# City of Rockingham

## Planning and Engineering Services Committee Meeting Minutes

### Monday 18 May 2015

## CONTENTS

1. Declaration of Opening  
2. Record of Attendance/Apologies/Approved Leave of Absence  
3. Responses to Previous Public Questions Taken on Notice  
4. Public Question Time  
5. Confirmation of Minutes of the Previous Meeting  
6. Matters Arising from the Previous Minutes  
7. Announcement by the Presiding Person without Discussion  
8. Declaration of Member’s and Officer’s Interest  
9. Petitions/Deputations/Presentations/Submissions  
10. Matters for which the Meeting may be Closed  
11. Bulletin Items  
12. Agenda Items – Planning and Engineering Services Committee

### Planning and Development Services

- PDS-030/15 Nomination of a Councillor to the Peron Naturaliste Partnership Board  
- PDS-031/15 Proposed Building Envelope Variation  
- PDS-032/15 Final Adoption - Scheme Amendment No.143 - Rezoning from 'Rural' to 'Special Residential'  
- PDS-033/15 Proposed Scheme Amendment No.123 - Omnibus Amendment to Town Planning Scheme No.2  
- PDS-034/15 Bushfire Risk Management Pilot Project - Warnbro Dunes

### Engineering and Parks Services

- EP-010/15 Tender T14/15-61 – Period supply and/or application of granular fertiliser and soil wetting agents  
- EP-011/15 Tender T15/16-01 - Period hire of road construction and other miscellaneous plant, trucks and rubbish compactor trucks  
- EP-014/15 Tender T15/16-06 – Period supply and delivery of brick pavers  
- EP-015/15 Tender T15/16-07 – Installation of brick pavers  
- EP-016/15 W14/15-91 – Period supply of electricity to nominated sites within the City of Rockingham  
- EP-017/15 Support for Speed Limit Change – Kerosene Lane, Baldivis  
- EP-018/15 Tender T15/16-03 – Verge waste collection service  
- EP-019/15 Heavy Vehicle Haulage Applications
<table>
<thead>
<tr>
<th></th>
<th>Agenda Item</th>
<th>Page</th>
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<tbody>
<tr>
<td>13.</td>
<td>Reports of Councillors</td>
<td>111</td>
</tr>
<tr>
<td>14.</td>
<td>Addendum Agenda</td>
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</tr>
<tr>
<td>15.</td>
<td>Motions of which Previous Notice has been given</td>
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<td>16.</td>
<td>Notices of Motion for Consideration at the Following Meeting</td>
<td>111</td>
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<tr>
<td>17.</td>
<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
<td>111</td>
</tr>
<tr>
<td>18.</td>
<td>Matters Behind Closed Doors</td>
<td>111</td>
</tr>
<tr>
<td>19.</td>
<td>Date and Time of Next Meeting</td>
<td>111</td>
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<td>20.</td>
<td>Closure</td>
<td>111</td>
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</table>
1. **Declaration of Opening**

The Chairperson declared the Planning and Engineering Services Committee Meeting open at **4.00pm**, welcomed all present, and delivered the Acknowledgement of Country.

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

<table>
<thead>
<tr>
<th>2.1 Councillors</th>
<th>Chairperson</th>
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<tbody>
<tr>
<td>Cr Richard Smith (Deputy Mayor)</td>
<td>Chairperson</td>
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<tr>
<td>Cr Chris Elliott</td>
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<tr>
<td>Cr Ron Pease JP</td>
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<tr>
<td>Cr Deb Hamblin</td>
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<tr>
<td>Cr Joy Stewart</td>
<td>(Deputy for Cr Allan Hill)</td>
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</tbody>
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<table>
<thead>
<tr>
<th>2.2 Executive</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Mr Andrew Hammond</td>
<td>Chief Executive Officer</td>
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<tr>
<td>Mr Bob Jeans</td>
<td>Director Planning and Development Services</td>
</tr>
<tr>
<td>Mr John Woodhouse</td>
<td>Director Legal Services and General Counsel</td>
</tr>
<tr>
<td>Mr Chris Thompson</td>
<td>Director Engineering and Parks Services</td>
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<tr>
<td>Mr Peter Ricci</td>
<td>Project Manager Keralup</td>
</tr>
<tr>
<td>Mr Brett Ashby</td>
<td>Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Mr Richard Rodgers</td>
<td>Manager Building Services (until 4.27pm)</td>
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<tr>
<td>Mr Mike Ross</td>
<td>Manager Statutory Planning</td>
</tr>
<tr>
<td>Mr Rod Fielding</td>
<td>Manager Health Services (until 4.27pm)</td>
</tr>
<tr>
<td>Mr Ian Daniels</td>
<td>Manager Engineering Services</td>
</tr>
<tr>
<td>Mr Gary Rogers</td>
<td>Manager Procurement and Projects (until 4.27pm)</td>
</tr>
<tr>
<td>Mr Kelton Hincks</td>
<td>Manager Asset Services (until 4.27pm)</td>
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<tr>
<td>Mr James Henson</td>
<td>Manager Parks Development</td>
</tr>
<tr>
<td>Mr Stuart McCarthy</td>
<td>Manager Engineering Operations</td>
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<tr>
<td>Mr Adam Johnston</td>
<td>Manager Parks Operations</td>
</tr>
<tr>
<td>Mr Allan Moles</td>
<td>Manager Integrated Waste Services</td>
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<tr>
<td>Ms Melinda Wellburn</td>
<td>PA to Director Planning and Development Services</td>
</tr>
</tbody>
</table>

| 2.3 Members of the Gallery:    | 1                                 |
| 2.4 Apologies:                 | Nil                               |
| 2.5 Approved Leave of Absence: | Nil                               |
3. **Responses to Previous Public Questions Taken on Notice**

   Nil

4. **Public Question Time**

   4.01pm  The Chairperson invited members of the Public Gallery to ask questions. There were none.

5. **Confirmation of Minutes of the Previous Meeting**

   Moved Cr Pease, seconded Cr Stewart:

   That Committee **CONFIRM** the Minutes of the Planning and Engineering Services Committee Meeting held on 20 April 2015, as a true and accurate record.

   Committee Voting – 5/0

6. **Matters Arising from the Previous Minutes**

   Nil

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

   4.01pm  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**

   4.02pm  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**

    **Engineering and Parks Services Information Bulletin – May 2015**

    **Engineering Services**
    1. Engineering Services Team Overview
    2. Human Resource Update
    3. Project Status Reports
    4. Information Items
       4.1 Delegated Authority for Temporary Thoroughfare Closures
       4.2 Delegated Authority for the payment of Crossover Subsidies
       4.3 Delegated Authority to approve the release of Bonds for subdivisional works
       4.4 Delegated Authority to approve of Engineering Drawings - Subdivisions
       4.5 Delegated Authority for approval of Directional Signage
       4.6 Delegated Authority for Notices given under s3.25 (1)(a) LG Act 1995 (Minimising Sand Drift)
       4.7 Temporary change to authorised Heavy Vehicle network
       4.8 Engineering Services Design Projects 2014/2015
       4.9 Handover of Subdivisional Road
| 4.10 | Structure Plan Referrals |
| 4.11 | Traffic Report Referrals |
| 4.12 | Urban Water Management Referrals |
| 4.13 | Subdivision Approval Referrals |
| 4.14 | Subdivision Clearance Requests |
| 4.15 | Development Application Referrals |
| 4.16 | Telephone Lane Bridge |
| 4.17 | Negotiating a new State Road Funds to Local Government Agreement Survey results |

**Engineering Operations**

1. Engineering Operations Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   - 4.1 Completed Road Construction Projects
   - 4.2 Road Construction Program Roads to Recovery 2014/2015
   - 4.3 Road Construction Program Main Roads Direct Grant 2014/2015
   - 4.4 Road Construction Program Main Roads Grant 2014/2015
   - 4.5 Road Construction Program Municipal Works 2014/2015
   - 4.6 Road Renewal Program Municipal Works 2014/2015
   - 4.7 Drainage Program Municipal Works 2014/2015
   - 4.8 Footpath Construction Program Municipal Works 2014/2015
   - 4.9 Road Maintenance Program 2014/2015
   - 4.10 Litter Team and Sweeping 2014/2015
   - 4.11 LitterBusters 2014/2015
   - 4.12 Passenger Vehicle Fleet Program 2014/2015
   - 4.13 Light Commercial Vehicles Program 2014/2015
   - 4.14 Heavy Plant Program 2014/2015

**Parks Development**

1. Parks Development Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 Golden Bay Shared Use Oval
   - 3.2 Reef Place Reserve Development
   - 3.3 Vegetation Prioritisation Review
   - 3.4 Tamworth Hill Swamp, Revegetation
   - 3.5 City Parks - Central Irrigation Management System
   - 3.6 Safety Bay Foreshore Infrastructure - Lumia Apartments Public Open Space Cash in Lieu upgrades
   - 3.7 Richmond Avenue Drainage Reserve Upgrade
4. Information Items
   - 4.1 Groundwater Monitoring
   - 4.2 ANZAC Centenary
   - 4.3 Kulija Road Environmental Offsets
   - 4.4 Climate Change Mitigation
   - 4.5 Lake Richmond Heritage Listing
   - 4.6 Dixon Road Conservation Reserve AAG Funding
   - 4.7 Urban Water Management Referrals
   - 4.8 Structure Plan Approval Referrals
   - 4.9 Subdivision Approval Referrals
   - 4.10 Development Application Referrals
   - 4.11 Delegated Subdivision Public Open Space Practical Completion
4.12 Delegated Subdivision Public Open Space Handovers  
4.13 Delegated Public Open Space Approvals  
4.14 Memorial Seat Approvals  

**Parks Operations**  
1. Parks Operation Team Overview  
2. Human Resource Update  
3. Project Status Reports  
   3.1 Beach Lookout Replacement - Secret Harbour Foreshore  
   3.2 Replace Footpath, Lookout Pad and Fencing to Lookout at Singleton Beach Foreshore  
   3.3 Limestone Access Footpath Upgrades – Warnbro Foreshore - Cote D'Azur Gardens, Dieppe Lane and Bayeux Avenue  
   3.4 Replace Foreshore Conservation Fencing - Rockingham  
   3.5 Replace Foreshore Conservation Fencing - Shoalwater  
   3.6 Replace Foreshore Conservation Fencing – Safety Bay  
   3.7 Install and Upgrade Conservation Fencing – Alf Powell Reserve (Greening Plan)  
   3.8 Secret Harbour Boulevard to Secret Harbour Foreshore – Limestone Emergency Vehicle Access Road  
   3.9 Kennedy Bay – Firebreak / Limestone Emergency Vehicle Access Road (Ocean Point Close – Long Beach Rise)  
   3.10 Singleton Foreshore Disability Access Footpath  
   3.11 Alf Powell Reserve – Install Formal Limestone Access Paths (Greening Plan)  
   3.12 Baldivis Nature Reserve – Install Formal Limestone Access Paths (Greening Plan)  
   3.13 Play Equipment Replacements  
   3.14 Practice Cricket Net Upgrades – Shoalwater and Achiever Ovals  
   3.15 Warnbro Foreshore – Lower Turf to Foreshore Footpath along Warnbro Beach Road  
4. Information Items  
   4.1 Parks Maintenance Program 2014/2015  

**Asset Management**  
1. Asset Management Team Overview  
2. Human Resource Update  
3. Project Status Reports  
   3.1 Drainage data collection  
4. Information Items  
   4.1 Asset Management Improvement Strategy  
   4.2 Asset Systems Management  

**Building Maintenance**  
1. Building Maintenance Team Overview  
2. Human Resource Update  
3. Project Status Reports  
   3.1 Anniversary Park - Upgrade of Poles, Luminaires and Switch Gear  
   3.2 Sepia Court Childcare - Replace Asbestos Fence  
   3.3 Aqua Jetty – Replacement of Perimeter Fencing  
   3.4 Operations Centre Refurbishment  
   3.5 Replace Dugout Structures – Hourglass Reserve  
   3.6 Warning Signage and Fire Panel Upgrade – City of Rockingham Depot and Operations Centre  
   3.7 Replacement of Timber Flooring – Watts Road Girl Guides Building  
   3.8 Replacement of Lighting at Village Green War Memorial Site  
4. Information Items
4.1 Building Maintenance  
4.2 Graffiti Removal  
4.3 Lighting Inspections

**Procurement and Capital Projects**  
1. Procurement and Capital Projects Team Overview  
2. Human Resource Update  
3. Project Status Reports  
   3.1 Coastal Management Consultants (Sand Drift/Erosion Problems)  
   3.2 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)  
   3.3 Lighting Consultants (Technical Planning/Design, Underground Power Program)  
   3.4 Major Project Property Development Planning (Design Modifications/Tender Planning/Structural Testing)  
   3.5 Lighting Consultants  
4. Information Items  
   4.1 Shoalwater North Underground Power Project  
   4.2 2014/2015 Public Area Lighting and Arterial Lighting  
   4.3 Lark Hill Wind Turbine  
   4.4 Bent Street Boat Ramp Rock Armour Protection and Boat Ramp Maintenance  
   4.5 Secret Harbour Surf Life Saving Club - Renovation  
   4.6 Val Street Jetty Demolition and Reconstruction – Inner Section of Jetty 0-80m  
   4.7 Mike Barnett Sporting Complex Roof Replacement  
   4.8 City Centre Infrastructure Works Car Park Design and Construction  
   4.9 Lark Hill Sub Metering  
   4.10 Aqua Jetty Roof Replacement  
   4.11 Aqua Jetty Condensation Issue  
   4.12 Baldivis Reserve Toilet Replacement  
   4.13 Lions Park Upgrade  
   4.14 Coastal Adaptation and Protection Grant  
   4.15 Rockingham Day Care Fire Panel Replacement  
   4.16 Lotteries House Replacement of Elevator  
   4.17 Administration Building Replacement of Elevator  
   4.18 Aqua Jetty Swimming Club Office  
   4.19 Eighty Road Reserve Club Facility  
   4.20 Laurie Stanford Reserve Development  
   4.21 Rhonda Scarrott Reserve Development  
   4.22 Light Pole and Luminaire Period Tender  
   4.23 Safety Bay Tennis Club – Reroofing and General Renovations  
   4.24 Lifelinks – South Coast Women’s Health Building - Roof Modifications  
   4.25 Baldivis Recreation Centre - Reroofing

**Waste Services**  
1. Waste Services Team Overview  
2. Human Resource Update  
3. Project Status Reports  
4. Information Items  
   4.1 Kerbside collection  
   4.2 Bulk verge collection  
   4.3 Waste Diversion Percentage

**Millar Road Landfill and Recycling Facility**  
1. Millar Road Landfill and Recycling Facility's Team Overview  
2. Human Resource Update  
3. Project Status Reports
3.1 Landfill access road off Kulija Road
3.2 Cell construction – Cell 16
3.3 New leachate dams

4. Information Items
4.1 Tip Passes
4.2 Landfill Statistics
4.3 Waste Education and Promotion

**Advisory Committee Minutes**

**Committee Recommendation**

Moved Cr Elliott, seconded Cr Stewart:
That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – May 2015 and the content be accepted.

Committee Voting – 5/0

**Planning and Development Services Information Bulletin – May 2015**

**Health Services**
1. Health Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 FoodSafe
   3.2 Industrial and Commercial Waste Monitoring
   3.3 Community Health and Wellbeing Plan
   3.4 Health Promotion
   3.5 Mosquito Control Program
   3.6 Ocean Water and Storm Water Sampling
4. Information Items
   4.1 Mosquito-Borne Disease Notifications
   4.2 Food Recalls
   4.3 Food Premises Inspections
   4.4 Public Building Inspections
   4.5 Outdoor Public Event Approvals
   4.6 After Hours Noise and Smoke Nuisance Complaint Service
   4.7 Complaint - Information
   4.8 Noise Complaints - Detailed Information
   4.9 Building Plan Assessments
   4.10 Septic Tank Applications
   4.11 Demolitions
   4.12 Swimming Pool and Drinking Water Samples
   4.13 Rabbit Processing
   4.14 Hairdressing and Skin Penetration Premises
   4.15 New Family Day Care Approvals
   4.16 Emergency Services
   4.17 Restricted Burning Period
   4.18 Compliance
   4.19 Social Media
   4.20 Bush Fire Hazard Reduction Program
   4.21 Accredited Volunteer Training
   4.22 Baldivis Residents Association AGM
   4.23 Shire of Waroona Letter of Appreciation
   4.24 Baldivis Says Thank You Event
4.25 Community Education – Kolbe College
4.26 Ranger Services

**Building Services**
1. Building Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Prosecutions
   4.2 Monthly Building Permit Approvals - (All Building Types)
   4.3 Private Swimming Pool and Spa Inspection Program
   4.4 Continued Service System - Where a Certificate of Design Compliance & Building Permit are Produced Individually
   4.5 Demolition Permit
   4.6 Permanent Sign Licence
   4.7 Community Sign Approval
   4.8 Temporary Sign Licence
   4.9 Street Verandah Approval
   4.10 Occupancy Permits
   4.11 Strata Titles
   4.12 Unauthorised Building Works (Section 51 of the Building Act)
   4.13 Monthly Caravan Park Site Approvals
   4.14 R Code Variations

**Strategic Planning and Environment**
1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Local Planning Strategy (LUP/1352)
   3.2 Water Campaign (EVM/56-02)
   3.3 Karnup District Structure Plan (LUP/1546)
4. Information Items
   4.1 City of Rockingham Demographic and Urban Development Snapshot 2015
   4.2 Declaration of Planning Control Area 114 - Lot 515 Sabrina Road, Baldivis
   4.3 Lifting of Urban Deferment – Pt Lots 510, 515 and 516 Sabrina, Baldivis and Bodman Roads, Baldivis
   4.4 Delegated Minor Change to Structure Plan
   4.5 Cockburn Sound Coastal Alliance

**Statutory Planning**
1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Planning Products via the Web formerly eDA
4. Information Items
   4.1 Land Use - Planning Enforcement
   4.2 Subdivision/Development Approvals and Refusals by the WAPC
   4.3 Notifications and Gazettals
   4.4 Subdivision Clearances
   4.5 Subdivision Survey Approvals
   4.6 Subdivision Lot Production
   4.7 Delegated Development Approvals
   4.8 Delegated Development Refusals
   4.9 Delegated Building Envelope Variations
   4.10 Subdivision/Amalgamation Approved
4.11 Strata Plans
4.12 Subdivision/Amalgamation Refused
4.13 Planning and Development (Local Planning Schemes) Regulations 2014

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 Scheme Amendment
   3.3 Campus Sector – Masterplan, Development Policy Plan and Scheme Amendment
   3.4 Eastern Sector - Masterplan, Development Policy Plan and Scheme Amendment
   3.5 Southern Gateway Sector – Masterplanning, Development Policy Plan and TPS (LUP/1846 & LUP/1847)
   3.6 Rockingham Station Sector – Masterplanning and Development Policy Plan (LUP/1848)
   3.7 Mangles Bay Marina
   3.8 Rockingham Beach Foreshore Master Plan
4. Information Items
   4.1 Amendments to the Planning & Development (Development Assessment Panels) Regulations 2011
   4.2 Proposed Amendment No.1278/57 to the Metropolitan Region Scheme – Rockingham Strategic Metropolitan Centre (Minor Amendment)
   4.3 City of Rockingham Greenfield Streetscape Strategy
   4.4 Bushfire Policy Framework

Advisory Committee Minutes

Committee Recommendation

Moved Cr Hamblin, seconded Cr Stewart:
That Councillors acknowledge having read the Planning Services Information Bulletin – May 2015 and the content be accepted.

Committee Voting – 5/0

4.27pm - Mr Richard Rodgers, Manager Building Services, Mr Rod Fielding, Manager Health Services, Mr Gary Rogers, Manager Procurement and Projects and Mr James Henson, Manager Parks Development departed the Planning and Engineering Services Committee meeting.
12. Agenda Items

Planning and Development Services

Planning and Development Services
Strategic Planning and Environment Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-030/15</th>
<th>Nomination of a Councillor to the Peron Naturaliste Partnership Board</th>
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<tr>
<td>File No:</td>
<td>EVM/144-02</td>
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<tr>
<td>Risk Register No:</td>
<td></td>
<td></td>
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<tr>
<td>Applicant:</td>
<td></td>
<td></td>
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<tr>
<td>Owner:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Ms Kim Byrnes, Environmental Planning Officer</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
<td></td>
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<tr>
<td>Date of Committee Meeting:</td>
<td>18 May 2015</td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
<td></td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
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Site:
Lot Area:
LA Zoning:
MRS Zoning:
Attachments:
1. Peron Naturaliste Partnership Certificate of Incorporation
2. Peron Naturaliste Partnership Constitution
Maps/Diagrams:

Purpose of Report
To nominate a Councillor to sit on the Peron Naturaliste Partnership (PNP) Board.

Background
The PNP was a regional partnership of coastal and estuarine local governments in the south west region of Western Australia and include the Cities of Bunbury, Busselton, Mandurah and Rockingham and the Shires of Capel, Dardanup, Harvey and Waroona.

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 15 JUNE 2015

PRESIDING MEMBER
The PNP formally commenced in March 2011 when the parties signed a Memorandum of Understanding (MoU) which provided for local governments to work collaboratively to develop a regional mechanism to facilitate effective and timely adaptation response to climate change and coastal vulnerability. The MoU was re-signed in February 2013.

Since commencement, the PNP has developed a Business Plan 2013-2015 outlining the vision, objectives and scope of the activities to be undertaken by the Partnership, and a Communication Strategy 2013-2015 to coordinate the sharing of information and engagement with community and stakeholders. A review of the Business Plan and Communication Strategy is currently being progressed.

The PNP has proved to be an effective partnership for the development and implementation of adaptation projects, source of external funding for regional projects, and as an advocacy platform. Key projects and achievement to date include:

- Completing the Coastal Adaptation Decision-making Pathways Project 2011-2012 (CAPS) (Commonwealth Funded)
- Pilot Community Awareness to Coastal Adaptation City of Busselton Project 2012-2013.
- Identified as leading partnership by governments and research institutions and advice sought in the development of:
  - National Climate Change Adaptation Research Facility (NCARRF) Policy Guidance Brief – Challenges of adaptation for local governments
  - NCARRF Leading Adaptation Practices and Support Strategies (LAPS2) – Coastal Settlements and Infrastructure (Australian National University).
- Influenced State Government policy including SPP 2.6 and WA Climate Change Strategy.
- Featured in best-practice case studies including NCARRF Adaptation Good Practice Fact Sheet and Video on Developing Flexible Adaptation Pathways for the PNP Region of Western Australia.
- Established PNP Regional Coastal Management Working Group.
- Hosted Coastal Climate Change Adaptation Community Information Sessions in Bunbury, Waroona, and Mandurah.
- Attracted funding totalling $544,000, including Coastal Management Plan Assistance Program funding to undertake a Coastal Hazard Risk Management and Adaptation Case Studying the Shire of Harvey in 2014/15.

