MINUTES
Planning and Engineering Services Committee Meeting
Held on Monday 19 September 2016 at 4:00pm
City of Rockingham Boardroom
# Planning and Engineering Services Committee Minutes

**Monday 19 September 2016**

## City of Rockingham

### Planning and Engineering Services Committee Meeting Minutes

**Monday 19 September 2016**

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   - Engineering and Parks Services Information Bulletin – September 2016
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### Planning and Development Services

- PDS-056/16 Local Emergency Management Committee
- PDS-057/16 Outdoor Event Application - Rockingham Beach Cup - 13 November 2016
- PDS-058/16 Proposed Telecommunications Infrastructure (Fixed Wireless Facility)
- PDS-059/16 Joint Development Assessment Panel Application - Mixed Use Development (58 Multiple Dwellings and Two Commercial Units)
- PDS-060/16 Metro South-West Joint Development Assessment Panel Application - Proposed Industry - Service
- PDS-061/16 Joint Development Assessment Panel Application - Mixed Use Development (51 Multiple Dwellings and Two Offices)
- PDS-062/16 Proposed Amendment to Planning Policy No.3.2.5 – Development Policy Plan: Waterfront Village Sector – Including New Variation Provisions for 'Hotel' Development
- PDS-063/16 Proposed Planning Policy 7.4 – Design Advisory Panel
- PDS-064/16 Amendment No.163 to Town Planning Scheme No.2 – Introducing a new Clause 6.5 - Design Advisory Panel

### Engineering and Parks Services

- EP-033/16 Tender T16/17-32 – Standing offer for bituminous surfacing
- EP-028/16 Tender T16/17-04 – Standing offer for the road surface profiling and side paving
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<td><strong>Planning and Development Services</strong></td>
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<td></td>
<td>PDS-065/16 Notice of Motion - Karnup Station</td>
<td>148</td>
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<td><strong>Engineering and Parks Services</strong></td>
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<td>EP-031/16 Notice of Motion – Installation of playground equipment on June Road Reserve, Safety Bay in the 2016/2017 financial year, subject to the allocation of funds in the first quarter budget review</td>
<td>152</td>
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<td></td>
<td>EP-032/16 Notice of Motion – Tip Passes - to identify options that would ensure that renters receive a fair allocation of tip passes</td>
<td>157</td>
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<td>16.</td>
<td><strong>Notices of Motion for Consideration at the Following Meeting</strong></td>
<td>161</td>
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<td>17.</td>
<td><strong>Urgent Business Approved by the Person Presiding or by Decision of the Committee</strong></td>
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<td>18.</td>
<td><strong>Matters Behind Closed Doors</strong></td>
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<td>20.</td>
<td><strong>Closure</strong></td>
<td>161</td>
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## Declaration of Opening

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

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

#### 2.1 Councillors

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Status</th>
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<tbody>
<tr>
<td>Cr Chris Elliott</td>
<td>Chairperson</td>
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<td>Cr Matthew Whitfield</td>
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<tr>
<td>Cr Deb Hamblin (Deputy Mayor)</td>
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<tr>
<td>Cr Katherine Summers</td>
<td>(arrived 4.01pm)</td>
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<tr>
<td>Cr Barry Sammels (Mayor)</td>
<td>(Observer)</td>
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<tr>
<td>Cr Lee Downham</td>
<td>(Observer)</td>
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<td>Cr Justin Smith</td>
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#### 2.2 Executive

<table>
<thead>
<tr>
<th>Executive</th>
<th>Position/Role</th>
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<tbody>
<tr>
<td>Mr Andrew Hammond</td>
<td>Chief Executive Officer</td>
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<tr>
<td>Mr Bob Jeans</td>
<td>Director Planning and Development Services</td>
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<tr>
<td>Mr John Woodhouse</td>
<td>Director Legal Services and General Counsel</td>
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<tr>
<td>Mr Chris Thompson</td>
<td>Director Engineering and Parks Services</td>
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<tr>
<td>Mr Peter Ricci</td>
<td>Manager Major Planning Projects</td>
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<tr>
<td>Mr Brett Ashby</td>
<td>Manager Strategic Planning and Environment</td>
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<tr>
<td>Mr Mike Ross</td>
<td>Manager Statutory Planning</td>
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<tr>
<td>Ms Erica Scott</td>
<td>A/Manager Health Services</td>
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<tr>
<td>Mr Ian Daniels</td>
<td>Manager Engineering Services</td>
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<td>Mr Kelton Hincks</td>
<td>Manager Asset Services</td>
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<td>Mr James Henson</td>
<td>Manager Parks Development</td>
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<td>Mr Adam Johnston</td>
<td>Manager Parks Services</td>
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<tr>
<td>Mr Allan Moles</td>
<td>Manager Integrated Waste Services</td>
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<tr>
<td>Ms Melinda Wellburn</td>
<td>PA to Director Planning and Development Services</td>
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</tbody>
</table>

#### 2.3 Members of the Gallery:

<table>
<thead>
<tr>
<th>Members of the Gallery</th>
<th>Number</th>
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<tr>
<td></td>
<td>5</td>
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#### 2.4 Apologies:

<table>
<thead>
<tr>
<th>Apologies</th>
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<tbody>
<tr>
<td>nil</td>
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#### 2.5 Approved Leave of Absence:

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<th>Approved Leave of Absence</th>
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<td>nil</td>
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## Responses to Previous Public Questions Taken on Notice

Nil
### Public Question Time

<table>
<thead>
<tr>
<th>Time</th>
<th>Question</th>
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<tbody>
<tr>
<td>4:01pm</td>
<td>The Chairperson invited members of the Public Gallery to ask questions.</td>
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<tr>
<td>4.1</td>
<td>Mr James Mumme, 36 Gloucester Avenue, Shoalwater - Mangles Bay Marina</td>
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</table>

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

I refer to the Coastal Hazard Risk Management Adaptation Plan (CHRMAP) report forwarded to the Secretary, WAPC by the City, Dated 29th July 2016, in particular item 7. Other Considerations, which states,

*‘Finally, given that the MRS Amendment includes the site of the Alfred Hines facility (Lot 1786 Hymus Street), and seeks to establish an abutting foreshore reserve, there is a basis for the CHRMAP to include and make recommendations for this site.’*

I ask,

1. Has any Councillor present questioned the reasoning for this comment?
   *The Chairperson advised that the question will be taken on notice.*

2. Is the City or any Councillor present aware that the Society for Crippled Children (Alfred Hines facility) obtained rights to the land in April 1957?
   *The Chairperson advised that the question will be taken on notice.*

3. Is the City or any Councillor present aware that the tenure of the land is Freehold?
   *The Chairperson advised that the question will be taken on notice.*

4. Is the City or any Councillor present aware that the Society is unable to sell the land (even if it chose to), because of a Crown Grant in Trust?
   *The Chairperson advised that the question will be taken on notice.*

The MRS Amendment clearly shows the site to be rezoned, it also shows on pages 18-21 of the Amendment the ‘terrestrial development area’ which does not include the Alfred Hines facility, I ask,

5. If the joint venture partners in Landcorp and Cedar Woods have not included the site in their plans for development, why has the City suggested that it become part of the development?
   *The Chairperson advised that the question will be taken on notice.*

6. Does the City believe that the facility has failed at any time to abide by the conditions of its freehold tenure?
   *The Chairperson advised that the question will be taken on notice.*

7. If as the MRS Amendment suggests that it is only interested in changing the Zoning to Urban, is it not possible for the City to discuss with Department of Planning a more suitable zoning for this ‘land area’ could be “Holiday Accommodation”?
   *The Chairperson advised that there has been significant dialogue between the City and the Western Australian Planning Commission over approximately 18 months or so. It is now just a matter of time to wait for the Western Australian Planning Commission's decision to be made.*

My further questions relate to ‘Waterways Management’ which the City is investigating:

8. Who will pay for any maintenance/repair of revetment walls to housing blocks situated on the canals?
The Chairperson advised that as has been stated in previous Bulletins, the waterways management issue is being closely looked at and Council Officers have been in discussion with the developers. Once completed, a report will be presented to Council and at that stage a decision will be made on waterways management.

9. Will the City ensure that ‘purchasing terms’ for the blocks include the responsibility of buyers to maintain/repair the revetment walls themselves?

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

10. Who will be responsible for the maintenance/repair of the revetment walls around the Marina, the Marina Manager, Waterways Manager or Rockingham ratepayers?

The Chairperson provided a preliminary comment, however, advised that the question will be taken on notice.

11. After the 25 year compensation to the Waterways Manager, who will be liable for all the costs associated with its management?

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

12. Is it part of the discussions that have been ongoing regarding the Consultants report?

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

4:09pm There being no further questions the Chairperson closed Public Question Time.

5. Confirmation of Minutes of the Previous Meeting

Moved Cr Sammels, seconded Cr Hamblin:

That Committee CONFIRMS the Minutes of the Planning and Engineering Services Committee Meeting held on 15 August 2016, 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

4:10pm 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

4:10pm The Chairperson asked if there were any interests to declare.

There were none.

9. Petitions/Deputations/Presentations/Submissions

9.1 Presentations

4:11pm The Chairperson invited Messrs Michael McCafferty and Laurie Smith to make their presentation.

Mr McCafferty introduced himself as a representative of the Palm Beach Rotary Club along with Mr Laurie Smith and briefed the Committee on the goals and objectives of this event.

He advised that horses on the beach was not unique and cited examples at Kwinana and in Queensland.
This would be a major event for Rockingham, supporting local businesses and local charities, and the aim was to increase to a 3 day event over the coming years.

