MINUTES
Planning and Engineering Services Committee Meeting
Held on Monday 16 April 2018 at 4:00pm
City of Rockingham Boardroom
# City of Rockingham
## Planning and Engineering Services Committee
### Meeting Minutes
#### Monday 16 April 2018

## 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  
   - Planning and Development Services Information Bulletin – April 2018  
   - Engineering and Parks Services Information Bulletin – April 2018  
12. Agenda Items – Planning and Engineering Services Committee  
   - Planning and Development Services  
     - PD-012/18 Municipal Heritage Inventory and Heritage List Review - Final Adoption  
   - Engineering and Parks Services  
     - EP-005/18 Tender T17/18-46 - Construction of the Baldivis South Community Centre  
     - EP-006/18 Tender T17/18-20 – Construction of the Rockingham Beach Foreshore Revitalisation  
13. Reports of Councillors  
14. Addendum Agenda  
15. Motions of which Previous Notice has been given  
   - Planning and Development Services  
     - PD-014/18 Notice of Motion - Point Peron Coastal Park  
16. Notices of Motion for Consideration at the Following Meeting  
17. Urgent Business Approved by the Person Presiding or by Decision of the Committee
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>18.</td>
<td><strong>Matters Behind Closed Doors</strong></td>
<td>54</td>
</tr>
<tr>
<td>19.</td>
<td><strong>Date and Time of Next Meeting</strong></td>
<td>54</td>
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<tr>
<td>20.</td>
<td><strong>Closure</strong></td>
<td>54</td>
</tr>
</tbody>
</table>
1. Declaration of Opening

The Chairperson declared the Planning and Engineering Services Committee Meeting open at 4:03pm, welcomed all present, and delivered the Acknowledgement of Country.

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

2.1 Councillors

Cr Chris Elliott (Chairperson)
Cr Matthew Whitfield
Cr Barry Sammels (Mayor)
Cr Deb Hamblin (Deputy Mayor)
Cr Katherine Summers
Cr Leigh Liley (Observer)
Cr Joy Stewart (Observer)

2.2 Executive

Mr Sam Assaad (Director Engineering and Parks Services)
Mr Peter Ricci (A/Director Planning and Development Services)
Mr Brett Ashby (Manager Strategic Planning and Environment)
Mr Mike Ross (Manager Statutory Planning)
Mr Peter Varris (Manager Governance and Councillor Support)
Mr Michael Howes (Senior Environmental Health Officer)
Mr David Caporn (Manager Compliance and Emergency Liaison)
Mr Ian Daniels (Manager Infrastructure Project Delivery)
Mr Manoj Barua (Manager Engineering Services)
Mr Kelton Hincks (Manager Asset Services)
Mr James Henson (Manager Land and Development Infrastructure)
Mr Adam Johnston (Manager Parks Services)
Ms Melinda Wellburn (PA to Director Planning and Development Services)

2.3 Members of the Gallery: 12

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

4:04pm The Chairperson invited members of the Public Gallery to ask questions.
4.1 Mr Jammes Mumme, 36 Gloucester Avenue, Shoalwater - PD-014/18 -
Notice of Motion - Point Peron

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

(Preamble to question) The City’s Community Aspirations say under Sustainable
Environment: “Coastal and Bushland Reserves that are well used and
sustainably managed preserving them for future generations to enjoy …a city
renowned for… natural beauty and world class coastal and marine
environments.” Strategic Community Plan 2015-2025 pages 9, 11.

However the wording of the officers’ recommendation that a … process be
urgently initiated to determine the most sustainable long-term use of the Point
Peron peninsula omits any reference to the above community aspiration.

1. Why are these community aspirations not the starting point for Council’s
position in either a) considering Cr Summers’ motion and b) any meeting
with the Premier?

The Chairperson advised that this is an item contained in the Committee agenda
and will be considered later in the meeting with a recommendation to next
Tuesday’s Council meeting.

One of the reasons given for this motion is the aspiration for Coastal Facilities
including “a “major brand” hotel, marinas, … foreshore parks that contribute to
the City’s reputation as the premier metropolitan coastal tourism destination.

2. Does this statement show that Council sees tourists as attracted mainly
by major brand hotels and marinas and not interested in coming to
Rockingham to experience nature in Bush Forever sites?

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

The Premier initiated the inland marina proposal and is on record as supporting
anything that generates jobs and tourism. His Minister for Planning said “The
State Government looks forward to working on alternative projects to boost jobs,
and create new places for people to live and visit.” As well the Motion refers to
Coastal facilities including including “a “major brand” hotel, marinas,

3. Therefore can Council give the community any reason to believe that the
wording “the most sustainable long-term use” does not leave open the
possibility of a) housing, b) hotel? c) a marina on the Bush Forever site 355 at Cape Peron?

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

The motion quotes our community as aspiring to An engaged and informed
community that participates in local decision making and can rely upon the
Council to advocate on its behalf when important issues challenge the best
interests of the City and its residents.

4. How does Council see its role in advocating for a Coastal Park on behalf
of the engaged and informed community that wants a world class coastal
park at Cape Peron?

The Chairperson advised that the motion will be considered by this Committee
and then the Council and during those discussions, that question may be
addressed.

The Officer’s recommendation is to ask the Premier for “discussions to request
… a transparent and collaborative process”.

5. Will minutes or outcomes be published of any discussions between the
Premier and the Mayor?

The Chairperson advised that he was not in a position to answer on behalf of the
Premier or Mayor, however, it may well be that the discussions they have will
remain in camera, so that the planning can take place without any public
statement which may lead to people drawing an incorrect conclusion.
As soon as a government body makes a statement, it is considered by many people that it is going to happen. It is certainly his view that a public statement will be made or a decision has been made and a direction set.

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

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

(Preamble to questions) Cr Hill moved the Notice of Motion and was supported by Council subject to conditions, one being the approval of the Western Australian Planning Commission to the Metropolitan Region Scheme Amendment which we now know as 1280/41 Mangles Bay Marina, I ask,

(a) In accordance with recent decision by the Minister of Planning regarding MRS Amendment, when will motion by Cr Hill be revoked by Council, and
(b) Why was it not revoked prior to deputation by the City to WAPC in August 2017, when the City requested that final approval of MRS 1280/41 not be granted,

The Chairperson advised that the Amendment to the Metropolitan Region Scheme that would have made the marina a possibility is not going through, so the marina will not proceed and as such, any Council motion on the marina has lapsed.

Mr Peter Varris, Manager Governance and Councillor Support advised that the City has implemented an Advocacy Register which is required to be reviewed every two years. Within the next month or so it will be reviewed and that resolution will no longer be carried forward and that Council, through that process, will confirm the Advocacy positions that are current.

Councillors and Officers have received an email from myself regarding Notice of Motion PD-014/18 on today's agenda, I ask that Councillors take note of points as indicated when considering their opinion of this item.

However, as indicated on page 43, 'The City has concerns, however, with the promotion of a 'coastal park' given that this description may conjure different meanings to different people'. Therefore it is my intention at the next Steering Committee meeting to change the name from Cape Peron Coastal Park, to Cape Peron Conservation Park, so that it is more aligned to Minister Dawson's letter (26 March 2018) where he states, 'Conservation Park is an appropriate purpose to enable proper management of tourism and facilities, while protecting the natural and cultural values of this special area'.

In accordance with the Officers Recommendation that discussions take place with the Premier to determine the most sustainable long-term use of the Cape Peron area. I ask,

(c) Has the City a preferred plan to present to the Premier during discussions, if not,
(d) Will the City entertain receiving conceptual ideas for the development of this area in accordance with Minister Dawson's letter as noted above?

The Chairperson advised that with respect to the non-amendment of the MRS, it really was a matter of yesterday and could not see any point in reliving yesterday, however, the Committee on behalf of the Council will endeavour to make Rockingham a better City and to do so, we will look forward.

4:20pm There being no further questions the Chairperson closed Public Question Time.
5. **Confirmation of Minutes of the Previous Meeting**

**Moved Cr Sammels, seconded Cr Whitfield:**

That Committee **CONFIRMS** the Minutes of the Planning and Engineering Services Committee Meeting held on 19 March 2018, 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**

4:21pm 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**

4:21pm 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**

<table>
<thead>
<tr>
<th>Planning and Development Services Information Bulletin – April 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Health Services</strong></td>
</tr>
<tr>
<td>1. Health Services Team Overview</td>
</tr>
<tr>
<td>2. Human Resource Update</td>
</tr>
<tr>
<td>3. Project Status Reports</td>
</tr>
<tr>
<td>3.1 FoodSafe</td>
</tr>
<tr>
<td>3.2 Industrial and Commercial Waste Monitoring</td>
</tr>
<tr>
<td>3.3 Mosquito Control Program</td>
</tr>
<tr>
<td>3.4 Environmental Waters Sampling</td>
</tr>
<tr>
<td>3.5 Food Sampling</td>
</tr>
<tr>
<td>4. Information Items</td>
</tr>
<tr>
<td>4.1 Mosquito-Borne Disease Notifications</td>
</tr>
<tr>
<td>4.2 Food Recalls</td>
</tr>
<tr>
<td>4.3 Food Premises Inspections</td>
</tr>
<tr>
<td>4.4 Public Building Inspections</td>
</tr>
<tr>
<td>4.5 Outdoor Public Event Approvals</td>
</tr>
<tr>
<td>4.6 Permit Approvals</td>
</tr>
<tr>
<td>4.7 After Hours Noise and Smoke Nuisance Complaint Service</td>
</tr>
<tr>
<td>4.8 Complaint - Information</td>
</tr>
<tr>
<td>4.9 Noise Complaints - Detailed Information</td>
</tr>
<tr>
<td>4.10 Animal Exemptions</td>
</tr>
<tr>
<td>4.11 Building Plan Assessments</td>
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<td>4.12</td>
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<td>4.17</td>
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</tbody>
</table>

**Building Services**
1. Building Services Team Overview
2. Human Resource update
3. Project Status Reports
4. Information Items
   4.1 Monthly Building Permit Approvals - (All Building Types)
   4.2 Other Permits
   4.3 Monthly Caravan Park Site Approvals

**Compliance and Emergency Liaison**
1. Compliance and Emergency Liaison Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Private Swimming Pool and Spa Inspection Program
   4.2 Ranger Services Action Reports
   4.3 Emergency Management and Fire Prevention
   4.4 Prohibited Burning
   4.5 CRM
   4.6 Rockingham Environmental Centre
   4.7 Local Government Grant Scheme Funding
   4.8 TEC/DRF Environmental Presentation
   4.9 Singleton Volunteer Bush Fire Brigade – Community Engagement
   4.10 Flare Demonstration
   4.11 SmartWatch: Key Result Area: Visibility
   4.12 SmartWatch Key Result Area: Engagement with Community
   4.13 SmartWatch Key Result Area: Increasing perception of Safety
   4.14 Notable Statistics

**Strategic Planning and Environment**
1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Local Planning Strategy (LUP/1352)
   3.2 Waterwise Council Program (EVM/56-02)
   3.3 Wetland Management Plan
   3.4 Lake Richmond Management Plan Review
   3.5 Coastal Hazard Risk Management and Adaption Plan
4. Information Items
   4.1 Release of Perth and Peel@3.5million Planning Frameworks
   4.2 Update on the Strategic Assessment of the Perth and Peel Regions
   4.3 Sustainability Strategy

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

**Statutory Planning**

1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>Land Use - Planning Enforcement</td>
</tr>
<tr>
<td>4.2</td>
<td>Subdivision/Development Approval and Refusals by the WAPC</td>
</tr>
<tr>
<td>4.3</td>
<td>Notifications and Gazettals</td>
</tr>
<tr>
<td>4.4</td>
<td>Subdivision Clearances</td>
</tr>
<tr>
<td>4.5</td>
<td>Subdivision Survey Approvals</td>
</tr>
<tr>
<td>4.6</td>
<td>Subdivision Lot Production</td>
</tr>
<tr>
<td>4.7</td>
<td>Delegated Development Approvals</td>
</tr>
<tr>
<td>4.8</td>
<td>Delegated Development Refusals</td>
</tr>
<tr>
<td>4.9</td>
<td>Delegated Building Envelope Variations</td>
</tr>
<tr>
<td>4.10</td>
<td>Subdivision/Amalgamation Approved</td>
</tr>
<tr>
<td>4.11</td>
<td>Strata Plans</td>
</tr>
<tr>
<td>4.12</td>
<td>Subdivision/Amalgamation Refused</td>
</tr>
<tr>
<td>4.13</td>
<td>Proposed Motorsport Facility (Shire of Serpentine Jarrahdale) - Lot 78 (No 732) Punrak Road, Keysbrook</td>
</tr>
</tbody>
</table>

**Planning and Development Directorate**

1. Planning and Development Directorate Team Overview
2. Human Resource Update
3. Project Status Reports

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1</td>
<td>Rockingham Primary Centre, Centre Plan Implementation (LUP/137-08)</td>
</tr>
<tr>
<td>3.2</td>
<td>Northern Smart Village Sector - Masterplan, Development Policy Plan and Proposed Amendment No’s 161 and 162 to Town Planning Scheme No.2</td>
</tr>
<tr>
<td>3.3</td>
<td>Leeuwin Sector – Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2</td>
</tr>
<tr>
<td>3.4</td>
<td>Northern Gateway Sector - Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2</td>
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<tr>
<td>3.5</td>
<td>Improvements to City Square and Civic Plaza (LUP/1933)</td>
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<tr>
<td>3.6</td>
<td>Design Review Panel (LUP/2094)</td>
</tr>
<tr>
<td>3.7</td>
<td>Safety Bay/Shoalwater Foreshore Revitalisation Master Plan</td>
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</tbody>
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4. Information Items

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>4.1</td>
<td>Update on Proposed Joint Development Assessment Panel Application for Montessori School at Lot 11 (No.1809) and Lots 700 and 701 (No.1791) Mandurah Road, Karnup</td>
</tr>
</tbody>
</table>

**Advisory Committee Minutes**
Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:
That Councillors acknowledge having read the Planning Services Information Bulletin – April 2018 and the content be accepted.