The PNP has also been active in developing opportunities for collaboration and partnerships with Government departments, research institutions and other organisations including:

- Australian Government - Department of Environment;
- State Government - Departments of Planning, Transport, Water, and Environment and Regulation;
- Academic and Research Institutions - University of New South Wales, University of Sydney, University of Canberra, Curtin University (Coastal Collaboration Cluster), Australian National University, Commonwealth Scientific and Industrial Research Organisation (CSIRO) and NCCARF;
- WA Local Government Organisation (WALGA) Climate Change Senior Officers Group;
- Environmental Organisations - CoastSWaP, South West Catchment Council, Peel Harvey Catchment Council, Geocatch, Busselton Dunsborough Environment Centre, and Mandurah Coastcare Advisory Group; and
- State-wide Coastal Adaptation Coordinators Network, such as the Cockburn Sound Coastal Alliance, and Northern Agricultural Catchment Council (Gingin and Dandaragan Partnership).
Formalising the group as an incorporated body had been a subject of discussion since inception and supported ‘in principal’ agreement at the Partners Group meeting on 11 April 2014.

Council resolved to support the Incorporation of the Peron Naturaliste Partnership and its continuing membership in December 2014.

Details

On 25 March 2015 the PNP became incorporated as an incorporated association under the Associations Incorporation Act 1987.

Membership to the PNP is open to local governments adjacent to marine and estuarine environment and their associated waterways between Cape Peron and Cape Naturaliste which seek to accept membership in accordance with the Constitution at the time of adoption of the Constitution includes:

- Bunbury
- Busselton
- Capel
- Dardanup
- Harvey
- Mandurah
- Murray
- Rockingham
- Waroona

One of these Member local governments shall be nominated at the Annual General Meeting or Special Meeting to be the host local government for a two year term for the purpose of employing staff and accounting for the financial reports for the PNP. If no member local government is nominated then the Chairperson’s local government will become the host local government.

At the AGM or Special Meeting, the Board shall elect a Chairperson and Vice-Chairperson. The Chairperson shall be the spokesperson for the PNP.

In accordance with Rule 6.1 of the adopted Constitution, each LGA will be represented on the PNP Board by a delegate appointed by that LGA.

Such delegate may be the Mayor, a delegated Councillor, the Chief Executive Officer, or a delegated officer.

The office of a delegate becomes vacant if the delegate resigns from the Council, the delegate is replaced by the Council or the delegate ceases to be an elected member. In such cases the local government concerned may appoint another delegate.

A delegate may be represented by a proxy appointed for that purpose if they are unable to attend a meeting. Where a delegate misses three meetings without notification, the PNP shall write to the member local government seeking an alternate delegate.

Membership on the Peron Naturaliste Partnership Board entails the following:

Term of Office

A Peron Naturaliste Partnership Board Member holds office for the term specified in the PNP Constitution.

Frequency of Meetings

Meetings of the Board shall not be fewer than three per annum, at intervals to be determined by the members of the Board. The Annual General meeting shall be held prior to the end of October each year.

Meeting Venue

The Chairperson shall, by notice to the Board, advise the location and time of meetings. Meetings can be attended by tele-conference or video-conference facilities.
Fees and Allowances
There are no fees or allowances payable to a member of the Board.

### Implications to Consider

<table>
<thead>
<tr>
<th>Implication</th>
<th>Description</th>
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<tbody>
<tr>
<td>a. Consultation with the Community</td>
<td>Nil</td>
</tr>
<tr>
<td>b. Consultation with Government Agencies</td>
<td>Nil</td>
</tr>
<tr>
<td>c. Strategic</td>
<td>Community Plan</td>
</tr>
<tr>
<td></td>
<td>This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Community Plan 2015-2025:</td>
</tr>
<tr>
<td></td>
<td><strong>Aspiration D:</strong> Sustainable Environment</td>
</tr>
<tr>
<td></td>
<td><strong>Strategic Objective:</strong> Land Use and Development Control - Planning for population growth and guiding development and land use to ensure that future generations enjoy a sustainable city and a genuinely desirable lifestyle.</td>
</tr>
<tr>
<td></td>
<td><strong>Strategic Objective:</strong> Climate Change - Planning systems, infrastructure standards and community awareness programs that acknowledge, mitigate and adapt to the impacts of climate change.</td>
</tr>
<tr>
<td>d. Policy</td>
<td>Nil</td>
</tr>
<tr>
<td>e. Financial</td>
<td>The City contributes funds to the Peron Naturaliste Partnership as per the table below.</td>
</tr>
<tr>
<td></td>
<td><strong>Table 1 Proposed Member Local Government Contributions</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Local Government</strong></td>
</tr>
<tr>
<td></td>
<td>Shire of Harvey</td>
</tr>
<tr>
<td></td>
<td>Shire of Capel</td>
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<tr>
<td></td>
<td>City of Busselton</td>
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<tr>
<td></td>
<td>City of Bunbury</td>
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<tr>
<td></td>
<td>Shire of Waroona</td>
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<td>Shire of Murray</td>
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<td></td>
<td>Shire of Dardanup</td>
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<td></td>
<td>City of Rockingham</td>
</tr>
<tr>
<td></td>
<td>City of Mandurah</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
</tr>
<tr>
<td>f. Legal and Statutory</td>
<td>The PNP is an incorporated association and its full name is the Peron Naturalist Partnership Incorporated. As such it is a separate entity and is a separate corporation from the City and the other local governments which assisted in its formation.</td>
</tr>
</tbody>
</table>
The management committee is referred to in the Constitution as the “Board”. The members of the Board are referred to in the Constitution as “delegates” and one is appointed by each of the member local governments.

A councillor who is appointed, and accepts appointment, to the Board will therefore have all of the usual responsibilities which apply to a member of the management committee of an incorporated association. Those responsibilities differ from the responsibilities of a councillor of a local government and are to be found in the Associations Incorporations Act 1987.

**g. Risk**

**Risk Implications of Implementing Officer Recommendation**
Nil

**Risk Implications of Not Implementing Officer Recommendation**
Nil

**Comments**

The Peron Naturaliste Partnership has contributed significantly to regional understanding current and future climate change coastal vulnerabilities and is recognised as a leading coastal alliance at both State and Federal Level. Regional approaches have been identified as the most effective and appropriate level to ensure that coastal communities are well placed and resilient to the risks and opportunities presented by climate change.

Participation as a Board Member will continue to demonstrate the City's commitment to the Partnership and ensure that the City is well placed to address coastal climate change issues.

The first meeting of the PNP Board is scheduled to be held at the City of Bunbury on Friday, 5 June 2015.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **NOMINATE** Cr ___________ as the City of Rockingham delegate on the Peron Naturaliste Partnership Board and Cr ___________ as the alternate delegate.

**Committee Recommendation**

Moved Cr Hamblin, seconded Cr Elliott:

That Council **NOMINATE** Cr Pease as the City of Rockingham delegate on the Peron Naturaliste Partnership Board and Cr Stewart as the alternate delegate.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
### Planning and Development Services
#### Statutory Planning Services

<table>
<thead>
<tr>
<th><strong>Reference No &amp; Subject:</strong></th>
<th>PDS-031/15 Proposed Building Envelope Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>File No:</strong></td>
<td>DD024.2015.0000009.001</td>
</tr>
<tr>
<td><strong>Risk Register No:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Applicant:</strong></td>
<td>Ventura Home Group Pty Ltd</td>
</tr>
<tr>
<td><strong>Owner:</strong></td>
<td>Mr Ian and Mrs Karen Sewell</td>
</tr>
<tr>
<td><strong>Author:</strong></td>
<td>Mr Nick Michael, Planning Assistant</td>
</tr>
<tr>
<td><strong>Other Contributors:</strong></td>
<td>Ms Donna Shaw, Senior Planning Officer</td>
</tr>
<tr>
<td></td>
<td>Mr David Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td><strong>Date of Committee Meeting:</strong></td>
<td>18 May 2015</td>
</tr>
<tr>
<td><strong>Previously before Council:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Disclosure of Interest:</strong></td>
<td>Tribunal</td>
</tr>
<tr>
<td><strong>Nature of Council’s Role in this Matter:</strong></td>
<td>Tribunal</td>
</tr>
<tr>
<td><strong>Site:</strong></td>
<td>Lot 1023 Peelfold Glen, Golden Bay</td>
</tr>
<tr>
<td><strong>Lot Area:</strong></td>
<td>2,708m²</td>
</tr>
<tr>
<td><strong>LA Zoning:</strong></td>
<td>Special Residential</td>
</tr>
<tr>
<td><strong>MRS Zoning:</strong></td>
<td>Rural</td>
</tr>
<tr>
<td><strong>Attachments:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Maps/Diagrams:</strong></td>
<td>1. Location</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photograph</td>
</tr>
<tr>
<td></td>
<td>3. Existing and Proposed Building Envelope Plan</td>
</tr>
<tr>
<td></td>
<td>4. Consultation Plan</td>
</tr>
</tbody>
</table>
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 15 JUNE 2015

PRESIDING MEMBER
Purpose of Report

To consider an application to vary the approved Building Envelope at Lot 1023 Peelfold Glen, Golden Bay.

Background

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

The approved Building Envelope is set back 9.6m from the southern boundary, 10.2m from the western boundary, 5m from the eastern boundary and 11.4m from the northern boundary.

The subject lot has mature Tuart trees in the northern and southern portions of the site. The topography of the lot is generally level.

Details

The applicant seeks approval to increase the size of the approved Building Envelope from 594m² to 641m² (an increase of 8%). The modification of the Building Envelope is to allow for the construction of a Single House.

The applicant has provided the following justification for the proposal:

- There will be no adverse impact on privacy or amenity of the subject or adjoining properties; and
- No vegetation will be removed.
3. Existing and Proposed Building Envelope Plan
Implications to Consider

a. **Consultation with the Community**

In accordance with Clause 6.3.3 of Town Planning Scheme No.2 (TPS2) and Planning Policy 3.3.17 – Variations to Building Envelopes, Building Envelopes may be varied at the discretion of the Council, only after consultation with the owners of affected or adjoining properties. The application was referred to five nearby and adjacent property owners for a period of 14 days as shown on the Consultation Plan below. At the close of the advertising period, no submissions were received.

b. **Consultation with Government Agencies**

Not Applicable

c. **Strategic**

**Community Plan**

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

**Aspiration D:** Sustainable Environment

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

d. **Policy**

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

The proposed Building Envelope variation complies with the objectives and policy provisions of PP3.3.17. The proposed increase is 8%. The bush fire risk is not considered to increase as a result of the modification. The modification is for a Single House of which will have minimal effect on the neighbouring properties or existing vegetation.
e. **Financial**

   Nil

f. **Legal and Statutory**

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

g. **Risk**

   **Risk Implications of Implementing Officer Recommendation**

   Nil

   **Risk Implications of Not Implementing Officer Recommendation**

   Nil

<table>
<thead>
<tr>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed Building Envelope complies with TPS2 and PP3.3.17. There are no adverse environmental impacts associated with the proposed Building Envelope or increased fire risk. The impact of the proposed Building Envelope in comparison to the approved Building Envelope on the amenity of neighbouring properties is considered minimal given no vegetation is affected and no objections were raised to the proposal by adjoining owners. It is recommended that the proposed Building Envelope be approved.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Voting Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simple Majority</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Officer Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>That Council <strong>APPROVE</strong> the application to vary the Building Envelope at Lot 1023 Peelfold Glen, Golden Bay.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Committee Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moved Cr Elliott, seconded Cr Stewart:</td>
</tr>
<tr>
<td>That Council <strong>APPROVE</strong> the application to vary the Building Envelope at Lot 1023 Peelfold Glen, Golden Bay.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Committee Voting – 5/0</th>
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</table>

<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>
### Planning and Development Services
#### Statutory Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-032/15 Final Adoption - Scheme Amendment No.143 - Rezoning from 'Rural' to 'Special Residential'</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1792</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>Rowe Group Pty Ltd</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Sunzone Pty Ltd</td>
</tr>
<tr>
<td>Owner:</td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>18 May 2015</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>January 2014 (PDS-005/14)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 9501 (No.1503) Muzzlewood Street, Baldivis</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>23.2ha</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Rural</td>
</tr>
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<td>MRS Zoning:</td>
<td>Rural</td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
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<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photo</td>
</tr>
<tr>
<td></td>
<td>3. Proposed Subdivision Guide Plan (as amended 21 April 2015)</td>
</tr>
<tr>
<td></td>
<td>4. Consultation Plan</td>
</tr>
</tbody>
</table>
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 15 JUNE 2015

PRESIDING MEMBER
Purpose of Report

To consider granting Final Approval to Amendment No.143 to Town Planning Scheme No.2 (TPS2) to rezone Lot 9501 (No.1503) Muzzlewood Street, Baldivis from 'Rural' to 'Special Residential'.

Background

In January 2014, Council resolved to adopt (initiate) Amendment No.143 to TPS2 the subject land from 'Rural' to 'Special Residential', pursuant to Section 75 of the Planning and Development Act 2005, as follows:

1. Modify the Scheme Maps by rezoning Lot 9501 (No.1503) Muzzlewood Street, Baldivis from 'Rural' to 'Special Residential'.

2. Modifying the Scheme Text Schedule No.5 Special Residential Zone ‘Portions of Planning Unit 4’ provisions as follows:
   (i) Include Lot 9501 (No.1503) Muzzlewood Street, Baldivis on a new Plan Reference 4(iv) of the location table of Schedule No.5 of the Scheme Text pertaining to ‘Special Residential’ zones ‘Portions of Planning Unit 4 of the Rural Land Strategy’;
   (ii) Amend Plan No.6 Special Residential Zones (North) of the Scheme to Lot 9501 (No.1503) Muzzlewood Street, Baldivis outlined in black and annotated as 4(iv);

3. Insert a new Clause 21 into Schedule No.5 Special Residential Zones (Portions of Planning Unit No.4) to read as follows:
   “With respect to Location 4(iv), prior to the Council recommended approval of a subdivision or approving development, subdivision and development must be in accordance with the Western Australian Planning Commission’s Planning for Bush Fire Protection Guidelines, which includes, but is not limited to:
   (i) identifying appropriate hazard separation zones and building protection zones;
   (ii) construction in accordance with AS3959 (noting c(iii) below);
   (iii) no residential development is to be located within an area categorised as Bush Fire Attack level (BAL) BAL-FZ or BAL-40; and
   (iv) consideration of ember protection features incorporated in all dwelling design on lots with a BAL of 12.5 or higher.”

4. Insert a new Clause 22 into Schedule No.5 Special Residential Zones (Portions of Planning Unit 4) to read as follows:
   “Regardless of whether the land has been designated as bush fire prone, any buildings to be erected within Location 4(iv) shall comply with the requirements of AS3959.”

Following initiation by Council, the Scheme Amendment was referred to the Environmental Protection Authority (EPA), which advised in May 2014 that additional information from the applicant was required prior to determining whether the Amendment required formal assessment pursuant to the Environmental Protection Act 1986 (EP Act). The applicant liaised extensively with the EPA, providing revised information requested by the EPA in regards to significant habitat trees across the site and an area of intact bushland in the southern portion of the site. In January 2015, the EPA advised that no assessment under the EP Act was required.

In March 2014, the Western Australian Planning Commission (WAPC) resolved to:

“Uphold the policy position outlined within State Planning Policy 2.5 (SPP2.5) that opportunities for rural living within the metropolitan region may remain static or even decrease, and that rural living proposals will be considered by exception subject to the requirements of the policy being met. Notwithstanding the exceptions provided within SPP2.5, the WAPC will not support local planning strategies/rural strategies and planning scheme amendments involving proposals for additional rural residential development until such time as the Strategic Assessment of the Perth and Peel Regions and sub-regional structure plans have been finalised to provide the strategic framework to consider the proposals within.”
The proposed Amendment had already been initiated by Council, prior to the resolution of the WAPC and therefore this Amendment still needs to be determined. It should be noted that following Council’s decision on this report, the WAPC must consider the Amendment and make a recommendation to the Minister for Planning regarding Final Approval.

**Details**

The applicant seeks to rezone Lot 9501 (No.1503) Muzzlewood Street, Baldivis from ‘Rural’ to ‘Special Residential’ to facilitate the subdivision of the land into 32 lots ranging from 5,016m² to 7,406m², with Building Envelopes of approximately 900m², as shown on the proposed Subdivision Guide Plan.

**Implications to Consider**

a. **Consultation with the Community**

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

   The Scheme Amendment was advertised for public comment in accordance with the requirements of the Town Planning Regulation 1967 for a period of 44 days, ending on the 13th March 2015, with advertising undertaken in the following manner:

   (i) Two signs were erected on the property and on Mandurah Road adjacent the subject site and remain on-site for the duration of the advertising period;

   (ii) A notice was published in the Public Notices section of the Sound Telegraph newspaper on the 28th January 2015 and the Weekend Courier on the 30th January 2015;

   (iii) An advertisement was placed on the City’s website for the duration of the advertising period and copies of documents explaining the Scheme Amendment were also made available for inspection at the Council Administration Offices; and

   (iv) 42 nearby and adjacent landowners and occupiers were notified in writing of the proposal, as shown on the Consultation Plan below.
4. Consultation Plan

At the conclusion of the advertising period, two submissions were received from nearby landowners. A summary of the issues raised in the submission is as follows:

<table>
<thead>
<tr>
<th>Lot Size/Building Envelope Location</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) The size of the proposed lots are too narrow, with Building Envelopes located in close proximity to the road as opposed to setback from the road, and surrounded by bushland.</td>
</tr>
<tr>
<td><strong>Proponent's Response:</strong></td>
</tr>
<tr>
<td>Stringbark Way is an existing road which is located approximately 50m from the northern boundary of the parent lot. The location of the existing road prevents any increase in the width of Lots 1 and 2. The Building Envelopes proposed on these two lots are approximately 1,000m² in area with a minimum dimension of 18m which is considered to easily accommodate future housing. The Building Envelopes have been positioned on the lots to minimise the requirement for clearing of native bushland and to accommodate requirements for bushfire separation zones.</td>
</tr>
<tr>
<td><strong>City's Comment:</strong></td>
</tr>
<tr>
<td>Prior to initiation of the Scheme Amendment, the City liaised extensively with the applicant on the size and location of Building Envelopes within the proposed lots. The shape and location of Building Envelopes has been determined based on the Building Protection Zone (BPZ) requirements of the Western Australian Planning Commission’s Planning for Bushfire Protection Guidelines 2010 (PFBPG) and the location of significant vegetation.</td>
</tr>
</tbody>
</table>
Lot Size/Building Envelope Location - Cont...
The location of the proposed Building Envelopes allow the respective BPZ's to be wholly contained within each lot boundary and/or an adjacent road reserve, to retain the greatest amount of significant vegetation on the site, without compromising the useability of Building Envelopes.

The City does not support the overlapping of BPZ's between adjacent properties as the City does not have total control over the maintenance of a BPZ on one property that another property is relying on for protection against bushfire. As such, the City considers the location of Building Envelopes closer to the road reserve more appropriate than Building Envelopes further setback from the road, as this allows the use of the road reserve to accommodate BPZ's, which can be maintained by the City.

Wildlife

Submission:
(ii) The proposal will remove kangaroos from the subject site and loss of habitat for kangaroos.

Proponent's Response:
Given the lack of understorey across the site, it is unlikely that the site provides suitable permanent refuge opportunities for kangaroos. However, kangaroos have been seen to utilise the site opportunistically. Given the availability of intact bushland within Outridge Swamp and the lack of connectivity of the site to other intact areas of bushland, it is unlikely that development of the site would significantly impact on the kangaroo population.

Available fauna habitat on the site primarily consists of numerous large trees scattered across the site. The development plan has been designed to retain as many of these trees as possible to ensure the site still holds habitat following development. A revegetation strategy will be implemented to offset the loss of trees that cannot be retained. The wetland in the north-east corner of the site will be protected and a 50m buffer is provided within the development plan. This POS, while allowing for some passive recreation, will also function primarily as a conservation area to retain the small area of dense Nuytsia floribunda and Eucalyptus rudis that is in Good to Degraded condition. Management measures are therefore to be implemented to ensure the future viability of retained habitat, either within the wetland buffer or in individual lots.

City's Comment:
The proposed lots sizes on the proposed Subdivision Guide Plan range from 5,016m² to 7,406m², with Building Envelopes of approximately 900m². There is adequate area between Building Envelopes to allow the passage of kangaroos traversing the site. TPS2 requires boundary fencing to be of post and wire strand construction to a maximum height of 1.2m, which can be traversed by kangaroos.

The proposed subdivision design is intended to retain as much significant vegetation and fauna habitat as possible. A fauna relocation plan will be recommended as a condition of subdivision to ensure fauna is appropriately relocated if required.

Telecommunications Infrastructure

Submission:
(iii) Concern was raised that there was no telecommunications infrastructure to service the proposed development.

Proponent's Response:
The provision of telecommunications infrastructure will be addressed at the subdivision implementation stage.

City's Comment:
The proposal was referred to Telstra where it raised no concerns with the proposal. Telecommunications Infrastructure is not relevant to the proposed Scheme Amendment and is a matter that is considered upon application to subdivide.
## Wetlands

### Submission:

(iv) Concern was raised that land clearing would compromise the ecological value of the adjacent Multiple Use Wetland.

### Proponent’s Response:

A buffer to the conservation category wetland is being implemented, with development set back at least 50m from the edge of the mapped wetland area and a road and POS abutting the 50m buffer to provide a hard edge separation. In addition, the buffer region will be revegetated with local native species and fenced off to prevent pedestrian and vehicle access into the reserve. No clearing of native vegetation will occur within the buffer. In regards to the multiple use category wetland, this is not required to be retained as part of the proposed development.

The wetland buffer revegetation program will be developed in consultation with the City of Rockingham and will be detailed in the Vegetation Management Plan to be approved by the City. It is expected that with the removal of grazing cattle and the revegetation of the buffer, that the ecological value of the wetland core is likely to improve. Management of the buffer and specifications for fencing etc. will be detailed in the Vegetation Management Plan that is to be prepared prior to subdivision.

The environmental assessments have been undertaken in accordance with EPA Guidance Statements 51 and 56 for terrestrial flora and fauna surveys. The wetland’s 50m buffer will be revegetated with local native species to provide further protection of the core wetland area. The wetland and buffer will also be fenced to prevent pedestrian and vehicle access into the reserve. The revegetation program will be developed in consultation with the City of Rockingham and will be detailed in the Vegetation Management Plan to be approved by the City.

### City’s Comment:

The City has undertaken its own environmental assessment of the proposal and is satisfied that the amount of vegetation required to facilitate the future development of the land will not compromise the ecological value of adjacent wetlands.

### Submission:

(v) The assessment of impacts of the proposed development on adjacent wetlands was via aerial photography only, was not conducted by a qualified wetland ecologist and there were inaccuracies in the dataset used for assessment.

### Proponent’s Response:

The wetland buffer mapping has been ground-truthed as part of the environmental assessment completed by ENV Australia in 2008. A follow up flora and vegetation survey was undertaken by Bennett Environmental Consulting in 2013. Both surveys were undertaken by qualified botanists and ecologists experienced in wetland and flora and vegetation assessments.

The proponent has engaged the services of Coterra Environment who have undertaken numerous site specific investigations of the land, in addition to the survey undertaken by Bennett Environmental Consulting, the outcomes of which have been documented and included in the reporting that accompanies the amendment proposal.

### City’s Comment:

The applicant engaged the services of multiple qualified environmental consultants in undertaking environmental assessments of the proposal. The City has also undertaken its own assessment of the proposal in regards to environmental impacts and is satisfied the proposal will not adversely impact on adjacent wetlands.
### Amenity

#### Submission:
(vi) Loss of amenity due to removal of vegetation and increased density.

#### Proponent's Response:
The site is currently mostly parkland cleared and contains limited shrubs and understorey with scattered larger established trees. Protection measures are being implemented to ensure that the large established trees are retained throughout the development where possible, maintaining the natural amenity of the area.

