MINUTES
Planning and Engineering Services Committee Meeting
Held on Monday 17 March 2014 at 4:00pm
City of Rockingham Boardroom
# City of Rockingham
## Planning and Engineering Services Committee
### Meeting Minutes
#### Monday 17 March 2014

## CONTENTS

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Declaration of Opening</td>
<td>4</td>
</tr>
<tr>
<td>2.</td>
<td>Record of Attendance/Apologies/Approved Leave of Absence</td>
<td>4</td>
</tr>
<tr>
<td>3.</td>
<td>Responses to Previous Public Questions Taken on Notice</td>
<td>4</td>
</tr>
<tr>
<td>4.</td>
<td>Public Question Time</td>
<td>4</td>
</tr>
<tr>
<td>5.</td>
<td>Confirmation of Minutes of the Previous Meeting</td>
<td>5</td>
</tr>
<tr>
<td>6.</td>
<td>Matters Arising from the Previous Minutes</td>
<td>5</td>
</tr>
<tr>
<td>7.</td>
<td>Announcement by the Presiding Person without Discussion</td>
<td>5</td>
</tr>
<tr>
<td>8.</td>
<td>Declaration of Member’s and Officer’s Interest</td>
<td>5</td>
</tr>
<tr>
<td>9.</td>
<td>Petitions/Deputations/Presentations/Submissions</td>
<td>5</td>
</tr>
<tr>
<td>10.</td>
<td>Matters for which the Meeting may be Closed</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Planning and Development Services Information Bulletin – February 2014</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Engineering and Parks Services Information Bulletin – February 2014</td>
<td>5</td>
</tr>
<tr>
<td>12.</td>
<td>Agenda Items – Planning and Engineering Services Committee</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Planning and Development Services</td>
<td></td>
</tr>
<tr>
<td></td>
<td>PDS-024/14 Proposed Scheme Amendment No.145 - Rezoning from 'Rural' &amp; 'Special Rural' to 'Development' (Initiation)</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>PDS-025/14 Final Adoption - Revised Planning Policy 3.3.10 - Home Occupations and Home Businesses</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>PDS-026/14 Proposed Road Dedication – Nairn Drive (The Spires Estate)</td>
<td>34</td>
</tr>
<tr>
<td></td>
<td>PDS-027/14 Proposed Bed and Breakfast Accommodation</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>PDS-028/14 Proposed Restaurant on Lot 3 Kerosene Lane, Baldivis</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>PDS-029/14 Proposed Specific Purpose Strategy - 'City Centre Transport Strategy'</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>Engineering and Parks Services</td>
<td>68</td>
</tr>
<tr>
<td></td>
<td>EP-005/14 T13/14-67 - Rhonda Scarrott Reserve Earthworks, Irrigation and Landscaping Work</td>
<td>68</td>
</tr>
<tr>
<td></td>
<td>EP-006/14 Mundijong Road Extension – Entry Statement</td>
<td>73</td>
</tr>
<tr>
<td></td>
<td>EP-007/14 Implementation of a Rapid Response Amenity Improvement Team</td>
<td>77</td>
</tr>
<tr>
<td>13.</td>
<td>Reports of Councillors</td>
<td>81</td>
</tr>
<tr>
<td>14.</td>
<td>Addendum Agenda</td>
<td>81</td>
</tr>
<tr>
<td>15.</td>
<td>Motions of which Previous Notice has been given</td>
<td>81</td>
</tr>
<tr>
<td>16.</td>
<td>Notices of Motion for Consideration at the Following Meeting</td>
<td>81</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Matters Behind Closed Doors</td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Date and Time of Next Meeting</td>
<td></td>
</tr>
<tr>
<td>20.</td>
<td>Closure</td>
<td></td>
</tr>
</tbody>
</table>
1. **Declaration of Opening**

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

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

#### 2.1 **Councillors**
- Cr Richard Smith (Deputy Mayor)  
- Cr Chris Elliott  
- Cr Ron Pease JP  
- Cr Deb Hamblin  
- Cr Leigh Liley  
- Cr Justin Smith (Deputy for Cr Hill)  

#### 2.2 **Executive**
- Mr Andrew Hammond  
- Mr Bob Jeans  
- Mr Chris Thompson  
- Mr Peter Ricci  
- Mr Brett Ashby  
- Mr Richard Rodgers  
- Mr Mike Ross  
- Mr Rod Fielding  
- Ms Melinda Wellburn

- **Chief Executive Officer**  
- **Director Planning and Development Services**  
- **Director Engineering and Parks Services**  
- **Project Manager Keralup**  
- **Manager Strategic Planning and Environment**  
- **Manager Building Services (until 4.20pm)**  
- **Manager Statutory Planning**  
- **Manager Health Services (until 4.20pm)**  
- **PA to Director Planning and Development Services**

#### 2.3 **Members of the Gallery:**
- 2

#### 2.4 **Apologies:**
- Cr Allan Hill OAM JP

#### 2.5 **Approved Leave of Absence:**
- Nil

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

- Nil

### 4. **Public Question Time**

- 4.03pm  
The Chairperson invited members of the Public Gallery to ask questions. There were none.
5. Confirmation of Minutes of the Previous Meeting

Moved Cr Pease, seconded Cr Elliott:

That Committee CONFIRM the Minutes of the Planning and Engineering Services Committee Meeting held on 17 February 2014, 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

4.04pm 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

4.04pm The Chairperson asked if there were any interests to declare. There were none.

9. Petitions/Deputations/Presentations/Submissions

Nil

10. Matters for which the Meeting may be Closed

Nil

11. Bulletin Items

Planning and Development Services Information Bulletin – March 2014

Health Services
1. Health Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 FoodSafe
   3.2 Industrial and Commercial Waste Monitoring
   3.3 Community Health and Wellbeing Plan
   3.4 Healthy Communities Initiative
   3.5 Health Promotion
   3.6 Mosquito Control Program
   3.7 Ocean Water and Storm Water Sampling
4. Information Items
   4.1 Mosquito-Borne Disease Notifications
   4.2 Food Recalls
   4.3 Food Premises Inspections
   4.4 Public Building Inspections
   4.5 Outdoor Public Event Approvals
   4.6 After Hours Noise and Smoke Nuisance Complaint Service
   4.7 Complaint - Information
   4.8 Building Plan Assessments
   4.9 Septic Tank Applications
   4.10 Demolitions
4.11 Swimming Pool and Drinking Water Samples
4.12 Rabbit Processing
4.13 Hairdressing and Skin Penetration Premises
4.14 Family Day Care

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

**Strategic Planning and Environment**
1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Local Planning Strategy (LUP/1352)
   3.2 Karnup District Water Management Strategy (EVM/136)
   3.3 Water Campaign (EVM/56-02)
   3.4 Karnup District Structure Plan (LUP/1546)
4. Information Items

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

1. Planning and Development Directorate Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Primary Centre Centre Plan Implementation (LUP/137-08)
   3.2 Northern Waterfront Sector - Development Policy Plan and Masterplan (LUP/1617)
   3.3 Northern Smart Village Sector - Development Policy Plan and Masterplan (LUP/1595)
   3.4 Campus Sector - Development Policy Plan and Masterplan (LUP/1618)
   3.5 Eastern Sector - Development Policy Plan and Masterplan (LUP/1619)
   3.6 Keralup
   3.7 Karnup Station Transit Oriented Development

Advisory Committee Minutes

Committee Recommendation

That Councillors acknowledge having read the Planning Services Information Bulletin – March 2014 and the content be accepted.

Committee Voting – 5/0

Engineering and Parks Services Information Bulletin – March 2014

Engineering Services

1. Engineering Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Delegated Authority for approval of Directional Signage
   4.2 Delegated Authority for Thoroughfare Closures
   4.3 Local Area Traffic Management and Road Safety Design Projects 2013/2014
   4.4 Delegated Authority for approval of Engineering Drawings - Subdivisions
   4.5 Delegated Authority for acceptance of As-Constructed Engineering Drawings - Subdivisions
   4.6 Delegated Authority to approve the release of Bonds for private subdivisional works
   4.7 Handover of Subdivisional Roads
   4.8 Delegated Authority for the payment of Crossover Subsidies
   4.9 Mundijong Road Extension Project

Engineering Operations

1. Engineering Operations Team Overview
2. Human Resource Update
4. Information Items
   4.1 Road Construction Program Main Roads Grant 2013/2014
   4.2 Road Construction Program Federal Black Spot 2013/2014
   4.3 Road Resurfacing Program Municipal Works 2013/2014
   4.4 Drainage Program Municipal Works 2013/2014
   4.5 Road Maintenance Program 2013/2014
   4.6 Passenger Vehicle Fleet Program 2013/2014
   4.7 Light Commercial Vehicles Program 2013/2014
   4.8 Heavy Plant Program 2013/2014
### Parks Development

1. Parks Development Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Golden Bay Shared Use Oval
   3.2 Mornington Reserve Development
   3.3 Lake Richmond Boardwalk
   3.4 Warnbro Sound Avenue - Bakewell to Port Kennedy Drive Irrigation Project
   3.5 Warnbro Recreation Ground Irrigation Upgrade
   3.6 Rae Road Streetscape Project - Read to Seabrooke Avenue
   3.7 Lake Richmond Boardwalk
   3.8 Tramway Management Plan Review
4. Information Items
   4.1 Groundwater Monitoring
   4.2 Mundijong Road Environmental Offsets
   4.3 Climate Change Mitigation
   4.4 Lake Richmond Heritage Listing
   4.5 Delegated Subdivision Public Open Space Practical Completion
   4.6 Delegated Subdivision Public Open Space Handovers
   4.7 Delegated Public Open Space Approvals
   4.8 Memorial Seat Approvals

### Parks Operations

1. Parks Operation Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Hourglass Reserve replacement of long jump running track
   3.2 Stan Twight Reserve replacement of netting to turf cricket practice nets
   3.3 Waterfront Village porous paving to tree surrounds
   3.4 Play Equipment Replacement
   3.5 Anniversary Park AFL Boundary Fence Replacement
4. Information Items
   4.1 Parks Maintenance Program 2013/2014

### Asset Management

1. Asset Management Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Footpath Condition Audit
   3.2 ROMAN Traffic Count Update
4. Information Items
   4.1 Asset Management Improvement Strategy
   4.2 Asset Systems Management

### Building Maintenance

1. Building Maintenance Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Building Maintenance
   4.2 Graffiti Removal
## Procurement and Capital Projects

1. Procurement and Capital Projects Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Coastal Management Consultants (Sand Drift/Erosion Problems)
   3.2 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)
   3.3 Lighting Consultants (Technical Planning/Design, Underground Power Program)
   3.4 Major Project Property Development Planning (Design Modifications/Tender Planning/Structural Testing)
4. Information Items
   4.1 Delegated Written Notification of Successful Tenders
   4.2 Delegated Approval of Tenders by CEO
   4.3 Delegated Release of Retention/Bank Guarantees
   4.4 Shoalwater North Underground Power Project
   4.5 2014 Public Area Lighting and Arterial Lighting
   4.6 Lark Hill Wind Turbine
   4.7 Bent Street Boat Launching Facility – Navigation Channel
   4.8 Aqua Jetty – Replace/Upgrade HVAC Services
   4.9 Baldvis Library and Community Centre - Design
   4.10 Challenger Court Electrical System Upgrade
   4.11 Secret Harbour Surf Life Saving Club - Renovation
   4.12 Val Street Jetty Design
   4.13 Point Peron Geotextile Sand Container Construction (C12/13-74)
   4.14 Administration Building Fire System Upgrade
   4.15 Settlers Hill Toilet Installation (Grice Reserve)
   4.16 Mike Barnett Sporting Complex Roof Replacement
   4.17 Administration Building Upgrade of BMS
   4.18 Currie Street Reserve Sports Floodlighting
   4.19 City Centre Infrastructure Works Car Park Design and Construction
   4.20 Administration Building Foyer Acoustic Panelling
   4.21 Aquatic Centre – Renovation Works
   4.22 Anniversary Park Change Rooms
   4.23 Lark Hill Sub Metering
   4.24 Barbecue Replacement
   4.25 Challenger Court Eaves
   4.26 Port Kennedy Community Centre Acoustic Ceiling
   4.27 Watts Road Toilet Rust Treatment
   4.28 Arcadia Drive Toilet Rust Treatment
   4.29 Waikiki Toilet Rust Treatment
   4.30 Administration Building Solar System
   4.31 Autumn Centre Solar System
   4.32 Churchill Park Toilet System Solar System
   4.33 Aqua Jetty Roof Replacement
   4.34 Aqua Jetty Condensation Issue

## Waste and Landfill Services

1. Waste and Landfill Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Waste kerbside collection
   4.2 240 litre recycling bin service
   4.3 240 litre bin recycling participation statistics
   4.4 Destroyed and stolen refuse bins
4.5 Landfill statistics
4.6 Education and promotion

Committee Recommendation

That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – March 2014 and the content be accepted.

Committee Voting – 5/0

4.20pm - Mr Richard Rodgers, Manager Building Services and Mr Rod Fielding, Manager Health Services departed the Planning and Engineering Services Committee meeting.
## 12. Agenda Items

### Planning and Development Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-024/14 Proposed Scheme Amendment No.145 - Rezoning from 'Rural' &amp; 'Special Rural' to 'Development' (Initiation)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1809</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>396, 397 and 398</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Various</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr Tristan Fernandes, Senior Strategic Planning Officer</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Jeff Bradbury, Coordinator Strategic Planning</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 March 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>June 2012 (SPE-012/12); November 2010 (SP-013/10); December 2006 (PD246/12/06); December 2005 (PD187/12/05); (PD188/12/05); (PD203/12/05);</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Legislative</td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Lots 2, 5, 6, 10, 129, 447, 459 – 463, 511-513, 521, 545, 709, 746-750, 921, 922 Baldivis Road; Lot 510 Bodman Place; Lot 3 Key Close; Lots 104, 105 and 302 Paparone Road; Lots 515-520 Sabrina Road; Lots 1, 3, 4, 10, 101-103 Zig Zag Road, Baldivis</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>376.5ha</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>'Rural' and 'Special Rural'</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>'Parks and Recreation' and 'Urban Deferred'</td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Lots 104, 105, 541, 544 &amp; 1000 Baldivis Road Rezoned to ‘Urban’ by the WAPC in February 2012</td>
</tr>
<tr>
<td></td>
<td>2. Lots 447, 459, 460 - 463 &amp; 709 Baldivis Road, Baldivis - Land subject to request for Lifting of Urban Deferment in July 2012</td>
</tr>
<tr>
<td></td>
<td>3. Proposal to Lift Urban Deferment Lots South of Mundijong Road, Baldivis</td>
</tr>
<tr>
<td></td>
<td>4. Lots 10, 545, 921, 922, 746-750 Baldivis Road and Lot 3 Key Close, Baldivis rezoned to Urban under the MRS on the 25 February 2014</td>
</tr>
</tbody>
</table>
5. Land Rezoned to ‘Urban’ within the East Baldivis District Structure Plan area as of February 2014
6. Draft East Baldivis District Structure Plan

**Purpose of Report**

To initiate an Amendment to Town Planning Scheme No.2 (TPS2) to rezone the balance of the land within the East Baldivis District Structure Plan area from ‘Special Rural’ and ‘Rural’ to ‘Development’.

