommends that the LWMS state that an Urban Water Management Plan must be prepared to support any subsequent development or subdivision applications.

In light of the advice received by the Department of Water, the LWMS is recommended to be modified to ensure post-development water quality exceeds pre-development water quality.

Recommendation:
That the LWMS be modified to the satisfaction of the City, prior to any approval of the Structure Plan application.

Public Open Space

Proposal
The applicant has advised that the Structure Plan area is likely to be subdivided into four freehold apartment sites. No POS has been provided.

Statutory Basis for POS

The requirement to provide POS is a longstanding position, which originates from the recommendations of the Plan for the Metropolitan Region Perth and Fremantle, 1955 Report (the Stephenson - Hepburn Plan). The Report states that for most areas, a standard provision of 3.36 hectares be provided per 1,000 people (excluding school playing fields) for sufficient for public open space. This Report uses the basis of a uniform density of 30 persons per hectare.

The minimum requirement to provide 10% was subsequently examined by the then Town Planning Department (now Department of Planning), which reaffirmed the position that a minimum of 10% of a site’s net subdivisible area be provided as POS should continue to apply.

In this regard, the Western Australian Planning Commission’s Development Control Policy No.2.3 - Public Open Space in Residential Areas (DC2.3) provides the requirement that 10% of the gross subdivisible area of a conditional subdivision shall be given up free of cost by the subdivider for POS.

In instances where a built strata is proposed (i.e. development occurs prior to the subdivision of the land), the Western Australian Planning Commission’s Development Control Policy No.1.3 - Strata Titles, requires the proposal to be consistent with the policies of the WAPC regarding subdivision, and in particular, the standards for roads, POS and residential design. In these instances, the decision maker (either the WAPC or the Local Government) may endorse the built strata application subject to conditions, including the requirement to provide POS.
Public Open Space (Cont…)

POS Provision
The applicant considers that the provision of POS is not required on the basis that four freehold lots are proposed. The applicant in its justification has not accounted for any future strata subdivision for the 340 dwellings proposed in the Structure Plan area.

DC2.3 provides that the WAPC will not normally require a POS contribution for five lots or less, provided a contribution is not required by a provision of a town planning scheme or approved structure plan, where:

- the applicant demonstrates to the satisfaction of the WAPC that land has already been given up for POS in an earlier subdivision; or
- the proposal is within a locality where the WAPC, on the advice of the local government, following an assessment of the locality, has concluded that there is sufficient open space in that locality.

In respect to the above criteria, the following comments are made:

(i) Prior Subdivision
The site has previously been used as a Caravan Park and therefore no POS has previously been ceded to the Crown.

(ii) Demand for POS
The City has reviewed the availability of local POS within 1-1.3km of the subject site, which is considered a reasonable distance in which occupiers of the site could be expected to travel to reach POS, and has determined there is a shortfall in the recommended 10% POS within this area.

The additional population associated with the proposed 340 dwellings accommodated by the Structure Plan further increases the need for additional POS within the area. The City has determined that the demand for POS will increase as a result of the proposed Structure Plan, and therefore there is no basis to not provide POS.

For these reasons, the City considers that the criterion to negate the requirement for POS has not been met, and therefore the Structure Plan must be amended to provide POS.

(iii) Provision of POS
It is acknowledged that DC2.3 provides instances where a cash-in-lieu payment for POS as follows:

- "the land area is such that a 10 percent contribution would be too small to be of practical use;"
- "there may be sufficient public open space already in the locality;"
- "public open space is planned in another location by way of a town planning scheme or local structure plan."

In respect to the size of POS, 10% of the gross subdivisible area of the site equates to a 3,763m² area of POS, which is large enough to achieve the function of a Neighbourhood Park as outlined in Liveable Neighbourhoods.

As previously mentioned, there is an existing shortfall of POS in the area and no other opportunities are presently available in the area to provide additional POS.

The City has determined that a minimum of 10% of the gross subdivisible area must be given up free of cost by the owner for POS. Given the Structure Plan will facilitate development of approximately 340 dwellings, the City considers the additional population, in addition to the existing shortfall in POS in the area, warrants the provision of POS as opposed to a cash-in-lieu payment for POS.

(iv) POS vs Communal Open Space
The Indicative Concept Plan provides for areas of Communal Open Space within the Structure Plan area. DC2.3 nor Liveable Neighbourhoods provide for a reduction in POS on the basis that communal open space is provided. To ensure compliance with the statutory framework, the required minimum 10% POS must be provided.
Public Open Space (Cont…)

The City does not support the provision of Communal Open Space in lieu of POS. In this regard, it is also noted that the Indicative Concept Plan provides a gated community, with access for residents only. The Communal Open Space shown on the Indicative Concept Plan therefore provides no public benefit to the wider community.

Community Facilities

A submission on the Structure Plan raised concern with the lack of community facilitates provided by the Structure Plan. DC2.3 provides for the minimum of 10% POS to be reduced at the request of the City and on the approval of the Western Australian Planning Commission provided that land equivalent in area to the reduction is made available free of cost to the City as a community facilities site.

In this instance, the City does not consider there a need to reduce POS to provide for Community Facilities as no Community Facilities have been identified for this site in the City's Strategic Community Plan.

Conclusion

The justification for no provision of POS within the Structure Plan Report is not supported. The Structure Plan does not demonstrate a suitable provision of local open space within proximity to the subject land. In this regard, the City has determined there to be an overall undersupply of local open space.

Further, the site has sufficient land area to accommodate a neighbourhood park to service the recreational requirements of the 340 dwellings proposed for the site.

The City considers that all residential development must be complemented by adequate, well-located areas of POS that will enhance the amenity of the development and provide for the recreational needs of local residents.

Recommendation:

That the Structure Plan Report and Structure Plan Map be modified to provide a minimum 10% Public Open Space.

Traffic Impact Assessment

Following an assessment of the Traffic Impact Assessment (TIA), the City is not satisfied that the TIA and additional information submitted in response to the concerns raised in submissions has addressed the potential traffic impacts associated with the proposal and as such, cannot be relied upon.

In order to remove any uncertainty regarding the potential traffic impacts, the TIA is recommended to be revised to address the WAPC’s Transport Impact Assessment Guidelines and comments contained within this Report.

In addition to modifications required to the TIA, it is recommended that SIDRA modelling be prepared for the intersection of Lake Street and Safety Bay Road. This should include a more detailed understanding of the impacts of the Garden Island expansion and residential travel distribution.

Landscape Concept Plan

The trees identified for retention in the Tree Survey required as part of the revised EAR must be reflected on the Landscape Concept Plan, including details of unique tree identification markers.

Consideration should be given to upgrading existing pedestrian pathways to Lake Richmond, within the immediate vicinity to the subject land to ensure no additional informal pathways are created by future residents. This will ensure vegetation is not adversely impacted and is less likely to result in weed establishment within the surrounding reserves. The Landscape Concept Plan is recommended to be modified to identity existing pedestrian pathways and any potential upgrades to these pathways.
Landscape Concept Plan (Cont…)

**Recommendation:**

(i) *That the Landscape Concept Plan be modified to include trees identified for retention in the Tree Survey.*

(ii) *That the Landscape Concept Plan be modified to detail any existing pedestrian connections to Lake Richmond from the site, and upgrades to these connections.*

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

**Conclusion**

In light of the City's assessment of the Structure Plan proposal, it is recommended that the Western Australian Planning Commission be advised that the proposed Structure Plan should not be approved until such time as the following matters have been satisfactorily addressed:

(i) The Structure Plan Report and Structure Plan Map being modified to provide a minimum 10% Public Open Space.

(ii) The Structure Plan Map and Part One Implementation Section being modified to provide a maximum 150m² commercial component.

(iii) The Part One Implementation Section being modified to require the following:

   (a) The preparation of a Local Development Plan at subdivision or development stage, with satisfactory arrangements being made for the implementation of the approved plan. The Local Development Plan must address the following:

      - Access;
      - Built Form and Scale;
      - Car Parking;
      - Legibility; and
      - Tree Retention.

   (b) A Tree Protection Management Plan being submitted to the City and the Western Australian Planning Commission at subdivision or development stage, with satisfactory arrangements being made for the implementation of the approved plan. The Plan is to ensure the protection and management of significant trees on the site identified for retention.

(iv) The Traffic Impact Assessment being modified to address the comments made in this Report.

(v) The Local Water Management Strategy being modified to address the comments made in this Report.

(vi) The Environmental Assessment Report being modified as follows:

   (a) To provide a Tree Survey undertaken by a suitably qualified Environmental Professional for trees that partly and fully fall within the site. The survey must include all trees (no minimum diameter), shown on a map and in a table. The information should include:

      - Unique tree ID's;
      - Tree species;
      - GPS coordinates from the tree trunks; and
      - Diameter at Breast Height.

   (b) To outline measures that will be undertaken to ensure any soil imported during development is free of Phytophthora dieback and weed seed;
(c) To state that no vegetation, earth spoil or any other debris associated with the development is permitted to be disposed of within the Rockingham Lakes Regional Park; and

(d) To include information regarding how the ecological water requirements of the Thrombolites will not be impacted from groundwater abstraction during construction and operation of the development.

(vii) The Bushfire Management Plan being modified to include and correctly classify all classified vegetation within 150m of the site, and address the requirements of the Guidelines for Planning in Bushfire Prone Areas (February 2017).

(viii) The Landscape Concept Plan being modified as follows:

(a) To include trees identified for retention in the Tree Survey.

(b) To detail any existing pedestrian connections to Lake Richmond from the site, and upgrades to these connections.

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

Furthermore, the City considers it should be given the opportunity to assess any resulting modifications proposed to the Structure Plan and provide its recommendation to the WAPC for determination.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **APPROVES** the following recommendations to the Western Australian Planning Commission, with respect to the proposed Structure Plan prepared over Lot 1512 Lake Street and Lot 5000 Fisher Street, Rockingham:

1. That the proposed Structure Plan should not be approved until such time as the following matters have been satisfactorily addressed:

   (i) The Structure Plan Report and Structure Plan Map being modified to provide a minimum 10% Public Open Space.

   (ii) The Structure Plan Map and Part One Implementation Section being modified to provide a maximum 150m² commercial component.

   (iii) The Part One Implementation Section being modified to require the following:

      (a) The preparation of a Local Development Plan at subdivision or development stage, with satisfactory arrangements being made for the implementation of the approved plan. The Local Development Plan must address the following:

         - Access;
         - Built Form and Scale;
         - Car Parking;
         - Legibility; and
         - Tree Retention.

      (b) A Tree Protection Management Plan being submitted to the City and the Western Australian Planning Commission at subdivision or development stage, with satisfactory arrangements being made for the implementation of the approved plan. The Plan is to ensure the protection and management of significant trees on the site identified for retention.

   (iv) The Traffic Impact Assessment being modified to address the comments made in the Local Government Report.

   (v) The Local Water Management Strategy being modified to address the comments made in the Local Government Report.
(vi) The Environmental Assessment Report being modified as follows:
   (a) To provide a Tree Survey undertaken by a suitably qualified Environmental Professional for trees that partly and fully fall within the site. The survey must include all trees (no minimum diameter), shown on a map and in a table. The information should include:
       - Unique tree ID’s;
       - Tree species;
       - GPS coordinates from the tree trunks; and
       - Diameter at Breast Height.
   (b) Outline measures that will be undertaken to ensure any soil imported during development is free of Phytophthora dieback and weed seed.
   (c) State that no vegetation, earth spoil or any other debris associated with the development is permitted to be disposed of within the Rockingham Lakes Regional Park.
   (d) Include information regarding how the ecological water requirements of the Thrombolites will not be impacted from groundwater abstraction for during construction and operation of the development.

(vii) The Bushfire Management Plan being modified to include and correctly classify all classified vegetation within 100m of the site, and address the requirements of the Guidelines for Planning in Bushfire Prone Areas (February 2017).

(viii) The Landscape Concept Plan being modified as follows:
   (a) To include trees identified for retention in the Tree Survey.
   (b) To detail any existing pedestrian connections to Lake Richmond from the site, and upgrades to these connections.