A Gala Dinner and Auction will be held on Saturday evening and the Community Arts Festival and beach race on Sunday.

Tickets are available for purchase to view the race from a tent with a capacity of 300 people, however, the race can be viewed free of charge by all festival goers from Churchill Park.

A race book will be produced for attendees which will contain promotional material on local businesses, encouraging people to come back and take advantage of what Rockingham has to offer.

The Rockingham Beach Cup has the full support of Perth Racing and local trainers and jockeys are providing assistance on the day.

Messrs McCafferty and Smith emphasised that the aim was not only to attract local residents, but the wider Perth community and return visits to Rockingham.

4:21pm The Chairperson thanked Messrs McCafferty and Smith for their presentation.

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<tr>
<th>10. Matters for which the Meeting may be Closed</th>
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<td>Planning and Development Services Information Bulletin – September 2016</td>
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<td>Health Services</td>
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<td>1. Health Services Team Overview</td>
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<td>2. Human Resource Update</td>
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<td>3. Project Status Reports</td>
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<td>3.1 FoodSafe</td>
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<td>3.2 Industrial and Commercial Waste Monitoring</td>
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<td>3.3 Mosquito Control Program</td>
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<td>3.4 Environmental Waters Sampling</td>
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<td>3.5 Food Sampling</td>
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<td>4. Information Items</td>
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<td>4.1 Mosquito-Borne Disease Notifications</td>
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<td>4.2 Food Recalls</td>
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<td>4.3 Food Premises Inspections</td>
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<td>4.4 Public Building Inspections</td>
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<td>4.5 Outdoor Public Event Approvals</td>
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<td>4.6 Permit Approvals</td>
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<td>4.7 After Hours Noise and Smoke Nuisance Complaint Service</td>
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<td>4.8 Complaint - Information</td>
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<td>4.9 Noise Complaints - Detailed Information</td>
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<td>4.10 Animal Exemptions</td>
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<td>4.11 Building Plan Assessments</td>
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<td>4.12 Septic Tank Applications</td>
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<td>4.13 Demolitions</td>
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<td>4.14 Swimming Pool and Drinking Water Samples</td>
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<td>4.15 Rabbit Processing</td>
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<td>4.16 Hairdressing and Skin Penetration Premises</td>
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<td>4.17 New Family Day Care Approvals</td>
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<td>4.18 Caravan Park and Camping Ground Inspections</td>
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<td>4.19 Update on the Public Health Act</td>
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**Building Services**

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

**Strategic Planning and Environment**

1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Local Planning Strategy (LUP/1352)
   3.2 Waterwise Council Program (EVM/56-02)
   3.3 Karnup District Structure Plan (LUP/1546)
   3.4 Cockburn Sound Coastal Alliance – Vulnerability & Flexible Adaptation Pathways Project Stage 3 (EVM/149)
   3.5 Greening Plan (PKR/52-02)
4. Information Items
   4.1 Perth Transport Plan
   4.2 Threatened Ecological Community Trial

**Land and Development Infrastructure**

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

1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Planning Products via the Web formerly eDA
4. Information Items
   4.1 Land Use - Planning Enforcement
   4.2 Subdivision/Development Approval and Refusals by the WAPC
   4.3 Notifications and Gazettals
   4.4 Subdivision Clearances
   4.5 Subdivision Survey Approvals
   4.6 Subdivision Lot Production
   4.7 Delegated Development Approvals
   4.8 Delegated Development Refusals
   4.9 Delegated Building Envelope Variations
   4.10 Subdivision/Amalgamation Approved
   4.11 Strata Plans
   4.12 Subdivision/Amalgamation Refused
   4.13 Amendment No.157 to Town Planning Scheme No.2 (Palm Beach Caravan Park)
   4.14 Illegal Dumping and Filling in Baldivis
   4.15 Heritage Reference Group

**Planning and Development Directorate**

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

**Advisory Committee Minutes**

**Committee Recommendation**

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

Committee Voting – 5/0
Planning and Engineering Services Committee Minutes
Monday 19 September 2016

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 OCTOBER 2016

PRESIDING MEMBER

Engineering and Parks Services Information Bulletin – September 2016

Engineering and Parks Services Directorate

1. Engineering and Parks Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Foreshore Masterplan – Detailed Design
5. Information Items
   5.1 Bus Shelters – Displaying Messages or Advertising
   5.2 Monthly Statistics on Correspondence to Engineering and Parks Services

Engineering Services

1. Engineering Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Stormwater Drainage Plan
   3.2 Coastal Management Consultants (Sand Drift/Erosion Problems)
   3.3 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)
4. Information Items
   4.1 Delegated Authority for Temporary Thoroughfare Closure.
   4.2 Delegated Authority for the payment of Crossover Subsidies.
   4.3 Delegated Authority for approval of Directional Signage
   4.4 Engineering Services Design Projects 2016/2017
   4.5 Authorised Traffic Management Plans for Works on City Controlled Roads
   4.6 Safety Bay Road – Principal Shared Path – Stage 2B Mandurah Road to Eighty Road
   4.7 Millar Road Landfill – Concept Master Plan and Site Access
   4.8 Water Corporation - Significant works within the City
   4.9 Waikiki Foreshore – Foreshore Protection Specification
   4.10 Point Peron Sand Trap and Beach Nourishment Management
   4.11 Donald Drive Boat Ramp Feasibility Study
   4.12 Bent Street Boat Ramp Navigation Channel Sand Bypassing
   4.13 Mersey Point Jetty Design
   4.14 Palm Beach West Boat Ramp Upgrade – Detailed Design
   4.15 Point Peron Boat Launching Facility Detailed Design of Boat Ramp Lanes Five and Six including boat trailer car park design
   4.16 Palm Beach East Boat Ramp Rock Armour Replacement and Boat Ramp Maintenance
   4.17 EP-013/16 – Investigate need for additional traffic signals on Warnbro Sound Avenue
   4.18 Road Construction Program Roads to Recovery 2016/2017
   4.19 Road Construction Program Main Roads Grant 2016/2017
   4.20 Road Construction Program Federal Black Spot 2016/2017
   4.21 Road Construction Program State Black Spot 2016/2017
   4.22 Road Resurfacing Program Municipal Works 2016/2017
   4.23 Footpath Construction Program Municipal Works 2016/2017
   4.24 Footpath Renewal Program Municipal Works 2016/2017
   4.25 Road Maintenance Program 2016/2017
   4.26 Litter Team 2016/2017
   4.27 LitterBusters and Sweeping 2016/2017
   4.28 Graffiti Out and About
   4.29 Graffiti Removal Annual Statistics
   4.30 Passenger Vehicle Fleet Program 2016/2017
| 4.31 | Light Commercial Vehicles Program 2016/2017 |
| 4.32 | Heavy Plant Program 2016/2017 |
| 4.33 | EP-028/16 – Safe pedestrian crossing on Settlers Avenue between Shopping Centre and Mary Davies Library |

**Parks Services**

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

4. Information Items
   - 4.1 Memorial Seat Approvals
   - 4.2 Delegated Public Open Space Handovers
   - 4.3 Parks Maintenance Program 2016/2017

**Asset Services**

1. Asset Services Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 Road Condition Inspection and Modelling
   - 3.2 Path Condition Audit 2016-2017
   - 3.3 Maintenance and Provision of Public Toilets
   - 3.4 Lighting Consultants (Technical Planning/Design, Underground Power Program)
   - 3.5 Major Project Property Development Planning (Design Modifications/Tender Planning/Structural Testing)

4. Information Items
   - 4.1 Asset Management Improvement Strategy
   - 4.2 Solar Power Generation
   - 4.3 2016/2017 Public Area Lighting and Arterial Lighting
   - 4.4 Secret Harbour Surf Life Saving Club – Renovation
   - 4.5 Rockingham Day Care Fire Panel Replacement
   - 4.6 Baldivis South Club Facility Eighty Road Baldivis
   - 4.7 Laurie Stanford Reserve Development
   - 4.8 Rhonda Scarrott Reserve Development
   - 4.9 Administration Building Exterior Render Repairs
   - 4.10 Aqua Jetty – Tiling of external 50m Pool
   - 4.11 Secret Harbour – Inclusive Play Space
   - 4.12 Baldivis South Youth Space
   - 4.13 2016/2017 Reserve Flood Lighting
### Planning and Engineering Services Committee Minutes

**Monday 19 September 2016**

**CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 OCTOBER 2016**

**PRESIDING MEMBER**

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<tr>
<th>4.14</th>
<th>Baldivis South Community Centre</th>
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<tr>
<td>4.15</td>
<td>Mike Barnett Sports Complex and Warnbro Recreation Centre - Renovations</td>
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<tr>
<td>4.16</td>
<td>Mike Barnett Sports Complex – Netball Courts Shelters</td>
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<tr>
<td>4.17</td>
<td>PV (Solar) Array Installation at Various Sites</td>
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<tr>
<td>4.18</td>
<td>Mike Barnett Sports Complex - Awning Installation</td>
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<tr>
<td>4.19</td>
<td>Churchill Park Toilets – Refurbish internal and external items</td>
</tr>
<tr>
<td>4.20</td>
<td>State Underground Power Program Round 6</td>
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<tr>
<td>4.21</td>
<td>Reserve Maintenance</td>
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<td>4.22</td>
<td>Electrical/Lighting Maintenance</td>
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<td>4.23</td>
<td>Asset Maintenance</td>
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<td>4.24</td>
<td>Lighting Inspections</td>
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<td>4.25</td>
<td>Parks Infrastructure Replacements</td>
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<td>4.26</td>
<td>Bus Shelter Replacements</td>
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<tr>
<td>4.27</td>
<td>Albenga Place Toilet – Rust treatment and internal refurbishment</td>
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<tr>
<td>4.28</td>
<td>Baldivis Hall – Replacement of toilet partitioning</td>
</tr>
</tbody>
</table>