**Background**

In October 2008, the City was approached by a group of planning consultants representing the majority of landowners in the ‘East Baldivis’ locality (referring to themselves as the East Baldivis Stakeholder Team or ‘BEST’ group) to prepare a District Structure Plan over the land to generally guide the future development of the precinct for urban development. The City agreed to facilitate the preparation of the District Structure Plan with the ‘BEST’ group, however, advised the group that the preparation of the District Structure Plan should not be dictated by land ownership and at the expense of orderly and proper planning of the locality.

**Rezoning of the East Baldivis Precinct under the Metropolitan Region Scheme**

In July 2009, the City received correspondence from the Western Australian Planning Commission (WAPC) advising that the East Baldivis locality had been rezoned from ‘Rural’ to ‘Urban Deferred’ in the Metropolitan Region Scheme (MRS). It was originally intended that the precinct be rezoned to ‘Urban’ in the MRS, however, the WAPC required that the following matters were required to be addressed prior to the transfer of the land to the ‘Urban’ zone:

- Insufficient wastewater treatment capacity;
- Drainage requirements/drainage planning;
- Location of a High School; and
- Freeway Service Centre buffer requirements.

**Rezoning of ‘Australand Joint Venture’ Landholding to Urban under the MRS**

In February 2012, the WAPC rezoned Lots 104, 105, 541, 543, 544 and 1000 Baldivis Road, Baldivis from the ‘Urban Deferred’ zone to ‘Urban’ zone under the MRS without a District Structure Plan having been endorsed by the Council (See Figure 1).

The City did not support the proposal as it concluded that it did not satisfy the criteria of the Commission's Lifting of Urban Deferment Guidelines for planning to be sufficiently advanced as required in Part 5 of the Guidelines given no District Structure Plan was endorsed over the land to guide the preparation of Local Structure Plan proposals.

Pursuant to s124 of the Planning and Development Act (2005), the Council was required to rezone TPS2 to be consistent with the Metropolitan Region Scheme’s ‘Urban’ zone. This Amendment to rezone the land under the Town Planning Scheme from ‘Special Rural’ and ‘Rural’ zones to ‘Development’ zone was gazetted on the 6 March 2013.
Request to Lift Urban Deferment - Cedar Woods and BGC Landholding North of Mundijong Road (2012)

In July 2012, the WAPC sought the City's comments on the proposal to transfer Lots 447, 459, 460 - 463 & 709 Baldivis Road, Baldivis (see Figure 2) from the 'Urban Deferred' zone into the 'Urban' zone, pursuant to clause 27 of the Metropolitan Region Scheme.

The City did not support the proposal as it concluded that it did not satisfy the criteria of the Commission's Lifting of Urban Deferment Guidelines for planning to be sufficiently advanced as required in Part 5 of the Guidelines given no District Structure Plan was endorsed over the land to guide the preparation of Local Structure Plan proposals.
In December 2013, the Western Australian Planning Commission resolved to lift 'Urban Deferment' over Lots 459-461, Pt Lots 462 and 463 Baldivis Road and portion of Pug Road, Baldivis into the 'Urban' zone under the Metropolitan Region Scheme.

A portion of the land subject to the lifting of Urban Deferment request was not transferred into the 'Urban' zone under the MRS. The land excluded from the lifting of Urban Deferment is subject to further investigation for regional transport planning requirements.

**Request to Lift Urban Deferment - Various Lots South of Mundijong Road (2013)**

On January 2014, the City received correspondence from the WAPC seeking the City's preliminary comments with respect to the proposed rezoning request.

In correspondence to the WAPC in response to the request, the City advised that the request for lifting of Urban Deferment be held in abeyance pending finalisation of the District Structure Plan.

The WAPC has yet to make a decision with respect to the request to rezone the land ‘Urban’.

**Request to Lift Urban Deferment - Lots 10, 545, 921, 922, 746-750 Baldivis Road and Lot 3 Key Close, Baldivis (2013)**

In November 2013, WAPC sought the City's comments on a proposal to transfer Lots 10, 545, 921, 922, 746-750 Baldivis Road and Lot 3 Key Close, Baldivis (see Figure 3) from an 'Urban Deferred' zone into the 'Urban' zone, pursuant to clause 27 of the Metropolitan Region Scheme.

In correspondence to the WAPC in response to the request, the City advised that the request for lifting of Urban Deferment be held in abeyance pending finalisation of the District Structure Plan.

On 25 February 2014 the WAPC resolved to rezone this land to ‘Urban’ under the MRS which is shown in Figure 4.
Due to the decision of the WAPC to rezone portions of the East Baldivis District Structure Plan area to 'Urban', the Council is now obligated to rezone the 'Urban' zoned land to 'Development' under Town Planning Scheme No.2 and to subsequently consider Local Structure Plans. A consolidated plan showing the land rezoned to 'Urban' under the MRS within the East Baldivis District Structure Plan Area is shown in Figure 5.
Figure 5: Land Rezoned to Urban (dark brown) within the East Baldivis District Structure Plan area as of February 2014

East Baldivis District Structure Plan

In February 2014, the Council endorsed the East Baldivis District Structure Plan for the purpose of guiding and informing the City’s consideration of Local Structure Plans and regional planning initiatives and proposals, subject to the following amendments:

(i) The modified ‘Perron’ Landowner Agreed Option for the High School and District Open Space Precinct be incorporated into the District Structure Plan;

(ii) The southern Primary School being reorientated as proposed by the Proponent;

(iii) A connection to Pemberton Boulevard being provided;
(iv) A notation be put on the District Structure Plan stating that the intersections of Baldivis Road and Mundijong Road; Mundijong Road and the Kwinana Freeway; and the alignment of Baldivis Road north of Mundijong Road are subject to a regional transport planning investigation and are subject to possible changes; and

(v) The District Structure Plan Report and Traffic and Transport Management Plan being amended as per the comments contained within the Officer Report.

The Officer Report to Council noted that, as part of future Amendments to the City’s Town Planning Scheme to zone the land ‘Development’, the City should introduce provisions into TPS2 to require the following information be provided to address land use planning constraints within the East Baldivis locality:

1. A Bushfire Hazard Assessment; and/or
2. An Acoustic Consultant Report prepared by a suitably qualified acoustic consultant to demonstrate how sensitive land uses will not be adversely impacted by noise generated by the Kwinana Freeway; and/or
Details

Following the WAPC's decision to rezone numerous lots within the East Baldivis District Structure Plan area to 'Urban', the Council is now required to initiate an amendment to TPS2 over those lots pursuant to section 124(3) of the Planning and Development Act (2005), to ensure that TPS2 is consistent with the MRS.

The Amendment also proposes to rezone all remaining land within the East Baldivis District Structure Plan area to 'Development' zone, which is consistent with the future intended use of the land to be developed for urban purposes.

Implications to Consider

a. Consultation with the Community
   If the Scheme Amendment is initiated by the Council, it is required to be advertised in accordance with the Town Planning Regulations 1967, for a minimum period of 42 days.

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

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:

   Aspiration 11: Planning for population growth to ensure that future development and land-uses contribute to a sustainable City that provides for a genuinely desirable lifestyle.

   d. Policy
      Planning for Bushfire Protection Guidelines Edition 2
      The WAPC Planning Bush Fire Protection Guidelines (Edition 2) notes in Section 2.3 – Guidance Statements for Strategic Plans, Planning Strategies, Planning Schemes, Planning Scheme Amendments and Structure Plans – that unless it is clear to the decision-making authority that the land in question is not in an area that has a moderate or extreme bush fire hazard level, any new proposals or proposals which will effect a change of land use or design resulting in the introduction of, or an intensification of development should:
      - Include a bush fire hazard assessment based on the fire hazard assessment methodology and classifications set out in Appendix 1 of the Guidelines;
      - Identify any bush fire hazard issues arising from that assessment; and
      - Address those issues, in accordance with the general principles that underpin these guidelines, in a statement or report which demonstrates that all fire protection requirements can be achieved to the satisfaction of the WAPC.

      A Bushfire Hazard Assessment was prepared as part of the preparation of the submitted East Baldivis District Structure Plan where moderate and extreme fire risks were identified over the subject land.

      As the Planning for Bushfire Protection Guidelines (Edition 2) is currently not an adopted State Planning Policy, and provides guidance only, it is recommended the Development Area provisions of the Scheme Amendment acknowledge the requirement for a Bushfire Hazard Assessment to be undertaken as part of consideration of a Proposed Local Structure Plan over the land.
State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning

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

- New noise-sensitive development in the vicinity of existing or future major transport corridors or freight handling facilities;
- New major road or rail infrastructure projects, including major redevelopments, in the vicinity of existing or future noise-sensitive land uses; and
- The location of freight handling facilities.

Due to the potential impact of noise from the Kwinana Freeway and future extension of Mundijong Road, is recommended that a Development Area provision is imposed ensuring appropriate noise investigations are mandated as part of the Local Structure Planning process.

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

WAPC Planning Bulletin No.87 provides guidance for development and ensures orderly and proper planning within the vicinity of regional gas pipelines, including the Bunbury to Dampier Natural Gas Pipeline.

Table 1 of the Bulletin provides for a 75m setback between residential development and the gas pipeline easement and 110m between sensitive uses and the gas pipeline easement ‘as of right’.

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

In order for a Structure Plan proposal to proceed, a Proponent must submit a Pipeline Risk Management Plan and a Qualitative Risk Assessment in accordance with the requirements of Bulletin No.87, or otherwise provide documented evidence that agreement has been reached with the pipeline owner on the mitigation measures to be proposed, responsibility for the implementation of those mitigation measures, and the need for risk assessment.

Given the nature of the land use constraint, provisions requiring the preparation of a Pipeline Protection Plan are recommended to be implemented in Schedule No.9 of TPS2 when the land is rezoned to ‘Development’ zone. This will ensure the matter is appropriately addressed within a Local Structure Plan application.

e. Financial

Nil

f. Legal and Statutory

Planning and Development Act (2005)

Section 124 of the Planning and Development Act (2005) deals with the effect of a Region Planning Scheme on a Local Planning Scheme.

Clause 124 (1) states if a Region Planning Scheme is inconsistent with a Local Planning Scheme, the Region Scheme prevails over the Local Planning Scheme to the extent of the inconsistency. In this regard, the ‘Urban’ zone on the MRS applies over the ‘Rural’ and ‘Special Rural’ zoning prescribed under TPS2.

Clause 124 (2) requires the Council to initiate an amendment to TPS2 to be consistent with the Region Planning Scheme within 90 days after an amendment to the Region Planning Scheme has come into effect. In this regard, the Council is obligated to initiate an Amendment to TPS2 specifically with respect to the ensuring consistency with the MRS.
Town Planning Regulations (1967)
With respect to land not yet zoned ‘Urban’ under the Metropolitan Region Scheme, the Council is required to resolve to either Adopt (initiate) the Scheme Amendment or Not Proceed with a Scheme Amendment and notify the WAPC in writing of its decision under Regulation 13 of the Town Planning Regulations (1967).

g. Risk

Risk Implications of Implementing Officer Recommendation
Low:
- The rezoning of land that currently remains within the ‘Urban Deferred’ zone may potentially not be supported by all affected owners.

Risk Implications of Not Implementing Officer Recommendation
Low:
- Failure to initiate rezoning of the land that currently remains within the ‘Urban Deferred’ zone will require the Council to initiate a further Amendment in the future, and has the potential to delay the Local Structure Planning process for affected land.

Moderate:
- Failure to initiate rezoning of the land recently transferred to the ‘Urban’ zone will breach clause 124(2) of the Planning and Development Act 2005.

Comments

The initiation of an Amendment to TPS2 to rezone the land from ‘Rural’ and ‘Special Rural’ to ‘Development’ zone will provide consistency with the MRS ‘Urban’ zone. The ‘Development’ zone and supporting Development Area outlined in Schedule No.9 of TPS2 provides the most appropriate statutory mechanisms to ensure orderly and proper planning of the subject land.

Now the Council has endorsed the East Baldivis District Structure Plan for the purpose of guiding and informing the City’s consideration of Local Structure Plans and regional planning initiatives and proposals, it is considered appropriate to rezone the entire District Structure Plan area to ‘Development’ in line with the guiding planning framework.

The rezoning of the entire precinct will permit the timely consideration of Structure Plan proposals and remove the need for the Council to initiate a number of separate Amendments to TPS2 to rezone land to ‘Development’ following any future decisions from the WAPC to rezone land from ‘Urban Deferred’ to ‘Urban’ under the MRS.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ADOPT (initiate) Amendment No.145 to Town Planning Scheme No.2 as follows:

1. Rezone Lots 2, 5, 6, 10, 129, 447, 459 – 463, 511-513, 521, 545, 709, 746-750, 921, 922 Baldivis Road; Lot 510 Bodman Place; Lot 3 Key Close; Lots 104, 105 and 302 Paparone Road; Lots 515-520 Sabrina Road; Lots 1, 3, 4, 10, 101-103 Zig Zag Road, Baldivis from ‘Rural’ and ‘Special Rural’ to ‘Development’ on the Scheme Map.