2. Determination of the Structure Plan should consider the advice and recommendations outlined in the Local Government Report.

3. In the event that the proposed Structure Plan requires modification in order to address the matters raised by the Council, the City be consulted prior to the proposal being determined by the Western Australian Planning Commission.

### Committee Recommendation

Moved Cr Liley, seconded Cr Summers:

That Council APPROVES the following recommendations to the Western Australian Planning Commission, with respect to the proposed Structure Plan prepared over Lot 1512 Lake Street and Lot 5000 Fisher Street, Rockingham:

1. That the proposed Structure Plan should not be approved until such time as the following matters have been satisfactorily addressed:
   (i) The Structure Plan Report and Structure Plan Map being modified to provide a minimum 10% Public Open Space.
   (ii) The Structure Plan Map and Part One Implementation Section being modified to provide a maximum 150m² commercial component.
   (iii) The Part One Implementation Section being modified to require the following:
       (a) The preparation of a Local Development Plan at subdivision or development stage, with satisfactory arrangements being made for the implementation of the approved plan. The Local Development Plan must address the following:
           - Access;
           - Built Form and Scale;
           - Car Parking;

2. In the event that the proposed Structure Plan requires modification in order to address the matters raised by the Council, the City be consulted prior to the proposal being determined by the Western Australian Planning Commission.
(b) A Tree Protection Management Plan being submitted to the City and the Western Australian Planning Commission at subdivision or development stage, with satisfactory arrangements being made for the implementation of the approved plan. The Plan is to ensure the protection and management of significant trees on the site identified for retention.

(iv) The Traffic Impact Assessment being modified to address the comments made in the Local Government Report.

(v) The Local Water Management Strategy being modified to address the comments made in the Local Government Report.

(vi) The Environmental Assessment Report being modified as follows:

(a) To provide a Tree Survey undertaken by a suitably qualified Environmental Professional for trees that partly and fully fall within the site. The survey must include all trees (no minimum diameter), shown on a map and in a table. The information should include:
- Unique tree ID’s;
- Tree species;
- GPS coordinates from the tree trunks; and
- Diameter at Breast Height.

(b) Outline measures that will be undertaken to ensure any soil imported during development is free of Phytophthora dieback and weed seed.

(c) State that no vegetation, earth spoil or any other debris associated with the development is permitted to be disposed of within the Rockingham Lakes Regional Park.

(d) Include information regarding how the ecological water requirements of the Thrombolites will not be impacted from groundwater abstraction for during construction and operation of the development.

(vii) The Bushfire Management Plan being modified to include and correctly classify all classified vegetation within 100m of the site, and address the requirements of the Guidelines for Planning in Bushfire Prone Areas (February 2017).

(viii) The Landscape Concept Plan being modified as follows:

(a) To include trees identified for retention in the Tree Survey.

(b) To detail any existing pedestrian connections to Lake Richmond from the site, and upgrades to these connections.

2. Determination of the Structure Plan should consider the advice and recommendations outlined in the Local Government Report.

3. In the event that the proposed Structure Plan requires modification in order to address the matters raised by the Council, the City be consulted prior to the proposal being determined by the Western Australian Planning Commission.

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
Purpose of Report

To consider amending Planning Policy 3.3.16 - Telecommunications Infrastructure (PP3.3.16) and proceeding to obtain public comment on the changes.

Background

In May 2008, PP3.3.16 was adopted by Council, which superseded Planning Policy 2.15 - Mobile Phone Towers. The amendments to the Policy in 2008 were as follows:

- To ensure consistency with Town Planning Scheme No.2 (TPS2);
- To include detailed reference to the Telecommunications Act 1997;
- To ensure consistency with SPP5.2; and
- To amend the delegation for all Development Applications for the establishment of Telecommunications Infrastructure (that cannot be classified as low-impact facilities), requiring all applications to be referred to Council for determination.

In 2015, State Planning Policy 5.2 - Telecommunications Infrastructure (SPP5.2) was updated to balance the need for effective telecommunications services and effective roll-out of networks, while also ensuring that the visual character of local areas is protected. This included planning policy measures to provide clear guidance pertaining to the siting, location and design of Telecommunications Infrastructure.
Details

The amendments made to PP3.3.16 are outlined below. The changes are primarily due to the update to SPP5.2 and also to provide further clarity and to simplify the policy:

- An introduction was added, to outline that the intent of the policy is to provide guidance for the assessment and determination of Development Applications for Telecommunications Infrastructure, that cannot be classified as low-impact facilities (i.e. monopoles and towers more than 5m high);

- The background behind the update to SPP5.2 was added to the background section of the policy;

- An explanation of above and below ground infrastructure has been provided;

- The definition of Telecommunications Infrastructure under TPS2 has been moved from the 'Introduction' to the 'Policy Application';

- The wording of the permissibility of Telecommunications Infrastructure under TPS2 has been amended with regards to the Development zone as it is not correct to state that 'Telecommunications Infrastructure' is not permitted in the 'Development' zone. The Development zone requires a Structure Plan to be approved over the land and since the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) have come into effect, the Local Government is not bound by a Structure Plan. As such, a provision has been added to state that Telecommunications Infrastructure is not preferred in areas zoned 'Development' and denoted as 'Residential' under a Structure Plan;

- The objectives have been updated and made more prescriptive, in line with SPP5.2;

- Further guidance has been provided regarding the co-location of facilities;

- The requirement for telecommunication infrastructure to have a setback of 200m, to urban zoned land or urban deferred land, has been removed. SPP 5.2 does not allow buffer zones and/or setback distances to be included in local planning schemes or local planning policies;

- A visual impacts section has been added PP3.3.16 (in place of the setback requirement), which provides, in detail, measures to be used in the assessment of Development Applications. This includes provisions requiring Telecommunications Infrastructure to be located away from scenic routes, to ensure streetscape views are not detracted from, not be located in areas where the predominant intent of the zone is for residential development, or where environmental, landscape, social or cultural heritage values may be compromised, and so that the scale, materials, external colours and finishes are sympathetic to the surrounding landscape. This will ensure that development is designed and located appropriately and any visual impacts will be minimised;

- A section has been added regarding Electromagnetic Emissions (EME's). It has been identified in the SPP5.2 through research carried out by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), that setback distances relating to health and safety for Telecommunications Infrastructure should not be set out in local planning schemes or local planning policies as it is unlikely that the radiofrequency radiation from base stations would cause any adverse health effects. The potential health impacts of Telecommunications Infrastructure is a regular concern of the general public, therefore the inclusion of these findings is welcomed;

- The information to be submitted with Development Applications has been made slightly more prescriptive in line with SPP5.2 and a statement is now required to be submitted outlining how the policy complies with TPS2, PP3.3.16 and the Mobile Phone Base Station Deployment Industry Code; and

- The definition for 'Telecommunications Carrier' has been added to the 'Interpretations' section.

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

The Regulations were gazetted on 25 August 2015 and took effect on 19 October 2015, replacing the Town Planning Regulations 1967. PP3.3.20 terminology is amended to be consistent with the Regulations (e.g. 'Development Approval' in lieu of 'Planning Approval').
Implications to Consider

a. Consultation with the Community
Nil

b. Consultation with Government Agencies
Nil

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

**Aspiration D:** Sustainable Environment

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

d. Policy
The amended PP3.3.16 must be advertised in accordance with Clause 4(1) of the deemed provisions of TPS2. The Policy includes changes regarding the legislation applicable to the Policy as well including reference to the health impacts of Telecommunications Infrastructure.

e. Financial
Nil

f. Legal and Statutory
Under the deemed provisions (Local Planning Policies) in TPS2 the Council may prepare, modify or revoke a Planning Policy. If the Council resolves to amend the PP3.3.16, the City is required to publicly advertise the proposed changes for a period of 21 days.

PP3.3.16 is not part of TPS2, and does not bind the Council in respect of any application for Development Approval, but the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

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

There is a need to amend PP3.3.16 to ensure consistency with SPP5.2 and the changes can be summarised as follows:

Visual Impacts
The primary change to PP3.3.16 is the inclusion of a descriptive section on visual impacts, which includes policy measures to be used in the assessment of Development Applications, to guide the location, siting and design of Telecommunications Infrastructure. This requires that development is designed and located appropriately to ensure any visual impacts are minimised.

Electromagnetic Emissions (EME)
The possible link between exposure to EME's and resulting health issues is now also addressed in PP3.3.16. ARPANSA is the primary Commonwealth agency responsible for protecting the health and safety of people and the environment from the harmful effects of radiation. ARPANSA have determined that it is unlikely that the radiofrequency radiation from base stations would cause any adverse health effects, based on current medical research.
Therefore, it has been identified in SPP5.2 that setback distances relating to health and safety for Telecommunications Infrastructure should not be set out in local planning schemes or local planning policies. The potential health impacts of Telecommunications Infrastructure is a regular concern of the general public, therefore the inclusion of these findings is welcomed.

Inconsistency of PP3.3.16 with SPP5.2

SPP5.2 states that local governments should ensure that Telecommunications Infrastructure is not designated as a 'use not permitted' (X) by the Local Planning Scheme, in any zone. Telecommunications Infrastructure is an 'X' use in the 'Residential' and 'Special Residential' Zones and this is not proposed to be amended, as these are not considered to be appropriate zones for Telecommunications Infrastructure, in terms of the impacts on visual amenity. It was subsequently clarified by the Department of Planning that it is at the local government's discretion to determine the permissibility of Telecommunications Infrastructure within a Local Planning Scheme because the above requirements are not a mandatory requirement of SPP5.2.

The amendments to PP3.3.16 are supported as they provide further guidance and consistency in the assessment of Development Applications and ensure that the legislation within the Policy is updated to refer to the Planning and Development (Local Planning Schemes) Regulations 2015.

It is recommended that Council adopt the amended PP3.3.16 - Telecommunications Infrastructure for the purpose of seeking public comment, before referring back to Council for adoption.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council ADOPTS the revised (modifications in bold and red) Planning Policy 3.3.16 - Telecommunications Infrastructure, for the purpose of public advertising.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Summers:

That Council ADOPTS the revised (modifications in bold and red) Planning Policy 3.3.16 - Telecommunications Infrastructure, for the purpose of public advertising:

**PLANNING POLICY 3.3.16**

TELECOMMUNICATIONS INFRASTRUCTURE

1. Introduction

The purpose of this policy is to provide guidance for the assessment and determination of Development Applications for Telecommunications Infrastructure within the City of Rockingham that cannot be classified as low-impact facilities.

2. Background

Whilst recognising the need to provide an efficient communications network for the community, there is a need to ensure that Telecommunications Infrastructure is developed in a manner that is compatible with the surrounding environment and will not adversely impact on the amenity of an area.

In October 2014, the Western Australian Planning Commission (WAPC) released a draft revised State Planning Policy 5.2 - Telecommunications Infrastructure (SPP 5.2) in response to a survey conducted in July 2014, which indicated that there was a lack of coverage in Western Australia. The revised SPP 5.2 was released in September 2015 and this Policy has been updated to reflect the current SPP.

Under State Planning Policy 5.2 Telecommunications Infrastructure (SPP5.2), Telecommunication Infrastructure includes both above and below ground facilities.

(a) Above Ground Infrastructure includes the following:

(i) mobile telephone networks;
(ii) national Broadband Networks (NBN) fixed wireless broadband towers; and  
(iii) amateur radio equipment;

(b) Below Ground Telecommunications Infrastructure refers to pit and pipe  
infrastructure used to house fixed line used to carry voice and data services.  

Under the Telecommunications Act 1997, the following telecommunications facilities are exempt  
from the requirement to obtain Development Approval:  

(a) A low-impact facility described in the Telecommunications (Low-Impact Facilities)  
Determination 1997 and Amendment No.1 1999, when installed by a Carrier;  
(b) Inspection and maintenance;  
(c) A temporary defence facility; and  
(d) A facility authorised by a Facilities Installation Permit issued under the Telecommunications  
Act.