**Waste Services**

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

**Advisory Committee Minutes**

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Sammels:

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

Committee Voting – 5/0
12. Agenda Items

Planning and Development Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>File No:</th>
<th>Applicant:</th>
<th>Owner:</th>
<th>Author:</th>
<th>Other Contributors:</th>
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<tr>
<td>PDS-056/16</td>
<td>EMS/16-04</td>
<td>Mr Greg Whip, Coordinator Emergency Services</td>
<td></td>
<td></td>
<td>Mrs Helen Edwards, Fire and Emergency Administration Officer Mr Rod Fielding, Manager Health Services</td>
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<table>
<thead>
<tr>
<th>Purpose of Report</th>
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<tbody>
<tr>
<td>1. To clarify the legislative arrangements and Council’s role in the establishment of, and appointment of members to, the Local Emergency Management Committee.</td>
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<tr>
<td>2. To propose an increase in the membership composition of, and appoint members to, the Local Emergency Management Committee.</td>
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</table>

<table>
<thead>
<tr>
<th>Background</th>
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<tbody>
<tr>
<td>At its ordinary Meeting held 23 August 2016 in considering community member appointments to Advisory Committees, the Council resolved as follows:</td>
</tr>
<tr>
<td>“That Council DEFERS consideration of representatives to the Local Emergency Management Committee pending further Officer investigation and amended recommendation.”</td>
</tr>
</tbody>
</table>
In the past, Council has considered member appointments to the Local Emergency Management Committee (LEMC) on a yearly basis, after each Council election when Councillor membership of Council Committees is reviewed; and the alternate year (between elections) when community members and organisational representatives are appointed to Council advisory committees.

**Details**

The Emergency Management Act 2005 ("EM Act") provides the head of power in respect to a local government establishing LEMCs and appointing members to the Committee. As a consequence, the LEMC is not a Council Committee established in accordance with the Local Government Act 1995 and that Act’s legislative requirements do not apply to the LEMC.

The EM Act states that the State Emergency Management Committee (SEMC) is to determine the constitution and procedures for a LEMC, as well as the terms and conditions of appointment of Committee Members.

The SEMC has determined that under the State Emergency Management Preparedness Procedures each local government is required to establish, administer and maintain a Local Emergency Management Committee. Noting the requirements of the EM Act, the following provides guidance on the composition of the LEMC:

- The Chair should be an elected member of Council;
- The Local Emergency Coordinator should be appointed as Deputy Chair;
- An Executive Officer, who should be an officer of the relevant local government, and should be appointed to coordinate the business of the Committee and/or provide administrative support;
- The Local Recovery Coordinator, being the person nominated in the Local Recovery Plan (section 41(4) of the EM Act), should be appointed a member of the Committee;
- Consideration should be given to appointing local government officers engaged in key roles and functions affecting Emergency Management (for example, community services, engineering services, corporate services or planning);
- Membership should include representatives from Emergency Management Agencies in the local government district (for example, the Department of Fire and Emergency Services); welfare support agencies or non-government organisations (for example, the Department for Child Protection and Family Support, the Red Cross or Salvation Army), industry representatives (especially the owners or operators of hazardous facilities located within the local government district);
- Consideration should be given to appointment of persons able to represent or advise on the interests of Culturally and Linguistically Diverse (CaLD) community members or community members with special needs; and
- LEMCs should, where possible include representatives of local Aboriginal community organisations to provide advice and guidance to the LEMC and to promote appropriate engagement with the local Aboriginal communities.

**LEMC Membership Roles and Responsibilities**

In addition to the normal roles assigned to office bearers of the LEMC Committee, the following roles are specific to the needs of an LEMC:

- The Chair will ensure the appointment of an Executive Officer and ensure that the Council is kept fully informed of emergency management discussion and significant outcomes from the LEMC meetings.
- The Deputy Chair should deputise for the Chair as required and chair any subcommittees or working groups.
- The Executive Officer should:
  - Coordinate the development and submission of Committee documents in accordance with legislative and policy requirements including an Annual Report; Annual Business Plan and maintenance of the LEMCs.
  - Provide advice to the Chair and LEMC as required.
  - Facilitate communication between the LEMC and Executive Officer of the relevant District Emergency Management Committee (DEMC).
The current composition and membership of the LEMC is as follows:

- One Councillor
- Twelve Representatives from local and state agencies and services
- Executive Support Officers - Coordinator of Emergency Services and Fire and Emergency Administration Officer

**Implications to Consider**

a. **Consultation with the Community**
   
   Nil

b. **Consultation with Government Agencies**
   
   The State Emergency Management Committee Secretariat provided information in relation to the requirements of Local Emergency Management Committees.

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

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

d. **Policy**
   
   Council’s Governance and Meeting Framework provides the governance arrangements for Council’s committees established under the Local Government Act 1995. The Framework provisions do not apply to the appointment of members to the LEMC.

e. **Financial**
   
   There are no financial implications in respect to appointing members to the Local Emergency Management Committee. The ongoing support of the Committee is accommodated within Account No.210050.1278 (Bush Fire Control Operating Expenses) for 2016/2017, estimated at $2,500.

f. **Legal and Statutory**
   
   The Emergency Management Act 2005 provides the following:

   **Section 36. Functions of local government**
   
   It is a function of a local government —

   (a) subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district;

   (b) to manage recovery following an emergency affecting the community in its district; and

   (c) to perform other functions given to the local government under this Act.

   **Section 38. Local emergency management committees**

   1. A local government is to establish one or more local emergency management committees for the local government’s district.

   2. A local emergency management committee consists of —

      (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and

      (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
3. Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC (State Emergency Management Committee).

The SEMC provides the following State EM Preparedness Procedure 7 in respect to the membership composition and arrangements for appointing members to the LEMC:

Under the Emergency Management Act 2005 (the EM Act), local governments are required to have local emergency management arrangements (LEMA).

Local governments are the closest level of government to their communities and have access to specialised knowledge about the local environment and demographic features of their communities. Local governments also have specific responsibilities for pursuing emergency risk management as a corporate objective and as good business practice.

g. Risk

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

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

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

Nil

Comments

The past practice of reviewing and appointing members to the LEMC within the City’s Governance and Meeting Framework requirements may have created an assumption that the LEMC is a Council advisory committee and subject to the same governance requirements. While this approach may have been convenient it is not considered appropriate given the LEMC is established under a different head of power.

In future any changes to the LEMC composition and membership will be subject to a separate report to Council.

It is proposed to modify the composition of the LEMC by increasing the membership by three and appointing members accordingly. This will ensure the involvement of the City of Rockingham Officers, Salvation Army and the Red Cross in local emergency management considerations.

The proposed composition of the LEMC is:

- City of Rockingham Councillor
- City of Rockingham Officers
- South Metropolitan Health Service – Rockingham Peel Group
- Department Fire and Emergency Services
- Rockingham Police (Local Emergency Coordinator)
- Department of Defence (Garden Island)
- Secret Harbour Surf Life Saving Club
- Red Cross
- Department for Child Protection and Family Support
- Kwinana Industries Council
- Salvation Army
- Rockingham Volunteer Sea Rescue Group
- Rockingham Kwinana State Emergency Service
- State Emergency Management Committee

Voting Requirements

Simple Majority (Note: as this Committee in not under the LG Act it does not need to be absolute majority)
Officer Recommendation

That Council:

1. **APPROVES** the composition of the Local Emergency Management Committee as:
   - City of Rockingham Councillor
   - City of Rockingham Officers
   - South Metropolitan Health Service - Rockingham Peel Group
   - Department Fire and Emergency Services
   - Rockingham Police
   - Department of Defence (Garden Island)
   - Secret Harbour Surf Life Saving Club
   - Red Cross
   - Department for Child Protection and Family Support
   - Kwinana Industries Council
   - Salvation Army
   - Rockingham Volunteer Sea Rescue Group
   - Rockingham Kwinana State Emergency Service
   - State Emergency Management Committee

2. **APPROVES** the appointment of the following persons as members of the Local Emergency Management Committee:
   - Cr Matthew Whitfield – Chairperson
   - Mr Greg Whip – Executive Support, Coordinator Emergency Services
   - Mrs Helen Edwards – Fire and Emergency Administration Officer
   - Mr Rod Fielding – Manager Health Services
   - Mr Scott Beaton – South Metropolitan Health Service, Rockingham Peel Group
   - Mr Terry Wegwermer – Department Fire and Emergency Services
   - Mr Brett Reyne – Officer in Charge, Rockingham Police
   - Mr Tony Bruechert – Department of Defence (Garden Island)
   - Mr Richard Lowe – Secret Harbour Surf Life Saving Club
   - Mr Garry Williams – Secret Harbour Surf Life Saving Club
   - Ms Karen Famlonga – Red Cross
   - Mr Terry Sillitto - Department for Child Protection and Family Support
   - Mr Craig Reynolds – Kwinana Industries Council
   - Ms Merveen Cross – State Emergency Management Committee
   - Ms Kath Coupland – Salvation Army
   - Mr Chris Aleman – Rockingham Volunteer Sea Rescue Group
   - Mr David Beard – Rockingham/Kwinana State Emergency Service
   - Mr Gordon Hall – Rockingham/Kwinana State Emergency Service