Committee Voting – 5/0

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**Engineering and Parks Services Information Bulletin – April 2018**

**Engineering and Parks Services Directorate**
1. Engineering and Parks Services Directorate Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Bushfire Risk

**Asset Services**
1. Asset Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Facilities and Reserve Accessibility Audits
   3.2 Footpath Condition Audit
   3.3 Facility Security Plan
4. Information Items
   4.1 Asset Maintenance Team
   4.2 Asset Maintenance – Buildings
   4.3 Asset Maintenance – Reserves
   4.4 Asset Management

**Infrastructure Project Delivery**
1. Infrastructure Project Delivery Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Beach Foreshore Masterplan – Stage One Construction
4. Information Items
   4.1 Buildings and Facilities Construction Program
   4.2 Lighting Construction Program
   4.3 Park Infrastructure and Construction Program

**Parks Services**
1. Parks Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Delegated Public Open Space Handovers
   4.2 Rivergum’s Reserve Lake bird deaths
   4.3 2017/2018 Parks Services Projects Summary
   4.4 2017/2018 Parks Services Project Information
   4.5 Parks Maintenance Program 2017/2018

**Engineering Services**
1. Engineering Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Future Traffic Modelling
4. Information Items
4.1 Delegated Authority for Temporary Thoroughfare Closure
4.2 Delegated Authority for approval of Directional Signage
4.3 Delegated Authority for approval of Heavy Haulage
4.4 Authorised Traffic Management Plans for Works on City Controlled Roads
4.5 Civil Works Program 2017/2018
4.6 Civil Maintenance Program 2017/2018
4.7 Road Rehabilitation Program Main Roads Grant 2017/2018
4.8 Road Resurfacing Program Municipal Works 2017/2018
4.9 Road Renewal Program Municipal Works 2017/2018
4.10 Drainage Renewal Program Municipal Works 2017/2018
4.11 Delegated Authority pursuant to Part 3 of the Graffiti Vandalism Act 2016
4.12 Litter and Street Sweeping Program 2017/2018
4.13 Graffiti Program 2017/2018
4.14 Delegated Authority for the payment of crossover subsidies
4.15 Third Party works within the City
4.16 Asset Inspections
4.17 Verge Treatment Applications
4.18 Verge Obstructions
4.19 Coastal Infrastructure
4.20 Coastal Management

Advisory Committee Minutes

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:
That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – April 2018 and the content be accepted.

Committee Voting – 5/0
### Planning and Development Services

#### Statutory Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PD-012/18 Municipal Heritage Inventory and Heritage List Review - Final Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/518-10</td>
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<tr>
<td>Applicant:</td>
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<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Ms Gayle O’Leary, A/Planning Officer</td>
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<tr>
<td>Other Contributors:</td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
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<tr>
<td>Date of Committee Meeting:</td>
<td>16 April 2018</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>July 2007 (PDS118/7/07), March 2008 (PD36/3/08), August 2008 (PD157/8/08), December 2009 (PD152/12/09), December 2010 (SPE-009/10), April 2011 (SPE-007/11), June 2011 (SPE-032/11), June 2012 (SP-034/12), September 2012 (SP-054/12), September 2017 (PDS-049/17)</td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
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<tr>
<td>Site:</td>
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<td>Lot Area:</td>
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<td>LA Zoning:</td>
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<tr>
<td>MRS Zoning:</td>
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</tr>
<tr>
<td>Attachments:</td>
<td>1. Revised Municipal Heritage Inventory 2018</td>
</tr>
<tr>
<td></td>
<td>2. Schedule of Submissions</td>
</tr>
<tr>
<td></td>
<td>3. Heritage Reference Group Minutes 31 May 2017</td>
</tr>
<tr>
<td></td>
<td>4. Heritage Reference Group Minutes 28 February 2018</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
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</tbody>
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#### Purpose of Report

To consider for Final Adoption, the revised Municipal Heritage Inventory (MHI) and Heritage List following public advertising.
Background

On 25 January 2017, the City’s Heritage Reference Group Committee (HRG) met with the City’s Heritage Consultant undertaking the review of the Municipal Heritage Inventory (MHI) to ensure information to assist in the update of the MHI could be received from members of the HRG and provide an overview on the work that had commenced on the review of the MHI to date, including site inspections to various properties and the drafting of a number of place record forms.

On 17 May 2017 and 31 May 2017, the HRG discussed the draft changes to the MHI and Heritage List which arose from the research undertaken by the City’s Heritage Consultants. This included the inclusion of 17 new places to the MHI and revised Management Categories, which guide Council’s decisions for any changes to the heritage fabric of places.

The HRG recommended changes to the Management Categories of the following proposed places:

- AIW Centre + RSL Club changing from a ‘C’ to an ‘E’ to reflect the demolition of the structures onsite;
- Residence, 30 Rae Road from a ‘C’ to a ‘B’ to strengthen the site’s heritage significance;
- Residence, 67 Rockingham Beach Road, Rockingham, from a ‘C’ to a ‘B’ to strengthen the site’s heritage significance;
- Dato Shipwreck from a ‘D’ to an ‘E’ to reflect that the shipwreck is a heritage site; and
- Star Shipwreck from a ‘D’ to an ‘E’ to reflect that the shipwreck is a heritage site and ensure consistency with the other shipwrecks.

On 26 September 2017, Council resolved to advertise the revised MHI for public comment. The revised MHI included the following revised Management Categories, as highlighted in red bold text.

<table>
<thead>
<tr>
<th>Management Category</th>
<th>Level of Significance</th>
<th>Description</th>
<th>Required Outcome</th>
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<tbody>
<tr>
<td>A</td>
<td>Exceptional significance</td>
<td>Essential to the heritage of the locality. Rare or outstanding example. Recommended for inclusion on the State Register of Heritage Places.</td>
<td>The place should be retained and conserved. Any alterations or extensions should reinforce the significance of the place, and be in accordance with a Conservation Plan (if one exists for the place).</td>
</tr>
<tr>
<td>B</td>
<td>Considerable significance</td>
<td>Very important to the heritage of the locality. High degree of integrity/authenticity.</td>
<td>Conservation of the place is highly desirable. Any alterations or extensions should reinforce the significance of the place.</td>
</tr>
<tr>
<td>C</td>
<td>Some / Moderate Significance</td>
<td>Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the item.</td>
<td>Conservation of the place is desirable. Any alterations or extensions should reinforce the significance of the place, and original fabric should be retained wherever feasible.</td>
</tr>
<tr>
<td>D</td>
<td>Little significance</td>
<td>Significant but not essential to the understanding of the district.</td>
<td>Photographically record prior to major development or demolition. Recognise and interpret the site if possible.</td>
</tr>
<tr>
<td>E</td>
<td>Historic Site</td>
<td>Historic site. Recognise - for example, with a plaque, place name, or acknowledge in new urban or architectural design.</td>
<td>Recognise and interpret the site if possible.</td>
</tr>
</tbody>
</table>
On 28 February 2018, the City met with the HRG to discuss the progression of various heritage projects and to provide an update on the progress of the MHI Review following advertising. During discussion of the revised Management Categories, the HRG recommended that the Management Category for the Turtle Factory (fmr) – Place No.28 be amended from a ‘D’ to an ‘E’ to reflect the historic site. The HRG also discussed the landowner’s submission response to the proposed listing of Place No.70 – No.67 Rockingham Beach Road, Rockingham (“Reverend Purdy’s Residence fmr”) and recommended the City undertake an inspection of the building to verify the extent of its authenticity.

A total of 17 new places have been included in the revised MHI and eight places are proposed to have different Management Categories. The tables below outline the advertised places for inclusion or revision in the MHI, further changes have been made to some of the existing and proposed places which is outlined further in this report.

<table>
<thead>
<tr>
<th>Proposed Places for Inclusion in MHI</th>
<th>Advertised Management Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 East Rockingham Heritage Precinct, East Rockingham</td>
<td>A</td>
</tr>
<tr>
<td>2 Sorrento Guest House (fmr) – No.211 Safety Bay Road, Safety Bay</td>
<td>B</td>
</tr>
<tr>
<td>3 Baldivis Reserve (previously coupled with Baldivis Primary School within the same place record), Baldivis</td>
<td>C</td>
</tr>
<tr>
<td>4 AllW Centre + RSL Club – Point Peron Road, Peron</td>
<td>E</td>
</tr>
<tr>
<td>5 Rockingham Fire Station (fmr) – No.4 Hefron Street, Rockingham</td>
<td>C</td>
</tr>
<tr>
<td>6 Sutton Residence (fmr) – No.30 Rae Road, Rockingham</td>
<td>B</td>
</tr>
<tr>
<td>7 Reverend Purdy's Residence (fmr) – No.67 Rockingham Beach Road, Rockingham</td>
<td>B</td>
</tr>
<tr>
<td>8 St George's Church – No.1-3 Thomas Street, Safety Bay</td>
<td>C</td>
</tr>
<tr>
<td>9 Dato Shipwreck – Careening Bay, Garden Island</td>
<td>E</td>
</tr>
<tr>
<td>10 Star Shipwreck – Murray Reef, Garden Island</td>
<td>E</td>
</tr>
<tr>
<td>11 Paganoni Swamp – Paganoni Road, Karnup</td>
<td>D</td>
</tr>
<tr>
<td>12 Rockingham Police Station and Courthouse (fmr) – Cnr Emma Street and Flinders Lane, Rockingham</td>
<td>E</td>
</tr>
<tr>
<td>13 Chalmers Shipwreck – Port Kennedy</td>
<td>E</td>
</tr>
<tr>
<td>14 Hero of the Nile Shipwreck – Long Point, Port Kennedy</td>
<td>E</td>
</tr>
<tr>
<td>15 Amur Shipwreck – Rockingham Beach Road, Rockingham</td>
<td>E</td>
</tr>
<tr>
<td>16 Waikiki Hotel – site – No.434 Safety Bay Road, Safety Bay</td>
<td>E</td>
</tr>
<tr>
<td>17 Mersey Point, Shoalwater (previously coupled with Penguin Island within the same place record) – No.153 Arcadia Drive, Shoalwater</td>
<td>C</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Current Places in MHI</th>
<th>Advertised Management Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Place No.25 – No.1 Hymus Street, Peron - Alfred Hines Seaside Home (fmr)</td>
<td>B C</td>
</tr>
<tr>
<td>2 Place No.29 – Point Peron Road - Point Peron Recreational Camp</td>
<td>C D</td>
</tr>
<tr>
<td>3 Place No.32 – Lot 138 and 216 Port Kennedy Drive - Port Kennedy Scientific Park</td>
<td>C D</td>
</tr>
<tr>
<td>4 Place No.57 - No.165 Parkin Street, Rockingham – site of former Millar’s Cottages</td>
<td>D E</td>
</tr>
</tbody>
</table>
Current Places in MHI | Advertised Management Category
---|---
5 | Place No.59 – No.49 Rockingham Beach Road, Rockingham - Elanora (site) | E B
6 | Place No.81 - No.274 Safety Bay Road | D C
7 | Place No.84 – No.21 Waimea Road, Safety Bay | C D
8 | Place No.94 - No.623 Safety Bay Road, Waikiki | D C

*The Place Record numbers of the current places listed above have been changed in the revised MHI and Heritage List, the numbers in the table above reflect the revised MHI and Heritage List.

Details

The Council’s Final Adoption of the revised MHI and Heritage List is sought following the close of the public advertising period, the outcomes of which form the basis of this report.