1. Facilities which are listed in the Telecommunications (Low-Impact Facilities) Determination 1997 fall  
outside State and local government control but are required to comply with the Commonwealth  
Telecommunications Code of Practice 1997. A copy of the Telecommunications (Low-Impact  
Facilities) Determination 1997 and Amendment No.1 1999 can be access via the following website -  

Under sub-clauses 6(4), (5) and (7) of the Telecommunications Act 1997, the following  
telecommunications facilities cannot be low-impact facilities:

(a) Designated overhead lines;  
(b) A tower that is not attached to a building;  
(c) A tower attached to a building and more than 5m high;  
(d) An extension to a tower that has previously been extended; and  
(e) An extension to a tower, if the extension is more than 5m high.  

Accordingly, overhead cabling and new mobile telecommunications towers are not low-impact  
facilities. Furthermore, a facility in an ‘area of environmental significance’ cannot be a low-impact  
facility.

3. Policy Application  
In Town Planning Scheme No.2, the Zoning Table (Table No.1) indicates, subject to the provisions  
of the Scheme, the uses permitted in the Scheme Area in the various zones.

The City of Rockingham Town Planning Scheme No.2 defines ‘Telecommunications  
Infrastructure’ as any part of the infrastructure of a telecommunications network and  
includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other  
structure used, or for use, in or in connection with a telecommunications network.  

The permissibility of the Telecommunications Infrastructure use in Town Planning Scheme No.2 can  
be summarised as follows:

(a) The use is not permitted in the Residential and Special Residential zones;  
(b) In the Development Zone, where an area is denoted as ‘Residential’ under a Local  
Structure Plan, it is not preferred;  
(c) The use is not permitted in the Special Rural Zone unless the Council has exercised its  
discretion by granting Development Approval, following a process of community  
consultation in accordance with clause 64 of the Planning and Development (Local  
Planning Schemes) Regulations 2015;  
(d) In all other zones, the use is not permitted unless the Council has exercised its discretion by  
granting Development Approval.  

This Planning Policy should be read in conjunction with the WAPC SPP 5.2 and the Commonwealth  

4. Policy Objectives  
The objectives of this Planning Policy are as follows:
(a) To promote a consistent approach in the assessment and determination of applications for Development Approval for Telecommunications;

(b) To manage the environmental, cultural heritage, visual and social impacts of Telecommunications Infrastructure through appropriate provisions intended to minimise any potential adverse impacts from such Telecommunications Infrastructure;

(c) To facilitate the provision of Telecommunications Infrastructure in an efficient and environmentally responsible manner to meet community needs; and

(d) To ensure that Telecommunications Infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons.

5. Policy Statement

5.1 Location

The preferred location for Telecommunications Infrastructure that cannot be classified as low-impact facilities is in the industrial, commercial and rural zones.

5.2 Co-Location of Facilities

In order to provide for future co-location, new mobile telecommunications towers, including equipment sheds, are to be designed in such a manner as to permit at least 3 carriers to co-locate.

Carriers shall co-locate onto existing towers, other existing structures or replace existing structures wherever possible as follows:

(a) Cables and lines should be located within an existing underground conduit or duct;

(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.

Where there is an existing facility in the locality and the Carrier chooses not to co-locate onto that facility, the applicant will be required to demonstrate by means of certification from an appropriately qualified person, that the proposal cannot be co-located onto that facility for technical/structural reasons.

5.3 Visual Impacts

Telecommunications Infrastructure is generally required to be located prominently, at high points, to be effective, where they are more likely to be visible to the public.

The Council may exercise discretion in addressing the visual impacts of Telecommunications Infrastructure, as telecommunication infrastructure should be located where it will facilitate continuous network coverage and/or improved telecommunications services to the community. The benefit of improved telecommunications services should be balanced with the visual impact on the surrounding area.

The following set of policy measures should be used in the assessment of a development application, to guide the location, siting and design of the infrastructure.

(a) The visual impact of development applications for Telecommunications Infrastructure should be made on a case by case basis;

(b) Telecommunications Infrastructure is to be sited and designed to have minimal impact on the streetscape and the visual amenity of the surrounding built and natural environment of the locality and wherever possible:

(i) Be located away from scenic routes and recreation sites;

(ii) Be located to ensure that views of areas of landmarks, streetscapes and vistas are not detracted from;

(iii) Not be located in any zone where the predominant intent of the zone is for residential development;

(iv) Not be located on sites where environmental, cultural heritage, social and visual landscape values may be compromised;

(v) The scale, materials, externals colours and finishes should be sympathetic to the surrounding landscape and use techniques to blend facilities into the environment including the use of natural, non-reflective colours and finishes;
(vi) When locating on an existing structure, the Telecommunications Infrastructure must be coloured and fixed onto or within buildings to blend/harmonise with the colour and design of the building, and where possible, should be screened from public places by the building, and should not protrude from a building into or above a public road reserve, pedestrian accessway or other public space;

(vii) When locating on an existing tower, the Telecommunications Infrastructure shall be coloured and fixed onto the tower to blend/harmonise with the colour and design of the tower;

(viii) Towers should be of a monopole construction, although the Council may support lattice or other types of tower designs where the applicant demonstrates the technical necessity for such a design and where the tower may provide additional co-locational opportunities.

(ix) The base of the tower and associated installations shall be screened by vegetation.

5.4 Electromagnetic Emissions (EME)

The use of mobile telephones has rased public concern about possible health issues associated with exposure to electromagnetic emissions. Measurement surveys undertaken by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) demonstrate that environmental radiofrequency levels near base stations for the mobile telephone network are extremely low. It concluded that it is unlikely that the radiofrequency radiation from base stations would cause any adverse health effects, based on current medical research. Therefore, setback distances for telecommunications infrastructure are not required to be set out in this policy to address health or safety standards.

5.5 General Requirements

All decommissioned Telecommunications Infrastructure shall be removed and the site reinstated to its original condition at the applicant’s cost.

5.6 Consultation

All applications for Development Approval for the establishment of Telecommunications Infrastructure in the Special Rural zone will be the subject of a process of community consultation in accordance with clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Planning Procedure No.1.3 - Community Consultation.

Unless otherwise determined by the Manager, Statutory Planning, all other applications for Development Approval for the establishment of Telecommunications Infrastructure will be the subject of a process of community consultation in accordance with clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Planning Procedure No. 1.3 - Community Consultation.

6. Application Procedure

Applications for Development Approval for the establishment of Telecommunications Infrastructure shall be made on the form prescribed by the Council, and shall be signed by the owner(s), and accompanied by the following information:

(a) A written submission describing the proposal, which should include the following information and confirmation that the requirements of this Planning Policy can be achieved:

(i) the need for the facility;

(ii) details of co-location investigations;

(iii) whether the applicant has notified the other licensed carriers about the proposal and whether the other licensed carriers intend to co-locate on the proposed tower;

(iv) a statement about where the proposed facility is to be located. If the facility is proposed within an infrastructure easement or corridor, consultation with other users is to be demonstrated;

(v) detailed reasons for the design, location and configuration of the facility;

(vi) the intended service area of the facility;
(vii) whether excess space has been incorporated into the design and configuration of the structure of building for co-location and the suitability of that space for use by other licensed carriers;

(viii) details of any significant environmental constraints, including those associated with the species, condition and significance of vegetation to be removed (and, where relevant, commitments stating how these constraints will be managed to prevent an unacceptable impact upon the environment;

(ix) details of the timing of works involved in establishing the facility and any arrangements for temporary access and/or changes to existing access facilities during the course of construction;

(x) a statement about the extent to which the proposed facility complies with the City’s Town Planning Scheme No.2 and this Planning Policy and (if applicable) justification for any variation from the relevant scheme or policy provisions.

(b) Such plans and other information that the Council may reasonably require to enable the application to be determined (Refer to clause 62 of the Planning and Development (Local Planning Schemes) Regulations 2015). Including such of the following information as is relevant to a description and assessment of the proposal:

(i) location plans showing the location of the facility and any existing or known/planned facilities of the Carrier and other Carriers, within the City and surrounding local authorities;

(ii) site plans drawn to scale showing the existing and proposed improvements on the property, landscaping, watercourses and other natural features and levels at 1m contour levels;

(iii) plans and coloured graphic illustrations, including photo simulations, showing the type of facility and its relationship with adjacent development, including the proposal’s elevations showing the extent, height and appearance, proposed materials and colour, any screening or fencing, and any external lighting; and

(iv) documentation showing sight lines demonstrating the level of visibility of the facility as viewed from adjacent properties or streets.

(c) In accordance with the Western Australian Planning Commission SPP 5.2, the application should also be supported by a written statement or report setting out:

(i) the maximum power output of the facility and radiofrequency electromagnetic energy levels in accordance with the Industry Code for the Deployment of Radiocommunications Infrastructure 2002. This statement is to demonstrate that the Carrier accepts full responsibility for compliance with the Radiocommunications Act;

(ii) a statement about the extent to which the proposed facility addresses the network capacity for future demand and/or current gaps in service;

(iii) where the proposed facility (e.g. trenching cables such as optic fibre) is to be located within an infrastructure easement, consultation with other users is to be demonstrated;

(iv) how the proposed facility addresses the policy measures for the visual impacts of Telecommunications Infrastructure set out in Section 5.1.1 of SPP 5.2; and

(v) compliance with the Mobile Phone Base Station Deployment Industry Code (C564:2011), excluding Sections 6 and 7 (which only apply to developments that do not require development approval).

(d) The payment of an Administration Fee as detailed in the Council’s Planning Information Bulletin No.2.2 - Scale of Fees for Planning Services.

7. Authority

This Planning Policy has been adopted by the Council under Clause 3 4 (4) of the Planning and Development (Local Planning Scheme) Regulations 2015. The Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.
8. Interpretations

For the purposes of this Planning Policy, the following terms shall have the following meaning:

**Amenity:** All those factors which combine to form the character of an area and include the present and likely future amenity.

**Council:** Council of the City of Rockingham.

**Telecommunications Carrier:** The same meaning given to the term in the Telecommunications Act 1997.

**Area of Environmental Significance** means:

1. An area is an area of environmental significance if it is identified property for section 3A of the World Heritage Properties Conservation Act 1983.

2. An area is an area of environmental significance if it is an identified property (within the meaning of section 3A of the World Heritage Properties Conservation Act 1983).

3. An area is an area of environmental significance if it is a place that Australia is required to protect by the terms of a listed international agreement.

4. An area is an area of environmental significance if, under a law of the Commonwealth, a State or a Territory:
   - (a) it is designated as a reserve for nature conservation purposes; and
   - (b) the principal purposes of the designated reserve is for nature conservation.

5. An area is an area of environmental significance if it is an area that, under a law of the Commonwealth, or a State or a Territory, is protected from significant environmental disturbance;

6. An area is an area of environmental significance if it is entered in the Register of the National Estate or the Interim List for that Register.

7. An area is an area of environmental significance if, under a law of the Commonwealth, or a State or a Territory, it consists of a place, building or thing that is entered in a register relating to heritage conservation.

8. An area is an area of environmental significance if, under a law of the Commonwealth, or a State or a Territory, it is:
   - (a) entered in a register; or
   - (b) otherwise identified;
   as being of significance to Aboriginal persons or Torres Strait Islanders, in accordance with their traditions.

9. Delegation

Applications for Development Approval or the establishment of Telecommunications Infrastructure that cannot be classified as low-impact facilities will be referred to the Council for determination.

10. Adoption

This Planning Policy was adopted by the Council at its ordinary Meeting held on the 27th May 2008.

11. Amendment

This Planning Policy was amended by the Council at its Ordinary meeting held on 27 June 2017.

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
### Purpose of Report

To consider a Scheme Amendment to Town Planning Scheme No.2 (TPS2) for consistency between the Metropolitan Region Scheme (MRS) and TPS2 regarding Lots 1006, 1007 and 1272 Baldivis Road and Lot 1 and 503 Serpentine Road, Baldivis.