Committee Recommendation

Moved Cr Whitfield, seconded Cr Sammels:

That Council:

1. **APPROVES** the composition of the Local Emergency Management Committee as:
   - City of Rockingham Councillor
   - City of Rockingham Officers
   - South Metropolitan Health Service - Rockingham Peel Group
2. **APPROVES** the appointment of the following persons as members of the Local Emergency Management Committee:

- Cr Matthew Whitfield – Chairperson
- Mr Greg Whip – Executive Support, Coordinator Emergency Services
- Mrs Helen Edwards – Fire and Emergency Administration Officer
- Mr Rod Fielding – Manager Health Services
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- Mr David Beard – Rockingham/Kwinana State Emergency Service
- Mr Gordon Hall – Rockingham/Kwinana State Emergency Service

Committee Voting – 5/0

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

**Health Services**

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<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-057/16 Outdoor Event Application - Rockingham Beach Cup - 13 November 2016</th>
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<tbody>
<tr>
<td>File No:</td>
<td>DD073.2016.00000037.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Rotary Club of Palm Beach WA Inc.</td>
</tr>
<tr>
<td>Owner:</td>
<td>Ms Caitlin Logan, Events and Permits Administration Officer</td>
</tr>
<tr>
<td>Author:</td>
<td>Ms Erica Scott, Coordinator Health Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Ms Ann-Marie Pearson, Environmental Health Officer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 September 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
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<tr>
<td>Site:</td>
<td>Rockingham Beach between Val Street Jetty and Wanliss Street (approx. 850m) Churchill Park and adjacent Railway Terrace car park</td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
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<tr>
<td>LA Zoning:</td>
<td>Reserve - Foreshore</td>
</tr>
<tr>
<td>MRS Zoning:</td>
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<tr>
<td>Attachments:</td>
<td>Vehicle Access Area Plan</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Community Arts Festival Site Plan</td>
</tr>
<tr>
<td></td>
<td>2. Horse Race Site Plan</td>
</tr>
<tr>
<td></td>
<td>3. Horse Stables Site Plan</td>
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</table>

### Purpose of Report

To consider an application seeking approval for an outdoor event under the Health (Public Building) Regulations 1992 from Rotary Club of Palm Beach WA Inc. to hold the Rockingham Beach Cup, a free community arts festival on Churchill Park and beach horse racing on Rockingham Beach.

### Background

The Health (Public Building) Regulations 1992, sets the requirement for a local government to issue a certificate of approval in relation to public buildings. An outdoor event is considered a public building for the purpose of the Health (Public Building) Regulations 1992. The Manager of Health Services has delegated authority to approve permits and licences under the Health Act 1911 and Regulations made thereunder.

On 27 June 2016, the City received an outdoor event application from Rotary Club of Palm Beach WA Inc. to hold the Rockingham Beach Cup. The Rockingham Beach Cup to be held on Sunday, 13 November 2016 at the Rockingham foreshore and comprises the following:
- A Gala Dinner and Auction at the Gary Holland Centre on Saturday, 12 November 2016
- A free Community Arts Festival at Churchill Park on Sunday, 13 November 2016
- Beach Horse Racing on Rockingham Beach from Wanliss Street to the Val Street Jetty on Sunday, 13 November 2016.

Gala Dinner and Auction
The Gala Dinner and Auction does not require outdoor event approval and therefore will not form part of this report. The Community Arts Festival will be approved under delegated authority and information included in this report is given as background only.

Free Community Arts Festival
The Community Arts Festival will include buskers, street performers, sculptors, photographers, wood turners, a blacksmith, pottery and glass displays and local food providers. There will be a main stage with performers and cooking demonstrations throughout the day. This is a free event which will allow for any community members to watch the beach horse racing from Churchill and Bell Parks.

![Community Arts Festival Site Plan](image)

1. Community Arts Festival Site Plan
A ticketed VIP marquee will be set up on the beach in front of the Peace Pavilion. The adjacent car park on Railway Terrace will be closed between Rockingham Beach Road and the beach for the duration of the event, to allow for emergency vehicle access.

The Community Arts Festival complies with the City’s Outdoor Events Policy and will be approved under delegated authority.

The application has been referred to Council for determination of the closure of Rockingham Beach on 13 November 2016 for the purpose of horse racing.

**Details**

The beach horse racing proposes to close approximately 850m of beach between Wanliss Street and Val Street Jetty from 5:00am until 5:30pm on Sunday, 13 November 2016. This allows for a warm up area, 450m for the race and a parade ring/slow down/turning area. There are 6 races to be held between 11:00am and 5:00pm with 5 horses in each race. The may also be one exhibition gallop by 3 retired race horses.
The applicant has requested the temporary removal of two beach volleyball posts to enable a sufficient turning area at the end of the track.

2. Horse Race Site Plan

The horses will be stabled in the foreshore reserve to the north-east of the Wanliss Street car park, with a 15m x 30m mobile stable being located in this area to provide shade and water for the horses.

The applicant has advised that there will be two deliveries and three removals of horses throughout the day with no more than 17 horses on site at any one time. The trucks and horse floats will enter the reserve via the beach access to the north-east of the Wanliss Street car park. Any trucks or floats which need to remain on site will be parked along the verge of Rockingham Beach Road. The applicant has advised that there will be a horse ambulance and veterinarian located on the beach to the north-east of the start line.

3. Horse Stables Site Plan
The beach will be closed to the public through the use of barriers and temporary fencing. The footpath adjacent to the beach will remain open for the duration of the event, with the exception of when the horses are being led to and from the beach for their races, where a small section of footpath will be closed for the time to walk the horses through. Horses will be led to and from the beach by strappers.

The applicant has advised that the event will comply with the Racing Registration Act 2003 and that it is working with racing industry personnel, Perth Racing and representatives of the owners, jockeys and trainers. These representatives have walked the course and are supportive of the proposal.

The event does not need to be sanctioned by Racing and Wagering WA as there is no prize money, it is not a licenced racetrack, there is no betting onsite and the racing is not restricted to thoroughbred horses. There will be an experienced Clerk of Course who will be in control of the beach and horses at all times. It is the Clerk of Course’s role to guide horses, calm them and capture any loose horses. The Department of Racing Gaming and Liquor has also advised that the proposed event does not breach any of its legislation.

The applicant has requested that the City rakes the beach on the morning of the event to remove any impurities in the sand which may injure the horses. Between each race, Rotary volunteers will use ATV’s to inspect the beach remove any manure or visible impurities. All manure collected will be deposited into horse feed bags and removed at the end of the day. The applicant has also requested that the City rakes the beach after the event to remove any further impurities caused by the horses over the duration of the event to ensure public health and safety when the beach is reopened. All waste at the temporary stable location will be removed at the end of the event and there will be no waste will be left on site after the event.

Public access to Rockingham Beach will be prohibited from 5:00am on Sunday, 13 November 2016. Access to Rockingham Beach will be reopened to the public from 5:30pm Sunday, 13 November 2016. The applicant anticipates that the pack up on the event will be completed by 12:00pm on Monday, 14 November 2016.

There are existing Permit Holders that hold Traders Permits in the race area who will be unable to operate on the day of the event.

In addition to the outdoor event application form and site plans, the applicant has provided the following documents:
- Public Liability Insurance for $20 million to cover the event
- Hold Harmless Agreement
- Risk Management Plan
- Emergency Evacuation Plan
- Horse Management Plan

The risks associated with this event are covered under the applicant’s Risk Management Plan and Horse Management Plan.

Implications to Consider

a. Consultation with the Community

Community consultation prior to the approval of an event is not required under the City’s Outdoor Events Policy, the Health Act 1911 or the Health (Public Building) Regulations 1992. It will be a requirement under the Noise Exemption that the applicant provides notification to all residents and businesses within 200 meters of the event to notify of the event. This notification will be required at least 14 days prior to the event and a copy of the distribution area will be provided with the approval.

The Local Government Act 1995 requires that consultation be undertaken where a thoroughfare is to be closed for a period exceeding four weeks. As the event is proposing a temporary closure for one day it is does not require consultation to be undertaken, however, should approval be issued, the City will still initiate advertising to advise the community of the temporary beach closure for the day of the event.
The City will notify affected permit holders in the race area that they are unable to trade on Sunday, 13 November 2016 without the approval of the Event Organiser. It is understood that the event organiser is working with some permit holders to relocate their amusements and incorporate them as part of the festival where possible.

b. Consultation with Government Agencies
The City has liaised with the Department of Racing Gaming and Liquor, which has advised that the proposed event does not breach the Racing Restrictions Act 2003, the Gaming and Wagering Western Australia Act 2003, or the RWWA Rules of Thoroughbred Racing 1 August 2004, as long as the following is complied with:
- Races are open to all horses and not restricted to thoroughbreds;
- Horses are not racing for stake money;
- Horses are not racing for prize money;
- Trophy awarded to the winner does not exceed $50 in value; and
- No betting or wagering occurs on the races.
The applicant has confirmed compliance with the above requirements.