Implications to Consider

a. Consultation with the Community

Clause 4 of the deemed provisions of TPS2 requires the Council to give 21 days notice inviting comments from each landowner and occupier of any new or modified heritage places in the Heritage List and notify the Heritage Council of Western Australia.

In accordance with the deemed provisions of TPS2 and the Heritage of Western Australia Act 1990 (the Act), public consultation was undertaken in the following manner:

- A notice was placed in the Weekend Courier and West Australian Newspapers on 6 October 2017 and 7 October 2017 respectively;
- A notice was placed in the Government Gazette on 6 October 2017;
- Public information was placed on the City's website giving formal notice of the draft MHI and Heritage List;
- The draft MHI and Heritage List were made available for inspection at the City's Administration Offices; and
- Each owner and occupier of places added to or modified in the Heritage List was notified in writing.

At the conclusion of the public advertising period on 24 November 2017, three submissions were received and a late submission was received on 30 November 2017 with an addendum received on 1 February 2018. The City subsequently re-advertised the draft MHI upon noticing the City's notification letters to owners and occupiers reflected the Management Category wording from the HRG rather than those adopted by Council in September 2017. Three subsequent submissions were received, one from an external government agency which is addressed further below, as follows:

Place No.25 - 1 Hymus Street, Peron - Alfred Hines Seaside Home

Submission One

No objection to changing the Management Category from 'C' to 'B' subject to the reason for listing being the social history rather than physical history of the place.

The name of the place has also recently changed to 'Seaside Camp for Children' and the MHI and Heritage List should be updated to reflect this change.

City's Comment:

The Alfred Hines Seaside Home (LGA Place No. 059), is currently listed in the City's MHI, with a 'C' Management Category. The revised MHI has proposed to change the Management Category to 'B' to reflect the greater importance of the social and historic significance of the place. It is standard practice to use the original name of the place when constructed. The name of the place can be amended to include 'fmr' to denote the change in name.
### Place No.25 - 1 Hymus Street, Peron - Alfred Hines Seaside Home (cont…)

**Recommendation:**
1. **Amend the Management Category for Alfred Hines Seaside Home – Place No.59 from a ‘C’ to a ‘B’**.
2. **Include the word “fmr” in the place name to denote the change in name.**
3. **Update the revised MHI to reflect the additional information on the physical description and historical information.**

### Place No.57 - 165 Parkin Street, Rockingham (fmr Millar’s Cottages)

**Submission Two**

Objection to changing the Management Category from ‘E’ to ‘D’ as only one cottage was located on the property, which was demolished in 2002 with the consent of the City. A Heritage Assessment was undertaken by the owners prior to demolition, and submitted to the City.

**City’s Comment:**

The site of the former Millar’s Cottages (LGA Place No.016) is currently listed in the City’s MHI with an ‘E’ Management Category, which reflects an historic site. These cottages were transferred to five different owners being Nos. 161, 163, 165, 167 and 169 Parkin Street.

Following review of the submission, the City’s Heritage Consultant has agreed the Management Category should be retained as ‘E’ (i.e. a historic site). The draft MHI should be updated to reflect this change and the place should be removed from the Heritage List accordingly.

**Recommendation:**
1. **Retain the current Management Category ‘E’ applying to “Millar’s Cottages (fmr), Rockingham – Site Place No.57**
2. **Not include Millar’s Cottages (fmr) on the City’s Heritage List**

### Place No.70 – No.67 Rockingham Beach Road (fmr Reverend Purdy’s House)

**Submission Three**

Objection to listing the property under Management Category ‘B’ due to several physical alterations of the property over the last fifty years, skepticism over the heritage significance of the site and concern over the impact of the listing on property value. Details regarding the alterations and landscaping were provided.

A Heritage Assessment was provided by the owner's Heritage Consultant to substantiate the concerns.

**City’s Comment:**

Reverend Purdy’s House (fmr) Place No: 70 is proposed to be included in the MHI and Heritage List.

As per the recommendation of the HRG meeting held on 28 February 2018, City Officers and the City’s Heritage Advisor and Heritage Consultant met with the current landowners of the site to inspect the premises and verify the private Heritage Consultant's observations.

The City’s Heritage Consultant and Heritage Advisor have both confirmed that the information contained within the owner’s heritage advice provided useful supplementary detail regarding the history and alterations to the site. Although the site still bears social significance due to its association with Reverend Purdy and some authenticity, and much of the original building fabric (including vuggy limestone walls) still remains, the current alterations that obscure the original core from the street do detract from its level of significance as interpreted from the exterior of the place.

The physical description and historical information should be updated in the draft MHI to reflect the information provided by the owner, and the Management Category should be revised from a ‘B’ to a ‘C’, to reflect the social significance and modifications to the site.
Place No.70 – No.67 Rockingham Beach Road (fmr Reverend Purdy’s House) (cont...)

Recommendation:
1. Include No.67 Rockingham Beach Road (fmr) Reverend Purdy’s House on the City’s MHI and Heritage List, subject to the Management Category ‘C’.
2. Update the revised MHI to reflect the additional information on the physical description of alterations and historical information.

Place 76 – No.211 Safety Bay Road, Safety Bay (fmr Sorrento Guest House)

Submission Four
The submissioner provided details regarding the history and construction of the residence, being a post war (recycled) timber framed and asbestos clad dwelling with a concrete veranda and tin roof, instead of weatherboard and limestone, as previously stated in the advertised MHI.

It was also suggested that a Building Certificate was issued in 1949 for the dwelling but it was likely transported from the vicinity of Kalgoorlie and rebuilt, with rooms added on. The site has been modified and used as a guest house over the years and was renamed “Koolama Flats” during the 1950s.

City’s Comment:
The physical description and historical information should be updated in the draft MHI to reflect the information provided by the owner. The advertised Management Category of ‘B’ should be retained given its aesthetic, social, and historical significance and its rarity.

Recommendation:
1. Update the revised MHI to reflect the additional information on the physical description and historical information.

Place 83 – No.1-3 Thomas Street, Safety Bay (St George’s Church)

Submission Five
Objection to listing of St George’s Anglican Church on the basis that it would pose a hindrance to its plans to potentially develop the site in the future. The landowner does not believe the site is of heritage value or that the site bears strong relevance to past communities of Shoalwater and Safety Bay.

City’s Comment:
The City’s Heritage Consultant advised that although the building itself does not bear strong architectural merit, the place does have social and historic significance due to the role the church has played in the local community over the last several decades and should be reflected as such in the MHI.

It is also noted that the listing of a heritage place in the MHI does not prevent development or alterations to a place, but triggers the requirement for a Heritage Impact Statement to ascertain the potential impact that development may have on the cultural heritage significance of the place.

Recommendation:
1. Include No.1-3 Thomas Street, Safety Bay, on the City’s MHI and Heritage List, subject to the Management Category ‘C’.

b. Consultation with Government Agencies
The draft MHI was referred to the following Government Agencies for advice in respect to heritage expertise, and as some of the amended places fall under the care and control of the state government:
- State Heritage Office and National Trust of Australia (WA);
- The Department of Biodiversity, Conservation and Attractions (formerly Department of Parks and Wildlife); and
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 MAY 2018

- Department of Transport.
At the close of the advertising period one submission was received from the Department of Biodiversity, Conservation and Attractions advising that that Department is supportive of the sites selected and of their Management Categories and has no objections. No other external submissions were received.

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

**Aspiration C:** Quality Leadership

**Strategic Objective:** Community Engagement and Advocacy - An engaged and informed community that participates in local decision making and can rely upon the Council to advocate on its behalf when important issues challenge the best interests of the City and its residents.

**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 3.3.21 - Heritage Conservation and Development (PP3.3.21)
The City's PP3.3.21 will need to be revised following Council's adoption of the revised MHI and Heritage List to include revised Management Categories in the MHI and updated Heritage List.

e. Financial
The cost of revising the MHI was $30,000 and it was completed in accordance with the adopted budget.

f. Legal and Statutory
Heritage Act of Western Australia 1990 (the Act)
The Act requires all Local Government authorities in Western Australia to compile, periodically review, and update, a local MHI.

City of Rockingham Town Planning Scheme No.2 (TPS2)
Clause 8(1) of the deemed provisions of TPS2 require the Local Government to establish and maintain a Heritage List to identify places within the Scheme area that are of cultural heritage significance and worthy of built heritage conservation.

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

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

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

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

Nil

**Comments**
The review of the MHI has entailed extensive public consultation with affected landowners and external stakeholders. The City has met with the HRG Committee on four occasions and extensively advertised the revised MHI and Heritage List.

The recommendations within the revised MHI reflect the current state of the places listed and their significance to the heritage of the locality. The Heritage List is required to be updated to reflect the changes to Management Categories of existing places on the Heritage List, and include new places with a Management Category of 'A', 'B' or 'C'.
The additional information received during the consultation period has been reviewed by the City’s Heritage Consultant, who has agreed the MHI should be updated accordingly.

The revised MHI is generally consistent with the recommendations from the City’s HRG with the exception of the management categories assigned to Place 70 (Reverend Purdy’s Home fmr) - No.67 Rockingham Beach Road, due to information provided by the landowners and their Heritage Consultant outlining the history and schedule of alterations to the residence over the last fifty years.

The demolition of the Millar’s Cottages was also discussed with the HRG and all members agreed that the place should be listed under Management Category E accordingly.

The existing MHI listing for Lakeside (Lucy Saw Home) has also been retained as a Category B which still reflects the site’s social significance.

Changes to the management categories to the aforementioned places were required as an outcome of the advice provided by the City’s Heritage Consultants and Heritage Advisor.

It is recommended that Council adopt the revised MHI and Heritage List.

### Voting Requirements

**Simple Majority**

### Officer Recommendation

That Council:

1. **ADOPTS** the Municipal Heritage Inventory subject to the following modifications:
   
   (i) Amending the Thematic History to include additional historical information and graphics.
   
   (ii) Amending the statement of significance for Place No.25 - 1 Hymus Street, Peron - Alfred Hines Seaside Home.
   
   (iii) Including the word ‘fmr’ in the name for Place No.25 - 1 Hymus Street, Peron - Alfred Hines Seaside Home.
   
   (iv) Amending the physical description and historical information for Place 76 – (No.211) Safety Bay Road, Safety Bay (fmr Sorrento Guest House).
   
   (v) Amending the physical description and historical description for new Place 70 - (No.67) Rockingham Beach Road, Rockingham (fmr Reverend Purdy’s House).
   
   (vi) Amending the Management Categories for the current places already included on the MHI (changes in **red**).
   
   (vii) Include the new Heritage Places (changes in **red**).

2. **ADOPTS** the revised Heritage List, in accordance with the deemed provisions of Town Planning Scheme No.2 (amendments in **red**).

### Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council:

1. **ADOPTS** the Municipal Heritage Inventory subject to the following modifications:
   
   (i) Amending the Thematic History to include additional historical information and graphics.
   
   (ii) Amending the statement of significance for Place No.25 - 1 Hymus Street, Peron - Alfred Hines Seaside Home.
   
   (iii) Including the word ‘fmr’ in the name for Place No.25 - 1 Hymus Street, Peron - Alfred Hines Seaside Home.
(iv) Amending the physical description and historical information for Place 76 – (No.211) Safety Bay Road, Safety Bay (fmr Sorrento Guest House).

(v) Amending the physical description and historical description for new Place 70 - (No.67) Rockingham Beach Road, Rockingham (fmr Reverend Purdy's House).