2. Amend the Scheme Map to contain Lots 2, 5, 6, 10, 129, 447, 459 – 463, 511-513, 521, 545, 709, 746-750, 921, 922 Baldivis Road; Lot 510 Bodman Place; Lot 3 Key Close; Lots 104, 105 and 302 Paparone Road; Lots 515-520 Sabrina Road; Lots 1, 3, 4, 10, 101-103 Zig Zag Road, Baldivis within Development Area No.40 and reference this on the Scheme Map as ‘DA 40’.

3. Amend ‘Schedule No.9 - Development Areas’ to modify Development Area DA40 as set out below:
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 14 APRIL 2014

<table>
<thead>
<tr>
<th>Reference No.</th>
<th>Area</th>
<th>Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>DA40</td>
<td>Lots 2, 5, 6, 10, 129, 104, 105, 447, 459-463, 511-513, 521, 541, 543, 544, 545, 709, 746-750, 921, 922, 1000 Baldivis Road; Lot 510 Bodman Place; Lot 3 Key Close; Lots 104, 105 and 302 Paparone Road; Lots 515-520 Sabrina Road; Lots 1, 3, 4, 10, 101-103 Zig Zag Road, Baldivis</td>
<td>An approved Local Structure Plan together with all approved amendments and detailed area plans, where applicable, shall apply to the land in order to guide subdivision and development. 1. <strong>Proposed Local Structure Plan</strong> 1-1 The following matters must be addressed as part of the preparation of the Proposed Local Structure Plan in addition to those set out in Clause 4.2.5: - 1. A Bushfire Hazard Assessment; 2. An Acoustic Consultant Report prepared by a suitably qualified acoustic consultant to demonstrate how sensitive land uses will not be adversely impacted by noise generated by the Kwinana Freeway. 3. For land within 110m of the Bunbury to Dampier Natural Gas Pipeline easement the following reports are required to be prepared: (i) Qualitative Risk Assessment; and (ii) Pipeline Risk Management Plan</td>
</tr>
</tbody>
</table>

4. Amend ‘Schedule No.4 - Special Rural Zones – Portions of Planning Unit 5 of the Rural Land Strategy’ to remove Plan Reference 5(i) and reference to Lots 101-105 and 129 Zig Zag and Paparone Roads, Baldivis from the Location Table.

5. Modify ‘Plan No.4 – Special Rural Zones (North)’ to exclude Lots 101-105 and 129 Zig Zag and Paparone Roads, Baldivis from this Plan.

**Committee Recommendation**

That Council **ADOPT** (initiate) Amendment No.145 to Town Planning Scheme No.2 as follows:

1. Rezone Lots 2, 5, 6, 10, 129, 447, 459 – 463, 511-513, 521, 541, 545, 709, 746-750, 921, 922 Baldivis Road; Lot 510 Bodman Place; Lot 3 Key Close; Lots 104, 105 and 302 Paparone Road; Lots 515-520 Sabrina Road; Lots 1, 3, 4, 10, 101-103 Zig Zag Road, Baldivis from ‘Rural’ and ‘Special Rural’ to ‘Development’ on the Scheme Map.

2. Amend the Scheme Map to contain Lots 2, 5, 6, 10, 129, 447, 459 – 463, 511-513, 521, 541, 545, 709, 746-750, 921, 922 Baldivis Road; Lot 510 Bodman Place; Lot 3 Key Close; Lots 104, 105 and 302 Paparone Road; Lots 515-520 Sabrina Road; Lots 1, 3, 4, 10, 101-103 Zig Zag Road, Baldivis within Development Area No.40 and reference this on the Scheme Map as ‘DA 40’.

3. Amend ‘Schedule No.9 - Development Areas’ to modify Development Area DA40 as set out below:
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 14 APRIL 2014

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

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

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-025/14 Final Adoption - Revised Planning Policy 3.3.10 - Home Occupations and Home Businesses</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1265-04</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>394</td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 March 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>November 2013 (PDS-008/13)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
</tbody>
</table>

#### Purpose of Report

To consider adopting revised Planning Policy 3.3.10 - Home Occupations and Home Businesses following public advertising of the proposed changes.

#### Background

In November 2013, Council resolved to adopt the revised Planning Policy 3.3.10 – Home Occupations and Home Businesses, for the purpose of public advertising.

#### Details

The purpose of reviewing Planning Policy 3.3.10 is to assist the Council in the determination of applications for Home Occupations and Home Businesses, by including new provisions relating to:

- Compliance of proposals with the interpretations of either a Home Occupation or Home Business under TPS2;
- More than one Home Occupation or Home Business operating from the same property;
Implications to Consider

a. Consultation with the Community

The draft PP3.3.10 was advertised for a period of 29 days, commencing on 4 December 2013 and concluding on 2 January 2014. Public advertising was carried out in the following manner:

- Notice was placed in the Sound Telegraph newspaper on 4 December and 11 December 2013.
- Public information was placed on the City’s Website giving formal notice of the proposed Policy changes.
- Copies of the revised PP3.3.10 were made available for inspection at the City’s Administration Offices.

Advertising was undertaken in accordance with the requirements of clause 8.9.4 of Town Planning Scheme No.2 (TPS2).

Upon the close of the submission period one submission was received from a planning consultant representing the owner of Lot 124 (No.3) Westray Court, Warnbro. The key points of the submission have been summarised below:

<table>
<thead>
<tr>
<th>Approval Period</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) Home Occupation and Home Business Applications should be subject to a two-year initial approval followed by 12 month renewal.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City’s Comment:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Approvals granted by the City for Home Occupations and Home Businesses are valid for a period of two years, within which the use must be substantially commenced. If the development (use) is not commenced within this period a fresh application is required to be lodged with the City. Other than the 2 year substantial commencement period, Planning Approvals do not have an expiry period. Provided that a Home Occupation or Home Business operates in accordance with the Planning Approval, the business is permitted to operate pursuant to Town Planning Scheme No.2. A renewal of Planning Approval is not required, except when the Planning Approval is for an initial period of twelve months. In such cases, the applicant will be required to seek approval to continue to operate the Home Occupation or Home Business prior to the expiry of the approval period.</td>
</tr>
</tbody>
</table>

**Recommendation 1:**

Noted. No Policy changes are recommended, as a renewal of Planning Approval is generally not required, unless the Home Occupation and Home Business is not substantially commenced within the 2 year approval period.
**Hours of Operation**

**Submission:**
(ii) The Submissioner objects to not being able to operate on Sundays and Public Holidays. It was considered that this approach is ‘out-dated’ when the State is shifting towards de-regulated commercial hours of operation both during the week and on weekends.

**City’s Comment:**
The deregulation of shopping trading hours applies to commercial premises, which operate within Commercial zones, not Residential zones. The proposed amendments to PP3.3.10 include arrival and departure times for clients but it does not restrict the hours of operation of the business otherwise. For example office administration, internet sales and other business functions can still be undertaken. The City does not consider that it is appropriate for customers and clients to arrive and depart on Sundays and Public Holidays, and has consistently applied these requirements on approvals in order to protect the amenity of nearby residents.

While the proposed arrival and departure hours are proposed to apply there may be circumstances when it is appropriate to vary from these requirements. For example, if the State Administrative Tribunal (SAT) grants Planning Approval subject to different client arrival and departure operating hours. This matter is discussed further below, which in itself does not necessitate a change to PP3.3.10.

**Recommendation 2:**
*Noted. No further changes are recommended to PP3.3.10.*

**Defer Adopting the Amended Policy**

**Submission:**
(iii) The proposed amendments should await the outcome of Bayer v City of Rockingham State Administrative Tribunal (SAT) decision, in relation to a proposed home occupation on No.3 Westray Court, Warnbro as it was suggested that the amendments to PP3.3.10 arise from contentions from Ms Bayer’s application.

**City’s Comment:**
The Council’s consideration of changes to PP3.3.10 was deferred pending the outcome of the Bayer v City of Rockingham (DR 391/2012) appeal. The SAT Order was issued on 13 February 2014, where the above application for review (appeal) by Ms Lucie Bayer was allowed, subject to various conditions.

Condition 1 (e) enables the Home Occupation (dog minding) to operate between the hours of 7:00am to 6:30pm Mondays to Fridays inclusive and 9:00am to 4:00pm on Saturdays and Sundays.

The advertised changes to PP3.3.10 are still considered appropriate and should not be changed on the basis of one appeal outcome. The City will, however, have regard to the current SAT conditions applying to the Home Occupation (Dog Minding) in its consideration of a future application, following the expiry of the 2 year approval period. This is one circumstance when the client arrival and departure times may need to be varied, but it is not considered appropriate to deviate PP3.3.10 from the recommended client arrival and departure hours, to account for one application on appeal to SAT.

**Recommendation 3:**
*Noted. Refer to Recommendation 2 above.*

b. Consultation with Government Agencies

Nil
c. Strategic

Community Plan

This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:

Aspiration 11: Planning for population growth to ensure that future development and land uses contribute to a sustainable city that provides for a genuinely desirable lifestyle.

d. Policy

In accordance with clause 8.9.5 of TPS2, following the expiry of the advertising period for submissions, the Council is to review PP3.3.10 in the light of the submission made and resolve to adopt the Policy with or without modifications, or not to proceed with the Policy.

If the Council resolves to adopt the revised PP3.3.10, the Council is required under clause 8.9.6 of TPS2, to publish notice of the Policy once in a newspaper circulating in the Scheme Area. The revised PP3.3.10 has effect on publication of a notice under clause 8.9.6(a) of TPS2.

e. Financial

Nil

f. Legal and Statutory

Under the provisions of section 8.9 of Town Planning Scheme No.2, the Council may prepare, modify or revoke a Planning Policy. If the Council resolves to amend the Planning Policy the City is required to advertise the proposed changes for a period of 21 days, seeking public comment.

PP3.3.10 is not part of TPS2, and does not bind the Council in respect of any application for planning approval, but the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

g. Risk

Risk Implications of Implementing Officer Recommendation

Low:

• A Planning Policy guides the Council in its exercise of discretion on an application for a Home Occupation or Home Business, but there is the potential risk of an applicant who is aggrieved by a condition of Planning Approval to lodge an application for review (appeal) to the SAT, despite the existence of a Planning Policy.

Risk Implications of Not Implementing Officer Recommendation

Medium:

• If the Council does not adopt the proposed changes to PP3.3.10, the current PP3.3.10 will still apply, but there is the potential risk of the Council making decisions on an application for a Home Occupation or Home Business on the basis of failing to consider all of the relevant planning matters, which could lead to land use conflicts.

Comments

The submission received during the advertising period did not raise any substantiated planning matters that would provide cause for not adopting the proposed amendments to PP3.3.10. As such, it is recommended that Council adopt the revised Planning Policy 3.3.10 Home Occupations and Home Businesses, subject to minor text (grammar) modifications that do not materially change the advertised Policy.

Council’s adoption of the revised Planning Policy 3.3.10 Home Occupations and Home Businesses will require an amendment to the Delegated Authority Register, to reflect the proposed changes to delegation.
Voting Requirements

Simple Majority (Recommendation 1)
An Absolute Majority is required for a Recommendation 2 which is to amend the delegation under the Local Government Act 1995.

Officer Recommendation

That Council:
1. **ADOPT** the revised (modifications in bold) Planning Policy 3.3.10 Home Occupations and Home Businesses.
2. **AMEND** the Delegated Authority Register (Local Government to Chief Executive Officer) 8.3 Planning and Development Act 2005 - Town Planning Scheme to include the granting of Planning Approval for Home Occupation and Home Businesses in accordance with Planning Policy 3.3.10 – Home Occupations and Home Businesses.

Committee Recommendation

That Council:
1. **ADOPT** the revised (modifications in bold) Planning Policy 3.3.10 Home Occupations and Home Businesses, as follows:

   **PLANNING POLICY 3.3.10**

   **HOME OCCUPATIONS AND HOME BUSINESSES**

   **1. Introduction**
   The City of Rockingham Town Planning Scheme No.2 provides for a small business to be carried out from a ‘dwelling’, provided that it does not adversely affect the ‘amenity’ of the locality. Such businesses are referred to as Home Occupations, Home Businesses and Home Offices. Town Planning Scheme No.2 defines these uses as follows:
   ‘Home Occupation’ means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:
   (a) does not employ any person not a member of the occupier’s household;
   (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
   (c) does not occupy an area greater than 20 square metres;
   (d) does not display a sign exceeding 0.2 square metres;
   (e) does not involve the retail sale, display or hire of goods of any nature;
   (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
   (g) does not involve the use of an essential service of greater capacity than normally required in the zone.

   ‘Home Business’ means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:
   (a) does not employ more than 2 people not members of the occupier’s household;
   (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
   (c) does not occupy an area greater than 50 square metres;
   (d) does not involve the retail sale, display or hire of goods of any nature;
Planning and Engineering Services Committee Minutes
Monday 17 March 2014

(e) In relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and

(f) does not involve the use of an essential service of greater capacity than normally required in the zone.

‘Home Office’ means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not entail clients or customers travelling to and from the dwelling, involve any advertising signs on the premises or require any external change to the appearance of the dwelling.

The purpose of this Planning Policy is to set out the objectives and policy provisions which the ‘Council’ shall have due regard to in the assessment and determination of applications for planning approval for Home Occupations and Home Businesses.

Note: The planning approval of the Council is not required for a Home Office. Refer to clause 6.1.2(i) of Town Planning Scheme No.2.

In this regard, no person shall commence or carry out a Home Occupation or Home Business without first having applied for and obtained the planning approval of the Council, pursuant to the provisions of Part 6 of Town Planning Scheme No.2.

2. Policy Application

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

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

(a) The use is not permitted in the Residential, Development, City Centre, Waterfront Village, Baldvis Town Centre, Rural, Special Rural and Special Residential zones unless the Council has exercised its discretion by granting planning approval; and

(b) The use is not permitted in all other zones.

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

(a) The use is not permitted in the Residential, Development, City Centre, Waterfront Village and Baldvis Town Centre zones unless the City has exercised its discretion by granting planning approval;

(b) The use is not permitted in the Special Rural Zone unless the City has exercised its discretion by granting planning approval, following a process of community consultation in accordance with clause 6.3.3 of the Scheme; and

(c) The use is not permitted in all other zones.

Town Planning Scheme No.2 requires that in assessing applications for planning approval, matters that must be taken into account include the objectives of the particular zone and any Policy pertaining to that zone and this Planning Policy.