The design of the subdivision concept plan has been the subject of extensive consultation between the proponent, the City and the Environmental Protection Authority. One of the primary objectives has been to minimise the clearing of vegetation. This has been achieved through the careful positioning of the future new roads and building envelopes.

#### City's Comment:
The proposed lot sizes are consistent with the minimum lot size of 5,000m² recommended by the City's Planning Policy 3.1 - Rural Land Strategy. The owners of existing larger rural lots adjacent to the subject site have not made an application to rezone or subdivide the land in accordance with the recommended minimum lot size.

The City has liaised extensively with the applicant and the Environmental Protection Authority to ensure as many trees as possible can be retained whilst still ensuring the proposal complies with the requirements of the PFBPG. The City has also liaised with the Department of Fire and Emergency Services, who have supported the retention of more trees than would otherwise be permitted to be retained under the Building Protection Zone requirements of the PFBPG.

The City considers that the proposed lot sizes and loss of vegetation will not significantly alter the existing rural amenity of the locality or adjoining properties.

### Vegetation

#### Submission:
(vii) Loss of endangered and regionally significant vegetation, including the loss of mature Tuart trees and understorey vegetation as a result of Building Protection Zones.

#### Proponent's Response:
The vegetation retention strategy has focused on keeping as many large trees as possible, particularly those in good health, and/or containing suitable hollows for conservation significant bird species. Statutory protection is provided to the vegetation contained within the private landholdings on the site following subdivision through the TPS (Special Residential Lots within Precinct 4). To assist in the retention of these trees, building envelopes have been strategically located on the subdivision plan. The building envelopes and tree locations will be re-confirmed by site survey prior to subdivision. A revegetation strategy will also be implemented as part of the development of the land.

It is a requirement that the development complies with bushfire management policies to protect lives and property. The Building Protection Zones represent areas where the bush fire fuel load is required to be managed. It does not represent an area where uncontrolled clearing of vegetation is permitted.

#### City's Comment:
As previously advised, the City has liaised with the Department of Fire and Emergency Services, which has supported the retention of more trees than would normally otherwise be permitted to be retained under the Building Protection Zone requirements of PFBPG. Whilst it is acknowledged that some vegetation will be required to be removed, it is considered that the proposal achieves a balance between removing the least amount of vegetation and complying with the PFBPG.
### Vegetation - Cont...

<table>
<thead>
<tr>
<th><strong>Submission:</strong></th>
<th>(viii) Vegetation Surveys undertaken at wrong times of the year for various plant species.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Proponent's Response:</strong></td>
<td>The environmental assessments have been undertaken in accordance with EPA Guidance Statements 51 and 56 for terrestrial flora and fauna surveys.</td>
</tr>
<tr>
<td><strong>City's Comment:</strong></td>
<td>The applicant engaged the services of ENV environmental, Bennet Environmental Consulting and Coterra Environmental Consulting to prepare a flora and vegetation surveys across the site, which were undertaken in January 2006, January 2013 and November 2013. The City considers that the information provided satisfied the requirements for a vegetation and flora study across the site. The City's assessment of the subject site based on mapping and information recorded by the Department of Environment Regulation does not indicate that rare or threatened species occur on the subject site.</td>
</tr>
</tbody>
</table>

### Density

<table>
<thead>
<tr>
<th><strong>Submission:</strong></th>
<th>(ix) Inconsistent density with the locality, impact on increased density on wetlands and inconsistency with original rural concept plan, due to increase densities from 1ha to 0.5ha.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Proponent's Response:</strong></td>
<td>The subject land is contained within Planning Unit 4 and Precinct 4A of the City of Rockingham Rural Land Strategy. The Strategy recommends a minimum lot size of 5,000m² east of the ridgeline. The Subdivision Guide Plan includes lots ranging in size from 5,004m² to 7,406m² with an average lot size of 5,677m². As such the proposal is consistent with the planning framework for the area.</td>
</tr>
<tr>
<td><strong>City's Comment:</strong></td>
<td>The proposed lot sizes are consistent with the minimum lot size of 5,000m² recommended by the City's Planning Policy 3.1 - Rural Land Strategy. The recommended lot size of 1ha is for lots on the western side of the ridgeline only.</td>
</tr>
</tbody>
</table>

### Bores

<table>
<thead>
<tr>
<th><strong>Submission:</strong></th>
<th>(x) Lack of available water for bores, impact on water abstraction on existing bores and wetlands and incorrect groundwater information.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Proponent's Response:</strong></td>
<td>No groundwater extraction is proposed by the Proponent. However, if groundwater is required in the future a relevant license will be applied for as required by the Department of Water. The area is classified as unsuitable for domestic garden bores by the Department of Water. As such individual lot owners should not install private bores within this development. The groundwater levels referred to in the Environmental Assessment Report (Coterra Environment, 2013) correlate with groundwater monitoring results for the site recorded monthly throughout 2013.</td>
</tr>
<tr>
<td><strong>City's Comment:</strong></td>
<td>Any groundwater abstraction for purposes other than domestic and/or stock watering taken from the superficial aquifer is subject to licensing by the Department of Water (DoW). The DoW has advised that overall allocation planning (that sets the limits for the amount of water that can be licensed to draw from an aquifer) also makes provision for domestic use and that overall management of the aquifer to negate impacts to water dependent ecosystems and other users is taken into consideration by the DoW.</td>
</tr>
</tbody>
</table>
b. **Consultation with Government Agencies**

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

The following government agencies were also notified of the proposal:-
- Western Power;
- Water Corporation;
- Main Roads WA;
- Telstra;
- Department of Parks and Wildlife; and
- Department of Water.

At the conclusion of the advertising period, the City had received five submissions from Government agencies, raising no objection to the proposal.

Comments relating to the submissions are summarised below:

<table>
<thead>
<tr>
<th>1. Western Power</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) Western Power raised no objection to the proposal and provided technical advice with respect to the provision of power, which the applicant will need to consider at the time of applying for subdivision approval. A full copy of Western Power's advice is contained within the Schedule of Submissions.</td>
</tr>
<tr>
<td><strong>Proponent's Response:</strong></td>
</tr>
<tr>
<td>It is noted that the comments from Western Power relate to standard subdivision implementation requirements and it is acknowledged that these requirements will be accommodated at the time of subdivision implementation.</td>
</tr>
<tr>
<td><strong>City's Comment:</strong></td>
</tr>
<tr>
<td>The applicant will be required to liaise with Western Power with respect to the provision of an underground electricity supply to the proposed lots prior to the subdivision or development of the land.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Water Corporation (WC)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong> (ii) WC advised the lot is not currently included within the Corporations water supply scheme as the land to the west and south of the Baldivis South Structure Plan are shown as Rural, and hence requires investigation on the extent of servicing possible and the size of the network. Part of the land is high ground and may not be able to be served by the adjacent gravity network. WC also advised an existing 375mm water main exists in Eighty Road, and a 200mm in Mandurah Road, down to a 150mm in Muzzlewood Street. A wastewater Pump Station exists on Eighty Road. Servicing is normally for lots R5 and denser in the outer metropolitan region (Government Sewerage Policy). WC recommended the City of Rockingham address the land zoned Rural to the west and south of the South Baldivis Structure Plan to give guidance for infrastructure planning so that planning can be conducted over a wider area.</td>
</tr>
</tbody>
</table>
Proponent's Response:
Support for the proposed amendment by the Water Corporation is noted. It is acknowledged that there will be a requirement for an engineering assessment to be undertaken at the subdivision implementation stage to determine the most efficient and effective approach for extending the water supply scheme to the land. This is a standard requirement for any land subdivision proposal. It is also noted that the new allotments to be created through the future subdivision of the land will utilise on-site Aerated Treatment Unit’s (ATU) for effluent disposal.

City's Comment:
The landowner will need to provide information to demonstrate that a water supply can be made available to the site, prior to subdivision of the land. No deep sewerage is currently available to the site, however, the land is suitable for on-site effluent disposal. The lot sizes proposed are large enough to cater for on-site effluent disposal.

The future zoning of land to the west and south of the Baldivis South District Structure Plan will depend on the outcome of the Strategic Environmental Assessment of the Perth and Peel Regions and sub-regional structure plans by the WAPC. The WAPC released the draft Sub-Regional Planning Framework on 1 May 2015 for public comment, which identifies the subject site for Rural Residential purposes. The City is unable to provide further guidance in this respect until the abovementioned plans are finalised.

3. Telstra

Submission:
(iii) Telstra advised that a network extension will be required for any development within the area concerned. The owner/developer will have to submit an application before construction is due to start to NBN Co. (for greater than 100 lots or living units in a 3 year period) or Telstra (less than 100 lots or living units). Developers are now responsible for telecommunications infrastructure, ie. conduits and pits. NBN and/or Telstra will provide the cable.

City's Comment:
Provision of telephone services are available from Stringybark and Muzzelwood Way. The applicant will be required to liaise with Telstra in this respect.

4. Department of Parks and Wildlife (DPaW)

Submission:
(iv) DPaW noted that the Environmental Protection Authority (EPA) has advised that,
- The potential impacts from the scheme amendment can be adequately managed to meet the EPA's objectives through the implementation of the City of Rockingham's scheme provisions, management plans and regulated through other statutory processes.
- It is important that the buffer between the proposed development and Outridge Swamp is managed and maintained in such a manner that protects Outridge Swamp, including retaining and enhancing the remnant vegetation within this buffer.
- Of the 233 trees within the amendment area, 225 have been identified as being potential habitat trees for black cockatoos. The Subdivision Guide Plan - Tree Survey developed by the Rowe Group dated 12 March 2014 proposes to clear 51 of these trees. The EPA recommends planting of local native species for black cockatoos to replace these 51 trees.
- The proposed clearing may need to be referred to the Commonwealth Department of the Environment under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).
DPaW recommended that prior to subdivision the proponent is required to prepare a Wetland Management Plan for the wetland and buffer on Lot 9501 to the satisfaction of the City of Rockingham. The Wetland Management Plan should address site specific issues such as weed control, revegetation of wetland buffers (including ongoing maintenance and completion criteria), access provision and control, and fauna protection & management. General guidance concerning the preparation of Wetland Management Plans can be found in EPA Guidance Statement No.33 - Environmental Guidance for Planning and Development - Chapter 84), as well as a DEC document entitled Guidelines Checklist for Preparing a Wetland Management Plan (December 2008).

DPaW advised that it understood that the Subdivision Guide Plan tree survey provided to the EPA proposes to clear 51 of 225 threatened black cockatoo potential habitat trees. The department notes that the map identifying the building protection zones required for fire protection in Attachment 6 of the Amendment report indicates that the entire amendment area will be impacted by building envelopes, building protection zones, or roads. The southern portion of the site appears to be well vegetated with significant canopy cover and may require significant clearing to establish building protection zones across the proposed lots.

The department requests that the City of Rockingham reviews the estimate of the number of habitat trees required to be cleared to achieve the required level of fire hazard reduction in the building protection zones. If the number of habitat trees is greater than the estimate of 51 trees provided to the EPA, the City of Rockingham may wish to consider advising and discussing further with the EPA. Planning for the area should firstly make provision to retain as much of the cockatoo habitat as possible, identify and quantify habitat which will be lost, and consider if offsets may be required to mitigate any residual impact on habitat of this species.

DPaW also advised that proposals should be discussed with the Federal Department of Sustainability, Environment, Water, Population and Communities as there may be a requirement to refer the proposal under the EPBC Act.

Proponent’s Response:

EPBC Act Referral
The likely requirement to refer this project to the Commonwealth for assessment under the EPBC Act is acknowledged. As outlined in the Environmental Assessment Report (Coterra Environment, 2013), this referral will be timed to await consideration of the Subdivision Guide Plan so that an informed assessment can be undertaken.

Wetland Management
Specific management measures for the wetland and buffer area are outlined in Section 4.0 of the Environmental Assessment Report (Coterra Environment, 2013). Please note that a Vegetation Management Plan is already proposed to be prepared prior to subdivision which will cover in further detail the issues raised such as weed control, revegetation and access provision and control. It is considered there is no need to duplicate the same management measures within a Wetland Management Plan.

Fire Protection
The Department of Planning, in collaboration with the Fire and Emergency Services Authority, released the Planning for Bush Fire Protection Guidelines (Edition 2) in 2010. Due to the “Moderate” bush fire rating the area is classified as being Bush Fire Prone (Fireplan 2013). Using Table 2.4.3 of AS 3959 – 2009 (amended November 2011) the BAL level for dwellings adjacent to retained vegetation were determined by Fireplan (2013), and included indicative Building Protection Zones (BPZ) of 22- 25m in width. The consultant team has facilitated a meeting of the City of Rockingham together with the Department of Fire Services (DFES) to discuss the fire management proposed for this amendment.
**Department of Parks and Wildlife (DPaW) - Cont…**

A site visit was organised to view the site’s remaining habitat trees and vegetation, and to discuss possible solutions to the conflict between fire management requirements and the significance of the vegetation remaining on site.

The DFES was in agreement that due to the type of vegetation present on the site, predominantly large established trees over grassland, that many of the large stands of trees would not need to be removed if the canopies were touching (as is usually required in the guidelines), as long as they were trimmed of some of the lower branches to prevent spread of fire to the canopies, and the remaining understorey was removed and annually maintained. This approach will significantly reduce the amount of clearing of habitat trees within the BPZs.

Following the site visit, the site was fully surveyed marking out the exact location and extent of the individual canopies of each of the trees on the site. A lot by lot assessment was undertaken by Fireplan to determine which of the trees needed to be removed for fire prevention.

In addition further planning design work was undertaken to propose relocation of some the building envelopes to further protect some of the habitat trees from clearing. As a result of this work the building envelopes in proposed Lots 8, 12, 15, 18 and 19 were re-positioned.

Originally at the City of Rockingham’s request the Bushfire Protection Zones (BPZs) were shown fully accommodated within the lots, or within a combination of the road reserve and the lot. In a meeting with the City of Rockingham and DFES on the 14 August 2014, the DFES agreed in-principle to shift some of the current building envelopes to protect some habitat trees on Lots 8, 12, 15, 18 and 19. In addition DFES agreed to the relocation of proposed building envelopes so that the BPZs can overlap lot boundaries.

**City’s Comment:**

Following referral of the proposal to the EPA, the EPA requested a map showing the location of habitat trees and an explanation as to how the habitat trees will be protected from development through subdivision design, building envelope location and fire management. The applicant provided the requested information, which detailed 51 habitat trees to be removed. The EPA reviewed the revised information provided and advised the City that the proposal did not require formal environmental assessment.

The City has reviewed the tree survey in light of the advice from DPaW and confirms that 51 habitat trees are required to be removed. The City has received confirmation from the Department of Fire and Emergency Services that less trees than would normally be required to facilitate Building Protection Zones in accordance with the Planning for Bushfire Protection Guidelines 2010 need to be removed, due to the low fuel load of the understorey of the trees.

Despite being considered by the EPA, given black cockatoo habitat exists on the site, the applicant will also be required to refer the proposal to the Commonwealth Department of the Environment under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Compliance with the requirements of the EPBC Act is the responsibility of the applicant.

To ensure the buffer between the proposed development and Outridge Swamp is managed and maintained, the City considers it appropriate to require the preparation of a Wetland Management Plan to the satisfaction of the City, prior to subdivision or development.

**Recommendation 1:**

A Wetland Management Plan prepared in accordance with the DPaW's advice will be recommended as a condition of subdivision to address site specific issues such as weed control, revegetation of wetland buffers (including ongoing maintenance and completion criteria), access provision and control, and fauna protection & management.
5. Department of Water (DoW)

**Submission:**

(v) DoW advised that if sewer connection is not to be provided onsite wastewater disposal should be via aerobic treatment units (ATU's), as deemed appropriate by Department of Health and the local government.

DoW also noted that there is a conservation category wetland (CCW) and environmental protection policy lake (EPP lake) on the subject land, and advised the proposal must be referred to the Land Use Planning section at the Department of Parks and Wildlife's Swan Region (C/ - Locked Bag 104, Bentley Delivery Centre, 6983).

DoW also advised that the subject area is located within the Stakehill Groundwater Area as proclaimed under the Rights in Water and Irrigation Act 1914. Any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer is subject to licensing by the DoW. The issuing of a groundwater licence is not guaranteed but if issued will contain a number of conditions that are binding upon the licensee.

DoW advised the proponent that the proposal is located within the Peel-Harvey catchment and the provisions of the Environmental Protection (Peel Inlet- Harvey Estuary) Policy 1992 and the Statement of Planning Policy No 2.1 - the Peel-Harvey Coastal Plain Catchment (SPP 2.1) shall apply.

In this respect, DoW advised that in accordance with Provision 6.2.1 of SPP 2.1, the use of conventional on-site effluent disposal systems will only be supported where it can be demonstrated that there is at least a 2 metre vertical separation between the base of the leach drain and the highest known groundwater level and a 100m horizontal separation between the disposal system and the nearest water body. Given the presence of the wetland in the north east of the site, the use of ATU's is recommended as previously specified.

DoW also recommended that the existing remnant vegetation is retained and clearing should be restricted to the building envelopes only and that animal stocking rates also apply.

<table>
<thead>
<tr>
<th>Proponent’s Response:</th>
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</thead>
<tbody>
<tr>
<td><strong>Wastewater Treatment</strong></td>
</tr>
<tr>
<td>The comments of the Department of Water with respect to the use of ATU’s are acknowledged and it is confirmed that it is intended the future allotments will be required to utilise ATU systems for effluent disposal.</td>
</tr>
<tr>
<td><strong>DPAW Issues</strong></td>
</tr>
<tr>
<td>It is noted that a CCW is located on the site and this has been included within a future POS area together with the necessary buffers. The proposal has been referred to the Department of Parks and Wildlife as part of this process.</td>
</tr>
<tr>
<td><strong>Groundwater</strong></td>
</tr>
<tr>
<td>There is no POS that requires irrigation within the proposed concept plan. However, if groundwater is required (for other than domestic purposes) in the future a relevant license will be applied for as required by the Department of Water.</td>
</tr>
<tr>
<td><strong>Peel Harvey Coastal Plain Catchment</strong></td>
</tr>
<tr>
<td>The Proponent intends to use ATU’s as recommended by the Department of Water. The Land Capability Assessment for Onsite Effluent Disposal (ENV Australia, 2007) confirmed that the site meets requirements with regards to disposal of treated effluent. Most of the PRI values recorded are very low; however the site generally has a large vertical separation from groundwater which is able to meet the Department of Health recommendation for at least 500 mm depth from the surface to the maximum groundwater level.</td>
</tr>
</tbody>
</table>
Department of Water (DoW) - Cont...

City's Comment:
SPP2.1 requires certification from the Water Corporation that arrangements have been made so that connection to an adequate sewerage service, or alternative system satisfactory to the EPA and Health Department, will be available to all lots in the subdivision. The lot sizes proposed are large enough to cater for on-site effluent disposal via ATU's as recommended by the DoW. Approval from the City's Health Services will be required for any on-site effluent disposal.

Clearing of vegetation outside of the building envelopes will be required to ensure compliance with the PFBPG. The EPA reviewed the tree survey provided by the applicant which depicted trees to be removed, and advised the City that the proposal did not require environmental assessment.

The proposal was referred to DPaW as recommended. DPaW's advice is provided above.

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

**Aspiration 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
Nil

e. Financial
Nil

f. Legal and Statutory
The procedures for dealing with proposals to amend a local planning scheme, as per the Planning and Development Act 2005, are set out in the Town Planning Regulations 1967. Regulation 13(1) provides that the City shall:

(a) if it resolves to proceed with Scheme Amendment, adopt the proposed Amendment in accordance with the Act; or

(b) if it resolves not to proceed with the Scheme Amendment, notify the Western Australian Planning Commission in writing of that resolution.

g. Risk

**Risk Implications of Implementing Officer Recommendation**
Nil

**Risk Implications of Not Implementing Officer Recommendation**
Nil

**Comments**

**Fire Management**

Despite concerns raised regarding the loss of mature vegetation, and the recommendation by DoW to only permit clearing within building envelopes, compliance with the PFBPG is required. In this respect, the proposal to modify the Scheme Text to ensure compliance with the PFBPG and the requirements of Australian Standard 3959 - Construction of Buildings in Bush Fire Prone Areas, is considered appropriate.
As the proposed Subdivision Guide Plan is consistent with the recommended lot sizes required by Planning Policy 3.3.1 - Rural Land Strategy and the PFBPG, and submissions have been appropriately addressed, it is recommended that Council adopt the Scheme Amendment for Final Approval.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **ADOPT** (Final Adoption) Amendment No.143 to Town Planning Scheme No.2 to rezone Lot 9501 (No.1503) Muzzlewood Street, Baldivis from ‘Rural’ to ‘Special Residential’, pursuant to Section 75 of the Planning and Development Act 2005 without modification.

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

**Committee Recommendation**

Moved Cr Elliott, seconded Cr Pease:

1. **ADOPT** (Final Adoption) Amendment No.143 to Town Planning Scheme No.2 to rezone Lot 9501 (No.1503) Muzzlewood Street, Baldivis from ‘Rural’ to ‘Special Residential’, pursuant to Section 75 of the Planning and Development Act 2005 without modification.

2. **ADOPT** the recommendations contained within the Schedule of Submissions as follows:

<table>
<thead>
<tr>
<th>SUBMISSION</th>
<th>COMMENT</th>
<th>RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.1 - Mr T &amp; Mrs J Mathers and Mr L &amp; Mrs S Baskerville 7 Muzzlewood Street BALDIVIS WA 6171</td>
<td>Prior to initiation of the Scheme Amendment, the City liaised extensively with the applicant on the size and location of Building Envelopes within the proposed lots. The shape and location of Building Envelopes has been determined based on the Building Protection Zone (BPZ) requirements of the Western Australian Planning Commission's Planning for Bushfire Protection Guidelines 2010 and the location of significant vegetation.</td>
<td>That the submission be not upheld.</td>
</tr>
<tr>
<td>SUBMISSION</td>
<td>COMMENT</td>
<td>RECOMMENDATION</td>
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<tr>
<td><strong>No.1 - Cont…</strong></td>
<td>The proposed Building Envelope locations allow the BPZ to be wholly contained within each lot boundary and/or adjacent road reserve, and result in the retention of the greatest amount of significant vegetation on the site, without compromising the useability of Building Envelopes. Limiting the amount of vegetation between the Building Envelopes and the road reserve is more appropriate than locating Building Envelopes in dense areas of vegetation, as it minimises the risk to life and property as a result of bushfire.</td>
<td></td>
</tr>
<tr>
<td>- Request for 'Local Access Only' sign upon entry to estate. Lots of cars drive around the estate at night and illegal dumping.</td>
<td>The City considers that the instances of illegal dumping are likely to decrease as development occurs over the site.</td>
<td></td>
</tr>
<tr>
<td>- No Telstra Infrastructure at present, suggest Council contacts Telstra considering there will be 40+ residents in the near future.</td>
<td>The City referred the application to Telstra, who provided no objection to the proposal.</td>
<td></td>
</tr>
<tr>
<td>- What is plan for local wildlife (kangaroos)?</td>
<td>A fauna relocation plan will be recommended prior to subdivision of the land.</td>
<td></td>
</tr>
<tr>
<td><strong>No.2 - Mr Frank Kroll</strong>&lt;br&gt;Water Corporation&lt;br&gt;PO Box 100&lt;br&gt;LEEDERVILLE WA 6902</td>
<td>Thank you for your letter of 28 January with respect to this proposed amendment seeking the Corporation’s advice. The Corporation’s support for the amendment is subject to the following matters being addressed. The Lot is not currently included within the Corporations water supply scheme as the land to the west and south of the Baldivis South Structure Plan are shown as Rural, and hence requires investigation on the extent of servicing possible and the size of the network. Part of the land is high ground and may not be able to be served by the adjacent gravity network.</td>
<td>That the submission be noted</td>
</tr>
<tr>
<td>The landowner will need to provide information to demonstrate that reticulated water can be made available to the site, prior to subdivision of the land. No deep sewerage is currently available to the site, however, the land is suitable for on-site effluent disposal. The lot sizes proposed are large enough to cater for on-site effluent disposal.</td>
<td></td>
<td></td>
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</tbody>
</table>
### SUBMISSION

**No.2 - Cont...**

An existing 375mm water main exists in Eighty Road, and a 200mm in Mandurah Road, down to a 150mm in Muzzlewood Street. A wastewater Pump Station exists on Eighty Road. Servicing is normally for lots R5 and denser in the outer metropolitan region (Government Sewerage Policy). An existing services network plan is attached. It is recommended the City of Rockingham address the land zoned Rural to the west and south of the South Baldivis Structure Plan to give guidance for infrastructure planning so that planning can be conducted over a wider area.