(vi) Amending the Management Categories for the current places already included on the MHI as follows (changes in **red**):

<table>
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<tr>
<th>Current Places in MHI</th>
<th>Proposed Management Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place No.25 - No.1 Hymus Street, Peron - Alfred Hines Seaside Home (fmr)</td>
<td><strong>B C</strong></td>
</tr>
<tr>
<td>Place No.29 - Point Peron Road - Point Peron Recreational Camp</td>
<td><strong>C D</strong></td>
</tr>
<tr>
<td>Place No.32 - Lot 138 and 216 Port Kennedy Drive - Port Kennedy Scientific Park</td>
<td><strong>C D</strong></td>
</tr>
<tr>
<td>Place No.57 - No.165 Parkin Street, Rockingham - site of former Millar’s Cottages</td>
<td><strong>E</strong></td>
</tr>
<tr>
<td>Place No.59 - No.49 Rockingham Beach Road, Rockingham - Elanora (site)</td>
<td><strong>E B</strong></td>
</tr>
<tr>
<td>Place No.81 - No.274 Safety Bay Road</td>
<td><strong>D C</strong></td>
</tr>
<tr>
<td>Place No.84 - No.21 Waimea Road, Safety Bay</td>
<td><strong>C D</strong></td>
</tr>
<tr>
<td>Place No.94 - No.623 Safety Bay Road, Waikiki</td>
<td><strong>D C</strong></td>
</tr>
</tbody>
</table>

(vii) Include the following new Heritage Places as follows (changes in **red**):

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<tr>
<th>Proposed Places for Inclusion in MHI</th>
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</tr>
</thead>
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</tr>
<tr>
<td>Sorrento Guest House (fmr)</td>
<td><strong>B</strong></td>
</tr>
<tr>
<td>Baldivis Reserve (previously coupled with Baldivis Primary School within the same place record)</td>
<td><strong>C</strong></td>
</tr>
<tr>
<td>AIW Centre + RSL Club</td>
<td><strong>E</strong></td>
</tr>
<tr>
<td>Rockingham Fire Station (fmr)</td>
<td><strong>C</strong></td>
</tr>
<tr>
<td>Sutton Residence (fmr)</td>
<td><strong>B</strong></td>
</tr>
<tr>
<td>Reverend Purdy’s Residence (fmr)</td>
<td><strong>C B</strong></td>
</tr>
<tr>
<td>St George’s Church</td>
<td><strong>C</strong></td>
</tr>
<tr>
<td>Dato Shipwreck</td>
<td><strong>E</strong></td>
</tr>
<tr>
<td>Star Shipwreck</td>
<td><strong>E</strong></td>
</tr>
<tr>
<td>Paganoni Swamp</td>
<td><strong>D</strong></td>
</tr>
<tr>
<td>Rockingham Police Station and Courthouse (fmr)</td>
<td><strong>E</strong></td>
</tr>
<tr>
<td>Chalmers Shipwreck</td>
<td><strong>E</strong></td>
</tr>
<tr>
<td>Hero of the Nile Shipwreck</td>
<td><strong>E</strong></td>
</tr>
<tr>
<td>Amur Shipwreck</td>
<td><strong>E</strong></td>
</tr>
<tr>
<td>Waikiki Hotel - site</td>
<td><strong>E</strong></td>
</tr>
<tr>
<td>Mersey Point, Shoalwater (previously coupled with Penguin Island within the same place record)</td>
<td><strong>C</strong></td>
</tr>
</tbody>
</table>
2. **adopts** the revised Heritage List, in accordance with the deemed provisions of Town Planning Scheme No.2, as follows (amendments in **red**):

<table>
<thead>
<tr>
<th>LGA Place No.</th>
<th>Name</th>
<th>Street Address</th>
<th>Suburb</th>
<th>Management Category</th>
<th>Council Adoption Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Baldivis Primary School</td>
<td>342 Baldivis Road</td>
<td>Baldivis</td>
<td>A</td>
<td>March 2008</td>
</tr>
<tr>
<td>2</td>
<td>Baldivis Reserve</td>
<td>342 Baldivis Road</td>
<td>Baldivis</td>
<td>C</td>
<td>February 2018</td>
</tr>
<tr>
<td>3</td>
<td>Group Settler's Home</td>
<td>118 Fifty Road</td>
<td>Baldivis</td>
<td>C</td>
<td>March 2008</td>
</tr>
<tr>
<td>4</td>
<td>Limestone Quarry</td>
<td>Chesterfield Road</td>
<td>East Rockingham</td>
<td>A</td>
<td>March 2008</td>
</tr>
<tr>
<td>5</td>
<td>Chesterfield Inn (fmr)</td>
<td>Chesterfield Road</td>
<td>East Rockingham</td>
<td>A</td>
<td>October 1995</td>
</tr>
<tr>
<td>6</td>
<td>Chesterfield Dairy (fmr)</td>
<td>Chesterfield Road</td>
<td>East Rockingham</td>
<td>A</td>
<td>May 2008</td>
</tr>
<tr>
<td>7</td>
<td>Day Cottage (ruin)</td>
<td>Day Road</td>
<td>East Rockingham</td>
<td>A</td>
<td>October 1995</td>
</tr>
<tr>
<td>9</td>
<td>East Rockingham Heritage Precinct</td>
<td>Mandurah Road</td>
<td>East Rockingham</td>
<td>A</td>
<td>February 2018</td>
</tr>
<tr>
<td>10</td>
<td>East Rockingham Cemetery</td>
<td>231 Mandurah Road</td>
<td>East Rockingham</td>
<td>A</td>
<td>March 2008</td>
</tr>
<tr>
<td>11</td>
<td>Hymus House</td>
<td>303 Mandurah Road</td>
<td>East Rockingham</td>
<td>A</td>
<td>October 1995</td>
</tr>
<tr>
<td>12</td>
<td>Bell Cottage (ruin)</td>
<td>371 Mandurah Road</td>
<td>East Rockingham</td>
<td>A</td>
<td>October 1995</td>
</tr>
<tr>
<td>14</td>
<td>Rockingham Cairn</td>
<td>Rockingham Beach Road</td>
<td>Rockingham</td>
<td>B</td>
<td>March 2008</td>
</tr>
<tr>
<td>15</td>
<td>Kwinana Grain Terminal Granary Museum and Jetty</td>
<td>Rockingham Beach Road</td>
<td>East Rockingham</td>
<td>B</td>
<td>March 2008</td>
</tr>
<tr>
<td>17</td>
<td>Z-Force Memorial</td>
<td>Dampier Road</td>
<td>Garden Island</td>
<td>B</td>
<td>March 2008</td>
</tr>
<tr>
<td>18</td>
<td>Garden Island Batteries</td>
<td>Garden Island</td>
<td>Garden Island</td>
<td>A</td>
<td>March 2008</td>
</tr>
<tr>
<td>21</td>
<td>Cliff Point Historic Site</td>
<td>Sulphur Bay</td>
<td>Garden Island</td>
<td>A</td>
<td>May 2008</td>
</tr>
<tr>
<td>22</td>
<td>Peelhurst (ruins)</td>
<td>178 Dampier Drive</td>
<td>Golden Bay</td>
<td>A</td>
<td>March 2008</td>
</tr>
<tr>
<td>23</td>
<td>Abattoir and Stables</td>
<td>Cnr Dixon Road and Darile Street</td>
<td>East Rockingham</td>
<td>A</td>
<td>October 1995</td>
</tr>
<tr>
<td>24</td>
<td>Paganoni Swamp</td>
<td>Paganoni Road</td>
<td>Karnup</td>
<td>D</td>
<td>February 2018</td>
</tr>
<tr>
<td>25</td>
<td>Alfred Hines Seaside Homes (fmr)</td>
<td>1 Hymus Street</td>
<td>Peron</td>
<td>B</td>
<td>May 2008</td>
</tr>
<tr>
<td>LGA Place No.</td>
<td>Name</td>
<td>Street Address</td>
<td>Suburb</td>
<td>Management Category</td>
<td>Council Adoption Date</td>
</tr>
<tr>
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<td>-----------------------</td>
</tr>
<tr>
<td>27</td>
<td>Cape Peron Battery Complex</td>
<td>Cape Peron</td>
<td>Peron</td>
<td>A</td>
<td>October 1995</td>
</tr>
<tr>
<td>29</td>
<td>Point Peron Recreational Camp</td>
<td>Point Peron Road</td>
<td>Peron</td>
<td>C</td>
<td>May 2008</td>
</tr>
<tr>
<td>32</td>
<td>Port Kennedy Scientific Park</td>
<td>Port Kennedy Drive</td>
<td>Port Kennedy</td>
<td>C</td>
<td>May 2008</td>
</tr>
<tr>
<td>33</td>
<td>Rockingham Beach Primary School</td>
<td>30 Bay View Street</td>
<td>Rockingham</td>
<td>B</td>
<td>October 1995</td>
</tr>
<tr>
<td>34</td>
<td>Rockingham Park Underpass</td>
<td>Centaurus Street</td>
<td>Rockingham</td>
<td>C</td>
<td>October 1995</td>
</tr>
<tr>
<td>35</td>
<td>Rockingham Park Kindergarten (fmr)</td>
<td>Centaurus Street</td>
<td>Rockingham</td>
<td>C</td>
<td>October 1995</td>
</tr>
<tr>
<td>36</td>
<td>Residence</td>
<td>3 Chalwell Street</td>
<td>Rockingham</td>
<td>C</td>
<td>December 2010</td>
</tr>
<tr>
<td>38</td>
<td>Z-Force Memorial</td>
<td>Esplanade</td>
<td>Rockingham</td>
<td>B</td>
<td>March 2008</td>
</tr>
<tr>
<td>39</td>
<td>Illuka</td>
<td>13 Esplanade</td>
<td>Rockingham</td>
<td>B</td>
<td>October 1995</td>
</tr>
<tr>
<td>40</td>
<td>Carinya Court</td>
<td>153 Esplanade</td>
<td>Rockingham</td>
<td>B</td>
<td>December 2010</td>
</tr>
<tr>
<td>42</td>
<td>Rockingham Oval and memorial</td>
<td>Flinders Lane</td>
<td>Rockingham</td>
<td>C</td>
<td>October 1995</td>
</tr>
<tr>
<td>44</td>
<td>Uniting Church</td>
<td>11 Florence Street</td>
<td>Rockingham</td>
<td>B</td>
<td>March 2008</td>
</tr>
<tr>
<td>45</td>
<td>Rockingham Fire Station (fmr)</td>
<td>No.4 Hefron Street</td>
<td>Rockingham</td>
<td>C</td>
<td>February 2018</td>
</tr>
<tr>
<td>49</td>
<td>Rockingham Hotel Trees and Walls</td>
<td>26-40 Kent Street</td>
<td>Rockingham</td>
<td>C</td>
<td>October 1995</td>
</tr>
<tr>
<td>50</td>
<td>Rockingham Hotel</td>
<td>26-40 Kent Street</td>
<td>Rockingham</td>
<td>A</td>
<td>October 1995</td>
</tr>
<tr>
<td>51</td>
<td>Roads Boards Office (fmr)</td>
<td>41 Kent Street</td>
<td>Rockingham</td>
<td>A</td>
<td>October 1995</td>
</tr>
<tr>
<td>52</td>
<td>Anglican Church</td>
<td>63-65 Kent Street</td>
<td>Rockingham</td>
<td>B</td>
<td>March 2008</td>
</tr>
<tr>
<td>54</td>
<td>Lake Richmond</td>
<td>Lake Street</td>
<td>Rockingham</td>
<td>A</td>
<td>March 2008</td>
</tr>
<tr>
<td>56</td>
<td>Lakeside (also known as Lucy Saw Home)</td>
<td>65 Parkin Street</td>
<td>Rockingham</td>
<td>B</td>
<td>October 1995</td>
</tr>
<tr>
<td>60</td>
<td>Sutton Residence (fmr)</td>
<td>30 Rae Road</td>
<td>Rockingham</td>
<td>B</td>
<td>February 2018</td>
</tr>
<tr>
<td>62</td>
<td>Founder’s Memorial</td>
<td>Railway Terrace</td>
<td>Rockingham</td>
<td>B</td>
<td>October 1995</td>
</tr>
<tr>
<td>66</td>
<td>Bell and Churchill Parks</td>
<td>Rockingham Beach Road</td>
<td>Rockingham</td>
<td>B</td>
<td>October 1995</td>
</tr>
<tr>
<td>70</td>
<td>Revered Purdy’s Residence (fmr)</td>
<td>67 Rockingham Beach Road</td>
<td>Rockingham</td>
<td>C</td>
<td>February 2018</td>
</tr>
<tr>
<td>72</td>
<td>Masonic Hall</td>
<td>Wanliss Street</td>
<td>Rockingham</td>
<td>B</td>
<td>March 2008</td>
</tr>
<tr>
<td>73</td>
<td>Safety Bay Butchers Shop (fmr)</td>
<td>44 Penguin Road</td>
<td>Safety Bay</td>
<td>B</td>
<td>October 1995</td>
</tr>
<tr>
<td>LGA Place No.</td>
<td>Name</td>
<td>Street Address</td>
<td>Suburb</td>
<td>Management Category</td>
<td>Council Adoption Date</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------------------------</td>
<td>-------------------------</td>
<td>------------</td>
<td>---------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>74</td>
<td>Residence</td>
<td>72A Penguin Road</td>
<td>Safety Bay</td>
<td>C</td>
<td>December 2010</td>
</tr>
<tr>
<td>75</td>
<td>Residence</td>
<td>188 Safety Bay Road</td>
<td>Safety Bay</td>
<td>C</td>
<td>December 2010</td>
</tr>
<tr>
<td>76</td>
<td>Sorrento Guest House (fmr)</td>
<td>No.211 Safety Bay Road</td>
<td>Safety Bay</td>
<td>B</td>
<td>February 2018</td>
</tr>
<tr>
<td>77</td>
<td>Residence</td>
<td>218 Safety Bay Road</td>
<td>Safety Bay</td>
<td>D</td>
<td>December 2010</td>
</tr>
<tr>
<td>78</td>
<td>A.J.H Watts Land Sales Office (fmr) also known as Glenway Realty</td>
<td>229 Safety Bay Road</td>
<td>Safety Bay</td>
<td>B</td>
<td>March 2008</td>
</tr>
<tr>
<td>80</td>
<td>Residence</td>
<td>250 Safety Bay Road</td>
<td>Safety Bay</td>
<td>C</td>
<td>December 2010</td>
</tr>
<tr>
<td>81</td>
<td>Residence</td>
<td>274 Safety Bay Road</td>
<td>Safety Bay</td>
<td>D</td>
<td>May 2011</td>
</tr>
<tr>
<td>83</td>
<td>St George's Church</td>
<td>1-3 Thomas Street</td>
<td>Safety Bay</td>
<td>C</td>
<td>February 2018</td>
</tr>
<tr>
<td>84</td>
<td>Residence</td>
<td>21 Waimea Road</td>
<td>Safety Bay</td>
<td>C</td>
<td>December 2010</td>
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<tr>
<td>86</td>
<td>Residence</td>
<td>118 Arcadia Drive</td>
<td>Shoalwater</td>
<td>C</td>
<td>December 2010</td>
</tr>
<tr>
<td>87</td>
<td>Residence</td>
<td>124 Arcadia Drive</td>
<td>Shoalwater</td>
<td>C</td>
<td>December 2010</td>
</tr>
<tr>
<td>88</td>
<td>Mersey Point</td>
<td>153 Arcadia Drive</td>
<td>Shoalwater</td>
<td>C</td>
<td>October 1995</td>
</tr>
<tr>
<td>89</td>
<td>Aloha and Oahu</td>
<td>166-168 Arcadia Drive</td>
<td>Shoalwater</td>
<td>D</td>
<td>December 2010</td>
</tr>
<tr>
<td>90</td>
<td>Penguin Island</td>
<td>Penguin Island</td>
<td>Shoalwater</td>
<td>A</td>
<td>October 1995</td>
</tr>
<tr>
<td>91</td>
<td>Penguin Island Kitchen, Store Cave and Well</td>
<td>Penguin Island</td>
<td>Shoalwater</td>
<td>B</td>
<td>December 1998</td>
</tr>
<tr>
<td>93</td>
<td>CWA Centre</td>
<td>12 Watts Road</td>
<td>Shoalwater</td>
<td>B</td>
<td>December 2010</td>
</tr>
<tr>
<td>94</td>
<td>Residence</td>
<td>623 Safety Bay Road</td>
<td>Waikiki</td>
<td>D</td>
<td>December 2010</td>
</tr>
<tr>
<td>95</td>
<td>Residence</td>
<td>5 Martell Street</td>
<td>Warnbro</td>
<td>D</td>
<td>December 2010</td>
</tr>
</tbody>
</table>