The Scheme also requires the consideration of specific issues including the method and location of the operation, the potential for nuisance to the surrounding neighbourhood, impacts on neighbours, hours of operation, traffic generation, carparking requirements and the location of any associated storage areas.

3. Policy Objectives

The objectives of this Planning Policy are as follows:

(a) To promote the orderly and proper development of land by making suitable provisions to guide applicants who wish to operate a Home Occupation or a Home Business from a dwelling;

(b) To secure the amenity, health and convenience of the neighbourhood through appropriate development requirements; and
1. In the Development Zone, a Structure Plan imposes a classification on the land included in it by reference to reserves, zones, land uses or Residential Design Codes. Where a Structure Plan has been approved, in the areas designated as zones, the permissibility of uses is to be the same as set out in the Zoning Table as if those areas were zones under the Scheme having the same designation. Refer to clause 4.2.9 of Town Planning Scheme No.2.

(c) To provide for economic growth and employment opportunities by facilitating the development of home based businesses.

4. Policy Statement

Applications for a Home Occupation and Home Business shall be assessed according to the following requirements.

4.1 Town Planning Scheme No.2

The operation of either a Home Occupation or Home Business will only be permitted if applications comply with Town Planning Scheme No.2 and the objectives and requirements of this Policy.

4.2 Method of Operation

The operation of a Home Occupation or Home Business will only be permitted within a dwelling or within the boundaries of a lot where the operation will not cause injury to or adversely affect the amenity of the neighbourhood. The operation of more than one Home Occupation or Home Business or a combination of both a Home Occupation and Home Business will be carefully considered based upon the applicant demonstrating compliance with TPS2 and objectives of this Policy.

In this regard, a Home Occupation or Home Business that involves the retail sale, display or hire of goods of any nature will not be permitted.

Furthermore, a Home Occupation that includes provision for the fuelling, repair or maintenance of motor vehicles will not be permitted.

A proposed business operation that involves the use of the dwelling solely for administration purposes (i.e. bookwork, telephone etc.) would be considered as a Home Office that does not require planning approval.

A mobile business that conducts all activities at the client's address and where the dwelling is used solely for administration purposes would be considered as a Home Office that does not require planning approval. If maintenance of equipment associated with the mobile business is to be conducted within a dwelling or within the boundaries of a lot, planning approval would be required.

The retail display, sale or hire of goods is not permitted on-site directly to customers, unless the retail of goods are ordered by customers via telephone or internet sales that are dispatched via post.

When a business grows beyond the scale of the Home Occupation or Home Business approved by the Council, it is expected that operators will relocate their business to a business premises that is compliant with TPS2 requirements.

4.3 Customers and Clients

A Home Occupation and Home Business operating will only to be permitted where customers and clients only arrive and depart the premises between the hours of:

(a) 9:00am and 5:00pm on Mondays, Tuesdays, Wednesdays, Fridays and Saturdays;

(b) 9:00am and 7:00pm on Thursdays; and

(c) not at all on Sundays and Public Holidays.

When determining an application, the number of hours and/or days of clients visiting the premises or operation of a Home Occupation and Home Business may be limited, where it is necessary to protect the amenity of the surrounding area.
All customer and client visits must be made with 15 minute appointment intervals, unless there is adequate on-site carparking and the Home Occupation or Home Business is unlikely to affect the amenity of the neighbourhood.

4.4 Deliveries

Regular deliveries of goods and equipment including deliveries carried out at daily intervals are generally not considered appropriate. Proposals involving deliveries must take into account of the following factors:

(a) The nature of the goods delivered;
(b) Frequency of deliveries;
(c) Type of delivery vehicle used;
(d) Delivery Hours; and
(e) Likely inconvenience to existing traffic.

4.5 Scale of Operation

(a) Home Occupation

The operation of a Home Occupation is only to be permitted within a dwelling or within the boundaries of a lot where the operation:
- does not employ any person not a member of the occupier’s household;
- does not occupy an area greater than 20m²; and
- does not involve the use of an essential service of greater capacity than normally required in the zone.

(b) Home Business

The operation of a Home Business is only to be permitted within a dwelling or within the boundaries of a lot where the operation:
- does not employ more than 2 people not members of the occupier’s household;
- does not occupy an area greater than 50m²; and
- does not involve the use of an essential service of greater capacity than normally required in the zone.

4.6 Traffic Generation

Home Occupations and Home Businesses that generate vehicular traffic to a site have the potential to adversely affect the amenity of the neighbourhood.

Consideration of traffic generating Home Occupations and Home Businesses will only occur when it can be demonstrated that visits to the site by clients can be controlled, i.e. by appointment only.

When considering an appointment based Home Occupation or Home Business, due regard must be given to the existing amenity of the neighbourhood. In this instance, the current capacity and nature of the street will be a consideration. If the traffic generated by a proposed Home Occupation or Home Business is likely to have an adverse impact upon the existing nature of the street or its amenity, the proposal is unlikely to be approved.

A Home Occupation that involves the presence, use or calling of a vehicle more than 2 tonnes tare weight will not be supported.

A Home Business that involves the presence, use or calling of a vehicle more than 3.5 tonnes tare weight will not be supported.

4.7 Parking

(a) Home Occupation

The operation of a Home Occupation is only to be permitted within a dwelling or within the boundaries of a lot where it is satisfied that car parking is provided so as to adequately cater for the expected number of visitors attending the site at any one time, in addition to the bays associated with the dwelling on-site.
Where visitor car parking cannot be provided on-site, the use of on-street car parking for visitors and clients may be permitted, where this has already been constructed as part of subdivision works.

(b) **Home Business**

The operation of a Home Business **is only to be permitted** within a dwelling or within the boundaries of a lot where it is satisfied that car parking is provided so as to adequately cater for the expected number of visitors attending the site at any one time and any employees, in addition to the bays associated with the dwelling on-site and does not result in traffic difficulties as a result of the inadequacy of parking.

4.8 **Advertising Signs**

In accordance with the provisions of Town Planning Scheme No.2, a Home Occupation is permitted to display a sign not exceeding 0.2m² in area (generally 0.4m x 0.5m). The same 0.2m² maximum size requirement **applies** to Home Business signs.

A Home Occupation or Home Business sign shall only describe the name and type of business being carried out on the land and the contact name(s) and telephone numbers.

No more than one sign per lot shall be permitted and the sign shall be erected on the land on which the Home Occupation or Home Business is being carried out.

Pursuant to the provisions of Town Planning Scheme No.2 and the **City's Signs, Hoardings and Bill Posting Local-Law**, a proposed advertising sign which does not exceed 0.2m² in area is exempt from the requirement to obtain a Planning Approval and a Sign Licence.

4.9 **Food Requirements**

The use of a dwelling for commercial food preparation is limited by the provisions of the Health (Food Hygiene) Regulations 1993. The Council's Health Department should be consulted in this regard.

4.10 **Noise Management**

A Home Occupation and Home Business must comply with the Environmental Protection (Noise) Regulations 1997 at all times. If a proposal is likely to generate off-site noise impacts to neighbours, the applicant may be required to implement noise management measures or engage a consultant to prepare Noise Management Plan, demonstrating compliance with the Environmental Protection (Noise) Regulations 1997, and noise management measures recommended are to be implemented for the duration of the Home Occupation or Home Business.

4.11 **Consultation**

All applications for planning approval for the operation of Home Businesses in the Special Rural zone will be the subject of a process of community consultation in accordance with clause 6.3.3 of Town Planning Scheme No.2 and Planning Procedure No.1.3 - Community Consultation.

Unless otherwise determined by the Manager, Statutory Planning, all other applications for planning approval for the operation of Home Occupations and Home Businesses will be the subject of a process of community consultation in accordance with clause 6.3.3 of the Scheme and Planning Procedure No.1.3 - Community Consultation.

5. **Application Procedure**

Applications for planning approval for the operation of Home Occupations and Home Businesses shall be made on the **prescribed form**, and shall be signed by the owner(s), and accompanied by the following information:

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

(i) Confirmation that the Home Occupation or Home Business is to be conducted by an occupier of the dwelling;
(ii) The number of persons to be employed in the Home Occupation/Home Business and their relationship to the applicant;

(iii) Hours of operation;

(iv) Method of operation, including any equipment used for the Home Occupation/Home Business;

(v) Details of the storage of goods or equipment (if appropriate); and

(vi) Details on whether clientele will be attending the residence and if so, the manner in which appointments will be managed and likely frequency of visits.

(b) Such plans (to a scale of not less than 1:500) and other information that the City may reasonably require to enable the application to be determined (Refer to clause 6.2.2 of Town Planning Scheme No.2). Plans to include:

(i) The room/s within which the Home Occupation/Home Business will be conducted;

(ii) The location and layout of car parking areas intended to be provided; and

(iii) The location and dimensions of any storage area associated with the Home Occupation/Home Business.

(c) Details of any proposed signage to be erected, together with a separate application for a sign licence to the City’s Building Services.

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

6. Approval Period

Approvals issued by the City for Home Occupations or Home Businesses are valid for a period of two years. If the use is not substantially commenced within two years, a fresh application is required to be lodged with the City.

The City may grant approval for an initial period of twelve months, where it has concerns regarding the potential operation of the use on the residential amenity of the locality.

In such cases, the applicant will be required to seek a renewal of approval to continue to operate the Home Occupation or Home Business.

7. Post Approval Considerations

(a) Should the scale of the Home Occupation/Home Business operation increase above that initially approved, a revised application for planning approval is required to be submitted. Any further assessment will be undertaken with reference to the Scheme provisions and the contents of this Planning Policy.

(b) Should any substantiated complaints be received from adjoining/nearby residents regarding a Home Occupation/Home Business, or if the City observes that conditions of planning approval are not being complied with, the City will:

(i) by written notice served on the owner and/or occupier of the land, require compliance with the conditions imposed on any approval granted; and/or

(ii) prosecute the owner or occupier of the land as the case may be pursuant to section 10 of the Planning and Development Act 2005.

8. Authority

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

9. Interpretations

For the purposes of this Planning Policy, the following terms shall have the same meaning as in Town Planning Scheme No.2:
**Amenity** means all those factors which combine to form the character of an area and include the present and likely future amenity.

**Council** means the Council of the City of Rockingham.

** Dwelling** means a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by:

(a) a single person;

(b) a single family; or

(c) no more than six persons who do not comprise a single family.

10. **Delegation**

All applications for planning approval for the operation of Home Businesses in the Special Rural Zone will be referred to the Council for determination.

All applications for planning approval for the operation of Home Occupations and Home Businesses which comply in all respects with the objectives and provisions of this Planning Policy will be determined under delegated authority, pursuant to clause 8.10 of Town Planning Scheme No.2 and the Delegated Authority Register.

All applications for planning approval for the operation of Home Occupations and Home Businesses which generate objections following community consultation or where such applications have been received as a result of a complaint will be determined on the following basis:

(a) A submission in objection to an application that does not include valid planning considerations associated with a proposal; and where the objection can be resolved through condition(s) of planning approval in the opinion of the Director Planning and Development, will be determined under delegated authority, pursuant to clause 8.10 of Town Planning Scheme No.2 and the Delegated Authority Register.

(b) If in the opinion of the Director, Planning and Development Services an application for the operation of a Home Occupation or Home Business generates significant concern or could impact on the amenity of the locality in the opinion of the Director, Planning and Development Services, the application will be referred to the Council for determination.

11. **Adoption**

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

12. **Revocation**

This Planning Policy supersedes the Council’s Statement of Planning Policy No.4.1 - Home Occupations.

Amended by Council on 25 March 2014 (Planning and Engineering Committee on 17 March 2014)

2. **AMEND** the Delegated Authority Register (Local Government to Chief Executive Officer) 8.3 Planning and Development Act 2005 - Town Planning Scheme to include the granting of Planning Approval for Home Occupation and Home Businesses in accordance with Planning Policy 3.3.10 – Home Occupations and Home Businesses.

Committee Voting – 5/0

---

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

Not Applicable

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

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

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-026/14</th>
<th>Proposed Road Dedication – Nairn Drive (The Spires Estate)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1425-04</td>
<td></td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>395</td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mondial Group Pty Ltd</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Nicole D’Alessandro, Planning Administration Officer</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 March 2014</td>
<td></td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Lots 8006 and 8007 Eighty Road, Baldivis</td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td>2 ha</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Other Regional Roads</td>
<td></td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Other Regional Roads</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Endorsed Stage 5 Deposited Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Endorsed Stage 6 Deposited Plan</td>
<td></td>
</tr>
</tbody>
</table>
Purpose of Report

To dedicate Lot 8006 and Lot 8007 Eighty Road as a portion of the Nairn Drive road reserve.

Background

Road reserves are automatically created when the name of the road reserve is depicted on the Deposited Plan to be approved by Landgate. When the name of the road reserve is not shown on the Deposited Plan at the time of Subdivision Clearance being granted, the subject site is created as a lot as opposed to road reserve.

The approved Structure Plan for the Spires Estate shows the western portion of the subdivision area to be developed as an extension to Nairn Drive.

In July 2010, the Western Australian Planning Commission (WAPC) approved the subdivision of Lot 98 Ingram Road and Lots 323, 529 & 530 Baldivis Road into 298 lots. Stages 5 and 6 of the Spires Estate (the Estate) covers Lots 9009 and 9010 Amazon Drive and comprises of 74 lots.
Condition No. 5 of the approval required the following:

"The future Nairn Drive reserve (in accordance with the Metropolitan Region Scheme) to be depicted on the Diagram of Survey (Deposited Plan) and transferred free of cost to the Crown for road purposes to the satisfaction of the Western Australian Planning Commission."

When the surveyor lodged an application for Subdivision Clearance, Lots 8006 and 8007 included the notation of ‘Future Nairn Drive’, which inadvertently created these as lots as opposed to a road reserve on the Deposited Plans. Subdivision Clearance was granted for Stages 5 and 6 of the Estate in December 2013 and January 2014 respectively.

The City has advised the Department of Lands that it will accept the re-vesting of Lots 8006 and 8007 to create a managed reserve for road purposes, to facilitate creation of titles in the interim.