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

**Aspiration A:** Tourism Lifestyle

**Strategic Objective:** Rockingham Beach Foreshore Precinct - A world-class foreshore precinct capitalising on its unique location and aspect, delivering a quality leisure tourism experience through contemporary design, best practice facilities and seamless linkage between beach, parkland and tourism-based commercial, retail and food and beverage outlets.

d. Policy
The application has been assessed against the City of Rockingham Outdoor Events Policy, and has been found to comply, or can be made to comply via a conditional approval.

e. Financial
In addition to the regular fees and charges applicable to outdoor events, the applicant has been advised that the City will invoice for the cost of beach raking and removal and reinstatement of the beach volleyball posts.
The City will cover the cost of advertising the proposed beach closure.

f. Legal and Statutory
The application has been assessed against the relevant legislation, and has been found to comply, or be made to comply via a conditional approval.

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

Nil

**Comments**

The application has been assessed by City Officers and has been found to comply with the required legislation. The Community Arts Festival will be approved under delegated authority.

A Risk Management Plan and Horse Management Plan have been provided to address possible risks with horse racing on Rockingham beach.
The City’s Parks Services can undertake the requested beach raking pre and post event, and the temporary removal of the beach volleyball posts, and invoice the applicant the cost of these services. Parks Services has also approved the requested horse vehicle access and the applicant’s request to level the temporary stable location.

The City had already taken a wedding booking for Saturday 12 November at 3pm on the grassed area near Val Street Jetty, before the event application was submitted. The City is working with the applicant to ensure the set-up of the beach closures for the Rockingham Beach Cup does not impact on the wedding.

## Voting Requirements

Simple Majority

### Officer Recommendation

That Council **APPROVES** the issue of a permit under the City of Rockingham Local Government Property Local Law 2001 for the following activities subject to the following conditions:

1. **CLOSURE OF PORTION OF ROCKINGHAM BEACH**
   The closure of portion of Rockingham Beach is permitted subject to the following conditions:

   **Permitted Location**
   (1) Only that portion of Rockingham Beach bounded:
       (a) to the North, by the high water mark of the Indian Ocean;
       (b) to the West, by the eastern prolongation of the Val Street Jetty;
       (c) to the East, by the western prolongation of the Beach Access Path (which path is approximately 160m east of the car park at Wanliss Street);
       (d) to the South, by the commencement of the vegetated primary dune, and shown in purple on the attached plan (“the Permitted Location”) can be closed.

   (2) The pedestrian footpath adjacent to the Permitted Location cannot be closed but may be used to lead horses to and from the Permitted Location.

   **Time and date**
   (3) The Permitted Location can only be closed between 5am and 5:30pm on Sunday 13 November 2016.

   **Fencing**
   (4) Temporary barriers and fencing must be used to enclose the Permitted Location.
   (5) Temporary barriers and fencing must physically prevent the public from entering the Permitted Location from the West, the East, and the beach access paths to the South between 5am and 5:30pm on Sunday 13 November 2016.
   (6) The temporary barriers and fencing to the West (at Val Street Jetty) must be erected no earlier than 4pm on Saturday 12 November 2016 and no later than 7am on Sunday 13 November 2016.
   (7) The temporary barriers and fencing to the West (at Val Street Jetty) must be removed no later than 12pm on Monday 14 November 2016.
   (8) The temporary barriers and fencing to the East (ie. 160m north of Wanliss Street car park) and to the South (ie. the beach access paths) must be erected no earlier than 5am and no later than 7am on Sunday 13 November 2016.
   (9) The temporary barriers and fencing to the East (ie. 160m north of Wanliss Street car park) and to the South (ie. the beach access paths) park must be removed no later than 5:30pm on Sunday 13 November 2016.

   **General Conditions**
   (10) The General Conditions set out in item 6 are to apply.

---

1 Correction of numerical formatting.
2. **CONDUCT OF HORSE RACES**

   The conduct of horse races is permitted on the Permitted Location (referred to in Item 1) subject to the following conditions:

   **Permitted Location**
   (1) The Permitted Location can only be used for the purpose of:
   (a) preparing for and conducting horse races; and
   (b) preparing for and conducting an exhibition gallop of horses.

   **Time and date**
   (2) The Permitted Location can only be used for conducting horse races and the exhibition gallop between 5am and 5:30pm on Sunday 13 November 2016.

   **Maximum number of races**
   (3) Not more than 6 horse races can be conducted.

   **Maximum number of horses per race**
   (4) Not more than 5 horses can participate in each race.

   **Exhibition gallop of horses**
   (5) Only one exhibition gallop of horses can be conducted.
   (6) Not more than 3 horses can participate in the exhibition gallop.

   **Management of horse races**
   (7) All preparation for and conducting of horse races and the exhibition gallop must be managed by suitably qualified and experienced staff.

**General Conditions**
(8) The General Conditions set out in item 6 are to apply.

3. **ACCESS BY VEHICLES TO CERTAIN AREAS**

   Vehicles are permitted to be driven and parked on:
   (a) that portion of beach shown purple on the attached plan (“the Permitted Area”);
   (b) that portion of reserve shown red on the attached plan (“the Stable Area”);
   (c) that portion of road reserve shown blue on the attached plan (“the Truck and Horse Float Parking Area”);

   subject to the following conditions:

   **Permitted purposes**
   (1) The Permitted Area may only be used by vehicles for the purpose of event set up and removal, event maintenance, event safety and horse ambulance parking.
   (2) The Permitted Location must only be accessed by vehicles through the Stable Area.
   (3) The Stable Area may only be used by vehicles for the purpose of event set up and removal, the loading and unloading of horses and beach access for any purpose referred to in condition (1).
   (4) The Truck and Horse Float Parking Area may only be used by vehicles for the purpose of delivery and pick up of horses and the set up and removal of the stable.

   **Permitted times**
   (5) No vehicle may be driven or parked on the Permitted Area except between 4pm Saturday 12 November 2016 and 12pm Monday 14 November 2016.
   (6) No vehicle may be driven or parked on the Stable Area except between 7am Friday 11 November 2016 and 12pm Monday 14 November 2016.
   (7) No vehicle may be driven or parked on Truck and Horse Float Parking Area except between 7am Friday 11 November 2016 and 12pm Monday 14 November 2016.
General Conditions
(8) The General Conditions set out in item 6 are to apply.

4. STABLES
The erection and use of a stable is permitted on a reserve subject to the following conditions:

Stable Area
(1) Only that portion of the reserve shown red on the attached plan (“Stable Area”) can be used for the purpose of a stable for horses.

Permitted date and times
(2) The stable can only be erected between 7am Friday 11 November 2016 and by 11am Sunday 13 November 2016.
(3) The stable must be removed no later than 12pm on Monday 14 November 2016.
(4) Horses are only permitted at the Stable Area between 5am and 5:30pm on Sunday 13 November 2016.

Permitted purpose
(5) The Stable Area and the stable can only be used for the purpose of:
   (a) Stabling horses; and
   (b) Loading and unloading horses.
(6) The Stable Area cannot be used for the parking of any vehicle except during the loading or unloading of any horse.

Size and nature of stable
(7) Only one stable may be located on the Stable Area.
(8) The stable must not occupy an area greater than 15m x 30m.
(9) A maximum of 17 horses are permitted in the Stable Area at any one time.

Fencing
(10) Temporary barriers and fencing must be used to enclose the Stable Area.
(11) Temporary barriers and fencing must physically prevent the public from entering the Stable Area between 5am and 5:30pm on Sunday 13 November 2016.
(12) The temporary barriers and fencing at the Stable Area must be erected no earlier than 7am Friday 11 November 2016.
(13) The temporary barriers and fencing at the Stable Area must be removed no later than 12pm on Monday 14 November 2016.

General Conditions
(14) The General Conditions set out in item 6 are to apply.

5. GROUND LEVELLING
The levelling of the ground surface of the Stable Area referred to in Item 4 is permitted subject to the following conditions:

Stable Area
(1) Only the Stable Area can be levelled for the purpose of erecting a stable for horses.

Time and date
(2) The Stable Area can only be levelled between 7am and 5:30pm on Thursday 3 November 2016 and between 7am and 5:30pm on Friday 4 November 2016.

6. GENERAL CONDITIONS
In this permit, the General Conditions are as follows:
(1) (a) The permit holder must hold public liability insurance to the value of $20 million dollars for the duration of the event.
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 17 OCTOBER 2016
PRESIDING MEMBER

(b) Not later than 4pm on Friday 28 October 2016 the permit holder must give to the City a copy of the insurance policy.

(2) The permit holder must give to the City notice in writing after any incident involving any injury, near miss or property damage, within 24 hours after the incident or property damage.

(3) The provisions of the Risk Management Plan submitted on Tuesday 9 August 2016 and of the Horse Management Plan submitted on Wednesday 27 July 2016 must be observed at all times.

(4) All litter, rubbish and manure must be removed from:

(a) the Permitted Location referred to in Item 1;
(b) the Stable Area referred to in Item 4;

by no later than 9:00pm on Sunday 13 November 2016.

Advice Notes

(i) The City will arrange for the removal and reinstatement of the volleyball posts as requested, at the event organiser’s cost.

(ii) The City will arrange for beach raking pre and post event as requested, at the event organiser’s cost.

(iii) This Permit does not remove the need for approvals, licences and other permits that may be required under other legislation.

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council APPROVES the issue of a permit under the City of Rockingham Local Government Property Local Law 2001 for the following activities subject to the following conditions:

1. CLOSURE OF PORTION OF ROCKINGHAM BEACH

   The closure of portion of Rockingham Beach is permitted subject to the following conditions:

   Permitted Location

   (1) Only that portion of Rockingham Beach bounded:

       (a) to the North, by the high water mark of the Indian Ocean;
       (b) to the West, by the eastern prolongation of the Val Street Jetty;
       (c) to the East, by the western prolongation of the Beach Access Path (which path is approximately 160m east of the car park at Wanliss Street);
       (d) to the South, by the commencement of the vegetated primary dune, and shown in purple on the attached plan (“the Permitted Location”) can be closed.