Committee Voting – 5/0

The Committee’s Reason for Varying the Officer’s Recommendation
Not Applicable

Implications of the Changes to the Officer’s Recommendation
Not Applicable
# Planning and Development Services

## Statutory Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject</th>
<th>PD-013/18 Proposed Closure and Reclassification of Pedestrian Access Way between Gulson Court and Gascoyne Way, Waikiki to Public Utilities Services Reserve</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/2092</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr R Wilson (on behalf of 13 other property owners)</td>
</tr>
<tr>
<td>Owner:</td>
<td>City of Rockingham</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Kevin Keyes, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr David Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>16 April 2018</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>Executive</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 55 on Plan P017367</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>204m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Urban</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td>1. Schedule of Submissions</td>
</tr>
<tr>
<td></td>
<td>2. Extract from City's Pedestrian Accessway Strategy for PAW-WK393</td>
</tr>
<tr>
<td></td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Site Plan</td>
</tr>
<tr>
<td></td>
<td>3. Advertisement Plan</td>
</tr>
<tr>
<td></td>
<td>4. Photo – View facing Charnley Reserve</td>
</tr>
<tr>
<td></td>
<td>5. Photo – View facing Gulson Court Road Reserve</td>
</tr>
<tr>
<td></td>
<td>6. Photo – Damaged PAW Fencing</td>
</tr>
<tr>
<td></td>
<td>7. Photo – Damaged PAW Fencing</td>
</tr>
<tr>
<td></td>
<td>8. Photo – View of mature tree overhanging street lighting in Gascoyne Way Road Reserve</td>
</tr>
<tr>
<td></td>
<td>9. Photo – View facing Charnley Park Reserve</td>
</tr>
<tr>
<td></td>
<td>10. 'Walkable Catchment' analysis to School</td>
</tr>
<tr>
<td></td>
<td>11. 'Walkable Catchment' analysis to Charnley Park Reserve</td>
</tr>
<tr>
<td></td>
<td>12. 'Walkable Catchment' analysis to Nearest Bus Stop (21322)</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
</tr>
</tbody>
</table>
Purpose of Report

To consider a request to close and reclassify the Pedestrian Access Way (PAW) (PAW-WK393) located between Gulson Court and Gascoyne Way, Waikiki to ‘Public Utilities Services Reserve’ (PUSR).

Background

PAWs are part of a historical subdivision design practice. Contemporary urban design principles encourage the creation of permeable, accessible and sustainable street networks, with the aim of reducing car dependence by promoting non-car-based transport modes like walking, cycling and public transport. This particular PAW has a reported history received by the City by nearby residents of social difficulties such as vandalism, crime, nuisance and reduced privacy and amenity in and around this accessway.

Details

The City has received an application from 14 property owners, primarily from Gulson Court, to reclassify PAW-WK393 to a PUSR. A summary of the main points raised by the key applicant, Mr Wilson of No.3 Gulson Court, and supporting letters from adjacent residents, is as follows;

- The PAW encourages anti-social behaviour and criminal behaviour. Such activities occurring in the PAW include loitering, motorbike usage, loud abusive language and physical altercations, littering and graffiti, consumption of drugs and alcohol. Criminal activities include trespassing and burglaries of abutting private residents and vandalism of the PAW and abutting private properties;

- Most of the anti-social and criminal activities are being committed by juveniles and the greatest impact is on the most vulnerable residents in the community e.g. elderly and single mothers. Most of these activities tend to occur during night time;

- The PAW is being used as a ‘get away’ for persons committing criminal and anti-social behaviour in the locality;

- The PAW is poorly maintained. The poor lighting of the PAW is adding to the anti-social behaviour. Existing vegetation is also blocking the existing lighting of the pathway;

- Costs are being borne by residents to provide security equipment to deter the abovementioned activities, including roller shutter doors and CCTV cameras;

- The PAW is not normally used by residents in the locality. Currently it is too dangerous to be used due to littering of syringes and broken glass in the PAW;

- Damage to the PAW and abutting properties has reduced the perception of personal safety which has affected the health and well-being of local residents; and

- Residents are not in a financial position to purchase the PAW and hence, have requested that City waive all fees and reclassify the PAW to a PUSR.
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 MAY 2018

PRESIDING MEMBER
**Implications to Consider**

a. **Consultation with the Community**

In accordance with Planning Procedure 1.5 – *Closure of Pedestrian Access Ways (PP1.5)*, the application was referred to property owners and occupiers within 400m radius of the PAW, as per the advertisement plan below. Also, two signs were erected at both ends of the PAW and notices were placed on the City’s website.

The proposal was not advertised in local newspapers, as the 'Strategy' was previously advertised in local newspapers and the City notified affected residents within 400m radius of the PAW.

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**3. Advertisement Plan**

A total of 658 landowners and occupiers were consulted. At the close of advertising, a total of 25 submissions were received. Two submissions are not shown on the plan. One submission had no address and other had an address in Baldivis. Also, two submissions were received for the one address. The following is a breakdown of the submissions:

- 24 submissions supporting or indicating no objection to the proposal; and
- 1 submission received objecting to the proposal.

The following is a summary of all submissions received during public consultation stage. Points raised by the submissioners have been categorised according to their specific topic and thereafter, City comments are provided.
Anti-Social and Criminal Behaviour

Submission:
(i) Supports the reclassification to provide safety, privacy, tidier built environment and reduced crime for residents residing in the locality of the PAW;
(ii) Supports the reclassification to prevent anti-social and criminal activity in the locality of the PAW. Such activities occurring in the PAW include loitering, motorbike usage, littering and graffiti, consumption of drugs and alcohol. Criminal activities include trespassing and burglaries of abutting private residents and vandalism of the PAW and abutting private properties;
(iii) Juvenile members of the public are targeting elderly residents and committing anti-social and criminal activities against these residents. Most of these activities tend to occur during night time; and
(iv) The PAW is poorly maintained. The poor light of the PAW is adding to the anti-social behaviour. Existing vegetation is blocking the lighting of the pathway.

Officer Comments:
The WAPC’s ‘Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways’, (Planning Guidelines) provides recommendations to assist the prevention of crime and anti-social behaviour in PAWs, as an alternative to closure or reclassification. Potential measures include;
- Defining ownership – regularly maintain the PAW and remove graffiti;
- Improving surveillance – Installing lighting, clear shrubs, install permeable fencing;
- Setting rules – Installing signage to define appropriate use and activities;
- Target hardening – install dense matting or climbing vegetation to make it difficult to obtain access to the adjoining properties;
- Controlling access – install bollards to prevent access by vehicles and limit bicycle speeds; and
- Controlling significant crime – install CCTV and increase security patrols.

At the time of inspection, the PAW appeared to be generally well maintained, but traces of broken glass, painted over graffiti and some damaged sheets of PAW fencing were clearly visible.

The PAW has a lack of surveillance on the southern end of the PAW due to it fronting the local park and on the northern side due to it fronting a 1.8m high colorbond residential fence. There is also limited passive surveillance provided from the overlooking two-storey dwelling built on No. 14 Gulson Court.

Street lights are provided either end of the PAW. At the end of the PAW on Gascoyne Way, a large mature tree overhangs the street light, but it is considered that it is not significantly interfering with the light spill. It is considered that the introduction of more lighting along the PAW and trimming back this mature tree is unlikely to resolve the issues around the proponents request for reclassification.

It is considered that the main problem with the PAW is of a social nature where passing pedestrian traffic is causing the problems and the lack of passive surveillance of the PAW, is providing the opportunity for anti-social and criminal behaviour in the locality.

A number of residents have indicated that they have provided additional safety features to their residences, including CCTV further reinforcing the need for closure.
4. Photo - View facing Charnley Reserve
5. Photo - View facing Gulson Court Road
6. Photo - Damaged PAW Fencing
7. Photo - Damaged PAW Fencing
8. Photo - View of mature tree overhanging street lighting in Gascoyne Road Reserve
9. Photo - View facing Charnley Road Reserve
Impact on Pedestrian Travel Distance to Points of Interest

Submission:
‘Young kids used to walk to school. Have been doing so for 20+ years. Keep it public!’

Officer Comments:
The City does not consider there is any adverse impact on pedestrian access to the ‘East Waikiki Primary School’, if the PAW is closed to the public. In response to the abovementioned submissions, the City completed a basic ‘Walkable Catchment’ analysis to assess the impact of the PAW closure on pedestrians. As indicated in WAPC’s ‘Liveable Neighbourhoods, a Western Australian Government Sustainable Cities Initiative’, ‘most people will consider walking up to 400m (five minutes) to daily activities which includes schools, local parks and bus stops’. Hence, a 400m walkable catchment area surrounding the PAW has been used. Next, the most used points of interest by pedestrians via the PAW were selected i.e. ‘East Waikiki Primary School’, ‘Charney Reserve’ and the nearest bus stop (21322). Thereafter, properties most affected by the closure due to increased walking distances to these points of interest were randomly selected. Finally, the times taken for pedestrians to walk to these points of interest via the PAW and not using the PAW were compared against each other. The results give an indication of the impact of closing the PAW on local pedestrians.

10. ‘Walkable Catchment’ analysis to School’
‘East Waikiki Primary School’ is located on Gibb Road and to the north-west of the PAW. No.114 Gascoyne Way has been selected as the most affected property and used as a starting point. From No.114 Gascoyne Way, via the PAW, it would normally take 7.35mins (distance 587.6m) to walk to the school. Using the next quickest route and excluding the PAW, it would typically take 8.24minutes (mins) (distance 626.9m) to walk to the school. Hence, it is considered that the requirement for pedestrians to use the next quickest alternative route will not deter them from continuing to walk to this school. To assess the impact on pedestrians further the City considered the walkability to ‘Charney Reserve’ and to the nearest bus stop (21322), as follows:
11. ‘Walkable Catchment’ analysis to Charnley Park Reserve’

‘Charnley Reserve’ is located to the immediate south of the PAW. No.18 Gulson Court has been selected as the most affected property and used as a starting point. From No.18 Gulson Court, via the PAW, it would normally take 1.31mins (distance 105.7m) to walk to the reserve through the PAW. Using the next quickest route and excluding the PAW, it would typically take 5.05mins (distance 403.6m) to walk to the reserve. While the time taken to walk to the reserve will be trebled, it will still be a five minute walk and will only affect residents of Gulson Court, whom, by majority have requested this PAW to be reclassified.