### Background

In March 2016, the applicant made a request for the site to be rezoned from 'Rural' to 'Urban' under the MRS, due to the site being shown as 'Urban Expansion' under the draft South Metropolitan Peel Sub-Regional Structure Planning Framework (Planning Framework). In its submission on the Planning Framework, the City supported the proposal on the basis that it was a logical extension of the 'Heritage Park' estate south to Sixty Eight Road, ensuring alignment with the urban cell to the west. In May 2017, the Minister for Planning granted approval to a Minor MRS Amendment (1315/57), which rezoned the land to Urban under the MRS.
The subject land has been extensively cleared for rural pursuits and contains scattered areas of remnant vegetation and a number of buildings and outbuildings. The Parmelia Gas Pipeline, a high pressure gas main, passes through the southern portion of the amendment area. No Conservation Category Wetlands are located within the subject land. The land abuts Bush Forever Area 376 - Baldivis Road Bushland, Baldivis on the southern boundary of Sixty Eight Road.

**Details**

The subject land is bounded by Serpentine Road to the north, Baldivis Road (Baldivis Tramway Reserve) to the west, the Kwinana Freeway to the east and Sixty Eight Road to the south.

A concept plan was included in the request to rezone the land to 'Urban' under the MRS that demonstrates an indicative form of residential development over the site (figure 3).

The site is currently zoned 'Rural' and 'Special Rural' under the City's TPS2, which is inconsistent with the zoning of the land under the MRS.

The 'Development' zone of TPS2 is the most appropriate TPS2 zoning, which requires the preparation and approval of a Structure Plan to guide subdivision and development.
2. Aerial View
3. Indicative Concept Plan
4. Existing and Proposed Zoning under TPS2
Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Consultation with the Environmental Protection Authority (EPA) will only occur if the Scheme Amendment is initiated by Council in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).

c. Strategic

Community Plan

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

**Aspiration D:** Sustainable Environment

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

d. Policy

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

SPP3.7 notes in Table 1 that a Bushfire Hazard Level assessment and a Bushfire Management Plan addressing the bushfire protection criteria is to be submitted in the consideration of amendments to local planning schemes. A Bushfire Hazard assessment was prepared as part of the request for the land to be rezoned to 'Urban' under the MRS where moderate and extreme fire risks were identified over the subject land. A Method 2 assessment will be required against AS 3959-2009 Construction of Buildings in Bushfire Prone Areas at subdivision stage as the concept plan for the estate shows lots backing onto the vegetation within the Kwinana freeway road reservation.

A BAL contour map will be required at Structure Plan or subdivision stage, when the lot layout has been finalised.

State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning (SPP5.4)

SPP5.4 seeks to minimise the adverse impact of transport noise, without placing unreasonable restrictions on noise-sensitive residential development, or adding unduly to the cost to transport infrastructure. SPP5.4 applies to the consideration and management of the impacts of transport noise and freight operations when development is proposed in the following manner:

- New noise-sensitive development in the vicinity of existing or future major transport corridors or freight handling facilities;

- New major road or rail infrastructure projects, including major redevelopments, in the vicinity of existing or future noise-sensitive land uses; and

- The location of freight handling facilities.

The potential impact of noise from the Kwinana Freeway will be addressed as part of the subsequent Local Structure Plan and subdivision application.

Draft Perth and Peel@3.5 Million and Draft South Metropolitan Peel Sub-Regional Planning Framework

The draft South Metropolitan Peel Sub-Regional Planning Framework forms part of the draft Perth and Peel@3.5 Million suite of documents. The framework identifies the site as 'Urban Expansion' with an urban staging timeframe of medium term (2022-2031). The proposed Scheme Amendment is generally consistent with this draft plan.
Baldivis South District Structure Plan

The Baldivis South District Structure Plan (DSP) provides a framework for the urbanisation of the southern part of Baldivis and a basis for local structure planning in the area. The subject site is identified as 'Rural' under the DSP. The land on the western side of Baldivis Road directly opposite the site is zoned 'Development' under TPS2, the rezoning of the subject site to 'Urban' therefore seems logical.

5. Baldivis South District Structure Plan

e. Financial

Nil

f. Legal and Statutory

Planning and Development Act (2005)

Part 9 Clause 124 (1) of the Planning and Development Act 2005 states that:

"A local planning scheme is not to be approved by the Minister under this Act unless the provisions of the local planning scheme are in accordance with and consistent with each relevant region planning scheme."

It is appropriate to adopt the amendment as it will ensure consistency between the local planning scheme and the MRS.

Planning and Development (Local Planning Schemes) Regulations 2015

Part 5 Clause 35(1) of the Regulations states:

"A resolution of a local government to prepare or adopt an amendment to a local planning scheme must be in a form approved by the Commission."

Clause 35(2) states:

"A resolution must -

(a) specify whether, in the opinion of the local government, the amendment is a complex amendment, a standard amendment or a basic amendment; and

(b) include an explanation of the reason for the local government forming that opinion."

The proposed Scheme Amendment is a 'Basic Amendment' in accordance with Regulation 34(i) of the Regulations:

"(i) an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme if the amendment will have minimal effect on the scheme or the landowners in the scheme area."

The amendment is considered to fall into a Basic Amendment.
The process for this basic Scheme Amendments following Council resolution to prepare or adopt an amendment is to refer the Scheme Amendment to the Environmental Protection Authority (EPA), but there is no requirement for the Scheme Amendment to be advertised for public comment. Following the EPA decision whether environmental review is required the City is required to forward the Scheme Amendment to the WAPC. The WAPC then consider the Scheme Amendment and make a recommendation to the Minister for Planning.

**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

**Comments**

The 'Development' zone and supporting Development Area outlined in Schedule No.9 of TPS2 provide the most appropriate statutory mechanisms to ensure orderly and proper planning of the subject land, consistent with the future intended use of the land to be developed for urban purposes. As such, Amendment No.165 is supported.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **ADOPTS** (initiate) Amendment No.165 to Town Planning Scheme No.2, pursuant to Section 75 of the Planning and Development Act 2005, as follows:
   
   (i) Rezone Lot 1006, 1007, 1272 Baldivis Road, Lot 1 and Lot 503 Serpentine Road, Baldivis, from 'Rural' and 'Special Rural' to 'Development' on the Scheme Map.
   
   (ii) Amend the Scheme Map to contain Lot 1006, 1007, 1272 Baldivis Road, Lot 1 and Lot 503 Serpentine Road, Baldivis within Development Area No. 44 and reference this on the Scheme Map as 'DA 44'.
   
   (iii) Amend 'Schedule No.9 - Development Areas' to include new Development Area DA44 as set out below:

<table>
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<tr>
<th>Reference No.</th>
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<th>Provisions</th>
</tr>
</thead>
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<td>Lot 1006, 1007, 1272 Baldivis Road, Lot 1 and Lot 503 Serpentine Road, Baldivis</td>
<td>An approved Structure Plan, together with all approved amendments, where applicable, shall apply to the land in order to guide subdivision and development.</td>
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</table>

2. **CONSIDERS** the proposed Scheme Amendment as a 'Basic Amendment' in accordance with Regulation 34(i) of the Planning and Development (Local Planning Schemes) Regulations 2015.

**Committee Recommendation**

Moved Cr Summers, seconded Cr Liley:

That Council:

1. **ADOPTS** (initiate) Amendment No.165 to Town Planning Scheme No.2, pursuant to Section 75 of the Planning and Development Act 2005, as follows:
Rezone Lot 1006, 1007, 1272 Baldivis Road, Lot 1 and Lot 503 Serpentine Road, Baldivis, from ‘Rural’ and ‘Special Rural’ to ‘Development’ on the Scheme Map.

Amend the Scheme Map to contain Lot 1006, 1007, 1272 Baldivis Road, Lot 1 and Lot 503 Serpentine Road, Baldivis within Development Area No. 44 and reference this on the Scheme Map as ‘DA 44’.

Amend ‘Schedule No.9 - Development Areas’ to include new Development Area DA44 as set out below:

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2. **CONSIDERS** the proposed Scheme Amendment as a ‘Basic Amendment’ in accordance with Regulation 34(i) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Committee Voting – 3/1

(Cr Whitfield voted against)

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

Not Applicable

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

Not Applicable
# Purpose of Report

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

# Background

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

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

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

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

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

As a result of the Policy review by the OGA, the following modifications, (highlighted in red) are proposed:

“Design Review Panel
1. Introduction
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 and expectations of the community. Design review can also support Local Authorities in their role as clients, helping them secure high quality design.

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

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

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

4. Policy Statement
4.1 Design Review Panel
4.1.1 The Design Review Panel (the Panel) provides expert and technical advice to proponents, City Officers and Council in relation to the design of buildings and other related matters. The Panel performs an advisory function and does not make decisions on applications.

4.1.2 Panel members either collectively or individually are not authorised to speak on behalf of the City or provide comment to the media in respect of any item under consideration.

4.1.3 The Panel (or its members) is not to provide advice directly (outside of the process of formal design review) to a proponent or Council Member in respect of any item under consideration.

4.1.4 The Panel is to provide comments and advice to City Officers to assist in the formulation of recommendations to the Council on particular applications for planning approval, or in determining applications under delegated authority.
4.1.5 The Panel shall only deal with matters which have been referred to it by the Chief Executive Officer or the Council.

4.1.6 The Panel is not a Committee established pursuant to section 5.8 of the *Local Government Act 1995*.

5. **Membership**

5.1 The Panel is to comprise of up to five (5) design professionals appointed by the Chief Executive Officer to fulfil the requirements outlined in the Policy.

5.2 Selection Criteria for membership on the Panel include but are not limited to the following:

   (a) Skills and experience in the interpretation, analysis and application of local government planning mechanisms such as planning schemes, structure plans, activity centre plans, local development plans, strategies and policies. An understanding of the composition, character and desired built form of the City of Rockingham is highly desirable.

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

   (c) Demonstrated expertise in Design Review, design critique or the provision of strategic advice on design quality issues. The ability to analyse, evaluate and offer objective and constructive feedback on complex design quality issues.

   (d) Eligibility for membership to the Royal Australian Institute of Architects, the Planning Institute of Australia or other relevant professional associations as determined by the Chief Executive Officer. Panel members should be highly regarded amongst their professional and reputable design review peers.

5.3 Elected Members of the City of Rockingham and City Officers are not eligible for appointment to the Panel.

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

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

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

6. **Referral Requirements**

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

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

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

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

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

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

   (f) All Joint Development Applications must be referred to the Panel for a design review; and
(g) Any Development applications and Joint Development Assessment Panel applications, which, as a result of public consultation, are the subject of opposition on relevant planning grounds.

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

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

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

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

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

7. Joint Development Assessment Panel Application Referral Requirements

7.1 To ensure that development is of a high quality and standard, 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 and proponents with independent expert advice on urban design, architecture, landscape design, sustainability and heritage in relation to proposals referred to the Panel for consideration.

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

1. Context and Character

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

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

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

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

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

2. Landscape Quality

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

   Good landscape design protects existing environmental features and ecosystems, enhances the local environmental context and regenerates lost or damaged ecosystem functionality, where possible. It balances consideration of environmental factors such as water and soil management, ground conditions, solar access, microclimate, tree canopy, habitat creation and preservation of green infrastructure with social, cultural and economic conditions.
Good landscape design employs hard and soft landscape and urban design elements to create external environments that interact in a considered manner with built form, resulting in well-integrated, engaging places that contribute to local identity and streetscape character.

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

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

3. Built Form and Scale

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

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

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

4. Functionality and Build Quality

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

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

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

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

5. Sustainability

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

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

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

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

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

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

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

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

7. **Legibility**

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

Good urban design makes places easy to navigate, with recognisable routes, intersections and landmarks while being well-connected to existing movement networks. Sightlines are well-considered, with built form responding to important vantage points.

Within buildings, legibility is served by a clear hierarchy of spaces with identifiable entries and clear wayfinding. Externally, buildings and spaces should allow their purpose to be easily understood, and provide clear distinction between public and private spaces.

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

8. **Safety**

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

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

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

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

9. **Community**

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

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

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

10. **Aesthetics**

Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.
Good design resolves the many competing challenges of a project into an elegant and coherent outcome. A well-conceived design concept informs all scales, from the articulation of building form through to materiality and detail, enabling sophisticated, integrated responses to the complexities of local built form and landscape character.

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

9. Operations

9.1 Meetings of the Panel are held when required.

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

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

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

9.5 Notice of meetings is to be given by way of distribution of agendas to each Panel member 1 week in advance of the meeting date.