   (2) The pedestrian footpath adjacent to the Permitted Location cannot be closed but may be used to lead horses to and from the Permitted Location.

   Time and date

   (3) The Permitted Location can only be closed between 5am and 5:30pm on Sunday 13 November 2016.

   Fencing

   (4) Temporary barriers and fencing must be used to enclose the Permitted Location.

   (5) Temporary barriers and fencing must physically prevent the public from entering the Permitted Location from the West, the East, and the beach access paths to the South between 5am and 5:30pm on Sunday 13 November 2016.

   (6) The temporary barriers and fencing to the West (at Val Street Jetty) must be erected no earlier than 4pm on Saturday 12 November 2016 and no later than 7am on Sunday 13 November 2016.
(7) The temporary barriers and fencing to the West (at Val Street Jetty) must be removed no later than 12pm on Monday 14 November 2016.

(8) The temporary barriers and fencing to the East (ie. 160m north of Wanliss Street car park) and to the South (ie. the beach access paths) must be erected no earlier than 5am and no later than 7am on Sunday 13 November 2016.

(9) The temporary barriers and fencing to the East (ie. 160m north of Wanliss Street car park) and to the South (ie. the beach access paths) must be removed no later than 5:30pm on Sunday 13 November 2016.

General Conditions
(10) The General Conditions set out in item 6 are to apply.

2. CONDUCT OF HORSE RACES

The conduct of horse races is permitted on the Permitted Location (referred to in Item 1) subject to the following conditions:

Permitted Location
(1) The Permitted Location can only be used for the purpose of:
   (a) preparing for and conducting horse races; and
   (b) preparing for and conducting an exhibition gallop of horses.

Time and date
(2) The Permitted Location can only be used for conducting horse races and the exhibition gallop between 5am and 5:30pm on Sunday 13 November 2016.

Maximum number of races
(3) Not more than 6 horse races can be conducted.

Maximum number of horses per race
(4) Not more than 5 horses can participate in each race.

Exhibition gallop of horses
(5) Only one exhibition gallop of horses can be conducted.
(6) Not more than 3 horses can participate in the exhibition gallop.

Management of horse races
(7) All preparation for and conducting of horse races and the exhibition gallop must be managed by suitably qualified and experienced staff.

General Conditions
(8) The General Conditions set out in item 6 are to apply.

3. ACCESS BY VEHICLES TO CERTAIN AREAS

Vehicles are permitted to be driven and parked on:
(a) that portion of beach shown purple on the attached plan ("the Permitted Area");
(b) that portion of reserve shown red on the attached plan ("the Stable Area");
(c) that portion of road reserve shown blue on the attached plan ("the Truck and Horse Float Parking Area");

subject to the following conditions:

Permitted purposes
(1) The Permitted Area may only be used by vehicles for the purpose of event set up and removal, event maintenance, event safety and horse ambulance parking.
(2) The Permitted Location must only be accessed by vehicles through the Stable Area.
(3) The Stable Area may only be used by vehicles for the purpose of event set up and removal, the loading and unloading of horses and beach access for any purpose referred to in condition (1).
(4) The Truck and Horse Float Parking Area may only be used by vehicles for the purpose of delivery and pick up of horses and the set up and removal of the stable.

Permitted times

(5) No vehicle may be driven or parked on the Permitted Area except between 4pm Saturday 12 November 2016 and 12pm Monday 14 November 2016.

(6) No vehicle may be driven or parked on the Stable Area except between 7am Friday 11 November 2016 and 12pm Monday 14 November 2016.

(7) No vehicle may be driven or parked on Truck and Horse Float Parking Area except between 7am Friday 11 November 2016 and 12pm Monday 14 November 2016.

General Conditions

(8) The General Conditions set out in item 6 are to apply.

4. STABLES

The erection and use of a stable is permitted on a reserve subject to the following conditions:

Stable Area

(1) Only that portion of the reserve shown red on the attached plan ("Stable Area") can be used for the purpose of a stable for horses.

Permitted date and times

(2) The stable can only be erected between 7am Friday 11 November 2016 and by 11am Sunday 13 November 2016.

(3) The stable must be removed no later than 12pm on Monday 14 November 2016.

(4) Horses are only permitted at the Stable Area between 5am and 5:30pm on Sunday 13 November 2016.

Permitted purpose

(5) The Stable Area and the stable can only be used for the purpose of:
   (a) Stabling horses; and
   (b) Loading and unloading horses.

(6) The Stable Area cannot be used for the parking of any vehicle except during the loading or unloading of any horse.

Size and nature of stable

(7) Only one stable may be located on the Stable Area.

(8) The stable must not occupy an area greater than 15m x 30m.

(9) A maximum of 17 horses are permitted in the Stable Area at any one time.

Fencing

(10) Temporary barriers and fencing must be used to enclose the Stable Area.

(11) Temporary barriers and fencing must physically prevent the public from entering the Stable Area between 5am and 5:30pm on Sunday 13 November 2016.

(12) The temporary barriers and fencing at the Stable Area must be erected no earlier than 7am Friday 11 November 2016.

(13) The temporary barriers and fencing at the Stable Area must be removed no later than 12pm on Monday 14 November 2016.

General Conditions

(14) The General Conditions set out in item 6 are to apply.

5. GROUND LEVELLING

The levelling of the ground surface of the Stable Area referred to in Item 4 is permitted subject to the following conditions:
Stable Area

(1) Only the Stable Area can be levelled for the purpose of erecting a stable for horses.

Time and date

(2) The Stable Area can only be levelled between 7am and 5:30pm on Thursday 3 November 2016 and between 7am and 5:30pm on Friday 4 November 2016.

6. GENERAL CONDITIONS

In this permit, the General Conditions are as follows:

(1) (a) The permit holder must hold public liability insurance to the value of $20 million dollars for the duration of the event.
(b) Not later than 4pm on Friday 28 October 2016 the permit holder must give to the City a copy of the insurance policy.

(2) The permit holder must give to the City notice in writing after any incident involving any injury, near miss or property damage, within 24 hours after the incident or property damage.

(3) The provisions of the Risk Management Plan submitted on Tuesday 9 August 2016 and of the Horse Management Plan submitted on Wednesday 27 July 2016 must be observed at all times.

(4) All litter, rubbish and manure must be removed from:
(a) the Permitted Location referred to in Item 1;
(b) the Stable Area referred to in Item 4;
by no later than 9:00pm on Sunday 13 November 2016.

Advice Notes

(i) The City will arrange for the removal and reinstatement of the volleyball posts as requested, at the event organiser's cost.

(ii) The City will arrange for beach raking pre and post event as requested, at the event organiser's cost.

(iii) This Permit does not remove the need for approvals, licences and other permits that may be required under other legislation.

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

Reference No & Subject: PDS-058/16 Proposed Telecommunications Infrastructure (Fixed Wireless Facility)

File No: DD020.2016.00000215.001
Applicant: Aurecon Australasia Pty Ltd
Owner: Water Corporation
Author: Miss Donna Shaw, Senior Planning Officer
Other Contributors: Mr Dave Waller, Coordinator Statutory Planning
                      Mr Mike Ross, Manager Statutory Planning
Date of Committee Meeting: 19 September 2016
Previously before Council: 
Disclosure of Interest: 
Nature of Council’s Role in this Matter: Tribunal

Site: Lot 33 Churcher Road, Baldivis
Lot Area: 35ha
LA Zoning: Rural
MRS Zoning: Rural
Attachments: Schedule of Submissions
Maps/Diagrams:
1. Location Plan
2. Aerial Photo
3. Site Plan
4. Elevation
5. Photograph of Development Site
6. Photograph of Existing Monopoles
7. View to the site from Churcher Road (southern boundary)
8. View to the site from western boundary
9. Consultation Plan
1. Location Plan

2. Aerial Photo

- Proposed Site
- Existing Monopoles
Purpose of Report

To consider an application seeking Development Approval for Telecommunications Infrastructure (Fixed Wireless Facility) at Lot 33 Churcher Road, Baldivis.

Background

National Broadband Network (NBN)

The applicant has advised that NBN is the organisation responsible for overseeing the upgrade of Australia's existing telecommunications network and for providing wholesale services to retail service providers. The NBN is designed to provide Australians with access to fast, affordable and reliable internet services.

NBN plans to upgrade the existing telecommunications network in the most cost-efficient way using best-fit technology and taking into consideration existing infrastructure. As part of the upgrading process it is necessary to construct new telecommunication towers to fit in to the National Broadband Network.

NBN fixed wireless broadband towers are usually bigger than mobile phone towers, and are more likely to be required in metropolitan fringe and regional areas. Fixed wireless technology can transmit data at broadband speeds using radio signals instead of cables. This technology uses fixed transmission towers or base stations to communicate ‘over the air’ with the NBN installed equipment within the home or business. Line of sight from the tower to the equipment at the home or business is essential. Fixed wireless technology enables access to NBN services in locations that are difficult or not cost effective to reach with fixed line technology.

History of Development Approvals

In March 2004 Council resolved to approve a Telecommunications Tower and Base Station on the site. A revised application which relocated the tower to a central location was approved by Council in September 2005.

In December 2010 the Council approved the construction of a second Telecommunications Tower and Base Station on the site.