Despite the subject sites being created as lots, this portion of Nairn Drive has been constructed by the developer in accordance with the Subdivision Approval. The City has approved the road design for Nairn Drive and is awaiting final approval by Main Roads WA. The Nairn Drive road extension is being used by the public for ingress and egress from the Spires Estate.

Details

Lot 8006 and Lot 8007 must be dedicated as road reserve, to formalise its use as a public road.

2. Endorsed Stage 5 Deposited Plan
3. Endorsed Stage 6 Deposited Plan

**Implications to Consider**

a. **Consultation with the Community**
   Consultation with the community is not required for road dedications in accordance with the Land Administration Act 1997.

b. **Consultation with Government Agencies**
   Nil

c. **Strategic**
   **Community Plan**
   This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:

   **Aspiration 11:** Planning for population growth to ensure that future development and land-uses contribute to a sustainable city that provides for a genuinely desirable lifestyle.

d. **Policy**
   Nil

e. **Financial**
   Prior to Lots 8006 and 8007 being dedicated as Nairn Drive (road reserve), the land must be unencumbered. As such the Water Corporation easements over the land must be removed. The developer of the Spires Estate has agreed to facilitate the removal of Water Corporation easements on Lots 8006 and 8007 meet the City’s costs associated with the road dedication.
f. Legal and Statutory
Under s56 of the Land Administration Act 1997, the Council needs to pass a resolution to dedicate Lot 8006 and 8007 as a public road. The Council is then required to prepare and deliver the request for the dedication of land as a road to the Minister for Lands and provide the Minister for Lands with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.

g. Risk
Risk Implications of Implementing Officer Recommendation
Low:
- In order to implement the road dedication, approval of the Water Corporation is required to surrender easements on Lots 8006 and 8007. Water Corporation approval is envisaged.

Risk Implications of Not Implementing Officer Recommendation
Medium:
- Lots 8006 and 8007 will remain as lots that are managed by the City for road purposes, and where it will still have care, control and management of the land, but the land will not be dedicated as a public road being on extension of Nairn Drive.

Comments
It is recommended that Council proceed to dedicate Lots 8006 and 8007 as an extension of Nairn Drive, subject to the Water Corporation agreeing to surrender its easements.

Voting Requirements
Simple Majority

Officer Recommendation
That Council PROCEED with the dedication of Lots 8006 and 8007 Eighty Road, Baldivis as road reserve for Nairn Drive, subject to the approval of the Water Corporation to surrender easements on Deposited Plan 77723 and 400439.

Committee Recommendation
That Council PROCEED with the dedication of Lots 8006 and 8007 Eighty Road, Baldivis as road reserve for Nairn Drive, subject to the approval of the Water Corporation to surrender easements on Deposited Plan 77723 and 400439.

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
With respect to this Item, the Chairman invited a member of the gallery, Mr Frank Fyfe of No.13 Balleroy Place, to speak on the matter. Mr Fyfe was representing Ms Sandra Holden and Mr Kim Korohike, No.15 Balleroy Place, Port Kennedy.

Mr Fyfe expressed concern over the lack of consultation with surrounding neighbours by the applicants, insufficient carparking being provided for the proposed Bed & Breakfast Accommodation and also the omission of Ms Holden’s and Mr Korohike’s submission, when it was made within the required timeframe.

The Chairman advised Mr Fyfe that the applicants were not required to consult with adjoining landowners.

Mr Ross advised that following assessment it was determined that sufficient parking was provided on-site. Mr Ross also advised that he would check the City’s records for the omitted submission.
1. Location Plan

Purpose of Report

To consider an application seeking Planning Approval for Bed and Breakfast Accommodation at Lot 219 (No.16) Balleroy Place, Port Kennedy.

Background

Nil

Details

The applicant seeks Planning Approval to operate a Bed and Breakfast Accommodation from the subject land as follows:

- Use of two existing bedrooms to accommodate a maximum of four clients at any one time. The house has four bedrooms and two bathrooms;
- Expected clientele are tourists and non-permanent fly-in fly-out workers (any permanent residents do not form part of this approval);
- A maximum of two client vehicles will be required to be park on the existing driveway at all times;
- The applicant will be establishing ‘House Rules’ to manage impacts such as noise, on adjoining properties;
- A sign measuring 64cm x 14cm will be attached to the existing letterbox. No other advertising is proposed; and
- The applicant will be living at the residence while the Bed and Breakfast is operational.
2. House Plan
3. Aerial Photograph

4. Site Photo
Implications to Consider

a. Consultation with the Community

In accordance with the requirements of Town Planning Scheme No.2 (TPS2), the application was referred to adjacent and nearby owners and occupiers for comment for a period of 14 days.

At the close of the advertising period, three submissions were received from nearby property owners and one submission was received anonymously (not considered). All three submissions raised objections to the proposal. A consultation plan is depicted below:

Legend:
- Subject Site
- Consulted
- Submissions

5. Consultation Plan
<table>
<thead>
<tr>
<th>1. Objection - Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>Concerns were raised that the residential amenity and safety of the locality will be compromised due to the establishment of a business within Balleroy Place and the vehicle traffic it will generate.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>City's Comment</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and Breakfast Accommodation is a land use that the Council can permit to operate within a Residential zone under Town Planning Scheme No.2, following consideration of public submissions. The driveway to the proposed Bed and Breakfast can accommodate the two additional car parking bays required (one per bedroom). As no cars will be parked on Balleroy Place vehicle circulation, access and parking for adjoining properties will not be affected. The applicant also advised that the expected two additional vehicles associated with clients are unlikely to create vehicle noise beyond that experienced at a typical residential address. As the applicant only has one car, a maximum of three cars may be active at the address, at any one time. Whilst the City acknowledges that a Bed and Breakfast Accommodation will increase traffic experienced in this location by residents, client vehicles are likely to turn directly into the driveway of the subject site. The City considers that the expected traffic increase is within the design capacity of Balleroy Place and is unlikely to adversely impact upon the residential amenity and safety of the area.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Recommendation 1:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>That a condition be applied requiring car parking related to the Bed and Breakfast Accommodation being contained on the subject site at all times.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Objection - Noise Concerns</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>Concern was raised that the proposed behaviour of clients will negatively impact on the quiet residential environment which is currently afforded to nearby residents.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>City's Comment</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The applicant advised that clients will not make noise from parties or general behaviour because the applicant will be living at the residence and will be able to constantly monitor client behaviour. The applicant also advised that the expected two additional vehicles associated with clients are unlikely to create vehicle noise beyond that experienced at a typical residential address. Concerns specifically regarding fly-in fly-out clients are not relevant planning concerns. The City considers that as the applicant is living at the property, the behaviour of clients can be managed. It is therefore unlikely that clients will adversely impact upon the amenity of neighbours.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Recommendation 2:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>That a condition be applied requiring ‘House Rules’ to be implemented while the Bed and Breakfast is operational.</td>
</tr>
</tbody>
</table>

b. **Consultation with Government Agencies**

   - Nil

c. **Strategic**

   - **Community Plan**
     
     This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:
Aspiration 11: Planning for population growth to ensure that future development and land-uses contribute to a sustainable city that provides for a genuinely desirable lifestyle.

d. Policy
Planning Policy 3.3.2 – Bed and Breakfast Accommodation (pp 3.3.2)
The objectives for PP 3.3.2 are:

"- To promote the orderly and proper development of land by making suitable provisions to guide applicants who wish to establish Bed and Breakfast Accommodation from their homes;
- To secure the amenity, health and convenience of both visitors and surrounding residents through appropriate development requirements; and
- To ensure that the Bed and Breakfast Accommodation is incidental to the predominant use of the property in order to maintain the amenity of the immediate area."

Applications for Bed and Breakfast accommodation are favoured in locations that present an advantage to visitors to the City, such as proximity to the beach, lakes, parks, retail and restaurant facilities. The proposed location is not within a favoured location relative to these facilities other than to the Warnbro Shopping Centre, but its establishment will provide visitors with a Bed and Breakfast style of accommodation.

The proposal is generally consistent with the above objectives of the PP 3.3.2. The Bed and Breakfast accommodation is unlikely to adversely affect the amenity of neighbours. The Bed and Breakfast accommodation is also ancillary to the residential use of the dwelling.

In this regard, Bed and Breakfast provides visitors with low key, home-style, type accommodation.

e. Financial
Nil

f. Legal and Statutory
Town Planning Scheme No.2
A Bed and Breakfast is an incidental (“IP”) use that is not permitted unless the use is incidental to the predominant use of the land as determined by the Council.

Town Planning Scheme No.2 (TPS2) defines Bed and Breakfast Accommodation as:

“a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast”.

The applicant has demonstrated that the proposal complies with the above definition by:

- being a resident of the house;
- clarifying that clients will not be permanent; and
- providing a breakfast service to clients.

g. Risk
Risk Implications of Implementing Officer Recommendation
Low:

- There is the potential risk of the applicant lodging either a request for reconsideration of a condition or an appeal to the State Administrative Tribunal if aggrieved by a condition of Planning Approval.
Risk Implications of Not Implementing Officer Recommendation

Medium:
- There is the potential risk of the applicant being aggrieved by a refusal of Planning Approval lodging an appeal to the State Administrative Tribunal.

Comments

The objections raised by submitters have been assessed by the City, and it is considered that they can be addressed through the imposition of conditions of Planning Approval.

The proposal generally complies with TPS2 and Planning Policy 3.3.2 – Bed and Breakfast Accommodation. It is recommended that Council grant conditional Planning Approval to the proposed Bed and Breakfast Accommodation.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVE the application for Bed and Breakfast Accommodation at Lot 219 (No.16) Balleroy Place, Port Kennedy subject to the following conditions:

1. Planning Approval for Bed and Breakfast Accommodation is issued only to the owner, or occupier, of the property to which approval is granted, and is not transferable to another person or to another property without the express approval of the Council.

2. Two car parking bays must be available at all times for use of Bed and Breakfast clients and are to be located on the existing driveway. No client parking is permitted on the street or verge.

3. No more than four clients are permitted to occupy the Bed and Breakfast Accommodation at any one time.

4. The establishment of ‘house rules’ for clients that take into consideration the amenity of neighbours, particularly in relation to noise and disturbance, are to be given to all guests and applied for the duration and operation of the Bed and Breakfast Accommodation.

5. Any proposed advertising sign must not exceed 0.2m² in area and must not be illuminated without the prior approval of the City. The Bed and Breakfast sign must only describe the name of the business, contact name(s) and telephone numbers.

Footnote

The applicant is advised that the premises must have an installed smoke alarm system and lighting to assist evacuation, so as to comply with the Building Code of Australia. Fire extinguishers and fire blankets must also be provided to the satisfaction of the City’s Building Services.

Committee Recommendation

That Council APPROVE the application for Bed and Breakfast Accommodation at Lot 219 (No.16) Balleroy Place, Port Kennedy subject to the following conditions:

1. Planning Approval for Bed and Breakfast Accommodation is issued only to the current owner, and occupier, of the property to which approval is granted, and is not transferable to another person or to another property without the express approval of the Council.

2. Two car parking bays must be available at all times for use of Bed and Breakfast clients and are to be located on the existing driveway. No client parking is permitted on the street or verge.

3. No more than four clients are permitted to occupy the Bed and Breakfast Accommodation at any one time.

4. The establishment of ‘house rules’ for clients that take into consideration the amenity of neighbours, particularly in relation to noise and disturbance, are to be given to all guests and applied for the duration and operation of the Bed and Breakfast Accommodation.
5. Any proposed advertising sign must not exceed 0.2m² in area and must not be illuminated without the prior approval of the City. The Bed and Breakfast sign must only describe the name of the business, contact name(s) and telephone numbers.

Footnote
The applicant is advised that the premises must have an installed smoke alarm system and lighting to assist evacuation, so as to comply with the Building Code of Australia. Fire extinguishers and fire blankets must also be provided to the satisfaction of the City’s Building Services.

Committee Voting – 5/0

The Committee’s Reason for Varying the Officer’s Recommendation
To clarify that the approval is for the current owner who is also the occupier.

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

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-028/14 Proposed Restaurant on Lot 3 Kerosene Lane, Baldivis</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2013.00000216.001</td>
</tr>
<tr>
<td>Risk Register No:</td>
<td>363 and 365</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr N A Withnall</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr N A Withnall</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Riaan Stassen, Senior Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr David Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>17 March 2014</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
</tbody>
</table>

### Site:
- **Lot 3 (No.129) Kerosene Lane, Baldivis (adjacent to ‘Spud Shed)**

### Lot Area:
- **Lot 3 – 5.07ha**

### LA Zoning:
- Rural

### MRS Zoning:
- Rural

### Attachments:

1. Location Plan
2. Aerial Photo of existing development
3. Existing TPS2 Zoning and Land Use Context
5. Draft South Metropolitan and Peel Sub-Regional Structure Plan (2009)
6. Proposed Restaurant Conversion
7. Proposed Site Development Plan
8. Consultation Plan

---

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 APRIL 2014

PRESIDING MEMBER
1. Location Plan

2. Aerial Photo of existing development
Purpose of Report

To consider an application seeking Planning Approval for a restaurant to be developed on Lot 3 (No.129) Kerosene Lane.

Background

The subject property is located within an area characterised by a mixture of land uses not normally associated with a typical rural environment.

Examples of existing non-rural land uses include the Spud Shed, WA Limestone extractive industry and the City of Rockingham Landfill Site.

In addition to the above, various residential developments are underway south of Kerosene Lane and are based on existing approved local Structure Plans for the Baldivis North area.

In February 2014, Council approved a proposed ‘Integrated Development Guide Plan’ (IDGP) for the existing ‘Spud Shed’ on Kerosene Lane. The purpose of the IDGP is to guide the transition of the Spud Shed into a proper Neighbourhood Centre. The subject property is situated adjacent to the IDGP development area and future Neighbourhood Centre.

The area between Kerosene Lane and Millar Road to the north has been identified as a future ‘mixed business area’ as part of the approved South West Corridor Structure Plan (1993).

The draft South Metropolitan and Peel Sub-Regional Structure Plan (2009) currently indicates this same area for future light industry and service commercial use. This plan is currently still in progress and indications are that it will be released for public review at the end of 2014.