9.6 Items listed on the agenda are to be accompanied with a package of information including minimum drawing requirements, information relating to the preliminary assessment of the proposal against relevant statutory criteria and an indication of any particular aspects of the proposal requiring the Panel’s comment.

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

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

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

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

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

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

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

10. Code of Conduct

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

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

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

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

12. **Confidentiality**

12.1 Proceedings of a meeting of the Panel and details of any proposal before the Panel are to remain confidential unless such details are disclosed in an authorised manner by a City Officer to the 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 amended Planning Policy was adopted by the Council at its ordinary Meeting held on the ………………… 2017.

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**Implications to Consider**

a. **Consultation with the Community**

Under Clause 5 (1) of the Planning and Development (Local Planning Policies) Regulations 2015, if the Council resolves to amend a Planning Policy, it is required to advertise the Policy in accordance with Clause 4 as follows:

(i) publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of —

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

(b) the objectives of the proposed policy;

(c) where the proposed policy may be inspected; and

(d) to whom, in what form and during what period submissions in relation to the proposed policy may be made;
(ii) if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;

(iii) give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.

The period for making submissions in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is published under subclause (1)(a).

b. Consultation with Government Agencies
Consultation with relevant State Government agencies has already occurred.

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

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 contribute to the City’s reputation as the premier metropolitan coastal tourism destination.

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

e. Financial
Nil

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

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

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

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

Nil

Comments
The suggested modifications to Planning Policy No.7.4 (highlighted in red), will increase the effectiveness of the Policy in terms of processes and operation and will also better align with the States ‘Design WA - Design Review Guide’.

Given the proposed modifications provide for a more detailed and comprehensive Policy, it is recommended that the revised Policy be advertised for public comment.

Voting Requirements
Simple Majority
Officer Recommendation

That Council APPROVES the publishing of a notice seeking public comment on amended ‘Planning Policy No.7.4 - Design Review Panel’ (changes highlighted in red) to align with the State Government’s ‘Design WA – For a better built environment’ initiative.

Committee Recommendation

Moved Cr Liley, seconded Cr Summers:

That Council APPROVES the publishing of a notice seeking public comment on amended ‘Planning Policy No.7.4 - Design Review Panel’ (changes highlighted in red) to align with the State Government’s ‘Design WA – For a better built environment’ initiative, as follows:

1. Amend Section 4.1.1 to replace the word ‘applicant’ with the word ‘proponents’:

   4.1.1 The Design Review Panel (the Panel) provides expert and technical advice to proponents, City Officers and Council in relation to the design of buildings and other related matters. The Panel performs an advisory function and does not make decisions on applications.

2. Amend Section 4.1.3 to enable the Panel to offer direct feedback to proponents during the meeting:

   4.1.3 The Panel (or its members) is not to provide advice directly (outside of the process of formal design review) to a proponent or Council Member in respect of any item under consideration.

3. Amend Section 5.2 (a), (c) and (e) to detail specific requirements for skilled and competent panel members:

   5.2 Selection Criteria for membership on the Panel include but are not limited to the following:

   (a) Skills and experience in the interpretation, analysis and application of local government planning mechanisms such as planning schemes, structure plans, activity centre plans, local development plans, strategies and policies. An understanding of the composition, character and desired built form of the City of Rockingham is highly desirable.

   (c) Demonstrated expertise in Design Review, design critique or the provision of strategic advice on design quality issues. The ability to analyse, evaluate and offer objective and constructive feedback on complex design quality issues.

   (d) Eligibility for membership to the Royal Australian Institute of Architects, the Planning Institute of Australia or other relevant professional associations as determined by the Chief Executive Officer. Panel members should be highly regarded amongst their professional and reputable design review peers.

4. Amend Section 6.1, 6.1 (f) and (g) to address the requirements for referral of applications:

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

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

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

5. Amend Section 8.2 to include a full description of each design principles:

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

   1. Context and Character

   Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.
The distinctive characteristics of a local area include its prominent natural and built features, the overall qualities of its built environment, significant heritage elements, as well as social, economic and environmental conditions.

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

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

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

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

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Good urban design makes places easy to navigate, with recognisable routes, intersections and landmarks while being well-connected to existing movement networks. Sightlines are well-considered, with built form responding to important vantage points.

Within buildings, legibility is served by a clear hierarchy of spaces with identifiable entries and clear wayfinding. Externally, buildings and spaces should allow their purpose to be easily understood, and provide clear distinction between public and private spaces.

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

8. Safety

Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.
Safety and security is promoted by maximising opportunities for passive surveillance of public and communal areas and providing clearly defined, well-lit, secure access points that are easily maintained and appropriate to the purpose of the development.

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

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

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

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

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

10. Aesthetics

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

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

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

6. Amend Section 9.6 to address the inclusion of additional information to be circulated with the agenda package:

9.6 Items listed on the agenda are to be accompanied with a package of information including minimum drawing requirements, information relating to the preliminary assessment of the proposal against relevant statutory criteria and an indication of any particular aspects of the proposal requiring the Panel’s comment.

7. Amend Section 9.8 to include additional responsibilities of the Panel Chair:

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

8. Amend Section 9.9 to introduce the requirement for a proponent presentation:

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

9. Amend Sections 9.11, 9.12 and 9.13 to record the meeting in a ‘Report’ format in lieu of meeting ‘notes’:

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

9.12 Design Review Reports will be included (in full) in any subsequent report on the particular development application or proposal under consideration.
9.13 Items considered at the meeting will not be formally voted upon. The Design Review Report will record consensus agreement on actions and any points of agreement/disagreement. The report will not reflect verbatim discussion on issues or matters discussed during debate prior to consensus agreement being reached. At the end of each meeting, the City Officers will read out the agreed actions and any points of agreement to the meeting to ensure they accurately reflect the consensus view.

10. Replace the word ‘applicant’ with the word ‘proponent’ throughout the Policy.

Committee Voting – 4/0

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

<table>
<thead>
<tr>
<th>Implications of the Changes to the Officer’s Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
# Engineering and Parks Services

## Asset Services

<table>
<thead>
<tr>
<th><strong>Reference No &amp; Subject:</strong></th>
<th><strong>EP-005/17</strong> Tender T16/17-77 – Construction of the inclusive play space</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>File No:</strong></td>
<td>T16/17-77</td>
</tr>
<tr>
<td><strong>Proponent/s:</strong></td>
<td>Mrs Danielle Quinlivan, Coordinator Projects</td>
</tr>
<tr>
<td><strong>Author:</strong></td>
<td>Mr Kelton Hincks, Manager Asset Services</td>
</tr>
<tr>
<td><strong>Date of Committee Meeting:</strong></td>
<td>19 June 2017</td>
</tr>
<tr>
<td><strong>Previously before Council:</strong></td>
<td>May 2014 (CD-017/14); September 2015 (CD-039/15); August 2016 (CD-028/16)</td>
</tr>
<tr>
<td><strong>Disclosure of Interest:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Nature of Council’s Role in this Matter:</strong></td>
<td>Executive</td>
</tr>
</tbody>
</table>

**Site:**
- Lot 4038 San Javier Circle, Secret Harbour, Reserve: R44449
- Lot Area: 21,154m²

**Maps/Diagrams:**
1. Artist impression of Inclusive Play Space
2. Location Map: Inclusive Play Space
3. Aerial image of location of Inclusive Play Space on Secret Harbour Foreshore

---

1. Artist impression of the Inclusive Play Space
2. Location Map: Inclusive Play Space

3. Aerial image of location of Inclusive Play Space on Secret Harbour Foreshore
**Purpose of Report**

Provide Council with details of the tenders received for Tender T16/17-77 Construction of the inclusive play space, document the results of the tender assessment and make recommendations regarding award of the tender.

**Background**

Tender T16/17-77 Construction of the inclusive play space was advertised in the West Australian on Saturday, 22 April, 2017. The Tender closed at 2.00pm, Wednesday, 17 May 2017 and was publicly opened immediately after the closing time.

**Details**

The inclusive play space is located in Secret Harbour and is designed to include a large multi zone aquatic themed playground facility that is suitable for people with varying abilities.

Key elements of the design include:

- Fully fenced play area with multiple access points;
- Construction of a viewing platform to provide views of the horizon, as well as to provide wind and sun protection for the play elements underneath;
- A nature play area incorporating the existing trees;
- Quiet zones;
- Baby and toddler areas;
- Challenging play zone including climbing ropes;
- Shaded BBQ and seating areas; and
- Connecting accessible footpaths throughout the space.

As part of the design phase of this project, there was a requirement of the design consultant to provide a bill of quantities and cost estimates. This was provided by Ralph Beattie Bosworth (RBB) through the head consultant EPCAD and formed the basis for the budget of $1.7 million.

Unfortunately the estimate provided through the consultants was much lower than all six tender submissions which resulted in a median price of $2,180,632.

A panel comprising of Coordinator Projects, Project Officer and Manager Asset Services reviewed the tenders in accordance with the advertised tender assessment criteria to ensure all tenders had addressed the requirements correctly.

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

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

Aspiration C: Quality Leadership

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

d. Policy

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

e. Financial

The total budget for this project is $1,700,000.

The Secret Harbour Inclusive Play Space project incorporates grant funding from the following organisations:

- Lotterywest - $450,000 (approved 22 December 2016, valid for one calendar year)
- Rockingham Rotary - $5,000

f. Legal and Statutory

In accordance with section 3.57 of the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11(1), tenders were publicly invited.

In accordance with clause 1.11 of the Request for Tender and the Local Government (Functions and General) Regulations 1996, Part 4, Division 2, Regulation 18, Paragraph (2) tenders can be declined.

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 assessment panel considered the six tender submissions against the compliance criteria and the price estimates supplied by EPCAD. The panel concluded that while the tenderers demonstrated the ability to carry out the works to the required standard, the price schedules offered by the tenderers do not meet the independent market assessment value provided by the design consultant. The City also does not have the ability within the tender conditions to negotiate a revised price for the contract to a value within the existing budget.

In this regard, it is recommended that Council decline all Tenders in accordance with clause 1.11 of the Request for Tender and the Local Government (Functions and General) Regulations 1996, Part 4, Division 2, Regulation 18, Paragraph (2).

The City will work with the design consultants and the Disability Inclusion and Advisory Committee to review the scope, specification and designs without compromising the play space opportunities. The tender will then be readvertised as soon as possible.

1 Correction of typographical error
Voting Requirements

Simple Majority

Officer Recommendation

That Council **DECLINES** all tender submissions received for T16/17-77 - Construction of the Secret Harbour Inclusive Play Space.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Liley:

That Council:

1. **DECLINES** all tender submissions received for T16/17-77 - Construction of the Secret Harbour Inclusive Play Space.

2. **DELEGATES** authority to the Chief Executive Officer to enter into a contract for the construction of the Inclusive Play Space subject to:
   (i) design principles and original project characteristics being realised; and
   (ii) maximum budget amount of $2,035,000.

3. **ALLOCATES** an extra $335,000 in the 2016/2017 financial year for construction of the Inclusive Play Space.

Committee Voting – 4/0

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

To ensure that the construction of the Inclusive Play Space occurs as soon as possible.

Implications of the Changes to the Officer's Recommendation

Not Applicable
## Purpose of Report

Provide Council with details of the tenders received for Tender T16/17-72 – Standing offer for plumbing services, document the results of the tender assessment and make recommendations regarding award of the tender.

## Background

Tender T16/17-72 – Standing offer for plumbing services was advertised in the West Australian on Saturday, 22 April 2017. The Tender closed at 2.00pm, Wednesday, 10 May 2017 and was publicly opened immediately after the closing time.

## Details

The type of works to be undertaken under the contract shall include maintenance and or repair of any item of plumbing or gas infrastructure including scheduled servicing of grease traps.

Submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finestone Investments Pty Ltd trading as Ace Plus</td>
</tr>
</tbody>
</table>
A panel comprising the Manager Asset Services, Contracts Officer and Operations Supervisor undertook tender evaluations.

The term of the contract will be for 36 months.