Subject Site

As previously advised, the subject site is already being used by Telstra, Vodafone and Optus and includes two telecommunications monopole towers (33.8m and 35m in height) that are centrally located on-site. With the exception of several access tracks, there is no other development on the site.

The subject site is owned by the Water Corporation and is required for possible future water storage to serve the ultimate urban development of land around Karnup to the south.

The entire site is designated as a Bush Forever site (Bush Forever No.376), meaning it is an environmentally sensitive area and requires the approval from the Western Australian Planning Commission for any clearing of vegetation. The site is densely vegetation with open forest, closed scrub and woodland vegetation complexes.

Details

Development Approval is sought for a telecommunications facility, comprising a 40 metre high monopole with four panel antennas, eight remote radio units, two parabolic dish antennas and ancillary components including three outdoor cabinets and a distribution board enclosed within a secure 80m² compound. A 300m wide cable tray will connect the pole to the equipment cabinets. The compound will be setback 250m from the northern boundary and 180m from the western boundary, in an already cleared area. No vegetation removal is required to facilitate the development. The applicant has submitted the following documents in support of the application:

- Site Plan
- Elevation
- Planning Report
- Electromagnetic Emissions (EME) Report
3. Site Plan
4. Elevation

5. Photograph of Development Site
6. Photograph of Existing Monopoles

7. View to the site from Churcher Road (southern boundary)
8. View to the site from western boundary

**Implications to Consider**

a. **Consultation with the Community**

The application was referred to 71 property owners and occupiers within 500m of the proposed Telecommunications Infrastructure as per the consultation plan below. At the close of the advertising period, a total of 10 submissioners were received, nine objecting the proposal and one in support.
9. Consultation Plan

**Submission:**

(i) The subject site is meant to be reserved for Bush Forever.

**Proponent's Response:**

The Bush Forever reservation does not control land use, rather it recognises the need the conservation importance of the land holding. Given the proposed nbn facility will not result in the destruction or disturbance of vegetation we understand that the Bush Forever Officer (Department of Planning) will not object to the development, but will impose standard conditions. These conditions for other Bush Forever sites containing telecommunications require no disturbance to vegetation during construction, no storage of materials or waste in vegetated areas, and removal of all construction materials and waste.

In evaluating the selected location we were of the view that locating in a cleared area of within the subject land was preferable to removing vegetation on adjacent Water Corporation land to the south that is not subject to a Bush Forever reservation.

**City's Comment:**

The proposed development does not require any clearing of vegetation and therefore has no impact on the Bush Forever designation of the land.

**Submission:**

(ii) The development should be co-located with existing infrastructure.
Location (Cont…)

Proponent’s Response:
Agreed; however, our submission documents the reasons why the two nearby facilities were unsuitable. The structures either could not offer sufficient elevation and an extension was not possible due to structural limitations, or a replacement (swap out) option was not possible due to the need to shut down both facilities to undertake the works.

City’s Comment:
Whilst it is desirable to co-locate infrastructure where possible, the applicant has advised that the existing monopoles have already been extended and do not provide sufficient elevation for transmission equipment to effectively operate, and therefore the development cannot be co-located with existing infrastructure.

Submission:
(iii) Increased storm damage/lightning strikes as a result of location of telecommunications infrastructure.

Proponent’s Response:
From a risk perspective the State Planning Policy or EPA risk-based separation policy for prescribed premises is silent on telecommunications towers. Any future NBN structure will be certified by a structural engineer and fully satisfy the BCA requirements or a Class 10b structure (mast, antenna or the like). The tower has an earthing ring installed around the whole compound. It consists of copper strap and electrodes buried around 600mm in the ground. When lightning strikes the structure it travels down the pole, into the earthing system and down onto the electrodes in the ground. The system is designed in such a way that anyone nearby the structure is protected by having the current travel down the path of least resistance to the ground.

City’s Comment:
The applicant’s comments are noted.

Submission:
(v) Impact on future development on the potential to develop and subdivide the surrounding land

Proponent’s Response:
The proximity to telecommunications infrastructure is not a determining factor when assessing the suitability to subdivide land.
The proposed infrastructure will not impact on the ability to use or develop adjoining land for a lawful purpose permissible under the Planning Scheme.

One may well argue that access to fast, reliable and affordable broadband and other communications networks adds amenity to an area and; therefore, increases its desirability.

City’s Comment:
The subject site or surrounding land has not been identified for future urban development under the Western Australian Planning Commissions’ Draft South Metropolitan Peel sub-regional planning framework. The City does not take into consideration the location of telecommunications infrastructure when considering the future subdivision or development potential of the land.

Amenity

Submission:
(i) Adverse impacts on the visual amenity of the rural locality.
Amenity (Cont…)

Proponent’s Response:
The NBN have selected the least visually impactful structure necessary to achieve the required height to meet coverage objectives. The proposed location is such that ground level equipment will be screened by existing vegetation and additionally be colour matched. The monopole itself will naturally fade. Unpainted structures are deemed by State visual landscape policy to blend better against lighter backgrounds such as the sky.

The SAT has ruled that height is an integral part of a mobile phone base station.

“While it is true that the tower will be higher than any other point in the immediate vicinity of the subject land, such height is an integral part of the successful functioning of the infrastructure, a matter recognised by SPP 5.2, cl 2.3 (‘mounted clear of surrounding obstructions’).” Optus Mobile v City of Stirling [2008] WASAT 238 [59]

“The planning framework does not require the tower to be invisible.” Telstra Corporation v Shire of Waroona [2012] WASAT 179

NBN has sought to establish the facility in an elevated position, thus reducing the height of the structure necessary to achieve coverage objectives. This approach is consistent with visual planning best practice which encourages carriers to “Minimise the height of the tower by assessing the local topography or height of buildings for the proposed area. Choose the site that minimises the height of the tower most effectively.” (Visual Landscape Planning in Western Australia WAPC, 2007 p. 138)

The SAT also recognises that visual impact needs to be considered on balance the visibility of the tower to nearby residents must be balanced against those policy provisions of the planning scheme which permit the provision of this form of infrastructure. It must also be balanced against the general community benefit to be derived from the development of a comprehensive telecommunication network.

We submit that the location will not will not obscure an important view or vista (locally or regionally significant view from a lookout or tourist route or similar) that offer locally or regionally significant view experiences. We have additionally sought to maximise separation distances from dwellings on adjoining land.

The selected location is level and cleared such that no significant environmental disturbance will occur.

A visual landscape assessment is provided in our development application submission.

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

The visual presence of the monopole will be mitigated by the existing tall, dense vegetation throughout the site, as seen in figures 8 and 9.

The proposed site will also be located where it will not be visible from significant viewing locations, lookouts, scenic routes or recreational sites.

The lower part of the development will be adequately screened from view from the adjoining properties by the dense vegetation and a distance of approximately 300m to the closest dwelling. The visual impact is considered to be acceptable as further detailed in the Policy section of this report.

Health Impacts

Submission:

(i) Exposure to radiation and health and safety risk as a result of development.

Proponent’s Response:
The EME report was produced for the proposed facility itself as per Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) requirements. The emissions will not exceed 0.076% of the permissible level 200-300m away.
Health Impacts (Cont…)

Given the physical distance from the other facilities the emissions modelling is not cumulative as the radiation plumes at the headframes do not overlap so as to magnify the levels. Essentially the facilities do not impact on each other.

The nearest facilities are grouped together for EME modelling purposes given their immediate proximity enables the single site code to be allocated to them and together emit 0.61% of the permissible level 240.94m away.

Given the sites are 82m apart the cumulative levels could not exceed 0.076% plus 0.61% (0.676%).

As you are aware the State Planning Policy, SAT determinations and increasing local planning policies reiterate public health is not a matter local government is able to consider given it is regulated through Commonwealth licensing.

City’s Comment:

In terms of State Planning Policy No.5.2 (SPP 5.2) setback distances for telecommunications infrastructure to address health or safety standards for human exposure to electromagnetic emissions are not to be set out in local planning schemes or local planning policies because standards set by ARPANSA. Standards set by ARPANSA incorporate substantial safety margins to address human health and safety matters. It is not within the scope of SPP5.2 to address health and safety matters.

Property Values

**Submission:**

(i) **The proposed development will reduce property values.**

**Proponent’s Response:**

This is not a valid planning consideration. The draft state planning policy stipulated the individual matters to be considered when determining development applications and had no regard to potential impact on property values. Whilst this section was omitted from the adopted version; the state planning policy has no regard to property values.

Notwithstanding, there is no recognised study which demonstrates that telecommunications infrastructure has a detrimental effect on property values. As opposed to subjective analysis, the only formal studies that considered at this matter was undertaken in New Zealand and published in the *International Journal of Housing Markets and Analysis* (2014). The study found no correlation between the sale price of houses and their distance from mobile phone antennas.

**City’s Comment:**

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

NBN Network Access

**Submission:**

(i) **No community benefit to Baldivis as the NBN will not be rolled out in the area for at least another 20 years.**

**Proponent’s Response:**

NBN™’s fixed wireless network in Baldivis South is designed to offer service providers with wholesale access speeds of up to 50Mbps for downloads and 20Mbps for uploads. End user experience including the speeds actually achieved over the NBN™ depends on some factors outside NBNs control like equipment quality, software, broadband plans and how the end user’s service provider designs its network. Current metropolitan ADSL services are capable of peak speeds of just 24Mbps – although actual ADSL operational rates are often much slower. There are presently sixty (60) organisations, including tier one providers such as Telstra, Optus and iinet, offering NBN™ packages.
The proposed Baldivis South facility is dependent solely on the construction of the NBN Mundijong facility. Development approval for both the Mundijong and Baldivis South facilities are likely to be determined in August 2016. We anticipate that a service can be provided from the NBN Baldivis South facility in mid-2017. Many other fixed-wireless facilities are in operation in Western Australia at this time.