12. ‘Walkable Catchment’ analysis to nearest Bus Stop(21322)’

The nearest bus stop (21322) is located to the west of the PAW on Willmott Drive. No.18 Gulson Court has been selected as the most affected property and used as a starting point. From No.18 Gulson Court, via the PAW, it would normally take 6.27mins (distance 469.2m) to walk to the reserve. Using the next quickest route and, excluding the PAW, it would typically take 8.20mins (distance 655.8m) to walk to the reserve. Both routes are outside the five minute walkable catchment area and only affect residents of Gulson Court, whom have requested this PAW to be reclassified.
### Impact on Pedestrian Travel Distance to Points of Interest (cont…)

<table>
<thead>
<tr>
<th>Submission:</th>
<th>'It is not a necessary PAW (supports closure)'</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officer Comments:</td>
<td>Noted.</td>
</tr>
</tbody>
</table>

### Anti-Social Problems between two Different Land-Uses

<table>
<thead>
<tr>
<th>Submission:</th>
<th>The submissioner resides at a residential address that abuts Waikiki Radiology Centre and the Waikiki Private Hospital. Requests additional fencing along the boundary between hospital, radiology centre and abutting residential properties to prevent trespassing, anti-social behaviour, crime and nuisance. This will also increase safety and privacy.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officer Comments:</td>
<td>This matter is not directly related to the topic of PAWs. It is considered that the respondent’s comments are a matter to be resolved between relevant landowners under the ‘Dividing Fences Act 1961’.</td>
</tr>
</tbody>
</table>

### Negative Impact on Adjoining Property Values in the Locality

<table>
<thead>
<tr>
<th>Submission:</th>
<th>Negative impact on the resale values of my house.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officer Comments:</td>
<td>The impact of the proposal on property values is not a relevant planning consideration and therefore, cannot be considered in determining the application.</td>
</tr>
</tbody>
</table>

### Residential Homes Selling Drugs

<table>
<thead>
<tr>
<th>Submission:</th>
<th>'Get the police to close all the drug houses in the area for a start. Save our kids from taking drugs because these houses are selling drugs to our kids'.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officer Comments:</td>
<td>This submission is a WA Police matter.</td>
</tr>
</tbody>
</table>

#### b. Consultation with Government Agencies and relevant Infrastructure Providers

As per clause 3.4 of PP1.5, the City consulted with the Department of Planning, Lands and Heritage and relevant Government Agencies during the public consultation stage. A list of comments received and the City’s response to these comments are as follows:

<table>
<thead>
<tr>
<th>Department of Planning, Lands and Heritage</th>
<th>Submission</th>
<th>'Subject to the Planning division of the Department of Planning, Lands and Heritage providing its consent to the proposal, Lands have no objection. Given Lot 55 is State of WA freehold it needs to be vested as Crown and reserved for 'Public Utilities' to facilitate the closure of the PAW'.</th>
</tr>
</thead>
<tbody>
<tr>
<td>City’s Comments:</td>
<td>Noted.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Western Power</th>
<th>Submission</th>
<th>'Western Power does not have any objections at this time to the above proposal, however we would appreciate being kept informed of developments'.</th>
</tr>
</thead>
<tbody>
<tr>
<td>City’s Comments:</td>
<td>Noted.</td>
<td></td>
</tr>
</tbody>
</table>
**Water Corporation**

**Submission**

‘The Water Corporation has a DN100mm Plastic Water Main and a DN150mm PVC Gravity Sewer within the P.A.W. and also has easements over the abutting properties in regards to the relatively deep Sewer.

The Water Corporation supports the change of the classification to a “Public Utilities Reserve” vested with the City of Rockingham and the installation of gates to exclude the public.

**City’s Comments:**

Noted.

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c. **Strategic**

**Community Plan**

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

**Aspiration D:** Sustainable Environment

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

d. **Policy**

**City’s Pedestrian Accessway Strategy (the Strategy)**

In February 2010, the Council adopted a Pedestrian Access Way Strategy (the Strategy) for the district. The principal aim of the ‘Strategy’ was to inform the City in its decision-making with respect to requests from the public to close or reclassify PAWs, and provide recommendations on the manner in which PAWs could be upgraded and maintained in an effort to address the concerns which are commonly raised.

A classification system – which relates to connectivity only - was used to individually ‘classify’ each of the PAWs and other accessways. This system is explained as follows:

**E (Essential)** The PAW/accessway should be retained and kept open, as it forms an essential or important function in the local pedestrian and cycle movement network.

**R (Retain)** The PAW/accessway should preferably be kept open, as it has some significance in the local pedestrian and cycle movement network. However, closure may be acceptable if prompted by significant local community support and clear evidence of considerable anti-social and/or criminal behaviour associated with the PAW.

**NE (Non-essential)** The PAW/accessway could be closed without significantly affecting the local pedestrian and cycle movement network. Few residents would be disadvantaged. However, closure under any of these three classifications would still depend upon:

(i) adjoining landowners agreeing to purchase the closed PAW/accessway;

(ii) relocation of existing services and/or the establishment of appropriate service easements, to the satisfaction of the affected service authorities, and at no cost to the affected service authorities;

(iii) reimbursement of specified Council costs;
(iv) general acceptance of the closure by the immediately affected community after appropriate public advertising has taken place; and

(v) final approval by the Department of Planning, Lands and Heritage.

The PAW reserve is approximately 3m wide and 68m long. It is straight with bollards at both ends. It contains water, electricity and NBN utility services. The ‘Strategy’ identified PAW-WK393 as a NE (Non-essential) PAW. This classification only applies to connectivity.

The application was supported by 13 (one submissioner address is unknown) adjacent residents which are directly affected by the proposal. If approved by Council, the application will be required to be forwarded to the Department of Planning, Lands and Heritage for final approval.

Planning Procedure 1.5 – Closure of Pedestrian Access Ways (PP1.5)

Clause 3.6 of PP1.5 states the following:

‘The reclassification of a PAW to a ‘Public Utilities Services Reserve’ is an alternative to formal closure. In such cases, access to the PAW is restricted by the placement of fencing and/or lockable gates at either end, thereby preventing community access, yet still providing access to servicing authorities, emergency services and for maintenance’.

Where the creation of a PUSR is the only method of closure, State Land Services will require the Local Government to accept a Management Order over the Reserve.

The reclassification of a PAW to a PUSR is considered a last resort option by the City for the following reasons:

- Whilst the creation of a PUSR and the associated fencing/gates prevents movement through the PAW to the general community, there is no guarantee that this method of closure will prevent those individuals intent on vandalism and crime from accessing the Reserve;

- All costs associated with the creation of a PUSR are borne by the Local Government. That is, the initial costs of installing fencing and gates and the ongoing maintenance; and

- The presence of the fencing and gates can have a negative impact on the residential streetscape.

Accordingly, the City will only recommend the creation of a PUSR when this is the only feasible way of closing a particular PAW.

All of the above points have been considered in the assessment of this application. Given the extent and seriousness of the submissions received from the applicants, it is considered appropriate to prevent public pedestrian traffic using the path. If closed, it is not considered feasible to request the relevant private landowners to purchase the PAW.

The most suitable other option is the reclassification of the PAW to a PUSR. The type and design of the fencing will need to be carefully considered further by the City to ensure that it prevents access to the public, but also is cost effective and doesn’t impact on the residential amenity of the area. The City already maintains the PAW and the only additional cost will be the provision of gating and maintenance of same.

Closure of Pedestrian Access Ways, Planning Guidelines (the Guidelines)

In October 2009, the WAPC released its ‘Procedure for the Closure of Pedestrian Access Ways, Planning Guidelines’ (the Guidelines), which supersedes PB57. The ‘Guidelines’ simplified the procedure for the closure and reclassification of PAWs, based on the concept of a ‘pedestrian and cycle access plan’ for the purposes of these ‘Guidelines’.

The City has assessed this application in accordance with the ‘Guidelines’. If the Council resolves to proceed with closure and reclassification of the PAW, the application will be referred to the Lands Section of the Department of Planning, Lands and Heritage, for vesting in the Crown as a PUSR under the Land Administration Act 1997, in accordance with the ‘Guidelines’.
e. **Financial**

The City currently maintains the PAW in its current form and at this stage costs incurred by reclassification are undetermined. There will be an additional cost associated with reclassification due to need to install gates at either end of the pathway to prevent public pedestrian traffic from using the path.

f. **Legal and Statutory**

*Land Administration Act 1997*

Section 82 of the Land Administration Act 1997 will require the City to accept a Management Order over the PAW when it is reclassified as a PUSR.

g. **Risk**

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

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

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

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

Nil

**Comments**

The closure of the PAW will increase the walking distance of some residents to the local park, local primary school and nearest bus stop. The time difference spent walking to these locations, with the PAW closed, is unlikely to deter pedestrians.

The route to the local school and nearest bus stop is already over five minutes and therefore has a minimal further impact. The residents of Gulson Court cul-de-sac are the only residents negatively affected in this regard.

The City has liaised with the WA Police Services to obtain statistics of reported crime incidents in the immediate vicinity of the PAW. A total of 36 incidents were reported in last 10 months. These figures do not include incidences of graffiti.

Given the serious concerns raised in the submissions and the reporting of incidences of crime occurring in the locality of the PAW, it is considered reasonable and suitable to reclassify and close the PAW. This may assist in mitigating, to some degree, the impacts from crime and anti-social behaviour in the immediate area.

The ongoing cost of maintaining the PAW as a PUSR is unlikely to be onerous, given the City already provides maintenance of the PAW. The gating either end of the PAW will need to be carefully designed to prevent unauthorised access.

Given the PAW is identified as non-essential in the ‘Strategy’ and alternative public street access is available, it is recommended that Council support the request to close the PAW and that it be reclassified to a PUSR.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council *SUPPORTS* the closure and reclassification of the Pedestrian Access Way (PAW-WK393) between Gulson Court and Gascoyne Way, Waikiki to a ‘Public Utilities Services Reserve’.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Sammels:

That Council *SUPPORTS* the closure and reclassification of the Pedestrian Access Way (PAW-WK393) between Gulson Court and Gascoyne Way, Waikiki to a ‘Public Utilities Services Reserve’.

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 T17/18-46 – Construction of the Baldivis South Community Centre (T17/18-46), document the results of the tender assessment and make recommendations regarding award of the tender.

**Background**

Tender T17/18-46 was advertised in the West Australian on Saturday, 10 February 2018. The tender closed at 2:00pm, Wednesday, 7 March 2018 and was publicly opened immediately after the closing time.

**Details**

During the investigations for the 2011 Community Infrastructure Plan, it was found that under the guidelines for the provision of community facilities, the community of Baldivis required a neighbourhood level community centre to provide a variety of services and opportunities. This proposed facility was listed as the Baldivis South Community Centre (BSCC).
In 2014 the City opened the Mary Davies Library and Community Centre (MDLCC). Since opening, MDLCC staff report that the Community Centre has received a large number of bookings which has demonstrated a growing demand for such facilities in the area.

Community centres play an important role within a community because of the opportunities and activities accessible from these facilities to residents within their catchment area.

The BSCC includes various functional spaces which will be accessible to community groups and organisations’ through the City’s internal booking process.

The works to be undertaken under the Contract include:

- the construction of a one storey multi-use community facility, comprising a multi-use hall, two activity rooms, kitchen, counselling and consulting rooms, toilets, air-conditioning, lighting and associated site works
- a 150m² multipurpose hall, including a storage room and a kitchen for basic food preparation
- an activity room suited to playgroup / crèche type activities including a fenced outdoor play area
- a 59 bay carpark at the rear of the site, six car bays at the front including two disabled bays.

The period of the contract shall be 54 weeks from the date of award.