### COMMENT

The future zoning of land to the west and south of the Baldivis South District Structure Plan will depend on the outcome of the Strategic Environmental Assessment of the Perth and Peel Regions and sub-regional structure plans by the WAPC. The City is unable to provide further guidance in this respect until the abovementioned plans are finalised.

### RECOMMENDATION

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**No.3 - Mr Brett Dunn**  
**Department of Water**  
**PO Box 332**  
**MANDURAH WA 6210**

Thank you for the referral regarding the amendment to Town Planning Scheme No 2 for the abovementioned address received 29 January 2015. The Department of Water (DoW) has reviewed the document and wishes to provide the following advice.

**Wastewater Treatment**

If sewer connection is not to be provided onsite wastewater disposal should be via aerobic treatment units (ATU's), as deemed appropriate by the Department of Health and the local government.

**DPAW Issues**

It appears that there is a conservation category wetland (CCW) and environmental protection policy lake (EPP lake) on the subject land. For this reason, this proposal must be referred to the Land Use Planning section at the Department of Parks and Wildlife's Swan Region (C/- Locked Bag 104, Bentley Delivery Centre, WA 6983).

**Groundwater**

The subject area is located within the Stakehill Groundwater Area as proclaimed under the Rights in Water and Irrigation Act 1914. Any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer is subject to licensing by the Department of Water. The issuing of a groundwater licence is not guaranteed but if issued will contain a number of conditions that are binding upon the licensee.

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Government submission offering no objection and supplementary advice to applicant.  

That the submission be noted.
<table>
<thead>
<tr>
<th>No.3 - Cont…</th>
<th>COMMENT</th>
<th>RECOMMENDATION</th>
</tr>
</thead>
</table>
| **Peel Harvey Coastal Plain Catchment**  
The proponent is advised that the proposal is located within the Peel-Harvey catchment and the provisions of the Environmental Protection (Peel Inlet- Harvey Estuary) Policy 1992 and the Statement of Planning Policy No 2.1 - the Peel-Harvey Coastal Plain Catchment (SPP 2.1) shall apply.  
In accordance with Provision 6.2.1 of SPP 2.1, the use of conventional on-site effluent disposal systems will only be supported where it can be demonstrated that there is at least a 2 metre vertical separation between the base of the leach drain and the highest known groundwater level and a 100m horizontal separation between the disposal system and the nearest water body. Given the presence of the wetland in the north east of the site, the use of ATU's is recommended as previously specified.  
It is also recommended that the existing remnant vegetation is retained and clearing should be restricted to the building envelopes only. Animal stocking rates also apply. | | |

| No.4 - Mr Peter Gianatti  
Western Power  
GPO Box L921  
PERTH WA 6842 | Government submission offering no objection and supplementary advice to applicant. | That the submission be noted. |
| Summary of Submission.  
Comments provided in respect of:  
- Future Subdivision/Development Conditions;  
- General Information;  
- Distribution Network; and  
- Easement and Restriction Zones. | | |

| No.5 - Mr Norm Walkerden  
Telstra  
Locked Bag 2525  
PERTH WA 6001 | Government submission offering no objection and supplementary advice to applicant. | That the submission be noted. |
| Thank you for the above advice. At present, Telstra Corporation Limited has no objection. I have recorded it and look forward to further documentation as the development progresses.  
A network extension will be required for any development within the area concerned. The owner/developer will have to submit an application before construction is due to start to NBN Co. (for greater than 100 lots or living units in a 3 year period) or Telstra (less than 100 lots or living units). Developers are now responsible for telecommunications infrastructure, i.e. conduits and pits. NBN and/or Telstra will provide the cable. | | |
<table>
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<th>COMMENT</th>
<th>RECOMMENDATION</th>
</tr>
</thead>
</table>
| **No.6 - Mr Stephan de Haan**  
Department of Parks and Wildlife  
Locked Bag 104  
BENTLEY DC WA 9883 | | That the submission be noted. |
| In reference to your correspondence dated 28 January 2015, the Department of Parks and Wildlife provides the following comments. The Environmental Protection Authority (EPA) has advised that,  
- The potential impacts from the scheme amendment can be adequately managed to meet the EPA's objectives through the implementation of the City of Rockingham's scheme provisions, management plans and regulated through other statutory processes.  
- It is important that the buffer between the proposed development and Outridge Swamp is managed and maintained in such a manner that protects Outridge Swamp, including retaining and enhancing the remnant vegetation within this buffer.  
- Of the 233 trees within the amendment area, 225 have been identified as being potential habitat trees for black cockatoos. The Subdivision Guide Plan - Tree Survey developed by the Rowe Group dated 12 March 2014 proposes to clear 51 of these trees. The EPA recommends planting of local native species for black cockatoos to replace these 51 trees.  
- The proposed clearing may need to be referred to the Commonwealth Department of the Environment under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). | | |
### No.6 - Cont...

It is understood that the Subdivision Guide Plan tree survey provided to the EPA proposes to clear 51 of 225 threatened black cockatoo potential habitat trees. The department notes that the map identifying the building protection zones required for fire protection in Attachment 6 of the Amendment report indicates that the entire amendment area will be impacted by building envelopes, building protection zones, or roads. The southern portion of the site appears to be well vegetated with significant canopy cover and may require significant clearing to establish building protection zones across the proposed lots.

The department requests that the City of Rockingham reviews the estimate of the number of habitat trees required to be cleared to achieve the required level of fire hazard reduction in the building protection zones. If the number of habitat trees is greater than the estimate of 51 trees provided to the EPA, the City of Rockingham may wish to consider advising and discussing further with the EPA. Planning for the area should firstly make provision to retain as much of the cockatoo habitat as possible, identify and quantify habitat which will be lost, and consider if offsets may be required to mitigate any residual impact on habitat of this species.

Proposals should be discussed with the Federal Department of Sustainability, Environment, Water, Population and Communities as there may be a requirement to refer the proposal under the EPBC Act.

- **SUBMISSION**
- **COMMENT**
- **RECOMMENDATION**

The City has reviewed the tree survey in light of the advice from DPaW and confirms that only 51 habitat trees are required to be removed. The City has received confirmation from the Department of Fire and Emergency Services that less trees than would normally be required to facilitate Building Protection Zones in accordance with the *Planning for Bushfire Protection Guidelines 2010* need to be removed, due to the low fuel load of the understorey of the trees.

Given black cockatoo habitat exists on the site, the applicant will be required to refer the proposal to the Commonwealth Department of the Environment under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Compliance with the requirements of the EPBC Act is the responsibility of the applicant.

### No.7 - Mr Lindsay Broadhurst

Main Roads WA  
PO Box 6202  
EAST PERTH WA 6892

Thank you for your letter dated 28 January 2015 inviting Main Roads comments on the above proposed Amendment No 143 to Town Planning Scheme 2. Main Roads has no objections to the above proposed rezoning.

- **SUBMISSION**
- **COMMENT**
- **RECOMMENDATION**

Government submission offering no objection.  

That the submission be noted.
<table>
<thead>
<tr>
<th>SUBMISSION</th>
<th>COMMENT</th>
<th>RECOMMENDATION</th>
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</table>
| No.8 - Mr Ross & Helen Santich  
44 Outridge Road  
BALDIVIS WA 6171 | | That the submission be not upheld. |

Please find below our submission in regards to the above proposed amendment. We have several concerns we would like to raise.

**Wetland Values**

From the scheme amendment documents: A Conservation Category Wetland (CCW) and a Multiple Use Wetland (MUW) are mapped by the Department of Environment Regulation (DER) as being located to the north-east of the amendment site, a small portion of which is contained within the amendment site.

From a review of recent aerial photography, the MUW does not appear to retain much ecological value with the area virtually cleared of all vegetation and only grasses remaining to provide a ‘patchy’ ground cover.”

We also feel assessment of wetland values by aerial photography only is not appropriate in this case. The wetland boundaries, required buffers and potential impacts, with recommendations on mitigation of impacts, should be conducted by a qualified wetland ecologist. The boundaries of wetlands conducted by the DER are of a scale that requires groundtruthing when proposed development is to take place, they were not intended to be the boundaries used for assessment of impacts as used in this case.

Wetland values are not only based on vegetation, soils and hydrology are also significant components. A buffer of sedges/grasses is a normal component around the edges of wetlands where the water level only saturates to ground level also known as a Palusplain (Hill et al.1996).

As stated by DPAW "Since publication and subsequent digitising of the Hill et al. (1996) mapsheets, the dataset has been frequently updated. However, inaccuracies may exist in the dataset due to its large size (it covers approximately 362,000 ha of wetland area) and the scale of capture compared to the scale at which it is viewed.” To our knowledge the extent of Gutridge Swamp has never been groundtruthed to correct any inaccuracies of the Hill et al 1996 mapping.
SUBMISSION

No.8 - Cont…
The ‘grassy area’ around the wetland that has been assessed as no being of much ecological value actually provide important ecological value to the fauna that use that vegetation. We have observed numerous kangaroos in the areas surrounding Gutridge Road Swamp.
The proposed amendment, along with the proposed primary school to the east, will significantly reduce the amount of area for the kangaroos. Where are they supposed to go?

Amenity Value
Our understanding was that the ridge between Pike Road and Sixty Eight Road was to be retained for amenity value.

Recent subdivision adjacent to the proposed amendment has already impacted on this amendment with large Tuart trees being removed, and in the case of several properties observed recently, the entire understory is removed from fence line to fence line. The subdivision guide plan says it will ensure significant vegetation is retained where possible. Although looking at the maps, the planning hasn't taken into account the location of significant trees at all. It's just a stock standard, carve it up as much as possible subdivision. ‘Of the approximately 170 trees surveyed, 28 are within the road reserve and 26 are within the building envelopes. This represents 54 (32%) of trees definitely to be cleared. The planning of lots 11, 17 and 18 show no attempt at minimising impacts to trees, with almost all trees present on those lots planned to be within the building envelopes! How is this minimising the impacts to trees?
How is the retention of significant vegetation going to be enforced when it doesn't appear to be occurring on the portion of the site already subdivided? It also isn't clearly shown where on the subdivision that the significant vegetation exists. We have assumed that it means the trees shown on the tree survey to be retained.

COMMENT
There is adequate area between Building Envelopes to allow the passage of kangaroos traversing the site.
The City of Rockingham Town Planning Scheme No.2 requires boundary fencing to be of post and wire strand construction to a maximum height of 1.2m, which can be traversed by kangaroos.
The proposed lot sizes are consistent with the minimum lot size of 5,000m² recommended by the City's Planning Policy 3.1 - Rural Land Strategy.
The owners of existing larger rural lots adjacent the subject site have not made an application to rezone or subdivide the land in accordance with the recommended minimum lot size. The City has liaised extensively with the applicant and the Environmental Protection Authority to ensure as many trees as possible can be retained whilst still ensuring the proposal complies with the requirements of the Planning for Bushfire Protection Guidelines 2010. The City has also liaised with the Department of Fire and Emergency Services, who have supported the retention of more trees than would otherwise be permitted to be retained under the Building Protection Zone requirements of the Planning for Bushfire Protection Guidelines 2010. The City considers that the proposed lot sizes and loss of vegetation will not significantly alter the existing rural amenity of the locality.

RECOMMENDATION
## No.8 - Cont...

### Vegetation

There is no assessment of the impact of vegetation loss can be compared on a regional basis as required in EPA (2004). As at 2002 there was only 35% of the original extent of Tuart remaining on the Swan Coastal Plain (Wildflower Society of WA 2002).

Ecoscape (2007), in its assessment of the vegetation of Rockingham reserves assessed areas of Tuarts woodlands as follows:

- **Cottesloe Central and South:** Mosaic of woodland of E. gomphocephala and open forest of E. gomphocephala- E. marginata - E. calophylla; closed heath on the limestone outcrops. In 2007 there was 41% remaining of pre-clearing extent on the Swan Coastal Plain of which 8% of pre-clearing extent remained in the City of Rockingham.

- **Karrakatta Central and South:** Predominantly low open forest of E. gomphocephala- E. marginata - E. calophylla and woodland of E. marginata- Banksia spp. In 2007 there was 29.5% remaining of pre-clearing extent on the Swan Coastal Plain of which 17% of pre-clearing extent remained in the City of Rockingham.

As mentioned in Ecoscape (2007), the EPA (2003) identified several levels to describe the status of a vegetation complex, these are as follows:

- **Threshold level:** 30% of the pre-clearing extent is the level at which species loss appears to accelerate exponentially at an ecosystem level; and
- **Endangered level:** 10% of the original extent is regarded as being a level representing endangered“.

The lack of this information, paid for by the City of Rockingham, not being described and used in assessments of vegetation loss is astounding.

This information should have been included in the documentation provided as it indicates the importance of remaining areas of Tuart woodlands, regardless of condition. The Wildflower Society of WA (2002) provides an excellent explanation on Tuart Woodlands. For instance, they are naturally not very shrub rich communities, with many annual species present, which contributes to the open appearance of the woodlands.

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<tr>
<th>SUBMISSION</th>
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<tr>
<td>No.8 - Cont...</td>
<td>The City has liaised with the Department of Fire and Emergency Services, who have supported the retention of more trees than would normally otherwise be permitted to be retained under the Building Protection Zone requirements of the <em>Planning for Bushfire Protection Guidelines 2010</em>. Whilst it is acknowledged that some vegetation will be required to be removed, the least amount of vegetation to be removed whilst still complying with the <em>Planning for Bushfire Protection Guidelines 2010</em> has been achieved.</td>
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</table>
No.8 - Cont…
The fact that the both surveys were completed in January is the wrong time of the year and is when the Tuart woodlands look their worst as any annual species present would have disappeared. We have driven past the site with and feel the values have been understated, with a ground layer being present.

Many recent developments in the Baldivis area has resulted in the loss of many mature Tuarts along the ridge to the east of Lake Walyungup (for example on Outridge Road, the construction of the freedom reformed Church required the loss of several mature trees).

We feel this assessment is required to get a feel of what proportion of remaining Tuart Woodland will be impacted.

The proposed site is 23.24ha which we feel is a substantial area and we don't feel confident that the retention of significant trees will occur given what we have seen in the adjacent subdivision.

The building retention zones around each building envelope mean any remaining understory vegetation is likely to be cleared.

Proposed Density

We are concerned about a Concept Plan shown for the wider area, of which we were not aware of and impacts us directly.

The Rural Concept plan shows properties on Outride Road as Special Residential (1ha) when Lot 31 Muzzlewood Avenue has been allowed double the density at (0.5ha per lot). Why the difference? We feel for visual amenity shouldn't the density be consistent. Why is this particular lot allowed double the density when surrounding areas are not particularly when Lot 31 Muzzlewood Avenue is the closest to Outridge Swamp, with the steepest slopes in the area, and therefore would have the highest impact. This is another reason why the density should be consistent with surrounding areas.

We would like it clearly stated that bore licences are not to be given to any landowners. It is not clear in the documents available that this is the case. We have observed the dramatically falling water levels in our bores and feel the groundwater in this area between Outridge Road Swamp and Lake Walyungup is not understood well enough to allow further abstraction from this area. The regional groundwater mapping by Department of Water is far too broad to allow an accurate assessment of any further abstraction in this area.

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<tr>
<td><strong>No.8 - Cont…</strong></td>
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<tr>
<td>Just the statement that the groundwater is at 1m AHD across the site in clearly incorrect when we have two bores on our block that have completely different height levels. It is highly unlikely the proposed site has the same depth of water across site as stated in the documents. In 2008 the DoW said that the allocation of water in this area was almost at its limit with limited availability of further water. How far away were the two DEC monitoring bores that ENV used to assess that the groundwater levels generally correlate with the groundwater atlas? Given the surrounding wetlands it is likely the hydrogeology in this area is quite complex and the location of the bores assessed would be important as they may not be in a similar area of hydrogeology. We appreciate the opportunity to provide or comments of the proposed subdivision and hope our concerns are addressed.</td>
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Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
Purpose of Report

To consider, for initiation, an Omnibus Scheme Amendment No.123 to Town Planning Scheme No. 2 (TPS2) for the purpose of:
- Amending the Zoning Table for a number of land uses; and
- Making minor corrections and alterations to TPS2 text and maps.

Details

Upon review of TPS2, a number of incorrect clauses and references have been identified that need to be updated to ensure its accuracy. During this review, the City considered it appropriate to assess the Zoning Table with respect to land use permissibility of particular developments. The Scheme Amendment proposes the following:
Zone Objectives

Text headings within TPS2 do not form part of legislation and as such individual TPS2 provisions should stand alone and be self-explanatory. Some clauses relating to zone objectives do not specifically state the zone in which the objectives relate to.

In this regard, the following clauses are to be amended to make specific reference to the zone to which they relate.

- Clause 4.1.1 Residential Zone Objective
- Clause 4.6.1 Commercial Zone Objective
- Clause 4.11.1 Rural Zone Objective
- Clause 4.14.1 Community Purpose Zone Objective

Interpretations for the R-Codes and Australian Standards for Off-Street Parking

A number of Interpretations refer to other legislation which may be amended over time and thus become known as a subsequent version numbers or amendments. To ensure interpretations remain current, it is proposed to amend the reference to the Residential Design Codes in clause 4.1.2(a) to delete “(Variation 1)”. Similarly, it is proposed to add “(or as amended)”.

Development Zone Standards

TPS2 currently requires a Structure Plan for a Development Area before recommending or approving the development of land within a subject site. Since the introduction of new Development Areas on the Scheme Maps, all Development Zones are included in Development Areas which limits the Council’s ability to apply its discretion in granting planning approvals. It is proposed to amend clause 4.2.4(e) of TPS2 to enable the Council to approve the development of land within a Development Area prior to a Structure Plan coming into effect, if the Council is satisfied that this will not prejudice the specific purposes and requirements of the Development Area.

Commercial Vehicle Parking

It is proposed to amend clause 4.17 to specify the matters that must be taken into consideration in assessing an application for commercial vehicle parking.

Home Business Signage

TPS2 does not include a maximum size for signage associated with Home Businesses. It is proposed to insert a maximum signage size of 0.2m² into clause 4.16.2, for consistency with Home Occupations.

Discretion to Modify Development Standards

TPS2 provides the ability for the Council to exercise discretion in relation to development standards. Specifically clause 4.20.1A identifies that discretion may be exercised in relation to the default R-60 density coding for mixed use development.

In November 2010, the R-Codes were amended such that residential elements of mixed use development within non R-Coded land are to be assessed against the R-AC3 provisions (Table 4 of the R-Codes). Clause 4.20 of TPS2 should be amended to reflect the R-Codes by including the default R-Code of R-AC3 as it now applies.

Detailed Area Plans

(a) Clause 4.23.3 outlines the details which a Detailed Area Plan (DAP) may include. It is proposed to insert a new subclause which includes ‘the density code of a lot’ based upon an adopted Structure Plan as a matter that a DAP may include. This clause is also proposed to require a DAP to include: ‘a planning objective’, ‘preferred land uses’, ‘noise management’ and ‘bushfire risk mitigation.

(b) Clause 4.23.4 provides the Council with the ability to modify or vary a DAP, however, it does not enable a DAP to be rescinded. Clause 4.23.4 is therefore being amended to include that a DAP can be rescinded by Council.

Application for Planning Approval

Clarification is required in clause 6.2.1 that the "owner(s)" referred to are for the land to which the application relates, as follows:
“6.2.1 Every application for planning approval shall be made on the form prescribed by the Council, and is to be signed by the owner(s) of the land to which the application relates, and accompanied by such plans and other information as is required by the Scheme.”

Matters to be Considered by the Council

Clause 6.6 contains the matters to which the Council must give consideration in assessing applications for planning approval. If an application for Planning Approval complies with the TPS2 standards and requirements, it may still be designed in a manner that is not functional, efficient and safe. It is proposed to include an additional matter, being:

“whether the design and layout of the development demonstrates a functional, efficient and safe development”.

Schedule 1 – Interpretations – General Interpretations

The following General Interpretations are proposed to be amended.

(a) Residential Design Codes

Amend the clause to delete “(Variation 1)” as described in the Zone Objectives identified above.

Schedule 4 - Planning Unit 3

(i) Lots 800, 802, 804, and 806 Trenant Park Gardens, Golden Bay were rezoned from 'Special Rural' to 'Special Residential' as part of Scheme Amendment No.67. The lots were formerly known as Lots 27 and 32-36 Trenant Park Gardens and only became known as Lots 800, 802, 804 and 806 following the widening of Mandurah Road which excised the eastern part of these lots.

Due to the change in the lot numbers, they were mistakenly never removed from Planning Unit 3 of Schedule 4 of TPS2 or from the associated Plan No. 3 - Special Rural Zones (South). Therefore it is proposed to delete the reference to Lots 27 and 32-36 Trenant Park Gardens from the table in Planning Unit 3 of Schedule 4 and delete the same lots from Plan No. 3 - Special Rural Zones (South) updated to correctly amend TPS2 as per Amendment No.67.

(ii) Similarly, Lots 200 and 300 Dampier Drive were rezoned from 'Special Rural' to 'Special Residential' as part of Scheme Amendment No.4. The table in Planning Unit 3 of Schedule 4 was amended to delete these lots, however, Plan No. 3 - Special Rural Zones (South) was not amended to reflect the change. Therefore Plan No. 3 - Special Rural Zones (South) is amended to delete these lots.

Schedule 5 - Planning Unit 4

(a) It is proposed to amend the location table descriptions for 4(i) and 4(ii) to amend incorrect descriptions. The descriptions of the location for 4(i) and 4(ii) shall be reversed to correctly refer to the relevant land as shown on Map 6 of the TPS.

(b) Provision 7(a) of Schedule No.5, relating to Planning Unit 4 of the Rural Land Strategy, of TPS2 requires Building Envelopes to be identified on lots at the time of subdivision where the Council considers that local environmental conditions are significant enough to warrant restriction to development and vegetation clearing. TPS2 does not, however, identify setbacks to streets and lot boundaries in circumstances where building envelopes are not warranted. This has resulted in circumstances where the TPS2 is ambiguous in that it does not specify a required setback or reference a density code of the Residential Design Codes.