5. Draft South Metropolitan and Peel Sub-Regional Structure Plan (2009)
Details

The applicant seeks approval to convert part of the existing residence to accommodate a restaurant and ancillary use areas. The restaurant proposal is summarised as follows:

- The portion of the existing dwelling not to be used for a restaurant will still be used as a residence for the owner (applicant);
- The remainder of the dwelling, inclusive of the under-roof pool area, will be converted into a restaurant;
- The proposed restaurant includes a dining area, kitchen, cool room, freezer room, storage room, office, staff facilities and toilet facilities;
- The dining room area will accommodate approximately seventy patrons;
- Ten staff members;
- Hours of operation are from 8am to 10pm, seven days a week;
- The existing swimming pool is to be converted into a water feature and will be fenced off as per the Australian standards;
- An additional septic system is proposed to service the proposed restaurant use;
- Twenty two vehicle parking bays are proposed, inclusive of four staff parking bays and two bays for people with a disability. An access ramp is proposed which links the car parking area with the main entrance to the restaurant;
- Provision is made for delivery vehicles and is included in the proposed vehicle parking area;
- The proposed delivery area and bin storage area is well separated from the restaurant dining area;
- The property has three existing crossovers providing vehicular access. It is proposed to relocate the western-most crossover further west as a new access to the proposed parking area; and
- A business sign is proposed within the property boundary in the location of the proposed access crossover to be re-located.

6. Proposed Restaurant Conversion
7. Proposed Site Development Plan
Implications to Consider

a. Consultation with the Community

In accordance with the requirements of Town Planning Scheme No.2 (TPS2), the application was referred to adjacent and nearby owners and occupiers for comment for a period of 28 days.

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

A consultation plan is depicted below:

![Consultation Plan Image]

b. Consultation with Government Agencies

Nil

c. Strategic Community Plan

This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:

**Aspiration 11:** Planning for population growth to ensure that future development and land-uses contribute to a sustainable city that provides for a genuinely desirable lifestyle.

d. Policy

Planning Policy No. 3.1.1 – Rural Land Strategy (PP 3.1.1)

The City’s PP 3.1.1 provides the basis for land use planning in the rural area of the district. In particular, it provides Council with a planning framework for its assessment of proposals to rezone, subdivide, manage and develop rural land in the City.

PP 3.1.1 considers the City’s rural land in terms of ‘Planning Units’, which are further divided into Planning Precincts.

The subject property is located within ‘Planning Unit 1’, of which the majority of land within this Planning Precinct is zoned for urban related development as well as recognised in the South West Corridor Structure Plan (1993) for future urban development.

Environmental Protection Authority – Generic Separation Distances between Sensitive and Intensive Rural (Industrial) Land Uses

The EPA generic separation distances guides the determination of suitable distances between industry and sensitive land uses where industry may have the potential to affect the amenity of a sensitive land use.
For the Baldivis North subdivisions south of Kerosene Lane, prospective purchasers of new residential lots within 300m of the WA Limestone sand and limestone quarry are advised of the existence of the nearby sand and limestone extraction. The subject property is situated approximately 400m from the edge of the quarry and is therefore not affected by the extractive industry.


The City commissioned Worley Parsons to conduct the *Baldivis Roads Needs Study – Traffic and Infrastructure Report* (Jul 2005). The purpose of this report is to provide specialist transport planning advice to inform the preparation of Structure Plans for Baldivis North and Baldivis South.

Kerosene Lane was classified as a ‘Local Distributor Road’ (Neighbourhood Connector) with a single carriageway or boulevard style design requiring a 25 metre wide road reserve to accommodate the required road design, earthwork batters and major services. Kerosene Lane has also been earmarked to accommodate future public bus services.

The existing Kerosene Lane road reserve is 20 metres wide and an additional 5 metres is therefore required for future upgrading to a ‘Local Distributor Road’.

An application was recently received for minor modifications to the existing Structure Plan for Lots 14, 299 and 9010 Kerosene Lane (Spud Shed), located to the south of Kerosene Lane and opposite the subject property. Part of the modifications proposes road reserve widening by 1.5 metres in this location. The additional 3.5 meters is therefore needed along the northern boundary of Kerosene Lane to comply with the Baldivis Roads Needs Study requirements.

Sufficient space is however available on site to revise the parking layout and provide adequate space for future road widening.


This document contains a set of guidelines and addresses a range of matters that need to be taken into consideration at various stages of the planning process to provide an appropriate level of protection to life and property on land where bush fire risk is identified.

The subject property is located within an existing rural setting with a potential bush fire risk. A Fire Management Plan is therefore required based on a Bush Fire Hazard Assessment and should address appropriate mitigation measures, inclusive of the following:

- Building protection zones;
- Hazard separation zones;
- Fire breaks;
- Bush fire attack levels;
- Hazard reduction measures, and
- Emergency access and exit ways.

e. **Financial**

Nil

f. **Legal and Statutory**

**Metropolitan Region Scheme (MRS)**

The subject property is affected by Clause 32 (Resolution No.55 – *Development in the Rural Zone*) under the Metropolitan Region Scheme (MRS).

The application must therefore be determined by the Western Australian Planning Commission (WAPC), pursuant to the MRS. The City will provide its comments and recommendations to the WAPC following the Council’s decision on the proposal under the TPS2.

Planning Approval is therefore required from the WAPC (MRS) and the Council (TPS2) in order for the applicant to proceed with the development.
Town Planning Scheme No.2 (TPS2)

Under TPS2, a ‘Restaurant’ is not permitted in the Rural Zone (‘A’), unless the Council has exercised its discretion by granting Planning Approval after giving special notice in accordance with clause 6.3 of TPS2. The Council has discretion to either approve the proposal, with or without conditions, or refuse the application.

The proposed restaurant complies with the provisions of TPS2, as follows:

(i) Parking – Eighteen parking bays are required and twenty two bays are provided. Table No. 2 of TPS2 requires 1 parking bay for every four persons the building is designed to accommodate. The dining room area will accommodate approximately seventy patrons, which requires a total of eighteen parking spaces. An additional four parking bays have been provided for staff members.

(ii) Development Setbacks – All development shall be setback 30m from the Kerosene Lane and 10m from all other boundaries. All existing and proposed structures are behind the current 30m street setback. A revised plan is, however, required showing all development inclusive of the parking area to be behind the 30m setback.

(iii) Clearing of Native Vegetation – The proposed development area is clear of any vegetation. No native and remnant vegetation is proposed to be removed.

g. Risk

Risk Implications of Implementing Officer Recommendation

Low:
- There is the potential risk of the applicant lodging either a request for reconsideration of an appeal to the State Administrative Tribunal if the applicant is aggrieved by a condition of Planning Approval.

Risk Implications of Not Implementing Officer Recommendation

Medium:
- There is the potential risk of the applicant being aggrieved by a refusal of Planning Approval lodging an appeal to the State Administrative Tribunal.

Comments

Support is recommended to the proposed restaurant from a planning point of view, on the basis that no objections were received during the advertising period, the mixed use character of the area and the identification of the land as a possible future ‘Industrial’ area. The proposal will not prejudice future planning proposals for the land. It is therefore recommended that the proposed restaurant be conditionally approved.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVE the application for the proposed restaurant use on Lot 3 (No.129) Kerosene Lane, subject to the following conditions:

1. The proposed car park must be revised to include a front lot boundary setback of at least 30 metres to Kerosene Lane.
2. All clients must park within the on-site car parking area as indicated on the approved plan. No client vehicle parking is permitted on Kerosene Lane at any time.
3. The car park must:
   (i) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking, prior to applying for a Building Permit;
include two car parking space(s) dedicated to people with disabilities designed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off-street parking for people with disabilities, linked to the main entrance of the development by a continuous accessible path of travel designed in accordance with Australian Standard AS 1428.1—2009, Design for access and mobility, Part 1: General Requirements for access—New building work;

be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;

have lighting installed, prior to the occupation of the development; and

confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting, at all times.

The car park must comply with the above requirements for the duration of the development.

4. Materials, sea containers, goods or bins must not be stored within the car park at any time.

5. The new crossover onto Kerosene Lane must be designed and constructed in accordance with the City's specifications for crossovers and the existing crossover shown on the approved plans must be removed and the verge, footpath, kerbing and landscaping must be reinstated to the satisfaction of the City, prior to the occupation of the development.

6. A bin storage area must be designed with a size suitable to service the development and screened from view of the street, to the satisfaction of the City, prior to applying for a Building Permit. It must be constructed prior to the occupation of the development and must be retained and maintained in good condition at all times.

7. A Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City, prior to applying for a Building Permit.

(i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;

(ii) Any lawns to be established;

(iii) Any natural landscape areas to be retained;

(iv) Those areas to be reticulated or irrigated; and

(v) Verge treatments.

The landscaping must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City.

8. A Sign Strategy must be prepared and include the information required by Planning Policy 3.3.1, Control of Advertisements, to the satisfaction of the City, prior to applying for a Building Permit and implemented as such for the duration of the development.

9. A Fire Management Plan must be prepared in accordance with the Western Australian Planning Commission's Planning for Bush Fire Protection Edition 2, to the satisfaction of the City, prior to applying for a Building Permit.

All works required by the approved Fire Management Plan must be carried out for the duration of development.

Footnote:
The applicant is advised that the subject land may be affected by the upgrading of Kerosene Lane, which may necessitate road widening being the subject of future acquisition by the City for up to 3.5 metres in width of the frontage on the northern side of Kerosene Lane.

Committee Recommendation

That Council APPROVE the application for the proposed restaurant use on Lot 3 (No.129) Kerosene Lane, subject to the following conditions:

1. The proposed car park must be revised to include a front lot boundary setback of at least 30 metres to Kerosene Lane.
2. All clients must park within the on-site car parking area as indicated on the approved plan. No client vehicle parking is permitted on Kerosene Lane at any time.

3. The car park must:
   (i) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking, prior to applying for a Building Permit;
   (ii) include two car parking space(s) dedicated to people with disabilities designed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off-street parking for people with disabilities, linked to the main entrance of the development by a continuous accessible path of travel designed in accordance with Australian Standard AS 1428.1—2009, Design for access and mobility, Part 1: General Requirements for access—New building work;
   (iii) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;
   (iv) have lighting installed, prior to the occupation of the development; and
   (v) confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting, at all times.

The car park must comply with the above requirements for the duration of the development.

4. Materials, sea containers, goods or bins must not be stored within the car park at any time.

5. The new crossover onto Kerosene Lane must be designed and constructed in accordance with the City's specifications for crossovers and the existing crossover shown on the approved plans must be removed and the verge, footpath, kerbing and landscaping must be reinstated to the satisfaction of the City, prior to the occupation of the development.

6. A bin storage area must be designed with a size suitable to service the development and screened from view of the street, to the satisfaction of the City, prior to applying for a Building Permit. It must be constructed prior to the occupation of the development and must be retained and maintained in good condition at all times.

7. A Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City, prior to applying for a Building Permit.
   (i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
   (ii) Any lawns to be established;
   (iii) Any natural landscape areas to be retained;
   (iv) Those areas to be reticulated or irrigated; and
   (v) Verge treatments.

The landscaping must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City.

8. A Sign Strategy must be prepared and include the information required by Planning Policy 3.3.1, Control of Advertisements, to the satisfaction of the City, prior to applying for a Building Permit and implemented as such for the duration of the development.

9. A Fire Management Plan must be prepared in accordance with the Western Australian Planning Commission's Planning for Bush Fire Protection Edition 2, to the satisfaction of the City, prior to applying for a Building Permit.

All works required by the approved Fire Management Plan must be carried out for the duration of development.
Footnote:
The applicant is advised that the subject land may be affected by the upgrading of Kerosene Lane, which may necessitate road widening being the subject of future acquisition by the City for up to 3.5 metres in width of the frontage on the northern side of Kerosene Lane.

Committee Voting – 5/0

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

<table>
<thead>
<tr>
<th>Implications of the Changes to the Officer’s Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
Purpose of Report

To consider the adoption of the draft Specific Purpose Strategy (SPS) - ‘City Centre Transport Strategy’, (November 2013) following the completion of public advertising on the draft Strategy.

Background

In December 2013, Council resolved to advertise draft ‘City Centre Transport Strategy’, (November 2013) for public comment.

The purpose of the ‘City Centre Transport Strategy’ is to:

- consolidate the transport proposals from various state and local planning and transport strategies.
- identify what implementation actions have occurred to date.
- document the cost of works required to implement:
  - the Rockingham City Centre Transit System to full bus mode.
  - the Rockingham City Centre Transit System to light rail mode.
- improvements to the road, cycle and pedestrian networks in the City Centre, Smart Village, Northern Smart Village, Northern Waterfront and Waterfront Village Sectors.
- the construction of a major public parking station in the City Centre Sector.

1. Rockingham Strategic Metropolitan Centre Planning Envelope

**Details**

Following the conclusion of the advertising period, 3 submissions had been received from:
- Department of Training and Workforce Development
- Main Roads Western Australia
- Department of Transport

**Implications to Consider**

a. **Consultation with the Community**

Notwithstanding the extensive community consultation process which was undertaken on each of the two planning stages during the preparation of the Activity Centre Plan stage 2 Reports, additional consultation on this specific document was undertaken as follows:

**Advertising Methodology**

The draft SPS was advertised for a period of seven (7) weeks, commencing on the 11 December and concluding on the 24 January 2014. Public advertising was carried out in the following manner:
- Public notices were placed in the local Sound Telegraph and Weekend Courier newspapers on the 11 and 13 December 2013 respectively;
- A copy of the Draft Strategy was on display at the City’s libraries;
- The proposal was posted on the City’s Website and Facebook page; and
b. **Consultation with Government Agencies**

The proposal was referred to the following Agencies for comment:

- Western Australian Planning Commission
- Department of Planning
- Department of Transport
- Perth Transport Authority
- Main Roads WA
- Landcorp
- Department of Housing
- Department of Training and Workforce Development

Responses were received from the following Agencies:

<table>
<thead>
<tr>
<th>1. Department of Training &amp; Workforce Development</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>I understand that the City of Rockingham has been in consultation with the Department of Training and Workforce Development, specifically the Training Infrastructure Management Branch, regarding a number of future planning strategies. While the Department is supportive of these discussions in relation to the ‘City Centre Transport Strategy’, it recommends the City of Rockingham continue to consider public transport options for all students and staff in the education campuses precinct and continue to work with Challenger Institute of Technology who manage the Rockingham Campus, on behalf of the Department.</td>
</tr>
</tbody>
</table>

| City’s comment: |
| The submission is noted. As per its normal practice, the City will continue to liaise with the Challenger Institute of Technology on matters relating to land planning and transport within the Campus Precinct. |

<table>
<thead>
<tr>
<th>2. Main Roads Western Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>Main Roads has reviewed this application and has no objection to the proposed strategy. Main Roads has not assessed the additional signals proposal in this instance and would require additional information to assess the proposed intersection controls. It is the responsibility of the City of Rockingham to seek initial ‘Agreement in Principle’ from Main Roads for any proposed new traffic signal installation or modification of an existing site, including any changes to the geometric layout of a site where the traffic signal operation may not be changing. The applicant needs to provide all the relevant information and justifications for any proposed signalised intersection.</td>
</tr>
</tbody>
</table>

| City’s comment: |
| The submission is noted. |

<table>
<thead>
<tr>
<th>3. Department of Transport</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>Thank you for your letter dated 4th December 2013 for the above City Centre Transport Strategy, the Department of Transport (DoT) on behalf of the Transport Portfolio Agencies provides the following comments for consideration by the City when finalising the City Centre Transport Strategy. We also appreciate your approval for an extended time to respond.</td>
</tr>
</tbody>
</table>

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 APRIL 2014
**Future Public Transport Network**

Please note the comments in relation to on-road public transport are subject to change pending the final release of the 20 year public transport plan. The overall intent of the Transport Strategy, which looks to maximise transit oriented development, is aligned with DoT’s strategic intent of increasing public transport usage in Perth.