A panel comprising of Mr Kelton Hincks, Manager Asset Services, Mr Robert Pollock, Major Infrastructure Project Officer and Mr Matthew Emmott, Community Infrastructure Planning Officer undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Level of Service</th>
<th>Understanding Tender Requirements</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Max. Points</td>
<td>30 Pts</td>
<td>30 Pts</td>
<td>40 Pts</td>
</tr>
<tr>
<td>ADCO Constructions Pty Ltd</td>
<td>24.5</td>
<td>25.5</td>
<td>38.5</td>
<td>88.5</td>
</tr>
<tr>
<td>LKS Constructions (WA) Pty Ltd</td>
<td>22.2</td>
<td>20.7</td>
<td>38.5</td>
<td>81.4</td>
</tr>
<tr>
<td>McCorkell Constructions (WA) Pty Ltd</td>
<td>22.3</td>
<td>19.7</td>
<td>37.7</td>
<td>79.7</td>
</tr>
<tr>
<td>Pindan Constructions Pty Ltd</td>
<td>24.5</td>
<td>20.8</td>
<td>32.4</td>
<td>78.8</td>
</tr>
<tr>
<td>Shelford Constructions Pty Ltd</td>
<td>21.9</td>
<td>20.2</td>
<td>36.5</td>
<td>78.6</td>
</tr>
<tr>
<td>Maintenance and Construction Services (Australia) Pty Ltd</td>
<td>22.5</td>
<td>20.5</td>
<td>33.8</td>
<td>77.8</td>
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<tr>
<td>RHG Contractors Pty Ltd</td>
<td>16.0</td>
<td>20.3</td>
<td>40.0</td>
<td>76.3</td>
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<tr>
<td>BE Projects (WA) Pty Ltd</td>
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<td>19.8</td>
<td>35.6</td>
<td>76.1</td>
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<tr>
<td>Bistel Construction Pty Ltd</td>
<td>19.6</td>
<td>18.3</td>
<td>37.7</td>
<td>75.6</td>
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<tr>
<td>Crothers Construction Pty Ltd</td>
<td>17.2</td>
<td>21.0</td>
<td>36.8</td>
<td>75.0</td>
</tr>
<tr>
<td>Alliance Builders Pty Ltd</td>
<td>18.2</td>
<td>19.5</td>
<td>36.4</td>
<td>74.0</td>
</tr>
<tr>
<td>Topend Living Pty Ltd trading as Buildon Construction</td>
<td>16.1</td>
<td>17.5</td>
<td>34.4</td>
<td>68.0</td>
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<tr>
<td>The Slatter Group WA Pty Ltd</td>
<td>13.7</td>
<td>14.7</td>
<td>36.9</td>
<td>65.3</td>
</tr>
</tbody>
</table>
Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Nil

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Community Plan 2015-2025:
   
   **Aspiration B:** Strong Community
   **Strategic Objective:** Mobility and Inclusion - Community services, programs and infrastructure that effectively caters for all residents including seniors, youth and vulnerable populations.
   **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.
   **Strategic Objective:** Building Capacity and Awareness - A healthy community that volunteers, embraces lifelong learning and cultural awareness, and is involved with a diverse range of vibrant and sustainable community, sporting, cultural and artistic organisations and pursuits.
   **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.

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

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

e. Financial
   A total of $3,263,850 (W25989) has been allocated to this project in 2017/2018 and 2018/2019 financial years’ in the City Business Plan.

f. Legal and Statutory
   ‘Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $150,000 unless sub regulation (2) states otherwise’.

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

Following consideration of the submissions in accordance with the tender assessment criteria all companies demonstrated a capacity to undertake the works. The submission received from ADCO Constructions Pty Ltd is considered the best value to the City and is recommended as the preferred tenderer.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ACCEPTS** the tender submitted from ADCO Constructions Pty Ltd for Tender T17/18-46 - Construction of the Baldivis South Community Centre in accordance with the tender documentation for the lump sum value of $2,940,393.42 (ex. GST).

Committee Recommendation

Moved Cr Whitfield, seconded Cr Summers:

That Council **ACCEPTS** the tender submitted from ADCO Constructions Pty Ltd for Tender T17/18-46 - Construction of the Baldivis South Community Centre in accordance with the tender documentation for the lump sum value of $2,940,393.42 (ex. GST).

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
Infrastructure Project Delivery

Reference No & Subject: EP-006/18 Tender T17/18-20 – Construction of the Rockingham Beach Foreshore Revitalisation

File No: T17/18-20
Proponent/s: Mr Ian Daniels, Manager Infrastructure Project Delivery
Author: Mr Sam Assaad, Director Engineering and Parks Services
Other Contributors: Mr Michael Wilson, Senior Projects Officer
Date of Committee Meeting: 16 April 2018
Previously before Council: 
Disclosure of Interest: 
Nature of Council’s Role in this Matter: Executive

Site: Railway Terrace road reserve; Reserve R21487; and Lot 148 Rockingham Beach Road
Lot Area: 8515m², 21,009m², 21,220m²
LA Zoning: Road Reserve; Parks and Recreation; Parks and Recreation
MRS Zoning: 
Attachments: 
Maps/Diagrams: 

Purpose of Report
Provide Council with details of the tender/s received for Tender T17/18-20 - Construction of Stage One of the Rockingham Beach Foreshore Revitalisation.

Background
Tender T17/17-20 – Construction of Stage One of the Rockingham Beach Foreshore Revitalisation was advertised in the West Australian on Saturday, 17 February 2018. The tender closed at 11:00am, Monday, 26 March 2018 and was publicly opened immediately after the closing time.

Details
Tender Summary:
The works to be carried out at Rockingham Beach Foreshore represent a multi-disciplinary, complex, highly visible, brownfields redevelopment. There are three sections to the works: reconfiguration of Railway Terrace to make it more pedestrian friendly; the Beach Plaza as a series of pedestrianised events spaces; and an expanded and upgraded Boardwalk.
Subject matter experts from the design consultant team provided analysis of the tenders in their own fields, to support the decision making process.

To ensure the City received a quality product the tenders were assessed as follows:

1. Each submission was assessed by the assessment panel against the qualitative criteria in the Level of Service and Understanding of Tender Requirements and received a score out of 80.

2. If a tender submission received a qualitative score of 60 points or more, the tender submission progressed to Stage 2. If a tender submission did not receive a score of 60 or more, then the price from that submission was not used in the weighted score calculations for Stage 2 and that submission was not assessed any further.

Stage 1

An assessment panel comprising:

- Director of Engineering and Parks Services;
- Manager Infrastructure Project Delivery;
- Senior Projects Officer; and
- Director of PLACE Laboratory (design consultant)

evaluated the tenders, in accordance with the advertised tender assessment qualitative criteria, resulting in the following scores:

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Level of Service 40 Pts</th>
<th>Understanding of Tender Documentation 40 Pts</th>
<th>Total Qualitative Score 80 Pts</th>
</tr>
</thead>
<tbody>
<tr>
<td>ERTECH Pty Ltd – Ertech Holdings Pty Ltd</td>
<td>32</td>
<td>32</td>
<td>64</td>
</tr>
<tr>
<td>Downer EDI Works Pty Ltd</td>
<td>30</td>
<td>34</td>
<td>64</td>
</tr>
<tr>
<td>Civcon Civil &amp; Project Management Pty Ltd</td>
<td>27</td>
<td>33</td>
<td>60</td>
</tr>
<tr>
<td>Mencheti Consolidated Pty Ltd (MG Group WA)</td>
<td>30</td>
<td>26</td>
<td>56</td>
</tr>
<tr>
<td>Georgiou Group Pty Ltd</td>
<td>26</td>
<td>30</td>
<td>56</td>
</tr>
<tr>
<td>Densford Civil Pty Ltd</td>
<td>26</td>
<td>25</td>
<td>51</td>
</tr>
<tr>
<td>Environmental Industries</td>
<td>25</td>
<td>24</td>
<td>49</td>
</tr>
<tr>
<td>Tracc Civil Pty Ltd t/a Tracc Civil</td>
<td>21</td>
<td>26</td>
<td>47</td>
</tr>
<tr>
<td>Dowsing Group Pty Ltd</td>
<td>17</td>
<td>18</td>
<td>35</td>
</tr>
<tr>
<td>BMD Urban Pty Ltd</td>
<td>17</td>
<td>17</td>
<td>34</td>
</tr>
</tbody>
</table>

Stage 2

Of the 10 submissions received, only Ertech Pty Ltd; Downer EDI Works Pty Ltd; and Civcon Civil and Project Management Pty Ltd achieved a sufficiently high score on the qualitative aspects to proceed to Stage 2.

For those submissions that progressed to Stage 2, the assessment panel calculated and included the price weightings with the assessment scores from Stage 1 to calculate a score out of 100.
The final weighted scores for qualifying tenderers are:

<table>
<thead>
<tr>
<th>Company</th>
<th>Lump Sum Price – Excl</th>
<th>Price score</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Downer EDI Works Pty Ltd</td>
<td>$11,495,384.00</td>
<td>19.2</td>
<td>83.2</td>
</tr>
<tr>
<td>Ertech Pty Ltd – Ertech Holdings Pty Ltd</td>
<td>$12,289,139.39</td>
<td>18.0</td>
<td>82.0</td>
</tr>
<tr>
<td>Civcon Civil and Project Management Pty Ltd</td>
<td>$11,058,964.00</td>
<td>20.0</td>
<td>80.0</td>
</tr>
</tbody>
</table>

**Implications to Consider**

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Nil

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

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

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

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

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

e. Financial

The tenders for Ertech Pty Ltd; Downer EDI Works Pty Ltd; and Civcon Civil and Project Management Pty Ltd were all within the budget for the project.

f. Legal and Statutory


‘Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $150,000 unless sub regulation (2) states otherwise’.

In accordance with section 3.57 of the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 20:

Variation of requirements before entry into contract

(1) If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.

(2) If —

(a) the chosen tenderer is unable or unwilling to enter into a contract to supply the varied requirement; or

(b) the local government and the chosen tenderer cannot agree on any other variation to be included in the contract as a result of the varied requirement, that tenderer ceases to be the chosen tenderer and the local government may, instead of again inviting tenders, choose the tenderer, if any, whose tender the local government considered it would be the next most advantageous to it to accept.

(3) In subregulation (1) —

minor variation means a variation that the local government is satisfied is minor having regard to the total goods or services that tenderers were invited to supply.

In accordance with Delegation 1.5 of the City’s Delegated Authority Register the Chief Executive Officer has been granted delegated authority as per regulation 20, Part 4, Division 2 of the Local Government (Functions and General) Regulations 1996.

g. Risk

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

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

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

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

Nil

Comments

Following consideration of the submissions in accordance with the tender assessment criteria, Ertech Pty Ltd; Downer EDI Works Pty Ltd; and Civcon Civil and Project Management Pty Ltd demonstrated a capacity to undertake the works to the level of quality required under the conditions in the request for tender.
Given that the qualitative scores of the top five tenderers were all within 8 points, an additional scenario was assessed taking into consideration these tenderers. This assessment did not change the outcome of the assessment.

Taking the above information into consideration, the submission received from Downer EDI Works Pty Ltd is considered the best value to the City and therefore recommended as the preferred tenderer.

Both Downer EDI Works Pty Ltd and Ertech Pty Ltd nominated a number of changes to the published tender contract, which will require negotiation to come to a mutually acceptable contract agreement but these will not impact the tendered price.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **ACCEPTS** the tender submitted by Downer EDI Works Pty Ltd for Tender T17/18-20 – Construction of Stage One of the Rockingham Beach Foreshore Revitalisation, for $11,495,384 as the preferred tenderer subject to successful negotiations pursuant to regulation 20, Part 4, Division 2 of the Local Government (Functions and General) Regulations 1996, and should this negotiation not lead to a successful resolution, then enter negotiations with the next most advantageous submission.

2. **REJECTS** all tenders that were not assessed as achieving a sufficient qualitative score to proceed to Stage Two. These tenderers are:
   - Mencheti Consolidated Pty Ltd
   - Georgiou Group Pty Ltd
   - Densford Civil Pty Ltd
   - Environmental Industries
   - Tracc Civil Pty Ltd
   - Dowsing Group Pty Ltd; and
   - BMD Urban Pty Ltd

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Hamblin:

That Council:

1. **ACCEPTS** the tender submitted by Downer EDI Works Pty Ltd for Tender T17/18-20 – Construction of Stage One of the Rockingham Beach Foreshore Revitalisation, for $11,495,384 as the preferred tenderer subject to successful negotiations pursuant to regulation 20, Part 4, Division 2 of the Local Government (Functions and General) Regulations 1996, and should this negotiation not lead to a successful resolution, then enter negotiations with the next most advantageous submission.

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   - Georgiou Group Pty Ltd
   - Densford Civil Pty Ltd
   - Environmental Industries
   - Tracc Civil Pty Ltd
The Committee’s Reason for Varying the Officer’s Recommendation

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable

Committee Voting – 5/0

- Dowsing Group Pty Ltd; and
- BMD Urban Pty Ltd
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<tr>
<th></th>
<th>Reports of Councillors</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Addendum Agenda</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
</tbody>
</table>
### 15. Motions of which Previous Notice has been given

**Planning and Development Services**

Note: The Chairperson advised that this Item suggests that ‘Hands Off Point Peron’ had compiled the ‘Cape Peron Coastal Park Concept Plan’.

The City wishes to acknowledge that the Concept Plan was not compiled by ‘Hands Off Point Peron’ but by the ‘Cape Peron Coastal Park Steering Committee’.