Sites without building envelopes include:

- Lot 22 (No.20) Brodie Court, Baldivis;
- Lot 10 (No.273) Eighty Road, Baldivis; and
- Proposed Lots 54-57 Mandurah Road and Cudliss Close, Baldivis.

To provide greater certainty, it is proposed that the required setbacks be determined in accordance with the R2.5 Code of the Residential Design Codes. Under the R2.5 Code, which applies to lots having a minimum lot size of 4,000m², the following building setbacks are recommended:

- Primary street – 15m
- Secondary street – 7.5m
- Other/rear – determined based on the height, length and openings on the wall (minimum 1m)/7.5m

The above standards reflect for example, the existing house on Lot 22 (No.20) Brodie Court, Baldivis, which has a street setback of approximately 17m and complies with the recommended setback requirements of the R2.5 Code.

Buildings should not encroach onto land required for firebreaks, and in this regard TPS2 should require the setbacks to be at least that required for a firebreak (typically 3m).

A new subclause 7(d) is to be inserted into TPS2 to reflect this.

(c) Scheme Amendment No.97 rezoned Lot 3 Fifty Road, Baldivis from a 'Rural' Zone to a ‘Special Residential’ Zone, however, the Scheme Amendment referred to an incorrect Plan Reference. It referenced the site as 6(iii) instead of 4(iii). It is therefore proposed to correct this text and mapping error in Planning Unit 4 of Schedule 5.

Primary Centre Special Considerations

Clause 4.3.3(f) was inserted into TPS2 as part of the Scheme Amendment No. 113, gazetted on 28th September 2012. It was incorrectly applied to the Waterfront Village Sector. Instead it should apply to the Urban Village and shall be amended to reflect such.

Table No. 1 - Zoning Table

The Zoning Table outlines landuse and development permissibility within all zonings. A review of the Zoning Table was undertaken and it was concluded that some land uses are not appropriate for particular zones, whilst some should be considered for inclusion. Additionally, the City considers that community consultation may need to be undertaken for some proposals that could impact upon surrounding landowners. The following changes are proposed to the Zoning Table, respective of the permissibility as follows:

The symbols have the following meanings under the Scheme:

‘D’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 6.3.

‘X’ means a use that is not permitted by the Scheme.

<table>
<thead>
<tr>
<th>Use Class</th>
<th>Zoning</th>
<th>Current Permissibility</th>
<th>Proposed Permissibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short Stay Accommodation</td>
<td>Residential</td>
<td>X</td>
<td>A</td>
</tr>
<tr>
<td>Car Wash</td>
<td>Primary Centre City Living</td>
<td>D</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Primary Centre City Centre</td>
<td>D</td>
<td>X</td>
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<tr>
<td></td>
<td>Primary Centre Waterfront Village</td>
<td>D</td>
<td>X</td>
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<tr>
<td></td>
<td>Primary Centre Urban Village</td>
<td>D</td>
<td>X</td>
</tr>
<tr>
<td>Club Premises</td>
<td>Community Purposes</td>
<td>X</td>
<td>D</td>
</tr>
<tr>
<td>Service Station</td>
<td>Light Industry</td>
<td>X</td>
<td>D</td>
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<tr>
<td></td>
<td>General Industry</td>
<td>X</td>
<td>D</td>
</tr>
<tr>
<td>Fuel Depot</td>
<td>Rural</td>
<td>D</td>
<td>X</td>
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<tr>
<td>Salvage Yard</td>
<td>Port Kennedy Business Enterprise</td>
<td>D</td>
<td>X</td>
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<tr>
<td></td>
<td>Light Industry</td>
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<td>A</td>
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<td></td>
<td>General Industry</td>
<td>D</td>
<td>A</td>
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<tr>
<td>Place of Public Worship</td>
<td>Port Kennedy Business Enterprise</td>
<td>D</td>
<td>A</td>
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<tr>
<td></td>
<td>Light Industry</td>
<td>D</td>
<td>X</td>
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</table>
(a) Short Stay Accommodation within the Residential zone
Tourism is recognised as a key driver in diversifying a local economy and in order to encourage tourist numbers, a range of accommodation options need to be available to the public that can satisfy a range of demands. This can be partially achieved through an amendment to the Zoning Table to allow for Short Stay Accommodation development applications to be considered for the Residential zone. Currently, an applicant must undergo a Scheme Amendment and then a development application to obtain approval for a proposal such as a holiday house. This process is timely and relatively expensive.
Amendment of the Zoning Table to change it from an ‘X’ use to an ‘A’ use would allow for applicants to have a proposal assessed through lodgement of a development application. This process is relatively straightforward in comparison to a Scheme Amendment and still allows for an assessment of proposals.

(b) Car Wash within the City Centre zones
Car washes can often take the form of large open spaces with little built form, resembling a car park with dirty cars that generates a considerable amount of vehicle movements. In addition to an unsightly area, machinery and other tools used to clean cars can emit noise, water spray and smells (such as degreasers and oils) that leave the premises. When considering the desired streetscape and functionality of a City Centre zoning, it is considered unlikely that a car wash would sit well adjacent to a sensitive land use such as a café, bar or residence. It is considered that removal of this land use from the City Centre zoning is essential to ensure that no land use conflicts arise and a desirable built form is achieved for the streetscape.

(c) Club Premises within the Community Purposes zone
A Club Premises is defined as a “premises used or designed for the use by a legally constituted club or association or other body of persons united by a common interest.”. The Community Purposes zone is considered as a rational zone to locate such facilities.

(d) Service Station within the Light Industry and General Industry zones
In Council’s determination of Scheme Amendment No. 146, it was concluded that a Service Station is an appropriate land use within a Light Industry zone. The nature of the land use is similar to that of other land uses that can be co-located within the zone and it is considered that a Service Station can complement light industrial businesses. The same is considered for the ‘General Industry’ zone and it is proposed to be included as a ‘D’ use under the two zonings.

(e) Fuel Depot within the Rural zone
A Fuel Depot is classed as an industrial use under the Zoning Table and can be permitted within the Port Kennedy Business Enterprise zone and the Light and General Industry zones. An industrial land use within the Rural zone is considered inconsistent with the objectives of the zone and is not considered appropriate based on potential land use conflicts. It is therefore proposed to be removed as a land use that can be permitted within the Rural zone.

(f) Salvage Yard within the Port Kennedy Business Enterprise zone, Light Industry and General Industry zone
The bulk storage of salvaged materials and the associated activities that accompanies the land use is considered to have significant amenity impacts within a considerable proximity. This land use does not need to be advertised to adjoining landowners within the Port Kennedy Business Enterprise zone and the Light and General Industry zones. The City considers that development within these zones should be of a high standard and maintained as such. A greater level of scrutiny from the surrounding property owners is considered reasonable as this would ensure that current and intended development of these areas is maintained and enhanced. It is considered appropriate to change the Salvage Yard land use from a ‘D’ use to an ‘A’ use.
(g) Place of Public Worship within the Port Kennedy Business Enterprise zone and Light Industry Zone

A number of land use conflicts have arisen from Places of Worship being located within the Port Kennedy Business Enterprise zone and Light industry zone. Common issues include parking availability, parked cars impeding commercial vehicle traffic flow and traffic congestion. Additionally, large tracts of land are required to be reserved in order to accommodate a Place of Worship’s car parking demands which can prohibit businesses establishing themselves in the area due to lack of available land. This can then compromise the functionality of such zones. It is considered that Places of Worship should be located in activity centres which are closer to a population base.

Planning Scheme Maps

(a) An inconsistency in the zoning boundary mapping exists for a number of properties and two Public Open Space (POS) reserves within Secret Harbour that adjoin Mandurah Road. The ‘Special Residential’ and ‘Development’ zone boundaries do not reflect the cadastral boundaries. Furthermore, the POS reserves either side of Anstey Road are not reserved correctly and it is proposed to update the Scheme Maps as per the plan below.

**Implications to Consider**

a. Consultation with the Community

If the Scheme Amendment is initiated by Council, it is required to be advertised in accordance with the *Town Planning Regulations 1967* for a minimum period of 42 days from the date of publication of an advertisement in a newspaper circulating in the area.
b. **Consultation with Government Agencies**

Consultation with relevant Government Agencies will only occur if the Scheme Amendment is initiated by the Council. Referrals can then be undertaken in accordance with the *Town Planning Regulations 1967*.

c. **Strategic**

**Community Plan**

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

- **Aspiration 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**

N/A

e. **Financial**

Nil

f. **Legal and Statutory**

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

g. **Risk**

- **Risk Implications of Implementing Officer Recommendation:** Nil
- **Risk Implications of Not Implementing Officer Recommendation:** Nil

### Comments

The proposed amendment updates and clarifies a number of clauses. It is recommended that the Council initiate Amendment No.123.

### Voting Requirements

Simple Majority.

### Officer Recommendation

That Council *ADOPT* (initiate) Amendment No.123 to Town Planning Scheme No.2, in pursuance of Section 75 of the *Planning and Development Act 2005*.

### Committee Recommendation

Moved Cr Pease, seconded Cr Hamblin:

That Council *ADOPT* (initiate) Amendment No.123 to Town Planning Scheme No.2, in pursuance of Section 75 of the *Planning and Development Act 2005*, as follows:

1. Table No.1 - Zoning Table is amended in accordance with the following:

<table>
<thead>
<tr>
<th>Use Class</th>
<th>Zoning</th>
<th>Current Permissibility</th>
<th>Proposed Permissibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short Stay Accommodation</td>
<td>Residential</td>
<td>X</td>
<td>A</td>
</tr>
</tbody>
</table>
### Use Class Zoning

<table>
<thead>
<tr>
<th>Use Class</th>
<th>Zoning</th>
<th>Current Permissibility</th>
<th>Proposed Permissibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car Wash</td>
<td>Primary Centre City Living</td>
<td>D</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Primary Centre City Centre</td>
<td>D</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use Class</td>
<td>Zoning</td>
<td>Current Permissibility</td>
<td>Proposed Permissibility</td>
</tr>
<tr>
<td></td>
<td>Primary Centre Waterfront Village</td>
<td>D</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Primary Centre Urban Village</td>
<td>D</td>
<td>X</td>
</tr>
<tr>
<td>Club Premises</td>
<td>Community Purposes</td>
<td>X</td>
<td>D</td>
</tr>
<tr>
<td>Service Station</td>
<td>Light Industry</td>
<td>X</td>
<td>D</td>
</tr>
<tr>
<td></td>
<td>General Industry</td>
<td>X</td>
<td>D</td>
</tr>
<tr>
<td>Fuel Depot</td>
<td>Rural</td>
<td>D</td>
<td>X</td>
</tr>
<tr>
<td>Salvage Yard</td>
<td>Port Kennedy Business Enterprise</td>
<td>D</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Light Industry</td>
<td>D</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>General Industry</td>
<td>D</td>
<td>A</td>
</tr>
<tr>
<td>Place of Public Worship</td>
<td>Port Kennedy Business Enterprise</td>
<td>D</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Light Industry</td>
<td>D</td>
<td>X</td>
</tr>
</tbody>
</table>

2. Clause 4.1.1 is amended by:
   (a) deleting the paragraph; and
   (b) adding the new paragraph:
   “The objective of the Residential Zone is to promote a high quality residential environment by maintaining and enhancing the quality of existing residential areas and providing for a range of residential densities and housing types throughout the Scheme Area.”

3. Clause 4.1.2 is amended by:
   (a) deleting "(Variation 1)" subparagraph (a); and

4. Clause 4.2.4 amended by:
   (a) deleting "where land is not included in a Development Area or within a Structure Plan," in subparagraph (e); and
   (b) inserting “within a Development Area prior to a Structure Plan coming into effect in relation to that land”.

5. Clause 4.3.3 is amended by:
   (a) deleting “Waterfront” in subparagraph (f); and
   (b) inserting “Smart”.

6. Clause 4.6.1 is amended by:
   (a) deleting the paragraph; and
7. Clause 4.11.1 is amended by:
   (a) deleting the paragraph; and
   (b) adding the new paragraph:
   “The objective of the Commercial Zone is to provide for the development of District, Neighbourhood and Local shopping facilities to cater for the present and future residents of the City consistent with the Council's Local Commercial Strategy and supported by any other Plan or Policy that the Council from time to time may adopt as a guide for the future development within the Zone.”

8. Clause 4.14.1 is amended by:
   (a) deleting the paragraph; and
   (b) adding the new paragraph:
   “The objective of the Rural Zone is to preserve land for farming and foster semi-rural development which is sympathetic to the particular characteristics of the area in which it is located, having due regard to the objectives and principles outlined in the Rural Land Strategy and supported by any other Plan or Policy that the Council may adopt from time to time as a guide to future development within the Zone.”

9. Clause 4.16.2 is amended by:
   (a) deleting subclause (a); and
   (b) adding the new subclause:
   (a) The Council shall only permit the operation of a Home Business within a dwelling or within the boundaries of a lot where it is satisfied that the operation:
      (i) does not employ more than 2 people not members of the occupier’s household;
      (ii) will not cause injury to or adversely affect the amenity of the neighbourhood;
      (iii) does not occupy an area greater than 50 square metres;
      (iv) does not display a sign exceeding 0.2 square metres;
      (v) does not involve the retail sale, display or hire of goods of any nature;
      (vi) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
      (vii) does not involve the use of an essential service of greater capacity than normally required in the zone.

10. Clause 4.17 is amended by:
    (a) deleting subclauses 4.17.1 and 4.17.2; and
    (b) adding new subclauses:
    “4.17.1 Parking of a commercial vehicle in any zone shall not be permitted except in accordance with the provisions set out in the following paragraphs of this clause. The provisions of clause 4.17 do not apply when the commercial vehicle parking is in association with or incidental to a commercial, industrial or rural land use that has been approved by the Council or a use that is otherwise lawfully being undertaken on the land.”
“4.17.2 “Despite any other provision of this Scheme, no commercial vehicle is permitted to remain on privately owned land within the Residential, Development, Special Rural, or Special Residential Zone for a period longer than is necessary for loading or unloading unless the local government has issued a planning approval permitting the parking of such a vehicle.”

“4.17.3 A commercial vehicle may be permitted to be parked, subject to obtaining planning approval, within the Residential Zone, Development Zone, Special Rural Zone, or Special Residential Zone, provided that:

(a) the commercial vehicle is parked on a lot containing only a Single House;

(b) the commercial vehicle forms an essential part of the occupation of an occupant of the dwelling;

(c) Commercial vehicles exceeding 8 metres in length are parked parallel to the side boundary of the lot and behind the building line;

(d) No commercial vehicle repairs are to be undertaken on the lot;

(e) In the opinion of the local government, the commercial vehicle is not likely to adversely affect the amenity of the surrounding land;

(f) Notwithstanding clause 6.11, the local government has the ability to withdraw planning approval for a commercial vehicle, without the prior application from the owner of land in respect of which planning approval has been granted, if the commercial vehicle is not being used accordance with any of the requirements of clause 4.17.3.”

“4.17.4 An approval granted under clause 6.7, pursuant to clause 4.17.3:

(a) is granted to the person to whom it is issued;

(b) is not capable of being transferred or assigned to any other person; and

(c) does not apply to the land in respect of which it is granted.”

“4.17.5 In assessing applications for planning approval, the Council shall take into account:

(a) the objectives of the particular zone;

(b) any Policy pertaining to that zone which Council may from time to time adopt;

(c) on-site parking location;

(d) potential impacts on neighbouring residents in terms of noise, emissions, visual appearance or any other nuisance;

(e) frequency and times of arrival/departure, and parking duration;

(f) the use of the vehicle and whether such vehicle is to be used for business purposes operating out of the premises on a call-out basis.”

11. Clause 4.20 is amended by:

(a) deleting subclause 4.20.1A; and

(b) adding the new subclause:

“4.20.1A For Mixed-Use Development, in respect of which a default R-AC3 density coding otherwise applies under deemed-to-comply provision 6.1.1 C1 of the Residential Design Codes, if a development is the subject of an application for planning approval and does not comply with the site area requirements applicable to R-AC3, the Council may, notwithstanding the non-compliance, approve the application provided it accords with the performance criteria set out in a planning policy adopted under the provisions of clause 8.9.”
12. Clause 4.23.3 is amended by:
   (a) deleting subclauses (j) and (k); and
   (b) adding new subclauses:
      "(j) special development controls and guidelines;"
      "(k) the density code of a lot;"
      "(l) bushfire management measures; and"
      "(m) such other information considered relevant by the Council."

13. Clause 4.23.4 is amended by:
   (a) deleting the paragraph; and
   (b) adding the new paragraph:
      "An approved Detailed Area Plan may be modified, varied or rescinded with the
      approval of the Council, but where there is an adopted Structure Plan, such
      modifications or variations are to conform with the intent of any adopted Structure
      Plan."

14. Clause 6.2.1 is amended by:
   (a) deleting the paragraph; and
   (b) adding the new paragraph:
      "Every application for planning approval shall be made on the form prescribed by
      the Council, and is to be signed by the owner(s) of the land to which the application
      relates, and accompanied by such plans and other information as is required under
      the Scheme."

15. Clause 6.6 is amended by:
   (a) inserting a new subclause after subclause (y):
      "(ya) whether the design and layout of the development demonstrates a
      functional, efficient and safe development."

16. Clause 8.2 is amended by:
   (a) adding new subclauses following 8.2.4:
      "8.2.5 If the advertiser or owner of the land fails to comply with the direction of the
      Council under clause 8.2.3, the Council in accordance with section 215 of
      the Act may itself remove the advertisement and restore the land to its
      condition before the advertisement was erected or placed, or execute that
      work as it directed that person."
      "8.2.6 The Council may recover expenses under section 215(2) of the Act in a
      court of competent jurisdiction."

17. Schedule 1, Clause 1 is amended by:
   (a) deleting "(Variation 1)" from the definition of ‘Residential Design Codes’

18. Schedule 4, Planning Unit 3, Table is amended by:
   (a) deleting the reference to Lots 27 and 32-36 Trenant Park Gardens.

19. Schedule 5, Planning Unit 4 is amended by:
   (a) The location table descriptions for 4(i) and 4(ii) are amended to correct the
       descriptions. The descriptions of the location for 4(i) and 4(ii) shall be reversed to
       correctly refer to the relevant land as shown on Map 6 of the TPS as shown below.
   (b) The description for 4(iii) is amended to include Lot 3 Fifty Road, Baldivis.

<table>
<thead>
<tr>
<th>Plan Reference</th>
<th>Description of Location*</th>
</tr>
</thead>
<tbody>
<tr>
<td>4(i)</td>
<td>Land referred to as Woodleigh Grove, Baldivis being Lots 326 and 330 Eighty Road including Part Eighty Road, Manor App, Treetop Way, Oak Way, Loxley Place, Archer Close; Portion of Lot 50 Pike Road, Baldivis.</td>
</tr>
<tr>
<td>Plan Reference</td>
<td>Description of Location*</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>4(ii)</td>
<td>Land referred to as Sherwood Estate being Lots 45-49 Eighty Road, Baldivis; Lots 15-19 Postans Court, Baldivis; Lots 20-30, Lot 36, 43 and 44 Brodie Court, Baldivis; Lots 31-35, 37, 40 and 58 Foxton Green, Baldivis; Lots 50-56, Lots 38 and 39 Chandler Ramble, Baldivis; Eastern moiety of Lot 332 Mandurah Road, Baldivis including part Tincombe Grove, Levey Way, Whittingham Lane, Dove Road and Maddren Way.</td>
</tr>
<tr>
<td>4(iii)</td>
<td>Pt Lot 50 Mandurah Road, Pt Lot 51 Cudliss Close, and Lot 3 Fifty Road, Baldivis.</td>
</tr>
</tbody>
</table>

20. Schedule 5, Planning Unit 4 is amended by:
   (a) adding a new subclause after subclause 7(c):
       
       "7(d) Where Building Envelopes are not warranted under this clause, setbacks for buildings shall be determined in accordance with the R2.5 Code of the Residential Design Codes and shall not encroach onto land required for firebreaks."

21. Scheme Map No. 4, is amended by:
   (a) Rezoning the western portion of Lot 1 Penguin Road from 'Residential R40' to 'Commercial'.

22. Plan No. 3 - Special Rural Zones (South), is amended by:
   (a) Deleting Lots 27 and 32-36 Trenant Park Gardens, Golden Bay.

23. Plan No. 6 - Special Residential Zones, is amended by:
   (a) Referencing Lot 3 Fifty Road as 4(iii) instead of 6(iii).

24. Plan No. 17 - Special Residential Zone, is amended by:
   (a) relocating the zoning boundaries to coincide with cadastral boundaries for Lots 1445 - 1453 Greeson Pwy; Lots 8002, 1385 - 1444 Nottley Cres; Lots 1383 - 1384 Hugo Ln; Lots 1172 - 1179 and Lots 1378 - 1382 Miltona Dr; Secret Harbour.

25. Plan No. 17 - Development Zone (DA7), is amended by:
   (a) relocating the zoning boundaries to coincide with the cadastral boundaries for Lots 2119 - 2124 Arrowwood Lp, Secret Harbour.

26. Plan No. 17 - Public Open Space Reserve No. 48295 and Reserve No. 47396, is amended by:
   (a) rezoning the landholdings to Public Open Space; and
   (b) amending the zoning boundary to coincide with the cadastral boundaries.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable

---

1 Correction of typographical error
2 Correction of typographical and numerical error
Planning and Development Services
Directorate Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-034/15</th>
<th>Bushfire Risk Management Pilot Project - Warnbro Dunes</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1905</td>
<td></td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>71</td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>Ms Erika Dawson, Projects Officer</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr Bob Jeans, Director Planning and Development Services</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>18 May 2015</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Executives</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>Warnbro Dunes</td>
<td></td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>Special Residential</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Urban</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>1. Location Plan</td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td>2. Aerial Photo</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td></td>
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<tr>
<td>MRS Zoning:</td>
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<tr>
<td>Attachments:</td>
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<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Location Plan
2. Aerial Photo
Purpose of Report

To seek Council endorsement of the Pilot Project for Bushfire Risk Management in the Warnbro Dunes.

Background

The City is currently preparing a Community Plan Strategy (CPS) for Bushfire Risk Management which will be presented to Council in due course.

The proposed Pilot Project is a test case of two components of the overall CPS.

Details

The Pilot Project for Bushfire Risk Management in the Warnbro Dunes will involve:

- Undertaking of a bushfire risk assessment;
- Preparation of green waste strategy; and
- Implementation over the 2015 winter season.

It will cover the area known as the Warnbro Dunes, including the land zone Special Residential and the adjacent foreshore reserves.


The assessment will:

- Identify assets at risk that are of value to the community;
- Document treatment strategies to be implemented to reduce risk to an acceptable level;
- Document responsibilities for implementation; and
- Identify timeframes for implementation.

Integral to this process is communication and consultation with the affected community to ensure there is ownership of the risk and its management.

There are 5 main types of treatment strategies:

- Fuel management;
- Ignition management;
- Preparedness;
- Planning; and
- Community engagement.

All of these treatment strategies will be considered to reduce the bushfire risk in the study area to an acceptable level.

Fuel management, being one of these strategies, is of concern operationally to the City. Hence the inclusion of the Green Waste Strategy component in the Pilot Project.