Detailed under clause 1.2 of the General Conditions requires the Form of Tender to be submitted in hardcopy format. Swift Flow Pty Ltd and Hilton Plumbing Maintenance supplied their information saved to a USB and as a result were not assessed by the panel.

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

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joel Hunter trading as Drip Hunters Plumbing &amp; Gas</td>
</tr>
<tr>
<td>Morris and Loppolo Pty Ltd trading as MI Plumbers</td>
</tr>
<tr>
<td>Brian Gregson Management Services Pty Ltd trading as Australian Utility Services</td>
</tr>
<tr>
<td>GPS Plumbing &amp; Gas Services Pty Ltd</td>
</tr>
<tr>
<td>Rowson’s Plumbing Services Pty Ltd</td>
</tr>
<tr>
<td>Apollo Plumbing &amp; Gas Pty Ltd</td>
</tr>
<tr>
<td>Syphonic Plumbing and Gas Pty Ltd trading as Davis Plumbing &amp; Gas</td>
</tr>
<tr>
<td>Majestic Plumbing Pty Ltd</td>
</tr>
<tr>
<td>Charter Holdings Pty Ltd trading as Charter Plumbing &amp; Gas</td>
</tr>
<tr>
<td>Richpoint Pty Ltd trading as HA Young Plumbing</td>
</tr>
<tr>
<td>Hilton Plumbing (Non Compliant)</td>
</tr>
<tr>
<td>PAC Developments Pty Ltd Allsworth Family Trust trading as Snap Plumbing &amp; Construction Pty Ltd</td>
</tr>
<tr>
<td>Ronald Wade and Kim Wade trading as R&amp;K Wade Plumbing, Drainage &amp; Gas fitting</td>
</tr>
<tr>
<td>Boeing Plumbing Pty Ltd</td>
</tr>
<tr>
<td>Swift Flow Plumbing &amp; Gas (Non Compliant)</td>
</tr>
<tr>
<td>Aspen Plumbing and Gas Pty Ltd</td>
</tr>
<tr>
<td>Access Without Barriers Pty Ltd trading as AWB Building Co.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Level of Service</th>
<th>Status of Organisation</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finestone Investments Pty Ltd trading as Ace Plus</td>
<td>24.67</td>
<td>23.00</td>
<td>32.50</td>
<td>80.17</td>
<td></td>
</tr>
<tr>
<td>Richpoint Pty Ltd trading as HA Young Plumbing</td>
<td>21.08</td>
<td>20.33</td>
<td>35.70</td>
<td>77.12</td>
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<tr>
<td>Access Without Barriers Pty Ltd trading as AWB Building Co.</td>
<td>21.75</td>
<td>20.33</td>
<td>34.80</td>
<td>76.88</td>
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<tr>
<td>Brian Gregson Management Services Pty Ltd trading as Australian Utility Services</td>
<td>20.08</td>
<td>20.17</td>
<td>36.60</td>
<td>76.85</td>
<td></td>
</tr>
</tbody>
</table>
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.

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
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<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morris and Loppolo Pty Ltd trading as MI Plumbers</td>
<td>18.92</td>
<td>30 Pts</td>
<td>16.33</td>
<td>40.00</td>
<td>75.25</td>
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<tr>
<td>Ronald Wade and Kim Wade trading as R&amp;K Wade Plumbing, Drainage &amp; Gas fitting</td>
<td>19.08</td>
<td>30 Pts</td>
<td>18.67</td>
<td>37.10</td>
<td>74.85</td>
</tr>
<tr>
<td>Apollo Plumbing &amp; Gas Pty Ltd</td>
<td>19.91</td>
<td>30 Pts</td>
<td>17.67</td>
<td>34.70</td>
<td>72.28</td>
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<tr>
<td>Boeing Plumbing Pty Ltd</td>
<td>19.58</td>
<td>30 Pts</td>
<td>19.17</td>
<td>32.50</td>
<td>71.25</td>
</tr>
<tr>
<td>PAC Developments Pty Ltd Allsworth Family Trust trading as Snap Plumbing &amp; Construction Pty Ltd</td>
<td>22.50</td>
<td>30 Pts</td>
<td>21.00</td>
<td>27.40</td>
<td>70.90</td>
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<tr>
<td>Majestic Plumbing Pty Ltd</td>
<td>20.58</td>
<td>30 Pts</td>
<td>16.67</td>
<td>33.30</td>
<td>70.55</td>
</tr>
<tr>
<td>Aspen Plumbing and Gas Pty Ltd</td>
<td>17.58</td>
<td>30 Pts</td>
<td>17.33</td>
<td>32.50</td>
<td>67.52</td>
</tr>
<tr>
<td>Charter Holdings Pty Ltd trading as Charter Plumbing &amp; Gas</td>
<td>19.58</td>
<td>30 Pts</td>
<td>15.00</td>
<td>32.50</td>
<td>67.08</td>
</tr>
<tr>
<td>Rowson's Plumbing Services Pty Ltd</td>
<td>21.75</td>
<td>30 Pts</td>
<td>18.83</td>
<td>26.30</td>
<td>66.88</td>
</tr>
<tr>
<td>Joel Hunter trading as Drip Hunters Plumbing &amp; Gas</td>
<td>16.58</td>
<td>30 Pts</td>
<td>17.67</td>
<td>32.50</td>
<td>66.75</td>
</tr>
<tr>
<td>GPS Plumbing &amp; Gas Services Pty Ltd</td>
<td>17.92</td>
<td>30 Pts</td>
<td>18.67</td>
<td>29.10</td>
<td>65.68</td>
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<tr>
<td>Syphonic Plumbing and Gas Pty Ltd trading as Davis Plumbing &amp; Gas</td>
<td>12.58</td>
<td>30 Pts</td>
<td>9.67</td>
<td>28.90</td>
<td>51.15</td>
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</table>

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**
   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 Objectives contained in the Community Plan 2015-2025:

   **Aspiration C:** Quality Leadership

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

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


d. **Policy**

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

e. **Financial**

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

The average annual expenditure on this service is $150,000.00.

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**

To successfully provide plumbing maintenance services under this contract, tenderers were asked to demonstrate their capacity to deliver effective quality management systems, detailed procedures, adequate resources and tracking systems. The submission received from Finestone Investments Pty Ltd trading as Ace Plus demonstrated the highest level of understanding of these requirements and is therefore recommended as the preferred tenderer.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **ACCEPTS** the tender submitted from Finestone Investments Pty Ltd trading as Ace Plus for Tender T16/17-72 – Standing offer for plumbing services in accordance with the tender documentation for the contract period being for 36 months from the date of award.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Liley:

That Council **ACCEPTS** the tender submitted from Finestone Investments Pty Ltd trading as Ace Plus for Tender T16/17-72 – Standing offer for plumbing services in accordance with the tender documentation for the contract period being for 36 months from the date of award.

Committee Voting – 4/0

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2 Correction of typographical error
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<tr>
<th><strong>The Committee's Reason for Varying the Officer's Recommendation</strong></th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Implications of the Changes to the Officer's Recommendation</strong></td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
## Planning and Engineering Services

### Engineering Services

<table>
<thead>
<tr>
<th><strong>Reference No &amp; Subject:</strong></th>
<th>EP-007/17</th>
<th>Investigation of need for additional traffic signals on Warnbro Sound Avenue between Safety Bay Road and Palm Springs Boulevard</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>File No:</strong></td>
<td>WAR9-07</td>
<td></td>
</tr>
<tr>
<td><strong>Proponent/s:</strong></td>
<td>Cr Leigh Liley</td>
<td></td>
</tr>
<tr>
<td><strong>Author:</strong></td>
<td>Mr Qaisar Mehboob, Traffic Officer</td>
<td></td>
</tr>
<tr>
<td><strong>Other Contributors:</strong></td>
<td>Mr Chang Jayakody, Coordinator Planning, Design and Construction</td>
<td></td>
</tr>
<tr>
<td><strong>Date of Committee Meeting:</strong></td>
<td>19 June 2017</td>
<td></td>
</tr>
<tr>
<td><strong>Previously before Council:</strong></td>
<td>7 December 2015 (EP-049/15); 26 April 2016 (EP-013/16)</td>
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<td><strong>Disclosure of Interest:</strong></td>
<td>Executive</td>
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<tr>
<td><strong>Site:</strong></td>
<td>Warnbro Sound Avenue – SLK 0.05 to SLK 2.10</td>
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<tr>
<td><strong>Lot Area:</strong></td>
<td>Table 1: 2016 AM and PM Peak Hour Traffic Volumes; Table 2: 2021 AM and PM Peak Hour Traffic Volumes Table 7: Signalised Option of the Avenue/Warnbro Sound Avenue AM and PM Results</td>
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<tr>
<td><strong>LA Zoning:</strong></td>
<td>1. Locality Plan</td>
<td></td>
</tr>
<tr>
<td><strong>MRS Zoning:</strong></td>
<td>2. Typical three legged intersection (Kingsbridge Road)</td>
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<tr>
<td><strong>Attachments:</strong></td>
<td>3. Existing Warnbro Sound Avenue/The Avenue Intersection</td>
<td></td>
</tr>
<tr>
<td><strong>Maps/Diagrams:</strong></td>
<td>1. Locality Plan</td>
<td></td>
</tr>
</tbody>
</table>
Purpose of Report

This report is to inform the Council of the investigation undertaken regarding measures to improve the road safety conditions along Warnbro Sound Avenue between Safety Bay Road and Palm Springs Boulevard in Warnbro and recommend actions.

Background

In November 2015, the following Notice of Motion by Cr Liley was supported by Council:

“That Council DIRECT the Chief Executive Officer to undertake an investigation to determine if there is a need for an additional set of traffic lights along Warnbro Sound Avenue between Safety Bay Road and Palm Springs Boulevard, Warnbro.”

In April 2016 a traffic investigation report was submitted and Council adopted the following resolution:

“That the Chief Executive Officer UNDERTAKES a further investigation into ways to improve road safety, reduce speeding and improve ingress/egress along Warnbro Sound Avenue between Safety Bay Road and Palm Springs Boulevard”

In response to above resolution the City undertook a further detailed investigation.

Details

Warnbro Sound Avenue is a four lane carriageway classified as a District Distributor Road under the Main Roads Western Australia (MRWA) Metropolitan Road Hierarchy and carries a traffic volume of approximately 31,000 vehicles per day (two way flow).

The road is designed to provide an efficient north/south arterial route through the southern coastal suburbs of Warnbro, Port Kennedy, Secret Harbour and Golden Bay. The land use on both sides of the road is generally residential with minimal direct property access onto the carriageway.

The section of Warnbro Sound Avenue investigated for additional road safety measures, stretches between Safety Bay Road and Palm Springs Boulevard. The identified section has a length of approximately two kilometres and contains seven intersections, excluding the intersections at both ends. All of the midblock intersections are three legged T intersections. An example is shown in Figure 2.

2. Typical three legged intersection (Kingsbridge Road)
MRWA crash data states that, for the five years ending December 2015, there were 79 reported crashes within the identified section of road. The five intersections considered in the detailed performance analysis from Okehampton Road to Holcombe Road have, on average, 1.6 crashes per intersection per year.

The City has undertaken traffic surveys of a section of Warnbro Sound Avenue from Safety Bay Road to Port Kennedy Drive including visual surveys of specific intersections along Warnbro Sound Avenue from Safety Bay Road to Palm Springs Boulevard.