- It is noted that the Rockingham City Centre Transit System (RCCTS) was recommended by the Rockingham City Centre Transit System Study completed in 2003. This study recommended that the RCCTS as a street based transit system, needs to be developed initially as a busway, with the understanding that it will be upgraded to an electric streetcar or light rail operation, once a more supportive level of population and development had been achieved along the route.

Given the above, you are also invited to assess at what level of development the defined “supportive level of population and development” will be reached.

**City’s comment:**

It was established as a part of the investigations for the Strategic Metropolitan Centre ‘Centre Plan’, (adopted in 2009) that the international consensus amongst researchers and transit operators was that the gross average residential density threshold for light rail transit is approx. 50 persons per hectare. Accordingly, the residential densities and massing of development as proposed in the approved Centre Plan is structured around 50 persons per hectare.

**Submission:**

- Current DoT planning for the future public transport network includes:
  - A Bus Rapid Transit (BRT) connection between Rockingham Station, Rockingham City and Rockingham Beach;
  - A BRT connection between Rockingham and Fremantle; and
  - A BRT connection between Rockingham City and Baldivis, via Warnbro Station.

These potential future BRT connections could be referenced in the Transport Strategy.

**City’s comment:**

The Specific Purpose Strategy should be amended to include reference to the DoT proposed BRT connections.

**Recommendation:**

*That the City Centre Specific Purpose Strategy be amended to include reference to potential future BRT connections as follows:*

- A Bus Rapid Transit (BRT) connection between Rockingham Station, Rockingham City and Rockingham Beach;
- A BRT connection between Rockingham and Fremantle; and
- A BRT connection between Rockingham City and Baldivis, via Warnbro Station.

**Submission:**

- The PTA's Bus Priority Program is a program of work aimed at implementing bus priority measures across the metropolitan area, to assist buses through congested areas of the road network. The Program identifies the following projects within the Rockingham area:
  - Fremantle to Rockingham, via Cockburn Road
  
  This potential future bus priority project could be referenced in the Transport Strategy. Note that this project is currently unfunded.

- Upgrades to Route 555 (RCCTS) are not currently a priority for the Public Transport Authority (PTA). Nothing is currently budgeted in the forward estimates for infrastructure or service improvements. The PTA would be happy to discuss funding options and partnerships to progress this matter.
- In relation to funding sources identified in 6.1, the budgeted amount for upgrades to the RCCTS includes a portion assigned to general street upgrades outside the immediate transit right of way. The PTA would not normally include funding of these works in its transit projects. PTA would be to seek a partnership with the City in this regard.

City’s comment:
The comments in respect of the PTA bus priority programme and the Route 555 are noted.

Recommendation:
*The City Centre Specific Purpose Strategy be amended to include reference to the potential future bus priority project (Fremantle to Rockingham via Cockburn Road)*.

**Submission:**
**Light Rail Transit**
- From DoT’s experience in the planning of the MAX light rail system, the cost estimates provided for upgrading the bus system to light rail / street car appear very low. Whilst the Rockingham area may be less constrained than the MAX route, similar infrastructure requirements would exist e.g. depot, substations, road works, traffic signals, service relocations, stops, rolling stock, trackform, land requirements. You are invited to liaise with DoT further to draw on some of the MAX light rail teams experience in this regard.
- The City is invited to consider potential future light rail depot locations, as the ease at which land can be secured in the future for this purpose would decrease as development occurs.
- In reference to Figure 8 of the Transport Strategy, if light rail was ultimately implemented, it would most likely be down the centre of the road (as opposed to split lanes on the kerb side) to reduce the impact and cost of infrastructure, and the mixed running and potential conflicts with traffic accessing properties. The mid-block minimum requirement for light rail is 6.6m (excluding stations) (and more like 8m should buses or traffic use the light rail lanes). A typical stop is preferably 4.0m wide. Overall, there appears to be sufficient width available in the cross section however the arrangement of elements within the cross section may change to cater for the upgraded different modes.

City’s comment:
That the comments in respect of light rail transit be noted.

**Submission:**
**Parking Requirements**
- Parking controls and management is probably the most significant tool for access management for the future Rockingham City Centre. The DoT would like to support the City in its consideration of the financial and management issues of the public parking and will forward a copy of a multi-storey car parking financial model for your use on request.
- Within the transport strategy it states that a ‘Public Parking Strategy’ will be prepared to deal with the management of public parking facilities and infrastructure within the City Centre and Waterfront Village precincts. DoT considers that the parking strategy will also need to address all private parking in the town centre to limit long-term traffic congestion and ensure the centre remains accessible. To that end DoT has prepared ‘Activity Centres Parking Guidelines’ which is currently in the process of being endorsed by the WAPC. For further information regarding these guidelines or assistance with the parking strategy please contact the Department’s Principal Transport Planner (contact details and email address omitted from text).
Cycling and Pedestrian Network

- Further consultation between the City of Rockingham and the DoT’s Cycling Infrastructure Team is invited to ensure that improvements to the cycling network are aligned with the key recommendations from the draft TransPriority (Moving People Plan) and development of strategic cycling routes (WABN Plan).

We appreciate the opportunity to comment on the Strategy and the Transport Portfolio Agencies via DoT wish to continue to work with the City to address the above matters.

City’s comment:
The comments contained within the submission with respect to ‘Parking Requirements’ and ‘Cycling and Pedestrian Network’ are noted.
The City will initiate discussions with the Department of Transport on the various matters identified within the Department’s submission, following adoption of the Specific Purpose Strategy.

c. Strategic

Community Plan

This item addresses the Community’s Vision for the future and specifically the following Aspirations contained in the Community Plan 2011:

Infrastructure Construction and Maintenance

Aspiration 6: Civic buildings, public places and transport infrastructure of contemporary design, constructed and maintained using best practice principles.

Alternative Transport Systems

Aspiration 8: Transport Systems that facilitate better use of public transport and promote non-car alternatives.

d. Policy

The ‘City Centre Transport Strategy’ is consistent with the 2009 Activity Centre Plan, which was prepared in accordance with the requirements of the WAPC ‘Statement of Planning Policy 4.2 - Activity Centres for Perth and Peel’ (August 2010).

It is also aligns with the Specific Purpose Strategy ‘Rockingham City Centre - Activity Centre Plan’, which was adopted by the Council in November 2011.

It also consistent with the various Development Policy Plans which have been adopted as Planning Policies (attached to the Town Planning Scheme, pursuant to Clause 8.9) for the various City Centre Sectors, as follows:

- City Centre Sector - Planning Policy No. 3.2.1
- Smart Village Sector - Planning Policy No. 3.2.2
- Waterfront Village Sector - Planning Policy No. 3.2.5
- Northern Waterfront Sector - Planning Policy No. 3.2.6

e. Financial

Costs of implementation are contained within the draft Specific Purpose Strategy, and are incorporated within the City's Business Plan and respective Team Plans (as required).

Infrastructure costs associated with the provision of the public transport proposals are allocated to the State Government. The costs of providing new transport infrastructure within subdivisions and developments (such as the Smart Village Project) will be borne by the subdivider/developer.

The City's infrastructure funding costs relate primarily to the provision and upgrading of the local movement network components within the Activity Centre. These are detailed individually within the Specific Purpose Strategy.

f. Legal and Statutory

Nil
g. Risk

Risk Implications of Implementing Officer Recommendation
Low:
- The City will be committed to funding of infrastructure in accordance with the adopted Specific Purpose Strategy.

Risk Implications of Not Implementing Officer Recommendation
Extreme:
- The development of the Strategic Metropolitan Centre could be impeded by:
  - Strategic planning and transport objectives compromised or not realised;
  - Viability of public transport systems weakened;
  - Potential under-development and lack of investment in transport infrastructure;
  - Reduced economic impact; and
  - Lack of employment opportunities.

Comments

It is recommended that Council adopt the Specific Purpose Strategy ‘City Centre Transport Strategy’ (November 2013), subject to the following modifications:

(i) Include reference to potential future Bus Rapid Transport (BRT) connections as follows:
- A BRT connection between Rockingham Station, Rockingham City and Rockingham Beach;
- A BRT connection between Rockingham and Fremantle;
- A BRT connection between Rockingham City and Baldivis, via Warnbro Station; and

(ii) Include reference to the potential for a future bus priority project (Fremantle to Rockingham via Cockburn Road).

In Report PDS-010/13 previously presented to Council in November 2013, it was noted that the City will be preparing a separate Specific Purpose Strategy dealing with the Key Activity of ‘Public Parking Strategy’, which will deal with the management of public parking facilities and infrastructure within the City Centre and Waterfront Village precincts. It will address aspects such as location and capacity of public parking, extent of timed parking, paid parking strategies, cash-in-lieu of carparking, regulatory framework and enforcement options, and the future development of decked parking stations at the Waterfront Village.

The Community Plan requires that this Specific Purpose Strategy be completed in 2015-16, however, preliminary work on the document has already commenced.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ADOPT the Specific Purpose Strategy ‘City Centre Transport Strategy’ (November 2013) subject to the following modifications:

1. Include reference to potential future Bus Rapid Transport (BRT) connections as follows:
- A BRT connection between Rockingham Station, Rockingham City and Rockingham Beach;
- A BRT connection between Rockingham and Fremantle;
- A BRT connection between Rockingham City and Baldivis, via Warnbro Station; and
2. Include reference to the potential for a future bus priority project (Fremantle to Rockingham via Cockburn Road).

**Committee Recommendation**

That Council **ADOPT** the Specific Purpose Strategy 'City Centre Transport Strategy' (November 2013) subject to the following modifications:

1. Include reference to potential future Bus Rapid Transport (BRT) connections as follows:
   - A BRT connection between Rockingham Station, Rockingham City and Rockingham Beach;
   - A BRT connection between Rockingham and Fremantle;
   - A BRT connection between Rockingham City and Baldivis, via Warnbro Station; and

2. Include reference to the potential for a future bus priority project (Fremantle to Rockingham via Cockburn Road).

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

**Procurement and Projects Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-005/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>T13/14-67 - Rhonda Scarrott Reserve Earthworks, Irrigation and Landscaping Work</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>File No:</th>
<th>T13/14-67</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk Register No:</td>
<td>162 and 406</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr James Henson, Manager Parks Development</td>
</tr>
<tr>
<td>Author:</td>
<td>17 March 2014</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>May 2012 (CIP-005/12); November 2012 (CIP-011/12); June 2013 (CIP-003/13)</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>Executive</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>Site:</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Lot 2264 and Lot 195 Tangadee Road, Golden Bay</td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td>Rhonda Scarrott Reserve R32492</td>
</tr>
<tr>
<td></td>
<td>Lot Area:</td>
</tr>
<tr>
<td></td>
<td>81,089m²</td>
</tr>
<tr>
<td></td>
<td>LA Zoning:</td>
</tr>
<tr>
<td></td>
<td>Parks and Recreation</td>
</tr>
<tr>
<td></td>
<td>MRS Zoning:</td>
</tr>
<tr>
<td>Attachments:</td>
<td>1. Aerial image of Rhonda Scarrott Reserve</td>
</tr>
<tr>
<td></td>
<td>2. Landscape Plan</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>Rhonda Scarrott Reserve</td>
</tr>
</tbody>
</table>
1. Landscape Plan

**Purpose of Report**

Provide Council with details of the tenders received for Tender T13/14-67 - Rhonda Scarrott Reserve - Earthworks, Irrigation and Landscaping Work, document the results of the tender assessment and make recommendations regarding award of the tender.

**Background**

Tender T13/14-67 - Rhonda Scarrott Reserve - Earthworks, Irrigation and Landscaping Work was advertised in the West Australian on Saturday, 1 February 2014. The Tender closed at 2.00pm, Wednesday, 19 February 2014 and was publicly opened immediately after the closing time.

**Details**

The type of work to be undertaken under the contract include earthworks, irrigation and landscaping at Rhonda Scarrott Reserve, Tangadee Road, Golden Bay.

Tender submissions were received from:

**Lump Sum Tender**

<table>
<thead>
<tr>
<th>Company</th>
<th>Lump Sum Price (Excl. GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>BCL Group Pty Ltd</td>
<td>$510,126</td>
</tr>
<tr>
<td>Environmental Industries Pty Ltd</td>
<td>$537,748</td>
</tr>
<tr>
<td>Albra Investments Pty Ltd trading as Horizon West Landscapes</td>
<td>$591,033</td>
</tr>
<tr>
<td>Deanne Contracting Pty Ltd</td>
<td>$658,855</td>
</tr>
<tr>
<td>Total Eden Pty Ltd</td>
<td>$675,087</td>
</tr>
<tr>
<td>Deanne Contracting Pty Ltd (Alternate Tender)</td>
<td>(not evaluated)</td>
</tr>
<tr>
<td>Peel Scape Solutions Pty Ltd</td>
<td>(not evaluated)</td>
</tr>
</tbody>
</table>

A panel comprising the City's Landscape Architect, Irrigation Assets Officer and Horticultural Technical Officer (Design) undertook tender evaluations.
A tender submission was received from Peel Scape Solutions Pty Ltd, which only addressed the irrigation component of the project and was therefore not included in the tender evaluation.