From the bushfire risk assessment, an understanding will be gained of the likely green waste generated from fuel management. Only then can options for “disposal” of the green waste be considered. This is not necessarily simply disposing of it at the landfill. Options would seek to follow the waste hierarchy of the Waste Avoidance and Resource Recovery Act 2007. Following these principles, options may include reuse on site (chipping and mulching), removing from site and using elsewhere as mulch, or wider consideration of reuse. Disposal is the last resort.

The key to the Green Waste Strategy is making it work. The management of the disposal methods needs to be interrogated to ensure a system is developed that is realistic and equitable. The Pilot Project will assist the City in establishing a tested and sound strategy, which can then be progressively implemented to other parts of the City.
Implications to Consider

a. Consultation with the Community
   A communication strategy will be developed as part of the Pilot Project which will involve consultation with the affected community.

b. Consultation with Government Agencies
   A communication strategy will be developed as part of the Pilot Project which will involve consultation with affected government agencies.

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

   Aspiration B:  Strong Community

   Strategic Objective:  Safety and Support - A community that feels safe and secure in home, work and leisure environments, and has access to a range of effective support services and partnerships when encountering challenging or difficult times.

d. Policy
   State Emergency Management Plan for Fire (WESTPLAN - FIRE)
   WESTPLAN - FIRE requires an integrated Bush Fire Risk Management Plan (BRMP) be prepared for each local government area across Western Australia. The BRMP is to be in accordance with the templates and guidelines prepared by the OBRM. The guidelines assign the preparation responsibility to local government.

   The bushfire risk assessment component of the proposed Pilot Project will be prepared in accordance the Guidelines for Preparing a Bushfire Risk Management Plan prepared by OBRM.

e. Financial
   Yet to be quantified; $500,000 allocated in City Business Plan for 2015/2016 for bushfire risk mitigation.

f. Legal and Statutory
   Nil

g. Risk
   Risk Implications of Implementing Officer Recommendation
   Nil

   Risk Implications of Not Implementing Officer Recommendation
   Nil

Comments

The Pilot Project provides an opportunity to:
- test the process for the Bushfire Risk Assessment element of the draft Community Plan Strategy; and
- determine the logistics of Green Waste Strategy element of the draft Community Plan Strategy

for a smaller focus area.

The specific benefits of the Pilot Project have been identified:
- It allows expedited attention to the bushfire risk of the Project Area and will ensure that any risk mitigation approaches are appropriate to site attributes.
- Irons out any issues with the methodology and implementation.

The area chosen for the Pilot Project was selected as it is discrete and exhibits a good cross section of issues in order to thoroughly test the methods.

### Voting Requirements

Simple Majority

<table>
<thead>
<tr>
<th>Officer Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>That Council <strong>ENDORSE</strong> the Pilot Project for Bushfire Risk Management in the Warnbro Dunes.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Committee Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moved Cr Smith, seconded Cr Elliott:</td>
</tr>
<tr>
<td>That Council <strong>ENDORSE</strong> the Pilot Project for Bushfire Risk Management in the Warnbro Dunes.</td>
</tr>
<tr>
<td>Committee Voting – 5/0</td>
</tr>
</tbody>
</table>

<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>
## Purpose of Report

Provide Council with details of the tenders received for Tender T14/15-61 – Period supply and/or application of granular fertilisers and soil wetting agents, document the results of the tender assessment and make recommendations regarding award of the tender.

## Background

Tender T14/15-61 – Period supply and/or application of granular fertilisers and soil wetting agents was advertised in the West Australian on Saturday, 28 February 2015. The Tender closed at 2.00pm, Wednesday, 18 March 2015 and was publicly opened immediately after the closing time.
Details

The type of works to be undertaken under the contract shall include:
The supply and application and/or supply and delivery of commercial granular turf fertilisers and granular soil water retention and wetting agents to be applied to the City’s parks and streetscapes in order to maintain high quality turf surfaces.
The period of the contract shall be from the date of award for 36 months.

Tender submissions were received from the following:

<table>
<thead>
<tr>
<th>Company</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A.K.C Pty Ltd trading as Baileys Fertilisers</td>
<td></td>
</tr>
<tr>
<td>Turf Master Pty Ltd trading as Turf Master Facility Management</td>
<td></td>
</tr>
<tr>
<td>Amgrow trading as Nuturf Australia Pty Ltd (Non-Compliant)</td>
<td></td>
</tr>
</tbody>
</table>

The submission from Nuturf was considered non-compliant with specifications and not assessed as tenderers were required to price all tasks in the price schedule and provide for alternative equivalent product so as all formulations and application rates were priced. Nuturf did not provide pricing for all items, their submission only provided pricing for supply and delivery of select alternative products.

A panel comprising of the Manager Parks Operations, Turf Management Coordinator and Larkhill Curator undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Level of Service</th>
<th>Understanding Tender Requirements</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.K.C Pty Ltd trading as Baileys Fertilisers</td>
<td>29.0</td>
<td>18.6</td>
<td>36.8</td>
<td>84.4</td>
<td></td>
</tr>
<tr>
<td>Turf Master Pty Ltd trading as Turf Master Facility Management</td>
<td>24.0</td>
<td>18.6</td>
<td>40.0</td>
<td>82.6</td>
<td></td>
</tr>
</tbody>
</table>

Implications to Consider

a. **Consultation with the Community**
   Not Applicable

b. **Consultation with Government Agencies**
   Not Applicable

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

---

3 Correction of typographical error

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 15 JUNE 2015

PRESIDING MEMBER
d. **Policy**

In accordance with the City’s Purchasing Policy, for purchases above $100,000, 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. Annual expenditure for this tender will be approximately $210,000 per annum.

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 $100,000 unless sub regulation (2) states otherwise’.

g. **Risk**

Risk Implications of Implementing Officer Recommendation

Nil

Risk Implications of Not Implementing Officer Recommendation

High:
- Non compliance with applicable legislation.

**Comments**

Following consideration of the submissions in accordance with the tender assessment criteria all companies assessed demonstrated a capacity to undertake the works, however, Baileys Fertilisers provided for a higher level of service therefore the submission received from A.K.C Pty Ltd trading as Baileys Fertilisers is considered the best value to the City and recommended as the preferred tenderer.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **REJECT** the non-compliant tender submitted from Amgrow trading as Nuturf Australia Pty Ltd for Tender T14/15-61 – Period supply and/or application of granular fertilisers and soil wetting agents.

2. **ACCEPT** the tender submitted from A.K.C. Pty Ltd trading as Baileys Fertilisers for Tender T14/15-61 – Period supply and/or application of granular fertilisers and soil wetting agents in accordance with the tender documentation for the contract period being from the date of award for a period of 36 months.

**Committee Recommendation**

Moved Cr Elliott, seconded Cr Hamblin:

That Council:

1. **REJECT** the non-compliant tender submitted from Amgrow trading as Nuturf Australia Pty Ltd for Tender T14/15-61 – Period supply and/or application of granular fertilisers and soil wetting agents.
2. **ACCEPT** the tender submitted from A.K.C. Pty Ltd trading as Baileys Fertilisers for Tender T14/15-61 – Period supply and/or application of granular fertilisers and soil wetting agents in accordance with the tender documentation for the contract period being from the date of award for a period of 36 months.

Committee Voting – 5/0

<table>
<thead>
<tr>
<th>The Committee’s Reason for Varying the Officer’s Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
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<thead>
<tr>
<th>Implications of the Changes to the Officer’s Recommendation</th>
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<tbody>
<tr>
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Engineering and Parks Services
Engineering Operations

<table>
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<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-011/15 Tender T15/16-01 - Period hire of road construction and other miscellaneous plant, trucks and rubbish compactor trucks</th>
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<tr>
<td>File No:</td>
<td>T15/16-01</td>
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<tr>
<td>Risk Register No:</td>
<td>51</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Darren Dropulich, Construction Engineer</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Darren Dropulich, Construction Engineer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Darren Dropulich, Construction Engineer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>18 May 2015</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
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<td>Nature of Council’s Role in this Matter:</td>
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<td>Site:</td>
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<td>LA Zoning:</td>
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<td>MRS Zoning:</td>
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<td>Attachments:</td>
<td>Schedule of Rates for Tender T15/16-01</td>
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<tr>
<td>Maps/Diagrams:</td>
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**Purpose of Report**

Provide Council with details of the tenders received for Tender T15/16-01 - Period hire of road construction and other miscellaneous plant, trucks and rubbish compactor trucks, document the results of the tender assessment and make recommendations regarding the award of the tender.

**Background**

Tender T15/16-01 - Period hire of road construction and other miscellaneous plant, trucks and rubbish compactor trucks was advertised in the West Australian on Saturday 14 March 2015 and the Sound Telegraph on Wednesday 18 March 2015. The Tender closed at 2.00 pm, Wednesday 1 April 2015 and was publicly opened immediately after the closing time.

**Details**

The scope of the contract is for the wet or dry period hire of road construction and other miscellaneous plant, trucks and rubbish compactor trucks.
The period of the contract shall be from 1 July 2015 to 30 June 2018.

Tender submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sherrin Rentals Pty Ltd</td>
</tr>
<tr>
<td>CCS Rentals Pty Ltd trading as Consolidated Rentals</td>
</tr>
<tr>
<td>Conplant Pty Ltd</td>
</tr>
<tr>
<td>The Trustee for the P &amp; L Radonich Family Trust trading as Radonich Contracting</td>
</tr>
<tr>
<td>Kelair Holdings Pty Ltd trading as Instant Waste Management</td>
</tr>
<tr>
<td>Allwest Plant Hire Australia Pty Ltd</td>
</tr>
<tr>
<td>DeGrey Civil Pty Ltd trading as Red Roo Civil</td>
</tr>
<tr>
<td>King Diamond Pty Ltd trading as Executive Plant Hire</td>
</tr>
<tr>
<td>Samek Enterprises Pty Limited</td>
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</table>

A panel comprising Construction Engineer, Senior Maintenance Coordinator and Coordinator Engineering Operations undertook tender evaluations.

Evaluation of the tender, in accordance with the advertised tender assessment criteria, was undertaken on an item-by-item basis and produced the following weighted scores:

### Backhoe / Loader

<table>
<thead>
<tr>
<th>Name of Company</th>
<th>Max. Points</th>
<th>Level of Service</th>
<th>Understanding of Tender Requirements</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
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<tbody>
<tr>
<td>Allwest Plant Hire Australia Pty Ltd</td>
<td>15</td>
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### Graders

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<td>19</td>
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</table>
### Loaders - Mini & Skid Steer

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<th>Max. Points</th>
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### Loaders - Wheeled, 4 Wheel Drive

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<th>Max. Points</th>
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### Rollers - Multi-Tyred

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### Static Rollers - Three Point Steel Wheel

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### Vibrating Rollers - Padfoot & Smooth

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Large Trucks

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Rubbish Compactor Trucks

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Implications to Consider

a. Consultation with the Community
   Not Applicable

b. Consultation with Government Agencies
   Not Applicable

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

   **Aspiration 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 $100,000, a public tender process is to be conducted in accordance with the provision of section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11A(1).
e. Financial
Expenditure in accordance with the City’s standard operational requirements.
Historical expenditure for 2013/2014 was $277,415 and 2014/2015 (to date) is $245,055.

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
$100,000 unless sub regulation (2) states otherwise’.

g. Risk Implications of Implementing Officer Recommendation
Nil

Risk Implications of Not Implementing Officer Recommendation
High:
• Non compliance with applicable legislation.

Comments
Following consideration of the submissions in accordance with the tender assessment criteria, all
companies demonstrated a capacity to provide the services for the items tendered under Price
Schedule 5.3.1 Plant Hire. However, as the tender was assessed on an item-by-item basis, the
following tenderers represent best value to the City and are recommended as the preferred tenderer
for the nominated items below:

- Allwest Plant Hire Australia Pty Ltd for Backhoe / Loader (Item 1), Rollers - Multi-Tyred (Item 7) and Static Rollers - Three Point Steel Wheel (Item 8).
- King Diamond Pty Ltd trading as Executive Plant Hire for Graders (Item 2).
- CCS Rentals Pty Ltd trading as Consolidated Rentals for Loaders - Mini & Skid Steer (Items 3 and 4), Water Carts / Trucks (Items 11 and 12), Excavators Crawler Mounted Backhoe (Items 13, 14, 15 and 16), Small Trucks (Items 17, 18 and 19), Large Trucks (Items 20, 21 and 22) and Rubbish Compactor Trucks (Items 23 and 24).
- Sherrin Rentals Pty Ltd for Loaders - Wheeled, 4 Wheel Drive (Items 5 and 6) and Vibrating Rollers - Padfoot & Smooth (Items 9 and 10).

Voting Requirements
Simple Majority

Officer Recommendation
That Council:
1. ACCEPT the tender submitted by Allwest Plant Hire Australia Pty Ltd, 33 Edison Circuit, Forrestdale WA 6112 for Price Schedule 5.3.1 Plant Hire; Backhoe / Loader (Item 1), Rollers - Multi-Tyred (Item 7) and Static Rollers - Three Point Steel Wheel (Item 8).
2. ACCEPT the tender submitted by King Diamond Pty Ltd trading as Executive Plant Hire, Lot 1-25 Edison Rise, Wangara WA 6065 for Price Schedule 5.3.1 Plant Hire; Graders (Item 2).
3. ACCEPT the tender submitted by CCS Rentals Pty Ltd trading as Consolidated Rentals, 12 Meadows Court, Cooongup WA 6168 for Price Schedule 5.3.1 Plant Hire; Loaders - Mini & Skid Steer (Items 3 and 4), Water Carts / Trucks (Items 11 and 12), Excavators Crawler Mounted Backhoe (Items 13, 14, 15 and 16), Small Trucks (Items 17, 18 and 19), Large Trucks (Items 20, 21 and 22) and Rubbish Compactor Trucks (Items 23 and 24).
4. **ACCEPT** the tender submitted by Sherrin Rentals Pty Ltd, 3 Cartwright Drive, Forrestdale WA 6112 for Price Schedule 5.3.1 Plant Hire; Loaders - Wheeled, 4 Wheel Drive (Items 5 and 6) and Vibrating Rollers - Padfoot & Smooth (Items 9 and 10).

for Tender T15/16-01 - Period hire of road construction and other miscellaneous plant, trucks and rubbish compactor trucks in accordance with the tender documentation for the contract period 1 July 2015 to 30 June 2018.

### Committee Recommendation

**Moved Cr Pease, seconded Cr Stewart:**

1. **ACCEPT** the tender submitted by Allwest Plant Hire Australia Pty Ltd, 33 Edison Circuit, Forrestdale WA 6112 for Price Schedule 5.3.1 Plant Hire; Backhoe / Loader (Item 1), Rollers - Multi-Tyred (Item 7) and Static Rollers - Three Point Steel Wheel (Item 8).

2. **ACCEPT** the tender submitted by King Diamond Pty Ltd trading as Executive Plant Hire, Lot 1-25 Edison Rise, Wangara WA 6065 for Price Schedule 5.3.1 Plant Hire; Graders (Item 2).

3. **ACCEPT** the tender submitted by CCS Rentals Pty Ltd trading as Consolidated Rentals, 12 Meadows Court, Cooloongup WA 6168 for Price Schedule 5.3.1 Plant Hire; Loaders - Mini & Skid Steer (Items 3 and 4), Water Carts / Trucks (Items 11 and 12), Excavators Crawler Mounted Backhoe (Items 13, 14, 15 and 16), Small Trucks (Items 17, 18 and 19), Large Trucks (Items 20, 21 and 22) and Rubbish Compactor Trucks (Items 23 and 24).

4. **ACCEPT** the tender submitted by Sherrin Rentals Pty Ltd, 3 Cartwright Drive, Forrestdale WA 6112 for Price Schedule 5.3.1 Plant Hire; Loaders - Wheeled, 4 Wheel Drive (Items 5 and 6) and Vibrating Rollers - Padfoot & Smooth (Items 9 and 10).

for Tender T15/16-01 - Period hire of road construction and other miscellaneous plant, trucks and rubbish compactor trucks in accordance with the tender documentation for the contract period 1 July 2015 to 30 June 2018.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
Engineering and Parks Services
Engineering Operations

Reference No & Subject:

File No:
Risk Register No:
Proponent/s:
Author:
Other Contributors:
Date of Committee Meeting:
Previously before Council:
Disclosure of Interest:
Nature of Council’s Role in this Matter:

Site:
Lot Area:
LA Zoning:
MRS Zoning:
Attachments:
Maps/Diagrams:

Purpose of Report

Provide Council with details of the tenders received for Tender T15/16-04 – Supply and delivery of premix concrete, document the results of the tender assessment and make recommendations regarding the award of the tender.

Background

Tender T15/16-04 – Supply and delivery of premix concrete was advertised in the West Australian on Saturday 14 March 2015 and the Sound Telegraph on Wednesday 18 March 2015. The Tender closed at 2.00pm, Wednesday 1 April 2015 and was publicly opened immediately after the closing time.

Details

The scope of the contract is for Supply and delivery of premix concrete.
The period of the contract shall be from 1 July 2015 to 30 June 2018.
Tender submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contra-Flow Pty Ltd</td>
</tr>
</tbody>
</table>

**Price schedule – Schedule of Rates**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Rate Only per Unit</th>
<th>Year 1 Price valid to 30 June 2015 - Rate per Unit ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.3.1 - Only Supply of concrete for kerbing mix (N25)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>0.4 m$^3$</td>
<td>0.4 m$^3$</td>
<td>$270.14</td>
</tr>
<tr>
<td>2.</td>
<td>0.6 m$^3$</td>
<td>0.6 m$^3$</td>
<td>$283.79</td>
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<td>5.3.2 - Supply and delivery of concrete for kerbing mix (N25)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>1.0 m$^3$</td>
<td>m$^3$</td>
<td>$371.79</td>
</tr>
<tr>
<td>4.</td>
<td>2.0 m$^3$</td>
<td>m$^3$</td>
<td>$589.67</td>
</tr>
<tr>
<td>5.</td>
<td>3.0 m$^3$</td>
<td>m$^3$</td>
<td>$808.56</td>
</tr>
<tr>
<td>6.</td>
<td>4.0 m$^3$</td>
<td>m$^3$</td>
<td>$1,027.90</td>
</tr>
<tr>
<td>7.</td>
<td>5.0 m$^3$</td>
<td>m$^3$</td>
<td>$1,247.81</td>
</tr>
<tr>
<td>5.3.3 - Only Supply of concrete for footpaths mix (N20)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>0.4 m$^3$</td>
<td>0.4 m$^3$</td>
<td>$237.74</td>
</tr>
<tr>
<td>9.</td>
<td>0.6 m$^3$</td>
<td>0.6 m$^3$</td>
<td>$280.19</td>
</tr>
<tr>
<td>5.3.4 - Supply and delivery of concrete for footpaths mix (N20)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>1.0 m$^3$</td>
<td>m$^3$</td>
<td>$365.13</td>
</tr>
<tr>
<td>11.</td>
<td>2.0 m$^3$</td>
<td>m$^3$</td>
<td>$577.67</td>
</tr>
<tr>
<td>12.</td>
<td>3.0 m$^3$</td>
<td>m$^3$</td>
<td>$790.56</td>
</tr>
<tr>
<td>13.</td>
<td>4.0 m$^3$</td>
<td>m$^3$</td>
<td>$1,003.90</td>
</tr>
<tr>
<td>14.</td>
<td>5.0 m$^3$</td>
<td>m$^3$</td>
<td>$1,217.81</td>
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<tr>
<td>5.3.5 - Standing Dispatch Loading Charge</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>On site dispatch</td>
<td>Per 5 minutes</td>
<td>$7.24</td>
</tr>
<tr>
<td>5.3.6 - Chemical Admixture and Other Charges</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Retarder</td>
<td>m$^3$</td>
<td>None</td>
</tr>
<tr>
<td>17.</td>
<td>Accelerator</td>
<td>m$^3$</td>
<td>Half Rate $6</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Full Rate $12</td>
</tr>
<tr>
<td>5.3.7 - Diversion</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>0 to 10 km</td>
<td>km</td>
<td>$14.97</td>
</tr>
<tr>
<td>19.</td>
<td>11 to 20 km</td>
<td>km</td>
<td>$29.94</td>
</tr>
<tr>
<td>20.</td>
<td>21 to 30 km</td>
<td>km</td>
<td>$44.91</td>
</tr>
<tr>
<td>21.</td>
<td>Greater than 30 km</td>
<td>km</td>
<td>$1.5 past 30km</td>
</tr>
</tbody>
</table>

A panel comprising Construction Engineer, Senior Maintenance Coordinator and Coordinator Engineering Operations undertook tender evaluations.
Implications to Consider

a. Consultation with the Community
   Not Applicable

b. Consultation with Government Agencies
   Not Applicable

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
   
   **Aspiration 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 $100,000, a public tender process is to be conducted in accordance with the provision of section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11A(1).

e. Financial
   Expenditure in accordance with the City’s standard operational requirements.

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 $100,000 unless sub regulation (2) states otherwise’.

   Section (2) - ‘Tenders do not have to be publicly invited according to the requirements of this Division if –

   Section (2)(b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA’

g. Risk Implications of Implementing Officer Recommendation
   Nil

   Risk Implications of Not Implementing Officer Recommendation
   High:
   - Non compliance with applicable legislation.

Comments

The assessment panel evaluated the submitted tender based on price schedule and identified that the submitted prices for tender items increased in the range of 26% to 498% compared to the current contract prices which does not represent best value to the City.
### T15/16-04 - Supply and delivery of premix concrete

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Rate Only per Unit</th>
<th>Percentage Increase to Current Contract Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>0.4m³</td>
<td>45%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0.6m³</td>
<td>26%</td>
</tr>
<tr>
<td></td>
<td>Only Supply of concrete for kerbing mix (N25)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1)</td>
<td>0.4 m³</td>
<td>0.4 m³</td>
<td>45%</td>
</tr>
<tr>
<td>2)</td>
<td>0.6 m³</td>
<td>0.6 m³</td>
<td>26%</td>
</tr>
<tr>
<td></td>
<td>Supply and delivery of concrete for kerbing mix (N25)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3)</td>
<td>1.0 m³</td>
<td>3.0 m³</td>
<td>31%</td>
</tr>
<tr>
<td>4)</td>
<td>2.0 m³</td>
<td>4.0 m³</td>
<td>34%</td>
</tr>
<tr>
<td>5)</td>
<td>3.0 m³</td>
<td>5.0 m³</td>
<td>35%</td>
</tr>
<tr>
<td>6)</td>
<td>4.0 m³</td>
<td>6.0 m³</td>
<td>29%</td>
</tr>
<tr>
<td>7)</td>
<td>5.0 m³</td>
<td>7.0 m³</td>
<td>26%</td>
</tr>
<tr>
<td></td>
<td>Only Supply of concrete for footpaths mix (N20)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8)</td>
<td>0.4 m³</td>
<td>0.4 m³</td>
<td>33%</td>
</tr>
<tr>
<td>9)</td>
<td>0.6 m³</td>
<td>0.6 m³</td>
<td>31%</td>
</tr>
<tr>
<td></td>
<td>Supply and delivery of concrete for footpaths mix (N20)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10)</td>
<td>1.0 m³</td>
<td>3.0 m³</td>
<td>38%</td>
</tr>
<tr>
<td>11)</td>
<td>2.0 m³</td>
<td>4.0 m³</td>
<td>44%</td>
</tr>
<tr>
<td>12)</td>
<td>3.0 m³</td>
<td>5.0 m³</td>
<td>47%</td>
</tr>
<tr>
<td>13)</td>
<td>4.0 m³</td>
<td>6.0 m³</td>
<td>41%</td>
</tr>
<tr>
<td>14)</td>
<td>5.0 m³</td>
<td>7.0 m³</td>
<td>37%</td>
</tr>
<tr>
<td></td>
<td>Standing Dispatch Loading Charge</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15)</td>
<td>On site dispatch</td>
<td>Per 5 minutes</td>
<td>383%</td>
</tr>
<tr>
<td></td>
<td>Chemical Admixture and Other Charges</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16)</td>
<td>Retarder</td>
<td>m³</td>
<td>50%</td>
</tr>
<tr>
<td>17)</td>
<td>Accelerator</td>
<td>m³</td>
<td>50%</td>
</tr>
<tr>
<td></td>
<td>Diversion</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18)</td>
<td>0 to 10 km</td>
<td>km</td>
<td>498%</td>
</tr>
<tr>
<td>19)</td>
<td>11 to 20 km</td>
<td>km</td>
<td>498%</td>
</tr>
<tr>
<td>20)</td>
<td>21 to 30 km</td>
<td>km</td>
<td>498%</td>
</tr>
<tr>
<td>21)</td>
<td>Greater than 30 km</td>
<td>km</td>
<td>498%</td>
</tr>
</tbody>
</table>

It is the intention that the tender be rejected and the procurement for Supply and delivery of premix concrete be obtained by quotation through the WALGA preferred supply panel contract.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **REJECT** the tender submitted from Contra-Flow Pty Ltd, 10/100 Mill Point Road, South Perth WA 6151 for Tender T15/16-04 – Supply and delivery of premix concrete.
**Committee Recommendation**

**Moved Cr Elliott, seconded Cr Hamblin:**

That Council *REJECT* the tender submitted from Contra-Flow Pty Ltd, 10/100 Mill Point Road, South Perth WA 6151 for Tender T15/16-04 – Supply and delivery of premix concrete.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
Purpose of Report

Provide Council with details of the tenders received for Tender T15/16-05 – Supply and lay in-situ concrete pavements, document the results of the tender assessment and make recommendations regarding the award of the tender.