Recent speed monitoring data was obtained in August 2016 with the following results;

<table>
<thead>
<tr>
<th>Traffic Survey Location</th>
<th>85 Percentile Speed (August 2016)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warnbro Sound Avenue (between Warnbro Community High School and Holcombe Rd)</td>
<td>70.9 Km/h</td>
</tr>
<tr>
<td>Warnbro Sound Avenue (between Chelmsford Ave and Halliburton Ave)</td>
<td>70.2 Km/h</td>
</tr>
<tr>
<td>Warnbro Sound Avenue (between Bakewell Dr and San Sebastian Blvd)</td>
<td>74.2 Km/h</td>
</tr>
<tr>
<td>Warnbro Sound Avenue (between Blackburn Dr and Saltaire Way)</td>
<td>73.1 Km/h</td>
</tr>
<tr>
<td>Read Street (between Commodore Dr and Green St)</td>
<td>71.3 Km/h</td>
</tr>
<tr>
<td>Read Street (between Rae Rd and Council Ave)</td>
<td>68.8 Km/h</td>
</tr>
<tr>
<td>Read Street (between Jubilee Dr and Goongarrie Dr)</td>
<td>74.2Km/h</td>
</tr>
</tbody>
</table>

Subsequently, the traffic survey data was used by an independent traffic consultant, who was engaged to undertake a Signalised (and unsignalised) Intersection Design Research Aid (SIDRA) Network analysis of Warnbro Sound Avenue between Okehampton Road and Palm Spring Boulevard. SIDRA is specialised computer software to model the performance of an intersections network. The Analysis was undertaken for current year (2016) and future year (2021) considering morning and afternoon peak hour periods which would represent the worst case scenario in performance throughout a typical day.

The following two scenarios were considered for SIDRA Network Intersection Analysis.

- Do nothing; Existing Intersection Layout on Warnbro Sound Avenue with no changes.
- Installation of Signal/Roundabout at intersection where the performance on current intersection layout doesn’t meet the MRWA criteria.

The results of the SIDRA analysis provide outputs of four standard measures of operation performance, being Degree of Saturation (DoS), Average Delay, Queue Length, and Level of Service (LoS).

- **Degree of Saturation** is a measure of how much physical capacity is being used with reference to the full capability of the particular movement, approach, or overall intersection. A DoS of 1.0 equates to full theoretical capacity although in some instances this level is exceeded in practice. SIDRA uses maximum acceptable DoS of 0.90 for signalised intersections for its Design Life analysis. Design engineers typically set a maximum DoS threshold of 0.95 for new intersection layouts or modifications.

- **Average Delay** reports the average delay per vehicle in seconds experienced by all vehicles in a particular lane, approach, or for the intersection as a whole. For severely congested intersections the average delay begins to climb exponentially.

- **Queue Length** measures the length of approach queues. In this document we have reported queue length in terms of the length of queue at the 95th percentile (the maximum queue length that will not be exceeded for 95 percent of the time). Queue lengths provide a useful indication of the impact of signals on network performance. It also enables the traffic engineers to consider the likely impact of queues blocking back and impacting on upstream intersections and accesses.
Level of Service (LoS) is a combined appreciation of queuing incidence and delay time incurred, producing an alphanumeric ranking of A through F. A LoS of A indicates an excellent level of service whereby drivers delay is at a minimum and they clear the intersection at each change of signals or soon after arrival with little if any queuing. Values of B through D are acceptable in normal traffic conditions. Whilst values of E and F are typically considered undesirable, within central business district areas with significant vehicular and pedestrian numbers, corresponding delays/queues are unavoidable and hence, are generally accepted by road users.

An intersection layout is considered suitable if following conditions are satisfied:

- The intersection returns an overall Level of Service (LoS) C or better (a lower LoS may be acceptable as long as the Degree of Saturation (DOS) does not exceed certain limits).
- All individual movements are LoS D or better, and
- All 95% queue lengths are contained within the available storage space (i.e. adjacent intersections are not blocked, queues in turning pockets do not spill out into through lanes).

Based on current and future year performance of intersections, modifications have been recommended for those that are not performing at the required level of Service (LoS).

Graphical representation of traffic volumes for the years of 2016 and 2017 is outlined in Table 1 and Table 2 in the attachment.

The results of the SIDRA analysis under the existing unsignalised and future potential signalisation/ Roundabout options are shown on the following tables.

**Scenario No. 1: Do Nothing (Existing Intersections Layout)**

<table>
<thead>
<tr>
<th>Side Road</th>
<th>Critical Movement Av.</th>
<th>Delay (s) / LoS</th>
<th>Overall DOS</th>
<th>Longest 95% Queue (m)</th>
<th>Works?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Okehampton</td>
<td>RT to side road</td>
<td>30.5 / D</td>
<td>0.312</td>
<td>6.2</td>
<td>Yes</td>
</tr>
<tr>
<td>Arminister</td>
<td>RT to main road</td>
<td>28.9 / D</td>
<td>0.361</td>
<td>6.0</td>
<td>Yes</td>
</tr>
<tr>
<td>The Avenue</td>
<td></td>
<td>27.3 / D</td>
<td>0.362</td>
<td>5.5</td>
<td>Yes</td>
</tr>
<tr>
<td>Kingsbridge</td>
<td></td>
<td>25.9 / D</td>
<td>0.295</td>
<td>6.6</td>
<td>Yes</td>
</tr>
<tr>
<td>Holcombe</td>
<td></td>
<td>22.7 / C</td>
<td>0.530</td>
<td>15.3</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Table 3: Okehampton to Holcombe 2016 AM Results

<table>
<thead>
<tr>
<th>Side Road</th>
<th>Critical Movement Av.</th>
<th>Delay (s) / LoS</th>
<th>Overall DOS</th>
<th>Longest 95% Queue (m)</th>
<th>Works?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Okehampton</td>
<td>RT to side road</td>
<td>23.2 / C</td>
<td>0.375</td>
<td>9.3</td>
<td>Yes</td>
</tr>
<tr>
<td>Arminister</td>
<td>RT to main road</td>
<td>26.8 / D</td>
<td>0.367</td>
<td>4.9</td>
<td>Yes</td>
</tr>
<tr>
<td>The Avenue</td>
<td></td>
<td>25.0 / C</td>
<td>0.354</td>
<td>7.5</td>
<td>No</td>
</tr>
<tr>
<td>Kingsbridge</td>
<td></td>
<td>44.1 / E</td>
<td>0.349</td>
<td>6.9</td>
<td>Yes</td>
</tr>
<tr>
<td>Holcombe</td>
<td></td>
<td>23.3 / C</td>
<td>0.360</td>
<td>9.4</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Table 4: Okehampton to Holcombe 2016 PM Results

<table>
<thead>
<tr>
<th>Side Road</th>
<th>Critical Movement Av.</th>
<th>Delay (s) / LoS</th>
<th>Overall DOS</th>
<th>Longest 95% Queue (m)</th>
<th>Works?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Okehampton</td>
<td>RT to side road</td>
<td>32.8 / D</td>
<td>0.320</td>
<td>6.7</td>
<td>Yes</td>
</tr>
<tr>
<td>Arminister</td>
<td>RT to main road</td>
<td>29.4 / D</td>
<td>0.309</td>
<td>6.5</td>
<td>Yes</td>
</tr>
<tr>
<td>The Avenue</td>
<td></td>
<td>26.4 / D</td>
<td>0.309</td>
<td>6.0</td>
<td>Yes</td>
</tr>
<tr>
<td>Kingsbridge</td>
<td></td>
<td>25.9 / D</td>
<td>0.311</td>
<td>7.2</td>
<td>Yes</td>
</tr>
<tr>
<td>Holcombe</td>
<td></td>
<td>23.8 / C</td>
<td>0.573</td>
<td>17.0</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Table 5: Okehampton to Holcombe 2021 AM Results
Table 6: Okehampton to Holcombe 2021 PM Results

*RT: Right Turn

Summary of Do Nothing analysis:
The critical movement (having lowest LoS) at four of the unsignalised intersections on Warnbro Sound Avenue between Okehampton Road and Holcombe Road is forecasted to operate at LoS D or better in both year 2016 and year 2021 during AM peak period. The critical movement at the intersection of The Avenue & Warnbro Sound Avenue in the 2016 and 2021 PM peak periods is reflected to operate at LoS E which is below MRWA requirements. Taking this into consideration the remainder of the analysis in this report will focus on the Warnbro Sound Avenue/The Avenue intersection.

3. Existing Warnbro Sound Avenue/The Avenue Intersection

Scenario No. 2: Proposed Modifications

(i) Signallisation of The Avenue and Warnbro Sound Avenue

For this scenario, five options involving different lane configurations on The Avenue approach were considered. The performance on these five options were evaluated for the traffic volumes for AM and PM peaks for the years of 2016 and 2026. Option 2 comprising two lanes configuration on The Avenue Approach, is considered best as it provides the balance between intersection performance improvements and civil modifications. The performance summary of five options is shown on Table 7 in the attachment.
(ii) **Roundabout Installation at Intersection of The Avenue and Warnbro Sound Avenue**

In this scenario, the Warnbro Sound Avenue network is modelled with its intersection with The Avenue being converted to a roundabout. All other intersections are assumed to retain the same layout. This would be a dual carriageway roundabout with a 20 metre diameter central island which reflects the same design criteria as a number of other roundabouts along Warnbro Sound Avenue and Read Street. The roundabout layout of the Warnbro Sound Avenue / The Avenue intersection as modelled in SIDRA is shown below.

<table>
<thead>
<tr>
<th>Year/Peak</th>
<th>Av. Delay (s) / LOS</th>
<th>Overall DOS</th>
<th>Longest 95% Queuel (m)</th>
<th>Works?</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015 AM</td>
<td>5.6 / A</td>
<td>10.8 / B</td>
<td>0.395</td>
<td>Yes</td>
</tr>
<tr>
<td>2015 PM</td>
<td>5.5 / A</td>
<td>12.4 / B</td>
<td>0.470</td>
<td>Yes</td>
</tr>
<tr>
<td>2021 AM</td>
<td>5.6 / A</td>
<td>10.9 / B</td>
<td>0.406</td>
<td>Yes</td>
</tr>
<tr>
<td>2021 PM</td>
<td>5.5 / A</td>
<td>12.5 / B</td>
<td>0.482</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Summary of Roundabout results:**

Significant performance improvements are likely at the Warnbro Sound Avenue/The Avenue intersection if converted to a roundabout. The LoS of critical movements has improved from E to B. The implementation of a roundabout at this intersection is not considered feasible due to then following reasons;

- Significant cost associated with land acquisition.
- Access to adjacent properties.
- Safety issues given the proximity of the Childcare Facility.
- Relocation of services i.e. telecommunication, drainage etc.
- Construction cost associated with roundabout installation and other considerations.

A drawing of the proposed roundabout option is shown underneath reflecting the impact on the abutting properties.
(iii) Installation of two lanes on The Avenue Approach

In this scenario, civil modification and delineation to install two lanes on the approach lanes of The Avenue approach to Warnbro Sound Avenue. This will create dedicated left and right turn lanes. All other intersections are assumed to retain the same layout.

Summary of civil modification on the Avenue approach results:

The civil modification will allow the left turning vehicles on The Avenue approach to merge with the traffic stream on Warnbro Sound Avenue without sharing a lane with right turning vehicles on the same approach and this will improve the operational efficiency of this intersection. This is a cost effective option that will improve the operation of the intersection.

Implications to Consider

a. Consultation with the Community
Nil

b. Consultation with Government Agencies

Authorisation to install traffic signals lies with the Commissioner of MRWA. As a result, the City would require ‘in principal’ approval from MRWA in order to begin the process of installing traffic signals at any intersection.

c. Strategic

Community Plan

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

**Aspiration C:** Quality Leadership

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

d. Policy
Nil

e. Financial

It is expected that expenditure of approximately $100,000 would be required to install two lanes on The Avenue. No funds are currently identified in the business plan for this project.

f. Legal and Statutory

*Road Traffic Act 1974 (Regulations) Section 111(2)(a)(iii)* allows for the Governor of Western Australia to make regulations empowering Main Roads to erect traffic signs and traffic control devices.

*Main Roads Act 1930 section 16(1b) and (1c)* The Commissioner is deemed to always having the authorization to operate traffic signs and traffic control signals and similar devices.

*Local Government Act 1995 Section 9.46(1)* provides that roads vested under the control and management of a local government are to be considered property of the local government.

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

SIDRA modelling examines the current and future performance of a section of Warnbro Sound Avenue between Okehampton Road and Palm Springs Boulevard under the existing intersection configurations, as well as potential signalisation and roundabout layouts for intersections that are not likely to perform satisfactorily for traffic volume in year 2021.

The results of the SIDRA assessment indicates that the existing unsignalised intersections are operating efficiently, with minimal vehicular queuing or delays on all approaches except at the intersection of The Avenue/Warnbro Sound Avenue.