An addition proposal outlining an alternative tender also formed part of the submission received from Deanne Contracting Pty Ltd, which proposed the use of grass stolons rather than instant roll-on turf. This alternative was not considered viable in view of the proximity to the coast and the inherent difficulties in stabilising the soil over the growing period. Consequently, the alternate proposal was not included in the tender evaluation.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>BCL Group P/L</th>
<th>Environmental Industries</th>
<th>Horizon West Landscape Construction</th>
<th>Deanne Contracting</th>
<th>Total Eden</th>
</tr>
</thead>
<tbody>
<tr>
<td>Performance and Experience of Tenderer</td>
<td>30</td>
<td>27</td>
<td>28</td>
<td>27</td>
<td>23</td>
<td>27</td>
</tr>
<tr>
<td>Level of Service</td>
<td>20</td>
<td>15</td>
<td>18</td>
<td>16</td>
<td>12</td>
<td>18</td>
</tr>
<tr>
<td>Tenderers Resources and Delivery/Availability</td>
<td>10</td>
<td>7</td>
<td>8</td>
<td>7</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>40</td>
<td>40</td>
<td>38</td>
<td>35</td>
<td>31</td>
<td>30</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100</td>
<td>89</td>
<td>92</td>
<td>85</td>
<td>73</td>
<td>82</td>
</tr>
</tbody>
</table>

**Implications to Consider**

**a. Consultation with the Community**

Consultation was undertaken with key sporting groups in the coastal south, including liaising with the Secret Harbour Dockers Football Club and the Peel Junior Soccer Association with regard to future facility requirements.

**b. Consultation with Government Agencies**

Negotiation regarding the development of the shared oval at Rhonda Scarrott, Golden Bay has been considered in consultation with the Department of Education.

**c. Strategic**

**Community Plan**

This item addresses the Community’s Vision for the future and specifically the following Aspirations contained in the Community Plan 2011:

- **Aspiration 1:** An involved and engaged community enjoying a lifestyle that caters for all residents, including those with specific or special needs
- **Aspiration 4:** A healthy community engaging in positive and rewarding lifestyles with access to a range of passive and active recreational and personal development opportunities
- **Aspiration 5:** Community facilities and services delivered in a timely manner, able to meet expectations and serve new and growing neighbourhoods.
- **Aspiration 6:** Civic buildings, public places and transport infrastructure of contemporary design, constructed and maintained using best practice principles
d. **Policy**


e. **Financial**

The following funds are allocated in the 2013/14 Budget under the following work order number;

W/O 23330 $800,000 (excluding on costs) which will allow for additional civil works not included in this tender.

As this development is part of a shared use reserve, the Department of Education shall make a contribution of approximately 25% to the development.

f. **Legal and Statutory**


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

g. **Risk**

**Risk Implications of Implementing Officer Recommendation**

Medium:

- Failure of tender/quote documentation to establish compliance and assessment criteria for selection of the tender submission that would be most advantageous.

**Risk implications of not implementing Officer Recommendation**

Medium:

- Potential damage to the City’s procurement reputation thereby adversely impacting on the possible competitive advantage gained through the open tender process.

---

**Comments**

Following consideration of the submissions in accordance with the tender criteria, all of the companies demonstrated the capability, capacity, resources and personnel to complete the works with varying levels of competency; however, the information provided in the submission received from Environmental Industries Pty Ltd demonstrated an ability to best carry out the proposed works and are therefore recommended as the preferred tenderer.

---

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **REJECT** the tender submitted by Peel Scape Solutions Pty Ltd without consideration of its merits for the reason given in the report.

2. **REJECT** the Alternate tender submitted by Deanne Contracting Pty Ltd without consideration of its merits for the reasons given in the report.

3. **ACCEPT** the tender submitted from Environmental Industries Pty Ltd, Unit 2/4 Mallaig Way, Canning Vale for Tender T13/14-67 - Rhonda Scarrott Reserve - Earthworks, Irrigation and Landscaping Work in accordance with the tender documentation for the lump sum value of $537,748 (excl GST).
Committee Recommendation

That Council:

1. **REJECT** the tender submitted by Peel Scape Solutions Pty Ltd without consideration of its merits for the reason given in the report.

2. **REJECT** the Alternate tender submitted by Deanne Contracting Pty Ltd without consideration of its merits for the reasons given in the report.

3. **ACCEPT** the tender submitted from Environmental Industries Pty Ltd, Unit 2/4 Mallaig Way, Canning Vale for Tender T13/14-67 - Rhonda Scarrott Reserve - Earthworks, Irrigation and Landscaping Work in accordance with the tender documentation for the lump sum value of $537,748 (excl 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
### Reference No & Subject:
- File No:
- Risk Register No:
- Proponent/s:
- Author:
- Other Contributors:

### Date of Committee Meeting:

### Previously before Council:

### Disclosure of Interest:

### Purpose of Report
For Council to decide on the final design of the proposed entry statement to be installed along the Mundijong Road extension alignment.

### Background
The Mundijong Road Extension project commenced construction in March 2013. The project is approximately 4.6 kilometres long and will connect Mundijong Road from the Kwinana Freeway through to Mandurah Road and become new gateway to Rockingham.

A component of this project is the installation of an entry statement welcoming motorists to the City of Rockingham.

A number of conceptual design options had been presented at the Councillor Information Workshop on 11 February 2014 and comments from this session have been taken on board to enhance the options which are presented in the attachment as part of this report.
Details

The design, location, size and other particulars regarding the entry statement structure need to conform to the appropriate standards. This is included in the consultant’s brief and will be followed through to the final construction drawings and implementation.

The designs also do not follow the current style guide adopted by Council as this can change over time and the structure should be designed and installed to outlast these style guide changes.

The three concept options included in the consultant’s report are variations of the same theme and are shown below:

Lettering Options

- Aluminium panel behind laser cut lettering with lighting provided from the front; or
- Perspex panel behind laser cut lettering with lighting provided from the rear.
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 contained in the Community Plan 2011:

   **Aspiration 5:** Community facilities and services delivered in a timely manner, able to meet expectations and serve new and growing neighbourhoods.

   **Aspiration 6:** Civic Buildings, public places and transport infrastructure of contemporary design, constructed and maintained using best practice principles

   **Aspiration 14:** Economic development opportunities that make visiting, living, working and investing in the City of Rockingham an attractive proposition.

d. Policy
   Nil

e. Financial
   The estimated installation cost is from $144,000 to $242,000. This cost is included in the Mundijong Road Extension project budget.

f. Legal and Statutory
   Nil

g. Risk
   Risk of implementing Officer Recommendation
   Low:
   - The Community will react negatively to the design elements of the sign.

   Risk of not implementing Officer Recommendation
   Low:
   - Failure to deliver the Community’s Aspirations, specifically Aspiration 14.

Comments
The concepts have been designed for a particular location along the new road alignment that will showcase the aesthetics of the structure/sign.

The different aspects of each variation are indicated in the attachment for Councillors’ deliberation.

Voting Requirements
Simple Majority

Officer Recommendation
That Council **APPROVE** Concept Option 2 with the aluminium panel lettering and lighting located at the front as the final design of the entry statement to be installed along the Mundijong Road Extension project.
Committee Recommendation

That Council APPROVE Concept Option 2 with the aluminium panel lettering and lighting located at the front as the final design of the entry statement to be installed along the Mundijong Road Extension project, subject to the word "Welcome" being slightly larger.

Committee Voting – 5/0

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

To enable the word "Welcome" to be more legible to drivers and for the entry statement to be more inviting for visitors to Rockingham.

Implications of the Changes to the Officer’s Recommendation

Not Applicable
## Purpose of Report

For Council to consider the implementation of a highly recognisable Rapid Response Amenity Improvement Team with a particular focus on litter, to raise the current levels of community amenity in high visitation and publically visible areas, which will help improve Rockingham’s social reputation and image.

## Background

Both the 2012 and 2013 City of Rockingham customer satisfaction surveys identified litter as a key focus area needing improvement. In 2012 the frequency, importance and performance outcomes indicated the level of service to be average and opportunities existed to improve the service level.

The 2013 survey indicated that in the community’s eyes the issue has further deteriorated and now has strong usage, extremely high importance and moderate performance indicating the need to improve the litter service.
The concept of a Rapid Response Amenity Improvement Team was briefly mentioned to Council at last year's 2013/14 budget meeting. Since then further research and analysis has been undertaken on the extent of the problem and ways we can combat it, particularly understanding what has occurred in the United Kingdom where they have developed similar teams. Three options were prepared with full costings and those were presented to the Chief Executive Officer in the form of a new team plan. The preferred option was then presented to Council at the Councillor Information Workshop on 11 February 2014.

Indicatively referred to now as a “Rapid Response Amenity Improvement Team”, the presentation provided an overview of the service to be provided, branding of the team, seven days a week coverage, indicative operating and capital costs along with a level of service demonstrating response timeframes. The presentation ended with video footage of proposed scrubbing and sweeping equipment.

**Details**

The Rapid Response Amenity Improvement Team comprises the appointment of eight new fulltime staff and four part time staff comprising of the following; one x Coordinator, one x Senior Rapid Response Officer, two x fulltime Rapid Response Team Leaders, two x part time Rapid Response Team Leaders, two x fulltime Rapid response Officers, two x part time Rapid Response Officers one x Sweeper Operator and one x Scrubber Operator.

The team require capital plant purchases as follows:
- 1 x utility (Coordinator)
- 2 x 6.5 tonne trucks with hiab
- 2 x trailers
- 3 x pressure washers and water tanks
- 1 x Scrubber Unit

The Rapid Response Amenity Improvement Team will be working an eight day on, six day off roster which will vary for different roles. The Rapid Response Litter teams will consist of four x two man teams over the summer period and two x two man teams over winter. Indicative rosters have been developed but final specific shift rosters will be developed with the appointment of the Coordinator.

The team will have a high focus on litter, and also improve amenity by cleaning up items such as glass, needles, chewing gum, vomit, dog and bird droppings etc. The team will also undertake high pressure footpath cleaning.

**Implications to Consider**

a. **Consultation with the Community**

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 contained in the Community Plan 2011:

   **Aspiration 5:** Community facilities and services delivered in a timely manner, able to meet expectations and serve new and growing neighbourhoods.

   **Aspiration 13:** A community that is welcoming and desirable in the eyes of residents and non-residents alike.
d. **Policy**


e. **Financial**

The Rapid Response Amenity Improvement Team will have an annual operating cost of approximately $1,550,000 and initial capital plant purchases of $374,000 with account numbers to be established as part of the 2014/2015 budget.

f. **Legal and Statutory**

Nil

g. **Risk**

- **Risk Implications of Implementing Officer Recommendation**
  - Low
    - Increased resources required to deliver service levels of litter collection, illegal dumping, sweeping and scrubbing activities
    - Negative reaction from the Community to the new service

- **Risk Implications of Not Implementing Officer Recommendation**
  - High
    - Required level of service not met with current resource allocations impacting on the City's image and specifically Aspiration 13.

### Comments

The City is currently unable to meet the demand as identified in the Customer Satisfaction Surveys relating particularly to litter, illegal dumping and amenity with its existing two litter teams.

The proposal to establish a seven day a week team that responds within prescribed parameters of the Level of Service Agreement, (attached) will significantly enhance the amenity of high profile community areas by providing a seven day operation for the rapid response litter removal, pavement cleaning, pressure washing, removing illegal dumping and minor flower planting.

The team will be branded so its key focuses will be:

- Highly identifiable
- Colour scheme
- Phone numbers
- Development app

While referred to as “Rapid Response Amenity Improvement Team” in this report, an internal staff competition will be held to develop an appropriate team name and colour scheme. A high impact marketing program will then be developed to highlight awareness of the team's existence and role within the community. The marketing and branding of the team is key to its success by being highly recognisable with high impact.

The team will be based at the City Depot under the Engineering Operations Team and be operative prior to the start of the 2014 Summer Season. The team will complement our existing services (such as the Litter team, Sweeping etc) and will be gradually introduced.

This concept of a dedicated team to improve the City’s amenity has been modelled on successful teams within the United Kingdom, to date no WA Local Government has committed resources to deal with the problem to this extent.

Operational maps have been produced that identify the high visitation and publically visible areas throughout the City which the team will focus on, as well as identifying areas that illegal dumping occurs regularly. To be successful a rapid response is essential and the Rapid Response and Amenity Improvement Team will remove any litter reported with 24 hours.
It is considered that along with the introduction of the team it will need the development of a smart phone app to allow the public to easily report litter (such as the City of Leicester developed) and a 1300 or 1800 phone line.

In England “A Big Litter Inquiry” was undertaken in spring of 2013 and it was noted that “Litter is one of the first signs of social decay”, and we are aiming to change the public’s attitude to littering.

In combination with the new team, the City will also look at improving its Litter Enforcement practices, public education, seek business ambassadors and acknowledge our current litter volunteers.

---

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council CONSIDER the inclusion of the Rapid Response Amenity Improvement Team concept in the 2014/2015 Budget.

**Committee Recommendation**

That Council CONSIDER the inclusion of the Rapid Response Amenity Improvement Team concept in the 2014/2015 Budget.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
<table>
<thead>
<tr>
<th></th>
<th>Report of the Councillors</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Addendum Agenda</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Motions of which Previous Notice has been given</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Notices of Motion for Consideration at the Following Meeting</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Matters Behind Closed Doors</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Date and Time of Next Meeting</td>
</tr>
<tr>
<td></td>
<td>The next Planning and Engineering Services Committee Meeting will be held on Monday 14 April 2014 in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
</tr>
<tr>
<td></td>
<td>Closure</td>
</tr>
<tr>
<td></td>
<td>There being no further business, the Chairperson thanked those persons present for attending the Planning and Engineering Services Committee meeting, and declared the meeting closed at 5.05pm.</td>
</tr>
</tbody>
</table>