Background

Tender T15/16-05 – Supply and lay in-situ concrete pavements was advertised in the West Australian on Saturday 14 March 2015 and the Sound Telegraph on Wednesday 18 March 2015. The Tender closed at 2.00pm, Wednesday 1 April 2015 and was publicly opened immediately after the closing time.

Details

The scope of the contract is for the Supply and lay in-situ concrete pavements.

The period of the contract shall be from 1 July 2015 to 30 June 2019.
Tender submissions were received from:

**Company**

The Trustee for the Dowsing Family Trust trading as Dowsing Concrete

Nextside Pty Ltd

Remote Civils Australia Pty Ltd

Contra-Flow Pty Ltd

Axis Contracting Pty Ltd

**Schedule of Rates:**

<table>
<thead>
<tr>
<th>T15/16-05 - Supply and lay in-situ concrete pavements</th>
<th>Dowsing</th>
<th>Nextside</th>
<th>Remote Civils</th>
<th>Contraflow</th>
<th>Axis Contracting</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Item</strong></td>
<td><strong>Description</strong></td>
<td><strong>Rate Only per Unit</strong></td>
<td><strong>Rate per Unit ($)</strong></td>
<td><strong>Rate per Unit ($)</strong></td>
<td><strong>Rate per Unit ($)</strong></td>
</tr>
<tr>
<td>5.3.1 Supply and Lay In-situ Concrete Footpaths 100mm deep including boxing out and backing up where footpath is installed to match existing ground levels</td>
<td>Footpaths – 0m2 to 250m2</td>
<td>m²</td>
<td>$ 43.50</td>
<td>$ 45.00</td>
<td>$ 45.80</td>
</tr>
<tr>
<td>2</td>
<td>Footpaths – 251m2 to 500m2</td>
<td>m²</td>
<td>$ 42.50</td>
<td>$ 45.00</td>
<td>$ 38.20</td>
</tr>
<tr>
<td>3</td>
<td>Footpaths – 501m2 to 1000m2</td>
<td>m²</td>
<td>$ 40.00</td>
<td>$ 45.00</td>
<td>$ 35.50</td>
</tr>
<tr>
<td>4</td>
<td>Footpaths – greater than 1001m2</td>
<td>m²</td>
<td>$ 40.00</td>
<td>$ 45.00</td>
<td>$ 34.90</td>
</tr>
<tr>
<td>5.3.2 Supply and Lay In-situ Concrete Footpaths 150mm deep, with F62 steel reinforcing includes boxing out and backing up where footpath is installed to match existing ground level</td>
<td>Footpaths – 0m2 to 250m2</td>
<td>m²</td>
<td>$ 53.50</td>
<td>$ 60.00</td>
<td>$ 59.30</td>
</tr>
<tr>
<td>2</td>
<td>Footpaths – 251m2 to 500m2</td>
<td>m²</td>
<td>$ 52.50</td>
<td>$ 60.00</td>
<td>$ 51.70</td>
</tr>
<tr>
<td>3</td>
<td>Footpaths – 501m2 to 1000m2</td>
<td>m²</td>
<td>$ 51.50</td>
<td>$ 60.00</td>
<td>$ 51.00</td>
</tr>
<tr>
<td>4</td>
<td>Footpaths – greater than 1001m2</td>
<td>m²</td>
<td>$ 51.50</td>
<td>$ 60.00</td>
<td>$ 48.40</td>
</tr>
</tbody>
</table>
### 5.3.3 Supply and Lay In-situ Faux Brick Concrete 100mm deep including boxing out and backing up where footpath is install to match existing ground levels

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Rate Only per Unit</th>
<th>Dowsing</th>
<th>Nextside</th>
<th>Remote Civils</th>
<th>Contraflow</th>
<th>Axis Contracting</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Faux Brick Concrete – 0m2 to 250m2</td>
<td>m²</td>
<td>$85.00</td>
<td>$75.00</td>
<td>$68.80</td>
<td>$84.00</td>
<td>$68.00</td>
</tr>
<tr>
<td>2</td>
<td>Faux Brick Concrete – 251m2 to 500m2</td>
<td>m²</td>
<td>$78.00</td>
<td>$75.00</td>
<td>$65.50</td>
<td>$85.26</td>
<td>$68.00</td>
</tr>
<tr>
<td>3</td>
<td>Faux Brick Concrete – 501m2 to 1000m2</td>
<td>m²</td>
<td>$78.00</td>
<td>$75.00</td>
<td>$61.20</td>
<td>$84.36</td>
<td>$68.00</td>
</tr>
<tr>
<td>4</td>
<td>Faux Brick Concrete – greater than 1001m2</td>
<td>m²</td>
<td>$78.00</td>
<td>$75.00</td>
<td>$58.60</td>
<td>$84.00</td>
<td>$68.00</td>
</tr>
</tbody>
</table>

### 5.3.4 Supply and Lay In-situ Faux Brick Concrete 150mm deep, with F62 steel reinforcing including boxing out and backing up where footpath is install to match existing ground levels

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Rate Only per Unit</th>
<th>Dowsing</th>
<th>Nextside</th>
<th>Remote Civils</th>
<th>Contraflow</th>
<th>Axis Contracting</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Faux Brick Concrete – 0m2 to 250m2</td>
<td>m²</td>
<td>$92.00</td>
<td>$82.00</td>
<td>$82.30</td>
<td>$97.08</td>
<td>$82.00</td>
</tr>
<tr>
<td>2</td>
<td>Faux Brick Concrete – 251m2 to 500m2</td>
<td>m²</td>
<td>$92.00</td>
<td>$82.00</td>
<td>$79.00</td>
<td>$98.35</td>
<td>$82.00</td>
</tr>
<tr>
<td>3</td>
<td>Faux Brick Concrete – 501m2 to 1000m2</td>
<td>m²</td>
<td>$92.00</td>
<td>$82.00</td>
<td>$74.70</td>
<td>$97.71</td>
<td>$82.00</td>
</tr>
<tr>
<td>4</td>
<td>Faux Brick Concrete – greater than 1001m2</td>
<td>m²</td>
<td>$92.00</td>
<td>None</td>
<td>$72.10</td>
<td>$97.08</td>
<td>$82.00</td>
</tr>
</tbody>
</table>

### 5.3.5 Supply and Lay In-situ Limestone Concrete including sealing 100mm deep including boxing out and backing up where footpath is install to match existing ground levels

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Rate Only per Unit</th>
<th>Dowsing</th>
<th>Nextside</th>
<th>Remote Civils</th>
<th>Contraflow</th>
<th>Axis Contracting</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Limestone Concrete including sealing – 0m2 to 250m²</td>
<td>m²</td>
<td>$79.00</td>
<td>$65.00</td>
<td>$59.30</td>
<td>$81.00</td>
<td>$65.00</td>
</tr>
<tr>
<td>2</td>
<td>Limestone Concrete including sealing – 251m² to 500m²</td>
<td>m²</td>
<td>$74.00</td>
<td>$65.00</td>
<td>$55.45</td>
<td>$82.69</td>
<td>$65.00</td>
</tr>
<tr>
<td>3</td>
<td>Limestone Concrete including sealing – 501m² to 1000m²</td>
<td>m²</td>
<td>$74.00</td>
<td>$65.00</td>
<td>$54.20</td>
<td>$81.63</td>
<td>$65.00</td>
</tr>
<tr>
<td>4</td>
<td>Limestone Concrete including sealing – greater than 1001m²</td>
<td>m²</td>
<td>$74.00</td>
<td>$65.00</td>
<td>$53.90</td>
<td>$81.00</td>
<td>$65.00</td>
</tr>
</tbody>
</table>

### 5.3.6 Supply and Lay In-situ Concrete pram ramps and aprons

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Rate Only per Unit</th>
<th>Dowsing</th>
<th>Nextside</th>
<th>Remote Civils</th>
<th>Contraflow</th>
<th>Axis Contracting</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Install Pram Ramps including cutting of asphalt to suit 1500 wide path</td>
<td>Each</td>
<td>$390.00</td>
<td>$400.00</td>
<td>$380.00</td>
<td>$519.60</td>
<td>$450.00</td>
</tr>
<tr>
<td>2</td>
<td>Install Pram Ramps including cutting of asphalt to suit 2000 wide path</td>
<td>Each</td>
<td>$395.00</td>
<td>$400.00</td>
<td>$410.00</td>
<td>$718.61</td>
<td>$425.00</td>
</tr>
<tr>
<td>3</td>
<td>Install Pram Ramps including cutting of asphalt to suit 2500 wide path</td>
<td>Each</td>
<td>$415.00</td>
<td>$400.00</td>
<td>$440.00</td>
<td>$985.29</td>
<td>$400.00</td>
</tr>
<tr>
<td>4</td>
<td>Concrete Apron including cutting of asphalt to suit</td>
<td>metre</td>
<td>$99.00</td>
<td>$60.00</td>
<td>$75.00</td>
<td>None</td>
<td>$95.00</td>
</tr>
</tbody>
</table>
### Planning and Engineering Services Committee Agenda

**Monday 18 May 2015**

**CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 15 JUNE 2015**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Rate Only per Unit</th>
<th>Dowsing</th>
<th>Nextra</th>
<th>Remote Civils</th>
<th>Contraflow</th>
<th>Axisis Contracting</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>m²</td>
<td>Rate per Unit ($)</td>
<td>Rate per Unit ($)</td>
<td>Rate per Unit ($)</td>
<td>Rate per Unit ($)</td>
<td>Rate per Unit ($)</td>
</tr>
<tr>
<td>5.3.7</td>
<td>Supply and Lay In-situ Concrete Repairs – including the removal, replacement and backfilling of damaged Footpath or Crossover (Combined m² areas in one suburb location)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Footpaths – 0m² to 25m²</td>
<td>m²</td>
<td>$110.00</td>
<td>$54.00</td>
<td>$109.50</td>
<td>$89.17</td>
<td>$95.00</td>
</tr>
<tr>
<td>2</td>
<td>Footpaths – 26m² to 50m²</td>
<td>m²</td>
<td>$105.00</td>
<td>$54.00</td>
<td>$86.50</td>
<td>$107.63</td>
<td>$90.00</td>
</tr>
<tr>
<td>3</td>
<td>Footpaths – 51m² to 75m²</td>
<td>m²</td>
<td>$95.00</td>
<td>$54.00</td>
<td>$79.70</td>
<td>$98.58</td>
<td>$80.00</td>
</tr>
</tbody>
</table>

5.3.8 Supply and Lay In-situ Concrete Crossovers

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>m²</th>
<th>Rate per Unit ($)</th>
<th>Rate per Unit ($)</th>
<th>Rate per Unit ($)</th>
<th>Rate per Unit ($)</th>
<th>Rate per Unit ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Crossovers – 100mm deep including preparation of site, construction, and backfilling (includes boxing out where crossover is installed to match existing ground level)</td>
<td>m²</td>
<td>$55.00</td>
<td>$54.00</td>
<td>$71.00</td>
<td>$66.67</td>
<td>$55.00</td>
</tr>
<tr>
<td>2</td>
<td>Crossovers – 150mm deep including preparation of site, construction, and backfilling</td>
<td>m²</td>
<td>$65.00</td>
<td>$60.00</td>
<td>$79.50</td>
<td>$79.75</td>
<td>$75.00</td>
</tr>
</tbody>
</table>

5.3.9 Other items

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>m²</th>
<th>Rate per Unit ($)</th>
<th>Rate per Unit ($)</th>
<th>Rate per Unit ($)</th>
<th>Rate per Unit ($)</th>
<th>Rate per Unit ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Supply and install F62 mesh</td>
<td>m²</td>
<td>$8.50</td>
<td>$7.50</td>
<td>$7.50</td>
<td>$6.56</td>
<td>$12.00</td>
</tr>
<tr>
<td>2</td>
<td>Supply F62 mesh</td>
<td>m²</td>
<td>$8.50</td>
<td>$7.50</td>
<td>$6.20</td>
<td>$5.36</td>
<td>$12.00</td>
</tr>
<tr>
<td>3</td>
<td>Supply and install Galvanised F62 mesh</td>
<td>m²</td>
<td>$22.00</td>
<td>$30.00</td>
<td>$16.00</td>
<td>$6.56</td>
<td>$25.00</td>
</tr>
<tr>
<td>4</td>
<td>Supply Galvanised F62 mesh</td>
<td>m²</td>
<td>$22.00</td>
<td>$30.00</td>
<td>$14.70</td>
<td>$5.36</td>
<td>$25.00</td>
</tr>
<tr>
<td>5</td>
<td>Supply and install Lock joint</td>
<td>metre</td>
<td>$9.00</td>
<td>$7.00</td>
<td>$7.50</td>
<td>$7.80</td>
<td>$10.00</td>
</tr>
<tr>
<td>6</td>
<td>Supply Lock joint only</td>
<td>metre</td>
<td>$9.00</td>
<td>$7.00</td>
<td>$6.80</td>
<td>$6.60</td>
<td>$10.00</td>
</tr>
<tr>
<td>7</td>
<td>Removal of bitumen and concrete</td>
<td>m²</td>
<td>$16.00</td>
<td>$8.00</td>
<td>$5.00</td>
<td>$22.50</td>
<td>$15.00</td>
</tr>
<tr>
<td>8</td>
<td>Cutting – concrete and bitumen</td>
<td>metre</td>
<td>$16.00</td>
<td>$10.00</td>
<td>$12.00</td>
<td>$4.20</td>
<td>$18.50</td>
</tr>
<tr>
<td>9</td>
<td>Earthworks (4.3.2), Place, spread, levelling and compaction of fill sand</td>
<td>m³</td>
<td>$50.00</td>
<td>$35.00</td>
<td>$13.00</td>
<td>$40.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>10</td>
<td>Supply and Lay In-situ Concrete Pad 100mm deep including boxing out and backing up to match existing ground levels – 0m² to 25m² For the Installation of Bench Seats or Bus Shelters</td>
<td>m²</td>
<td>$110.00</td>
<td>$60.00</td>
<td>$109.00</td>
<td>$66.67</td>
<td>$130.00</td>
</tr>
</tbody>
</table>
A panel comprising Construction Engineer, Senior Maintenance Coordinator, Asset Management Project Officer and Coordinator Engineering Operations undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Name of Company</th>
<th>Max. Points</th>
<th>Level of Service</th>
<th>Understanding of Tender Requirements</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td>Axiis Contracting Pty Ltd</td>
<td>29</td>
<td>35</td>
<td>20</td>
<td>32.3</td>
<td>81.3</td>
</tr>
<tr>
<td>Dowsing Concrete</td>
<td>27</td>
<td>35</td>
<td>19</td>
<td>34.3</td>
<td>80.3</td>
</tr>
<tr>
<td>Remote Civils Australia Pty Ltd</td>
<td>23</td>
<td>35</td>
<td>13</td>
<td>36.1</td>
<td>72.1</td>
</tr>
<tr>
<td>Nextside Pty Ltd</td>
<td>22</td>
<td>35</td>
<td>12</td>
<td>35.2</td>
<td>69.2</td>
</tr>
<tr>
<td>Contraflow Pty Ltd</td>
<td>23</td>
<td>35</td>
<td>16</td>
<td>24.4</td>
<td>63.4</td>
</tr>
</tbody>
</table>

**Implications to Consider**

a. **Consultation with the Community**
   
   Not Applicable

b. **Consultation with Government Agencies**
   
   Not Applicable

c. **Strategic**
   
   **Community Plan**
   
   This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
   
   **Aspiration 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 $100,000, a public tender process is to be conducted in accordance with the provision of section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11A(1).

e. **Financial**
   
   Expenditure in accordance with the City's standard operational requirements.
   
   Historical expenditure for 2013/2014 was $660,794 and 2014/2015 (to date) is $1,063,936.

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 $100,000 unless sub regulation (2) states otherwise'.

g. **Risk Implications of Implementing Officer Recommendation**
   
   Nil
Risk Implications of Not Implementing Officer Recommendation

High:
- Non compliance with applicable legislation.

Comments

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

Voting Requirements

Simple Majority

Officer Recommendation

That Council ACCEPT the tender submitted by Axiis Contracting Pty Ltd, 31 Vahland Avenue, Riverton WA 6148, for Tender T15/16-05 – Supply and lay in-situ concrete pavements in accordance with the tender documentation for the contract period 1 July 2015 to 30 June 2019.

Committee Recommendation

Moved Cr Elliott, seconded Cr Hamblin:

That Council ACCEPT the tender submitted by Axiis Contracting Pty Ltd, 31 Vahland Avenue, Riverton WA 6148, for Tender T15/16-05 – Supply and lay in-situ concrete pavements in accordance with the tender documentation for the contract period 1 July 2015 to 30 June 2019.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
## Engineering and Parks Services Engineering Operations

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>Engineering and Parks Services Engineering Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>EP-014/15</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>T15/16-06</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>51</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Aulad Hossain, Senior Maintenance Coordinator</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>18 May 2015</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>Executive</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td></td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
</tr>
</tbody>
</table>

### Purpose of Report

Provide Council with details of the tenders received for Tender T15/16-06 – Period supply and delivery of brick pavers, document the results of the tender assessment and make recommendations regarding the award of the tender.

### Background

Tender T15/16-06 – Period supply and delivery of brick pavers was advertised in the West Australian on Saturday 14 March 2015 and the Sound Telegraph on Wednesday 18 March 2015. The Tender closed at 2.00pm, Wednesday 1 April 2015 and was publicly opened immediately after the closing time.

### Details

The scope of the contract is for the Period supply and delivery of brick pavers.
The period of the contract shall be from 1 July 2015 to 30 June 2019.
Tender submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contra-Flow Pty Ltd (Non Compliant)</td>
</tr>
</tbody>
</table>

A panel comprising Construction Engineer, Senior Maintenance Coordinator and Coordinator Engineering Operations undertook tender evaluations.

The tender submitted by Contra-Flow Pty Ltd was considered non-compliant by the assessment panel as it did not comply with the price specification requirements.

### Implications to Consider

a. **Consultation with the Community**
   - Not Applicable

b. **Consultation with Government Agencies**
   - Not Applicable

c. **Strategic**
   - **Community Plan**
     - This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
       - **Aspiration 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 $100,000, a public tender process is to be conducted in accordance with the provision of section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11A(1).

e. **Financial**
   - Expenditure in accordance with the City's standard operational requirements.

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 $100,000 unless sub regulation (2) states otherwise'.
     - Section (2) - 'Tenders do not have to be publicly invited according to the requirements of this Division if –
       - Section (2)(b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA'

g. **Risk Implications of Implementing Officer Recommendation**
   - Nil

**Risk Implications of Not Implementing Officer Recommendation**
   - High:
     - Non-compliance with applicable legislation.
Comments

The submission received from Contra-Flow Pty Ltd was deemed Non-Compliant by the assessment panel as it did not comply with the price specification requirements.

It is the intention that the tender be rejected and the procurement for period supply and delivery of brick pavers be obtained by quotation through the WALGA preferred supply panel contract.

Voting Requirements

Simple Majority

Officer Recommendation

That Council REJECT the non-compliant tender submitted from Contra-Flow Pty Ltd, 10/100 Mill Point Road, South Perth WA 6151 for Tender T15/16-04 – Period supply and delivery of brick pavers.

Committee Recommendation

Moved Cr Elliott, seconded Cr Pease:

That Council REJECT the non-compliant tender submitted from Contra-Flow Pty Ltd, 10/100 Mill Point Road, South Perth WA 6151 for Tender T15/16-04 – Period supply and delivery of brick pavers.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
Purpose of Report

Provide Council with details of the tenders received for Tender T15/16-07 – Installation of brick pavers, document the results of the tender assessment and make recommendations regarding the award of the tender.

Background

Tender T15/16-07 – Installation of brick pavers was advertised in the West Australian on Saturday 14 March 2015 and the Sound Telegraph Wednesday 18 March 2015. The Tender closed at 2.00pm, Wednesday 1 April 2015 and was publicly opened immediately after the closing time.

Details

The scope of the contract is for the Installation of brick pavers.
The period of the contract shall be from 1 July 2015 to 30 June 2019.
Tender submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Progressive Brick Paving Pty Ltd</td>
</tr>
<tr>
<td>Contra-Flow Pty Ltd</td>
</tr>
</tbody>
</table>

**Price Schedule – Schedule of Rates**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Rate Only per Unit</th>
<th>Rate per Unit ($)</th>
<th>Rate per Unit ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>General Works - Laying of Brick Paving &gt;5 m²</td>
<td>m²</td>
<td>$ 31.30</td>
<td>$ 47.14</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>161.50 min charge</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Minor Works - Laying of Brick Paving &lt;5 m²</td>
<td>m²</td>
<td>$ 57.00</td>
<td>$ 47.14</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>161.50 min charge</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Sub-grade Formation and Preparation</td>
<td>m²</td>
<td>$ 16.00</td>
<td>$ 40 m² Supply and install fill $7.2 per 100 m min charge</td>
</tr>
<tr>
<td>4.</td>
<td>Overtime Rates (Outside Normal Working Hour)</td>
<td>m²</td>
<td>$ 36.00</td>
<td>60 rate uplift</td>
</tr>
<tr>
<td>5.</td>
<td>Supply, Delivery and Installation of Bonded Joint Filling Sand or Gap Sand</td>
<td>Kg</td>
<td>$ 2.00</td>
<td>$1.315 per kg</td>
</tr>
<tr>
<td>6.</td>
<td>Lifting and Palletising of existing paving materials</td>
<td>m²</td>
<td>$ 15.00</td>
<td>$ 34.20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>161.50 min charge</td>
<td></td>
</tr>
</tbody>
</table>

A panel comprising Construction Engineer, Senior Maintenance Coordinator and Coordinator Engineering Operations undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Name of Company</th>
<th>Level of Service</th>
<th>Understanding of Tender Requirements</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Max. Points</td>
<td>35</td>
<td>25</td>
<td>40</td>
</tr>
<tr>
<td>Progressive Brick Paving Pty Ltd</td>
<td>17</td>
<td>13</td>
<td>36.6</td>
<td>66.6</td>
</tr>
<tr>
<td>Contraflow Pty Ltd</td>
<td>23</td>
<td>17</td>
<td>20.7</td>
<td>60.7</td>
</tr>
</tbody>
</table>

**Implications to Consider**

a. Consultation with the Community
   Not Applicable

b. Consultation with Government Agencies
   Not Applicable
c. **Strategic**
   
   **Community Plan**
   
   This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
   
   **Aspiration 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 $100,000, a public tender process is to be conducted in accordance with the provision of section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11A(1).
   
   e. **Financial**
   
   Expenditure in accordance with the City’s standard operational requirements.
   