A roundabout option is anticipated to improve the operating efficiency and road safety condition at intersection of The Avenue and Warnbro Sound Avenue which involves higher proportion of right angle crashes as reflected in MRWA last five years crash data. This option is not feasible due to various construction and property access concerns as explained previously in this report.

MRWA have formally informed the City that they will not approve traffic signals at The Avenue and Warnbro Sound Avenue intersection.

The civil modification and delineation to install two lanes for exclusive left and right turn pockets on The Avenue approach is recommended. This civil modification will allow the left turning vehicles on The Avenue approach to merge with the traffic stream on Warnbro Sound Avenue without sharing lane with right turning vehicles on the same approach which will improve operational efficiency of this intersection.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:
1. **ACCEPTS** the findings of the report that signalised intersections along Warnbro Sound Avenue between Safety Bay Road and Palm Spring Boulevard is neither required nor supported by MRWA.
2. **ACCEPTS** the findings of the report that a roundabout at the intersection of The Avenue and Warnbro Sound Avenue is not supported due to the implications relating to property access and constructability.
3. **DIRECTS** the Chief Executive Officer to include in the City’s Business Plan for the year 2018-2019, the widening of The Avenue approach to two lanes at intersection of Warnbro Sound Avenue.

Committee Recommendation

Moved Cr Liley, seconded Cr Summers:

That Council:
1. **ACCEPTS** the findings of the report that signalised intersections along Warnbro Sound Avenue between Safety Bay Road and Palm Spring Boulevard is neither required nor supported by MRWA.
2. **ACCEPTS** the findings of the report that a roundabout at the intersection of The Avenue and Warnbro Sound Avenue is not supported due to the implications relating to property access and constructability.
3. **DIRECTS** the Chief Executive Officer to include in the City’s Business Plan the widening of The Avenue approach to two lanes at intersection of Warnbro Sound Avenue.

Committee Voting – 4/0
<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>
</tr>
</tbody>
</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>
<tr>
<td></td>
</tr>
<tr>
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</tr>
</tbody>
</table>
### 15. Motions of which Previous Notice has been given

#### Planning and Development Services

**Planning and Development Services**

**Strategic Planning and Environment**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-032/17</th>
<th>Notice of Motion - Contribution to the Cockburn Sound Management Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>EVM/94</td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>Ms Natalie Elliott, A/Manager Strategic Planning and Environment</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr James Henson, A/Director Planning and Development Services</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>19 June 2017</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>September 2008 (CES305/9/08)</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>Executive</td>
<td></td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Purpose of Report

To provide Officer comment and advice on Cr Chris Elliott's Notice of Motion, regarding a contribution to the Cockburn Sound Management Council.

#### Background

Cr Elliott gave notice of the following motion at the May 2017 Council meeting:

“That Council **APPROVES** a contribution of $30,000 to the Cockburn Sound Management Council for the purposes of the Cockburn Sound - Drivers, Pressures, State, Impacts, Responses Assessment.”

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 JULY 2017

PRESIDING MEMBER
The Cockburn Sound extends from the Garden Island Causeway in the south to Woodman Point in the north and supports a range of social, environmental, economic values. It is bound by the Cities of Rockingham, Cockburn and Kwinana to the east and Garden Island to the west (Figure 1).

A number of state government agencies are responsible for monitoring and management of the Cockburn Sound, including the Environmental Protection Authority (EPA), Department of Environment Regulation (DER), Department of Transport, Department of Fisheries and the Cockburn Sound Management Council (CSMC).

The CSMC was established under section 25 of the Environmental Protection Act 1986 (EP Act) and provides advice to the Minister for Environment. The CSMC is supported by the DER and includes representatives from the community, conservation groups, industry and government agencies, as well as the Cities of Rockingham, Cockburn and Kwinana. Specifically, the CSMC Terms of Reference are to:

1. Facilitate and coordinate stakeholder and community input into the environmental management of Cockburn Sound, particularly in regard to the protection and maintenance of water quality and associated environmental values for the Cockburn Sound marine area.
2. Oversee and coordinate environmental monitoring and research investigative studies in Cockburn Sound.
3. Provide advice to the Minister for Environment on the environmental management of Cockburn Sound, particularly in regard to the protection and maintenance of water quality and associated environmental values for the Cockburn Sound marine area.
4. Report to the Minister for Environment and the community on the state of the environment of Cockburn Sound.

In accordance with the Terms of Reference, the CSMC is responsible for collating a range of scientific data to monitor the overall health of the Cockburn Sound relative to the complex drivers and pressures it is susceptible to; including the impacts of industry, urban catchments, climate change and recreational use.

The last formal assessment of Cockburn Sound and its catchment was undertaken in 2001. Since that time, new environmental pressures have emerged and the CSMC has identified a comprehensive and critical assessment of the Cockburn Sound to be of high priority.

**Details**

In terms of these environmental pressures, it has been brought to our attention that the CSMC is undertaking an assessment of the Cockburn Sound, using a Drivers - Pressures - State - Impacts - Responses (DPSIR) Assessment approach that seeks to:

1. Identify and evaluate the environmental, social, cultural and economic driving forces and pressures affecting the environmental values of the Cockburn Sound marine area.
2. Describe and assess the actual and potential impacts and their effects on the environmental values of the Cockburn Sound marine area, including direct, indirect, consequential and cumulative impacts and impacts from past and present activities.
3. Describe and assess the current condition and trends in the environmental values of the Cockburn Sound marine area.
4. Evaluate the effectiveness of existing management arrangements to manage impacts and protect the environmental values of the Cockburn Sound marine area.
5. Assess the risks to the environmental values of the Cockburn Sound marine area, based on an evaluation of trends in driving forces and pressures, the effects of identified impacts, current condition and trends, the effectiveness of current management and the resilience of the Cockburn Sound ecosystem.
6. Describe the likely long-term outlook for the environmental values of the Cockburn Sound marine area, based on an evaluation of actual and potential impacts, current condition and trends, the effectiveness of management arrangements, the resilience of the Cockburn Sound ecosystem and the overall risk assessment.
7. Identify key knowledge gaps and priorities for research, modelling and monitoring to address critical information needs.

The DER has committed $250,000 to the project and on this basis, the CSMC has commissioned BMT Oceanica to undertake the DPSIR Assessment. BMT Oceanica will consult with the community and key stakeholders, while also analysing existing research datasets from academic institutions and government agencies to better understand the following key pressures and potential impacts:

<table>
<thead>
<tr>
<th>Pressures</th>
<th>Potential Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aquaculture</td>
<td>• Excess nutrients</td>
</tr>
<tr>
<td></td>
<td>• Spread of diseases</td>
</tr>
<tr>
<td>Coastal structures (jetties, seawalls, groynes etc.)</td>
<td>• Change in coastal configuration</td>
</tr>
<tr>
<td></td>
<td>• Change in social use/access</td>
</tr>
<tr>
<td></td>
<td>• Change in hydrodynamics</td>
</tr>
<tr>
<td>Defence</td>
<td>• Coastal and marine access</td>
</tr>
<tr>
<td></td>
<td>• Diffuse source discharges associated with shipping and harbour operations</td>
</tr>
<tr>
<td></td>
<td>• Groundwater contamination</td>
</tr>
<tr>
<td></td>
<td>• Dredging</td>
</tr>
</tbody>
</table>
### Pressures

#### Fishing and boating
- Increased fish takes
- Marine fauna strikes
- Anchoring
- Dredging
- Fuel spills/waste

#### Industry
- Diffuse source pollution
- Groundwater contamination
- Point source discharges
- Atmospheric disposition
- Industrial water use

#### Shipping and shipping channels
- Dredging
- Introduced marine pest species
- Vessel strikes
- Bio-fouling controls
- Fire-fighting controls
- Contaminant spills (ship loading and bunkering)

#### Urban catchment
- Pollution from urban run-off
- Groundwater contamination
- Coastal development
- Change in social uses

#### Wastewater management
- Municipal wastewater discharges

BMT Oceanica will submit the draft DPSIR Assessment Report to the CSMC in June 2017. This report will detail the current state of Cockburn Sound and identify key information gaps, as well as noting where current management responses and monitoring may be in excess of what is required.

The second stage of the project involves a peer review of the DPSIR Assessment Report to validate the findings. While the contribution from the DER is sufficient to fund the assessment itself, it is not enough to cover the cost of the peer review.

For this reason, the CSMC is seeking additional funding from a range of stakeholders, however, the list of potential contributors and the total cost of the review remains unknown. Despite these unknowns, a request has been made for the City to contribute $30,000 to cover a proportion of the cost of the peer review. These funds will enable:

- An independent review of the findings by the EPA.
- An external review of the DPSIR Assessment by an independent body to confirm scientific validity of the findings.

Note: The EPA is a state government authority with responsibilities under the EP Act providing advice to the Minister for Environment through the Office of the EPA (OEPA). There is a Memorandum of Understanding (MoU) for Collaborative Arrangements (2010) between the OEPA and the DER which establishes the framework for both agencies to perform its respective statutory functions under the EP Act.

### 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:** A 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 genuinely desirable lifestyle.

d. Policy
Nil

e. Financial
Nil

f. Legal and Statutory
The CSMC is established under section 25 of the EP Act, which states that:

(1) The Minister or the Authority may establish such groups, committees, councils and panels —

   (a) as he or it thinks are necessary for the purpose of advising him or it on the administration of this Act; and

   (b) with such terms of reference in each case as he or it thinks fit.

(2) The Minister or the Authority may appoint such persons as he or it thinks fit to any group, committee, council or panel established by him or it under subsection (1).

(3) A member of a group, committee, council or panel appointed under subsection (2) is entitled to such remuneration and allowances as are on the recommendation of the Public Sector Commissioner determined by the Minister or the Authority, as the case requires, in his case.

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 does not dispute the importance of the proposed work, recognising that a peer reviewed assessment of this nature will offer scientifically robust assurance that the Cockburn Sound is healthy, resilient and being effectively managed.

Notwithstanding, the Terms of Reference clearly outline that undertaking such assessments is a core function of the CSMC and that the DER is responsible for providing administrative and operational support.

Moreover, the requested contribution would in part fund the peer review by the EPA, a separate state government authority which already provides collaborative assistance to the DER in accordance with an operational Memorandum of Understanding.

Clearly there are synergies in operating collectively with other state agencies, however, as the City does not have management responsibility over the Cockburn Sound, careful consideration needs to be given to whether it is appropriate to fund activities which are outside City jurisdiction.

On this basis alone, it is recommended that Council not support a financial contribution to the CSMC.
Voting Requirements

Simple Majority

Officer Recommendation

That Council *NOT SUPPORT* a contribution of $30,000 to the Cockburn Sound Management Council for the purposes of the Cockburn Sound - Drivers, Pressures, State, Impacts, Responses Assessment.

Notice of Motion from Cr Elliott

That Council *APPROVES* a contribution of $30,000 to the Cockburn Sound Management Council for the purposes of the Cockburn Sound - Drivers, Pressures, State, Impacts, Responses Assessment.

Committee Recommendation

Moved Cr Elliott, seconded Cr Summers:

That Council *APPROVES* a contribution of $30,000 to the Cockburn Sound Management Council for the purposes of the Cockburn Sound - Drivers, Pressures, State, Impacts, Responses Assessment.

Committee Voting – 4/0

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

The Committee wanted to ensure that the peer review of the DPSIR Assessment was undertaken.

Implications of the Changes to the Officer’s Recommendation

Not Applicable
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>16.</strong> Notices of Motion for Consideration at the Following Meeting</td>
<td>Nil</td>
</tr>
<tr>
<td><strong>17.</strong> Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
<td>Nil</td>
</tr>
<tr>
<td><strong>18.</strong> Matters Behind Closed Doors</td>
<td>Nil</td>
</tr>
<tr>
<td><strong>19.</strong> Date and Time of Next Meeting</td>
<td>The next Planning and Engineering Services Committee Meeting will be held on <strong>Monday 17 July 2017</strong> in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
</tr>
<tr>
<td><strong>20.</strong> Closure</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>5:27pm</strong>.</td>
</tr>
</tbody>
</table>