<table>
<thead>
<tr>
<th>Planning and Development Services Directorate, Planning Services</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Reference No &amp; Subject:</strong> PD-014/18 Notice of Motion - Point Peron Coastal Park</td>
</tr>
<tr>
<td><strong>File No:</strong> LUP/820-12</td>
</tr>
<tr>
<td><strong>Proponent/s:</strong> Cr Katherine Summers</td>
</tr>
<tr>
<td><strong>Author:</strong> Mr Tristan Fernandes, Co-ordinator Strategic Planning</td>
</tr>
<tr>
<td><strong>Other Contributors:</strong> Mr Peter Ricci, A/Director Planning and Development Services</td>
</tr>
<tr>
<td><strong>Date of Committee Meeting:</strong> 16 April 2018</td>
</tr>
<tr>
<td><strong>Previously before Council:</strong></td>
</tr>
<tr>
<td><strong>Disclosure of Interest:</strong> Advocacy</td>
</tr>
<tr>
<td><strong>Nature of Council’s Role in this Matter:</strong> Advocacy</td>
</tr>
<tr>
<td><strong>Site:</strong> Lots 1786 and 2055 Hymus Street; Lots 301 and 500 Safety Bay Road; Lots 1, 2, 3, 5, 303, 501, 2058, 2193, 2301, 2328, 2733, 2374 Point Peron Road, Peron</td>
</tr>
<tr>
<td><strong>Lot Area:</strong> 65.8ha</td>
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<tr>
<td><strong>LA Zoning:</strong> Parks and Recreation (Bush Forever Site 355); Ports Installation; Other Regional Road Reserve; Waterways Reserve</td>
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<tr>
<td><strong>MRS Zoning:</strong> Parks and Recreation (Bush Forever Site 355); Ports Installation; Other Regional Road Reserve; Waterways Reserve</td>
</tr>
<tr>
<td><strong>Attachments:</strong></td>
</tr>
<tr>
<td><strong>Maps/Diagrams:</strong></td>
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</tbody>
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**Purpose of Report**

To provide Officer comment and advice to Cr Summer’s Notice of Motion submitted for consideration at the Council Meeting held on 27 March 2018, as follows:

“That Council:

1. ADVISES the State Government that it supports the concept of a Coastal Park at Point Peron in recognition of its Bush Forever Status and in light of the decision of the Hon. Minister for Planning to reject the ‘Mangles Bay Marina’ rezoning.

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 MAY 2018

PRESIDING MEMBER
2. **SEeks** that the City of Rockingham promotes the concept of a Coastal Park to all affected Government Departments and Stakeholders.

3. **SEeks** that within these concepts, that the City of Rockingham endorses the intention to conserve Point Peron in perpetuity for this community.”

**Background**

Since the mid-1980’s there have been a number of attempts to progress a marina at Point Peron east of the Garden Island Causeway.

The most recent proposal is the ‘Mangles Bay Marina’ which had been progressed since September 2009 when the State Government committed to seeking the necessary statutory approvals to allow the project to commence. As part of the approvals process, a major Metropolitan Region Scheme (MRS) rezoning Amendment was initiated by the Western Australian Planning Commission (WAPC) for the project area and associated road reservations.

On 1 March 2018, the Minister for Transport, Planning and Lands accepted the recommendation of the WAPC that the MRS Amendment not proceed, in effect refusing the application.

It was revealed through the ‘Report on Submissions’ issued by the WAPC that the MRS Amendment generated 496 submissions and that 67 parties took the opportunity to present their views to the WAPC’s Hearings Committee. Of the submissions received, 430 were identified as objections to the proposal, 28 were in favour with the others being neutral.

The Hearings Committee, comprising Mr Steve Hiller (Member of the Statutory Planning Committee), Mayor Henry Zelones (Local Government representative) and Ms Barbara Pederson (Independent Member with coastal planning knowledge), upon considering the content of the submissions and merits of the proposal, made an independent recommendation to the WAPC.

On 17 September 2017, the WAPC considered the report from the Hearings Committee and resolved not to support the MRS Amendment on the following grounds:

(i) The proposed scale and mix of land uses are incompatible with the planning of a connected and consolidated urban form which maximises the use of established and proposed infrastructure.

(ii) The Stephenson-Hepburn Plan recognised the importance of Point Peron for recreational uses. The Rockingham Lakes Regional Park, which includes Lake Richmond, is an important link in a series of reserves and regionally significant bush land. The size and scale of the proposed development, particularly the residential component, is inconsistent with this intent.

(iii) The proposal is inconsistent with State Planning Policy 2.8 – Bushland Policy for the Perth Metropolitan Region as it will result in the removal of approximately 44 ha of Bush forever Site 355. The remaining Bush Forever area is of a size and form that it is likely to negatively impact upon its ability to provide sustainable recreation and conservation outcomes in the locality.

(iv) The proposal is inconsistent with State Planning Policy 2.6 - State Coastal Planning Policy as a satisfactory Coastal Hazard Risk Management Adaptation Plan for the proposal remains outstanding and coastal setback requirements have not been determined which is likely to affect the scope and scale of the proposal.

(v) The proposal is inconsistent with draft State Planning Policy 4.1 – State Industrial Buffers (Amended) as it seeks to introduce odour sensitive land uses which may impact the ongoing operation and potential expansion of the Point Peron WWTP. Further, no evidence has been provided that a reduction in the buffer requirements is possible and therefore to zone the land Urban Deferred would create a development expectation which is unlikely to be able to be realised.

(vi) The proposal is inconsistent with Development Control Policy 1.8 – Canal Estates and Artificial Waterway Developments as the WAPC considers it critical that suitable marina management arrangements are reached prior to rezoning. Further to this, the City of Rockingham has significant concerns with marina management matters and there is no certainty that these can be resolved.

As mentioned above, the Minister accepted the WAPC’s recommendation.
Details

The Notice of Motion seeks Council’s endorsement and support for the concept of a coastal park at Point Peron.

A coastal park has been advocated by sectors of the community including the ‘Hands Off Point Peron’ community group throughout the MRS Amendment process for the ‘Mangles Bay Marina’ and material has been prepared to support the concept.

With respect to the reasons for the Notice of Motion, Cr Summers has identified the opposition to the proposal through the submissions to the MRS Amendment process and that the coastal park would in keeping with the City’s ‘tourism lifestyle’.

The Notice of Motion also identifies a range of City and State Government strategies that contain statements in support of such a proposal.

The full Reason for Motion is offered below:

“I think we are all aware of the long history of this development – and it is not the intention to go over ground that we all understand, save that this was pledged to our community and to all Western Australians to remain ‘bush forever’.

A large majority of the community did not support the MRS Amendment evidenced by the 496 submissions to WAPC, of which 92% were in opposition to the rezoning.

The coastal park plan sits well with our tourism lifestyle and there is an ongoing benefit to our community

• Economically
• Socially
• Environmentally
• In regard to our health and wellbeing

This Notice of Motion is entirely compatible with the State Planning Strategy 2050 and Directions 2031, ergo

Directions 2031.

Page 45 encourages local government to institute public open space strategies to;

1. Strategically guide the development of a system of diverse and well distributed public open spaces;
2. Ensure adequate provision of regional and district active recreation sites;
3. Incorporate protection of the natural environment into the development of public open space, and encourage walking, cycling and sports as part of the overall community health picture.

Page 51, Promote and support tourism opportunities.

State Planning Strategy 2050,

Page 22 Environment. Conserve the State’s natural assets through sustainable development.

Page 47, Tourism, Western Australia’s environment and landscape character create a unique and attractive holiday destination and ecotourism is one of the State’s key tourism markets.

Page 48, State challenges,

The conservation of significant and iconic landscapes and eco-tourism assets will be essential to sustaining and enhancing tourism.

An increase in tourism infrastructure to exploit the State’s unique opportunities is important for the future diversification of the economy, especially regionally.

Page 96, Health and Wellbeing,
The natural environment provides clean water, clean air and places for outdoor recreation. Retaining natural bushland and coastal areas that are accessible is essential to human health and a sense of wellbeing.

**FAST FACTS:**
- Australia is one of the most overweight nations in the world.
- It is estimated that over 16,000 Australians die prematurely each year because of inactivity, with nearly 2,000 of those in Western Australia.
- An area equivalent to ten W.A.C.A. grounds of bushland is cleared for housing every week, in WA
- Exposure to the natural environment has been shown to reduce the impact of life stress on human beings, especially children, in many studies
- “Natural wonders’ and the ‘natural environment’ are consistently cited as the number one reason that tourists visit Australia

It is timely and proper to preserve this land for future generations

For these reasons it is requested that you support this Notice of Motion."

### Implications to Consider

| a. Consultation with the Community | Nil |
| b. Consultation with Government Agencies | Any action to consider options for Point Peron will require stakeholder engagement will be with a range of State Government departments and the Department of Defence. This includes agencies with management responsibilities and infrastructure within Cape Peron. |
| c. Strategic Community Plan | This item addresses the Community's Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Community Plan 2015-2025: |
| **Aspiration A:** Coastal Facilities | Strategic Objective: A range of quality and contemporary leisure tourism facilities including a “major brand” hotel, marinas, boat ramps, jetties, boardwalks and foreshore parks that contribute to the City’s reputation as the premier metropolitan coastal tourism destination. |
| **Aspiration C:** Quality Leadership | Strategic Objective: Community engagement and advocacy: An engaged and informed community that participates in local decision making and can rely upon the Council to advocate on its behalf when important issues challenge the best interests of the City and its residents. |
| **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 | Nil |
g. Risk

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

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

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

Nil

Comments

The management of Point Peron is currently guided by the Rockingham Lakes Regional Park Management Plan (2010), which has been prepared in accordance with section 53 and 62 of the Conservation and Land Management Act (1984) and approved by the Minister for Environment.

The Plan acknowledges the site of the proposed 'Mangles Bay Marina' and recognises that, at the time of publication, the planning process was proceeding.

There is no other statutory management mechanism for Point Peron other than the zoning obligations conferred by the MRS and Town Planning Scheme.

The decision on the MRS Amendment substantially alters the planning settings for Point Peron and creates uncertainty about its future use and management. Other recent announcements by the State Government, including the impending closure of the Point Peron Camps School, adds to the uncertainty.

In light of the above, it is opportune for the future use and management of the Point Peron peninsular to be reconsidered and resolved, and to that extent, the Notice of Motion is supported.

The City has concerns, however, with the promotion of a ‘coastal park’ given that this description may conjure different meanings to different people.

Although it is noted that the ‘Hands Off Point Peron’ community group has compiled ideas on what a coastal park at Point Peron could entail, the initiative has not been prepared with the consent of the State Government (in its capacity as the majority landowner/manager) or been the subject of assessment by any decision-making authority including the City.

The City is not suggesting that a coastal park initiative, as promoted by ‘Hands Off Point Peron’, is without merit but it should be used as a resource to be fed into a process to determine the best and most sustainable use of Point Peron and its surrounding public assets.

The process to establish the vision for Point Peron must be led by the State Government, and the Council’s cause is unlikely to be advanced by simply nominating an undefined generic use.

By establishing a transparent process, there is an opportunity for broader community engagement and ownership of the outcome to determine the highest and best use of this community asset.

The City also considers that the establishment of a collaborative process is essential to ensure that agreed outcomes integrate with the City’s planning and management of land surrounding Point Peron. This includes the integration of Point Peron with the Rockingham Beach Foreshore Master Plan, Lake Richmond Management Plan and upcoming consideration of the master planning for the Safety Bay and Shoalwater foreshores.

It is therefore recommended that the City communicate with the Premier of Western Australia to seek urgent action to establish a process to determine the most sustainable long-term use of the Point Peron peninsular.

Voting Requirements

Simple Majority

Officer Recommendation

That Council, in light of the refusal of the Metropolitan Region Scheme Amendment for the proposed 'Mangles Bay Marina', DIRECTS the Chief Executive Officer to write to the Premier of Western Australia and enter into discussions to request that a transparent and collaborative process be urgently initiated to determine the most sustainable long-term use of the Point Peron peninsular.
Notice of Motion from Cr Katherine Summers

That Council:

1. **ADVISES** the State Government that it supports the concept of a Coastal Park at Point Peron in recognition of its Bush Forever Status and in light of the decision of the Hon. Minister for Planning to reject the ‘Mangles Bay Marina’ rezoning.

2. **SEEKS** that the City of Rockingham promotes the concept of a Coastal Park to all affected Government Departments and Stakeholders.

3. **SEEKS** that within these concepts, that the City of Rockingham endorses the intention to conserve Point Peron in perpetuity for this community.

The Notice of Motion was withdrawn by Cr Summers.
16. Notices of Motion for Consideration at the Following Meeting
   Nil

17. Urgent Business Approved by the Person Presiding or by Decision of the Committee
   Nil

18. Matters Behind Closed Doors
   Nil

19. Date and Time of Next Meeting
   The next Planning and Engineering Services Committee Meeting will be held on **Monday 14 May 2018** in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.

20. Closure
    There being no further business, the Chairperson thanked those persons present for attending the Planning and Engineering Services Committee meeting, and declared the meeting closed at **4:46pm**.