   Historical expenditure for 2013/2014 was $118,031 and 2014/2015 (to date) is $78,985.
   
   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 $100,000 unless sub regulation (2) states otherwise”.
   
   g. **Risk Implications of Implementing Officer Recommendation**
   
   Nil
   
   **Risk Implications of Not Implementing Officer Recommendation**
   
   High:
   
   - Non compliance with applicable legislation.

**Comments**

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

It should be noted that Progressive Brick Paving Pty Ltd is the City’s current brick paver contractor. Under the current contract, Progressive Brick Paving Pty Ltd has shown the capability to provide quality workmanship in a timely manner.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **ACCEPT** the tender submitted by Progressive Brick Paving Pty Ltd, 3 Westland Place, Waterford WA 6065, for Tender T15/16-07 – Installation of brick pavers in accordance with the tender documentation for the contract period 1 July 2015 to 30 June 2019.
Committee Recommendation

Moved Cr Hamblin, seconded Cr Stewart:

That Council **ACCEPT** the tender submitted by Progressive Brick Paving Pty Ltd, 3 Westland Place, Waterford WA 6065, for Tender T15/16-07 – Installation of brick pavers in accordance with the tender documentation for the contract period 1 July 2015 to 30 June 2019.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
Purpose of Report

Provide Council with details of the quotes received for WALGA Quote W14/15-91 – Period supply of electricity to nominated sites within the City of Rockingham document the results of the quote assessment and make recommendations regarding award of the quote.

Background

The City of Rockingham has hundreds of accounts with Synergy for the supply of electricity to City controlled sites at varying gazetted tariff rates. Of these, 22 sites are contestable to the open market as they consume more than or close to 50,000 kilowatt hours per year. By tendering to the open market for the supply of electricity, the City can save a significant amount of funds each year.

Quote W14/15-91 – Period supply of electricity to nominated sites within the City of Rockingham was sent out via the WALGA E-Quote system to on Friday, 27 February 2015. Quotes closed at 2.00pm Wednesday, 18 March 2015. Quotes were sent to all companies on WALGA’s Preferred Supplier Panel for the Provision of Energy – Contestable retail electricity and gas - Contract No. CO24-14.
Details

The contract is for the reliable, secure and cost effective supply of electricity to the following nominated sites:

<table>
<thead>
<tr>
<th>Location</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 277 McNicholl St Rockingham</td>
<td>Lot 2170 Millar Rd W Baldivis</td>
</tr>
<tr>
<td>U2 Lot 2068 Arcadia Dr Shoalwater</td>
<td>Lot 30 Endeavour Dr Port Kennedy</td>
</tr>
<tr>
<td>Lot 1209 Crocker St Rockingham</td>
<td>Lot 2 Warnbro Sound Ave Port Kennedy</td>
</tr>
<tr>
<td>Lot 14 Okehampton Rd Warnbro</td>
<td>Flinders Lane Rockingham</td>
</tr>
<tr>
<td>Lot 712 Harrington Waters Dr Waikiki</td>
<td>Lot 102 Warnbro Sound Ave Port Kennedy</td>
</tr>
<tr>
<td>Lot 148 Rockingham Beach Rd Rockingham</td>
<td>Lot 103 Warnbro Sound Ave Port Kennedy</td>
</tr>
<tr>
<td>Lot 22568 Rockingham Beach Rd Rockingham</td>
<td>Lot 104 Warnbro Sound Ave Port Kennedy</td>
</tr>
<tr>
<td>Lot 995 Navigator Dr Singleton</td>
<td>Lot 8002 Kent St Rockingham</td>
</tr>
<tr>
<td>Lot 201 Central Prom Rockingham</td>
<td>Lot 11 Council Ave Rockingham</td>
</tr>
<tr>
<td>Lot 634 Chelmsford Ave Port Kennedy</td>
<td>Lot 2237 Kitson St Rockingham</td>
</tr>
<tr>
<td>Lot 1073 4 Albenga Pl Secret Harbour</td>
<td>Lot 16 Nancy Ally Baldivis</td>
</tr>
</tbody>
</table>

Submissions were received from:

- Electricity Generation and Retail Corporation (EGRC), trading as Synergy
- Landfill Gas and Power Pty Ltd
- Alinta Sales Pty Ltd trading as Alinta Energy
- COzero Pty Ltd (Non-Compliant)
- Perth Energy Pty Ltd

A panel comprising the Manager Asset Services, Manager Procurement and Projects and Acting Asset Systems Management Officer undertook evaluations.

The submission received from COzero Pty Ltd, only provided an option to purchase environmental certificates and was therefore deemed non-compliant and not included in the evaluation.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Methodology</th>
<th>Price</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Synergy</td>
<td>9.0</td>
<td>89.8</td>
<td>98.8</td>
</tr>
<tr>
<td>Perth Energy</td>
<td>7.0</td>
<td>90.0</td>
<td>97.0</td>
</tr>
<tr>
<td>Alinta Energy</td>
<td>7.0</td>
<td>88.6</td>
<td>95.6</td>
</tr>
<tr>
<td>Landfill Gas and Power</td>
<td>9.0</td>
<td>76.4</td>
<td>85.4</td>
</tr>
</tbody>
</table>
Implications to Consider

a. Consultation with the Community
   Not Applicable

b. Consultation with Government Agencies
   Not Applicable

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

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

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

d. Policy
   In accordance with the City’s Purchasing Policy, for purchases above $100,000, a public tender process is to be conducted in accordance with the provision of section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11A(1).

e. Financial
   The estimated energy costs associated with these sites is approximately $700,000 per year and has been allowed for in the City’s draft 2015/2016 Annual Budget.

f. Legal and Statutory
   In accordance with the Local Government (Functions & General) Regulations 1996, Part 4 – division 2 Section 11 subsection (2)(b), a tender exemption applies to WALGA’s Preferred Supply Contracts, and therefore local governments are not required to go to public tender when purchasing from WALGA’s arrangement, irrespective of contract value or length.

   *Section 11(1)* ‘Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub regulation (2) states otherwise’

   *Section (2) - 'Tenders do not have to be publicly invited according to the requirements of this Division if—*

   *Section (2)(b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA’

g. Risk
   **Risk Implications of Implementing Officer Recommendation**
   Nil
Risk Implications of Not Implementing Officer Recommendation

High

- Non-compliance with applicable legislation

Comments

It is apparent that due to the current competitive nature of the energy supply market, there has been a decrease in the overall cost of energy to the 22 sites of approximately 16% from the current contracted rate.

Following consideration of the submissions in accordance with the quote criteria, Synergy provided a product that best fit the requirements of the City with a competitive price and are therefore recommended as the preferred quoter.

Voting Requirements

Simple Majority

Officer Recommendation

That Council

1. **REJECT** the non-compliant quote from COzero Pty Ltd for W14/15-91 – Period Supply of electricity to nominated sites within the City of Rockingham.

2. **ACCEPT** the quote submitted from Electricity Generation and Retail Corporation (EGRC), trading as Synergy, 22 Adelaide Terrace for W14/15-91 – Period Supply of electricity to nominated sites within the City of Rockingham in accordance with the quote documentation for the contract period being from the date of award for a period 24 months.

Committee Recommendation

Moved Cr Elliott, seconded Cr Stewart:

That Council:

1. **REJECT** the non-compliant quote from COzero Pty Ltd for W14/15-91 – Period Supply of electricity to nominated sites within the City of Rockingham.

2. **ACCEPT** the quote submitted from Electricity Generation and Retail Corporation (EGRC), trading as Synergy, 22 Adelaide Terrace for W14/15-91 – Period Supply of electricity to nominated sites within the City of Rockingham in accordance with the quote documentation for the contract period being from the date of award for a period 24 months.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
**Reference No & Subject:** EP-017/15 Support for Speed Limit Change – Kerosene Lane, Baldivis

<table>
<thead>
<tr>
<th>File No:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk Register No:</td>
<td></td>
</tr>
<tr>
<td>Proponent/s:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Scott Lambie, Coordinator Traffic Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>18 May 2015</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Advocacy</td>
</tr>
<tr>
<td>Site:</td>
<td>Kerosene Lane, Baldivis</td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td></td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Locality Plan 2. Aerial photo of Kerosene Lane</td>
</tr>
</tbody>
</table>
1. Locality Plan

2. Aerial photo of Kerosene Lane

**Purpose of Report**

To consider a proposal to reduce the current posted speed limit along a portion of Kerosene Lane in Baldivis, adjacent to recent urban development.
Background

Over the last few years, approved urban development has been moving north through Baldivis, towards Kerosene Lane and the existing ‘Spud Shed’, with further accelerated development to occur in the near future. The City's Traffic Services team, identifying the need for a review of the current 80km/h speed limit, wrote to Main Roads asking for their consideration in this matter.

On the 15 April 2015, Main Roads provided a written response explaining that they had conducted a review of the road environment and support of the request for a reduced speed limit, with 60km/h considered the most appropriate for the road classification.

Details

Main Roads WA has inspected the site and while supporting the proposal, has made the following observations;

- As residential development is currently located solely within the central section of Kerosene Lane, Main Roads considers the outer extents to be still appropriate for the current speed limit.
- As future development increases, Main Roads will further review the speed limits to ensure the limit remains appropriate for the road side development.
- The speed limit reduction down to 60km/h is recommended between ‘straight line kilometre’ (SLK) 1.06 to SLK 1.84, with the remaining portions of Kerosene Lane to remain at 80km/h.
- As both Sixty Eight Road and Eighty Road are under the care and control of the City of Rockingham, Main Roads is seeking Council’s support to these proposed amendments.

Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   City officers have liaised in writing with appropriate Main Roads technical staff with regard to the proposal. The Commissioner of Main Roads is the sole authority that determines speed limits on all public roads and also the signing and pavement markings associated with road treatments. In this instance, Kerosene Lane is under the control and management of the City of Rockingham. Main Roads has therefore requested Council consideration in implementing a lower (60 km/h) speed limit.

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 B:** Strong Community

   **Strategic Objective:** Safety and Support - A community that feels safe and secure in home, work and leisure environments, and has access to a range of effective support services and partnerships when encountering challenging or difficult times.

d. Policy
   Nil

e. Financial
   All costs associated with speed zone changes are borne by Main Roads WA.
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

Risk Implications of Implementing Officer Recommendation

Nil

Risk Implications of Not Implementing Officer Recommendation

Nil

Comments

Changing land use patterns, similar to what has occurred adjacent to Kerosene Lane, Baldivis, can act as a trigger for examination of existing speed limits and other road safety considerations. Invariably the concern is that the existing speed limit could be considered higher than desirable for the urbanised environment and increasing number of users (vehicle and pedestrian) within this section of Road.

Voting Requirements

Simple Majority

Officer Recommendation

That Council SUPPORT the implementation of a posted speed limit of 60km/h for the section of Kerosene Lane, SLK 1.06 to SLK 1.84, Baldivis.

Committee Recommendation

Moved Cr Pease, seconded Cr Stewart:

That Council SUPPORT the implementation of a posted speed limit of 60km/h for the section of Kerosene Lane, SLK 1.06 to SLK 1.84, Baldivis.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable
Purpose of Report

Provide Council with details of the tender/s received for Tender T15/16-03 – Verge waste collection service, document the results of the tender assessment and make recommendations regarding award of the tender.

Background

Tender T15/16-03 – Verge waste collection service was advertised in the West Australian on Saturday, 4 April 2015. The Tender closed at 2.00pm, Wednesday, 22 April 2015 and was publicly opened immediately after the closing time.

Details

The type of works to be undertaken under the Contract shall include:

The provision of verge waste collection services for residential properties within the City of Rockingham comprising,

- One annual general waste collection of up to two cubic metres of waste per property
- Two annual green waste collections allowing up to three cubic metres of green waste per collection.


Tender submissions were received from the following:

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western Maze Pty Ltd trading as WA Recycling Services</td>
</tr>
<tr>
<td>TC Waste (WA) Pty Ltd trading as D &amp; M Waste Management</td>
</tr>
</tbody>
</table>

### Price Schedule

<table>
<thead>
<tr>
<th>Company</th>
<th>Collection Type</th>
<th>2015/2016 Lump Sum Price – GST Exclusive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western Maze Pty Ltd trading as WA Recycling Services</td>
<td>First Collection – General Waste</td>
<td>$475,000</td>
</tr>
<tr>
<td></td>
<td>Second Collection – Green Waste</td>
<td>$92,000</td>
</tr>
<tr>
<td></td>
<td>Third Collection – Green Waste</td>
<td>$137,000</td>
</tr>
<tr>
<td>TC Waste (WA) Pty Ltd trading as D &amp; M Waste Management</td>
<td>First Collection – General Waste</td>
<td>$460,000</td>
</tr>
<tr>
<td></td>
<td>Second Collection – Green Waste</td>
<td>$300,000</td>
</tr>
<tr>
<td></td>
<td>Third Collection – Green Waste</td>
<td>$300,000</td>
</tr>
</tbody>
</table>

A panel comprising the Manager Integrated Waste Services, Waste Services Coordinator and Waste Services Officer undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Name of Company</th>
<th>Max. Points</th>
<th>Understanding of Tender Requirements</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td>TC Waste (WA) Pty Ltd trading as D &amp; M Waste Management</td>
<td>37.0</td>
<td>30.0</td>
<td>19.9</td>
<td>86.9</td>
</tr>
<tr>
<td>Western Maze Pty Ltd trading as WA Recycling Services</td>
<td>26.7</td>
<td>22.7</td>
<td>30.0</td>
<td>79.4</td>
</tr>
</tbody>
</table>
Implications to Consider

a. Consultation with the Community
   Not Applicable

b. Consultation with Government Agencies
   Not Applicable

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

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

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

d. Policy
   In accordance with the City’s Purchasing Policy, for purchases above $100,000, a public tender process is to be conducted in accordance with the provision of section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11A(1).

e. Financial
   Expenditure is in accordance with the Waste Services team plan and as allocated in the 2015/2016 draft budget. The anticipated expenditure for the verge waste collection service in 2014/2015 is $1,090,000. This expenditure is funded through the annual waste collection charges on a fee for service basis.

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 $100,000 unless sub regulation (2) states otherwise’.

g. Risk
   Risk Implications of Implementing Officer Recommendation
   Nil

   Risk Implications of Not Implementing Officer Recommendation
   High
   - Non-compliance with applicable legislation

Comments
The verge waste collection service is a highly visible and sometimes contentious service that relies on the effective performance of the City and its contractor to ensure a quality service is delivered.
The City has made significant improvements to the management and compliance aspects of this service over the past two years that have alleviated a number of the issues around amenity and timeliness of the service.

For this reason the assessment criteria are weighted higher for level of service and understanding of the tender requirements over price.

Following consideration of the submissions in accordance with the tender assessment criteria all companies demonstrated a capacity to undertake the works, however, the submission received from TC Waste (WA) Pty Ltd trading as D & M Waste Management is considered the best value to the City and therefore recommended as the preferred tenderer.

TC Waste (WA) Pty Ltd trading as D & M Waste Management is the City's current contractor and was better able to demonstrate an understanding of the requirements of the contract and experience in undertaking a contract of this size.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **ACCEPT** the tender submitted from TC Waste (WA) Pty Ltd trading as D & M Waste Management, 163 Boomerang Road, Oldbury WA 6121, for Tender T15/16-03 – Verge waste collection service in accordance with the tender documentation for the contract period being from 1 July 2015 to 30 June 2018.

**Committee Recommendation**

Moved Cr Pease, seconded Cr Hamblin:

That Council **ACCEPT** the tender submitted from TC Waste (WA) Pty Ltd trading as D & M Waste Management, 163 Boomerang Road, Oldbury WA 6121, for Tender T15/16-03 – Verge waste collection service in accordance with the tender documentation for the contract period being from 1 July 2015 to 30 June 2018.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
Purpose of Report

For Council to consider applications from two heavy vehicle operators to run Concessional Loading Bulk Haulage operations on certain roads under the care and control of the City of Rockingham.

For Council to give in-principle support to a Council Policy to guide the Chief Executive Officer in making future decisions under a delegated authority.

Background

The City has recently received two requests from heavy haulage operators for its support to run heavy haulage operations under the Concessional Loading Bulk Products Scheme (CLBPS).

Main Roads WA (MRWA), in association with the transport industry, has recognised there are efficiencies to be generated by the availability of increased axle (truck) group loadings, under the CLBPS. The CLBPS has been designed to reward operators who can demonstrate consistent loading controls and practices.

4 Correction of typographical error
The fundamental principle is that loading controls accurately determine individual axle group weights of vehicles for all trips, prior to entering the public road network and there must be an auditable trail for compliance monitoring practices.

MRWA are ultimately the approval agency for all heavy haulage operations of this type however they work under certain policies that ensures support from the Local Government (LG) is obtained prior to the approval being given.

**Details**

The requests are for roads that are already under the Restricted Access Vehicle (RAV) routes which cater for and designed appropriately for heavy haulage operations. They include the following:

- Kulija Road, Baldivis (Kwinana Freeway to Mandurah Road);
- Mandurah Road, East Rockingham (Kulija Road to Wellard Road); and
- Office Road, East Rockingham (Mandurah Road to Ocean Street).

The two accredited operators are Qube Bulk Central Operations Pty Ltd and Nepia Family Trust (Summit Fertiliser).

All operators of certain types of heavy vehicles must become accredited prior to gaining approval to use the RAV Networks. Classification of vehicle types/licences is listed in the *Road Traffic (Vehicles) Regulations 2014* under the *Road Traffic (Vehicles) Act 2012*.

Western Australian Heavy Vehicle Accreditation is mandatory for individuals and organisations that require a permit or notice to perform any transport task as part of a commercial business or for profit within Western Australia, including interstate operators.

The type of operator that requires accreditation would fall under the following categories:

- Operate B-Double or Road Train Configurations (over 19m length) or;
- Operate Truck & Trailer combinations over 42.5 tonnes gross mass or;
- Require more than four single trips (oversize or overmass) per calendar year or;
- Operate under concessional loading scheme or;
- Require an annual Main Roads Permit or Notice and;
- Operators who perform, transport tasks for hire or reward (If over 8 tonne)

An assessment of a requested route is undertaken by MRWA and the relevant LG (if the road is under the LG control). Main Roads Heavy Vehicle Services is committed to finalising Route Assessment requests within 40 days.

**Implications to Consider**

a. **Consultation with the Community**

Not Applicable

b. **Consultation with Government Agencies**

Officers have consulted with MRWA Heavy Vehicle Services and the Western Australian Local Government Association (WALGA).

c. **Strategic**

**Community Plan**

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

**Aspiration C:** Quality Leadership

**Strategic Objective:** Civic Buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis
Strategic Objective: Governance systems that enable Council to make informed and considered decisions, effectively supported by an executive informing and implementing those decisions; all within accountable, legally compliant, transparent and ethical environment.

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

A Council Policy does not exist at present to guide officers in the assessment process and support of these types of applications.

It is believed that the most efficient method of assessing these applications into the future is to have a Council Policy that will guide officers and also to Delegate Authority to the Chief Executive Officer to either support or oppose the proposals.

This will streamline the process and provide a quicker and more efficient approval system for the heavy vehicle operator. It will also enable the city and MRWA to comply with the approval process timeframe that is quoted to the industry by MRWA.

e. Financial

Nil

f. Legal and Statutory

Nil

g. Risk

Risk Implications of Implementing Officer Recommendation

Nil

Risk Implications of Not Implementing Officer Recommendation

Nil

Comments

The roads that will be used are designed for heavy haulage vehicles and are already included in the Restricted Access Vehicle Networks, therefore it is recommended to support these two applications.

To enable officers to streamline the process in the future it is also recommended that Council support the formulation of the Council Policy that will be submitted to a future Council Meeting for approval to publicly advertise.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. SUPPORT the applications from Qube Bulk Central Operations Pty Ltd and Nepia Family Trust (Summit Fertiliser) to run heavy vehicles under the Concessional Loading Bulk Products Scheme (CLBPS) along the following sections of roads:

   - Kulija Road, Baldivis (Kwinana Freeway to Mandurah Road);
   - Mandurah Road, East Rockingham (Kulija Road to Wellard Road); and
   - Office Road, East Rockingham (Mandurah Road to Ocean Street).
2. **SUPPORT** the formulation of a Council Policy that will guide the assessment process for Heavy Vehicle applications on City of Rockingham controlled roads.

**Committee Recommendation**

**Moved Cr Hamblin, seconded Cr Stewart:**

That Council:

1. **SUPPORT** the applications from Qube Bulk Central Operations Pty Ltd and Nepia Family Trust (Summit Fertiliser) to run heavy vehicles under the Concessional Loading Bulk Products Scheme (CLBPS) along the following sections of roads:
   - Kulija Road, Baldivis (Kwinana Freeway to Mandurah Road);
   - Mandurah Road, East Rockingham (Kulija Road to Wellard Road); and
   - Office Road, East Rockingham (Mandurah Road to Ocean Street).

2. **SUPPORT** the formulation of a Council Policy that will guide the assessment process for Heavy Vehicle applications on City of Rockingham controlled roads.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>13.</strong></td>
<td><strong>Reports of Councillors</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td><strong>14.</strong></td>
<td><strong>Addendum Agenda</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td><strong>15.</strong></td>
<td><strong>Motions of which Previous Notice has been given</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td><strong>16.</strong></td>
<td><strong>Notices of Motion for Consideration at the Following Meeting</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td><strong>17.</strong></td>
<td><strong>Urgent Business Approved by the Person Presiding or by Decision of the Committee</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td><strong>18.</strong></td>
<td><strong>Matters Behind Closed Doors</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td><strong>19.</strong></td>
<td><strong>Date and Time of Next Meeting</strong></td>
</tr>
<tr>
<td></td>
<td>The next Planning and Engineering Services Committee Meeting will be held on <strong>Monday 15 June 2015</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></td>
<td><strong>Closure</strong></td>
</tr>
<tr>
<td></td>
<td>There being no further business, the Chairperson thanked those persons present for attending the Planning and Engineering Services Committee meeting, and declared the meeting closed at <strong>4.47pm</strong>.</td>
</tr>
</tbody>
</table>