City's Comment:
The applicant's comments are noted.

b. Consultation with Government Agencies

Given the entirety of the site is designed as 'Bush Forever', the proposal was referred to the Bush Forever Office of the Department of Planning (DoP). The DoP raised no concerns with the proposal.

c. Strategic

Community Plan

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

Aspiration D: Sustainable Environment

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

d. Policy

State Planning Policy 5.2 - Telecommunications Infrastructure (SPP5.2)

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

- facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;
- manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;
- ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons; and,
- promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.

An assessment of the application against the relevant matters to be considered listed in SPP5.2 is as follows:

<table>
<thead>
<tr>
<th>Policy Requirement</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment of the visual impact of development proposals for telecommunications</td>
<td>The application for Telecommunications Infrastructure was assessed on a case by case basis.</td>
<td>Yes</td>
</tr>
<tr>
<td>infrastructure should be made on a case by case basis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telecommunications infrastructure should be sited and designed to minimise visual</td>
<td>The proposed site will be located where it will not be visible from</td>
<td>Yes</td>
</tr>
<tr>
<td>impact and whenever possible:</td>
<td>significant viewing locations, a scenic route, heritage site, lookout</td>
<td></td>
</tr>
<tr>
<td>a) be located where it will not be prominently visible from significant viewing</td>
<td>or recreational site.</td>
<td></td>
</tr>
<tr>
<td>locations such as scenic routes, lookouts and recreation sites;</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Planning Policy 3.3.16 - Telecommunications Infrastructure (PP3.3.16)

The objectives for PP 3.3.16 are:

(a)  *To promote the orderly and proper development of land by making suitable provisions relating to the location and design of Telecommunications Infrastructure that cannot be classified as low-impact facilities; and*

(b)  *To secure the amenity, health and convenience of the locality through appropriate provisions intended to minimise any potential adverse impacts from such Telecommunications Infrastructure.*

The following is an assessment against the requirements of PP3.3.16:

<table>
<thead>
<tr>
<th>Policy Requirement</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>In terms of PP3.3.16 Telecommunications Infrastructure the preferred location for telecommunications Infrastructure that cannot be classified as low impact facilities is in the Industrial, Commercial and Rural Zones.</td>
<td>The proposed facility will be located in the Rural zone and can therefore be considered for approval if it complies with the policy statement regarding its location.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
### Policy Requirement | Provided | Compliance
--- | --- | ---
Telecommunications Infrastructure should be sited to minimise adverse impacts on the visual character and amenity of residential areas. In this regard, such facilities should not be located within 200 metres of land zoned Urban or Urban Deferred in the Metropolitan Region Scheme (or Residential, Special Residential or Development Zone in Town Planning Scheme No.2), unless the infrastructure is attached to an existing structure and does not adversely impact on the visual amenity of an area. | The proposed facility will be located 1.35km from the nearest Urban land to the north and 1.12km to the nearest Urban Deferred land to the south. All land to the east and west of the proposed facility is zoned Rural or Special Rural. | Yes
Telecommunications Infrastructure should be sited to minimise any potential adverse visual impact on the character and amenity of the local environment, in particular, impacts upon areas of natural conservation value, places of heritage significance, prominent landscape features, general views in the locality and individual significant views. | The proposed site will be located where it will not be visible from significant viewing locations, a scenic route, heritage site, lookout or recreational site. | Yes

The proposal is considered to comply with PP3.3.16.

e. **Financial**

Nil

f. **Legal and Statutory**

Town Planning Scheme No.2 (TPS2)

Clause 3.2 - Zoning & Land Use

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

Clause 4.11.1 - Rural Zone

The objective of the Rural zone is as follows:

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

The land is not suitable for farming or semi-rural development given its status as a Bush Forever site.

Clause 4.11.2 - General Provisions (Rural Zone)

The following is an assessment of the proposed development against the relevant general provisions of the Rural zone:
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 OCTOBER 2016

---

### Provision

<table>
<thead>
<tr>
<th>Provision</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setbacks</strong></td>
<td>Development will be setback a minimum of 30 metres from the primary street and 10 metres from all other boundaries, other than for the purpose of providing a fire break or vehicular accessway.</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Clearing of Native Vegetation</strong></td>
<td>No native or remnant vegetation shall be removed or cleared unless approved by the Council, and other than for the purpose of a fire break, fire protection within a building protection zone, dwelling, outbuilding, fence and vehicular access or where such vegetation is dead, diseased or dangerous.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

#### Risk

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

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

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

Nil

### Comments

The existing tall trees and vegetation on the site provide sufficient screening to impact of the proposal on visual amenity of neighbours. The application is considered to be in the public interest and in accordance with the Guiding Principles as stated in SPP 5.2.

The proposed facility is proposed in a location that complies with PP3.3.16 while still ensuring a proper NBN service can be provided. It is recommended that the application be approved.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **APPROVES** the application for Telecommunications Infrastructure (Fixed Wireless Facility) at Lot 33 Churcher Road, Baldivis subject to the following condition:

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
   - Site Plan, Drawing No.6MDJ-51-02-BALCS-C2 Rev 02, dated 23.02.2016;
   - Site Setout Plan, Drawing No.6MDJ-51-02-BALCS-C3 Rev 02, dated 23.02.2016; and

### Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council **APPROVES** the application for Telecommunications Infrastructure (Fixed Wireless Facility) at Lot 33 Churcher Road, Baldivis subject to the following condition:

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
Site Plan, Drawing No.6MDJ-51-02-BALCS-C2 Rev 02, dated 23.02.2016;
Site Setout Plan, Drawing No.6MDJ-51-02-BALCS-C3 Rev 02, dated 23.02.2016; and

Committee Voting – 4/1
(Cr Summers voted against)

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

Implications of the Changes to the Officer’s Recommendation
Not Applicable
<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-059/16</th>
<th>Joint Development Assessment Panel Application - Mixed Use Development (58 Multiple Dwellings and Two Commercial Units)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2016.0000299.001</td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>Klopper &amp; Davis Architects</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td>Department of Housing</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Keara Freeley, Planning Officer</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Greg Delahunty, Senior Projects Officer</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 September 2016</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>Lot 636 Thundelarra Drive, Golden Bay</td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td>3,432m²</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Development (Commercial in terms of the Golden Bay Local Structure Plan)</td>
<td></td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Urban</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td>Responsible Authority Report</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photo</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Site Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Ground Floor and Landscaping Plan</td>
<td></td>
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<tr>
<td></td>
<td>5. First Floor Plan</td>
<td></td>
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<tr>
<td></td>
<td>6. Second Floor Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7. Third Floor Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>8. Typical Apartment Plans</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9. South Elevation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10. West Elevation (Jundee Lane)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>11. North Elevation (Carlindie Parkway)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>12. East Elevation (Thundelarra Drive)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>13. Concept Image 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>14. Concept Image 2</td>
<td></td>
</tr>
</tbody>
</table>
15. Concept Image 3
16. Golden Bay Neighbourhood Centre Detailed Area Plan

1. Location Plan

2. Aerial Photo
Purpose of Report

To provide recommendations to the Metro South-West Joint Development Assessment Panel (SWJDAP) on an application for a mixed use development, comprising fifty-eight multiple dwellings and two commercial tenancies at Lot 636 Thundelarra Drive, Golden Bay.

Background

On 22 December 2015, the Western Australian Planning Commission (WAPC) approved the subdivision of Lot 9015 in Golden Bay (WAPC Ref: 152653). Lot 636 was created as a result of this approval.

Pursuant to Clause 4.23 of the City of Rockingham Town Planning Scheme No.2 (TPS2) a Local Development Plan was prepared and approved for the subject lot on the 24 March 2015.

Details

The applicant seeks Development Approval for a four storey mixed use building fronting Thundelarra Drive and Carlindie Parkway. Specifically the development comprises the following:

- Fifty-eight multiple dwellings, including:
  - Eighteen 1 bedroom x 1 bathroom; and
  - Forty 2 bedroom x 2 bathroom.
- Two ground floor commercial tenancies including:
  - Two 70m² Commercial tenancies fronting Thundelarra Drive.
- 119 car parking spaces on the ground floor including 86 tandem formation bays, 9 on-street parking bays and one universally accessible bay.
- Associated dwelling storage and bin store areas.
4. Ground Floor Plan and Landscaping Plan
5. First Floor Plan
6. Second Floor Plan
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 17 OCTOBER 2016

PRESIDING MEMBER
8. Typical Apartment Plans
9. South Elevation

10. West Elevation (Jundee Lane)
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 17 OCTOBER 2016
PRESIDING MEMBER
13. Concept Image 1

14. Concept Image 2
### Implications to Consider

| 15. Concept Image 3 |

<table>
<thead>
<tr>
<th>a. Consultation with the Community</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation with the community is not required for this application as the proposed development is sufficiently set back from existing and future residential development and is consistent with the approved Golden Bay Neighbourhood Centre Local Development Plan (LDP).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>b. Consultation with Government Agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>c. Strategic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Plan</td>
</tr>
<tr>
<td>This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Community Plan 2015-2025:</td>
</tr>
</tbody>
</table>

- **Aspiration D:** Sustainable Environment

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

<table>
<thead>
<tr>
<th>d. Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP4.2)</td>
</tr>
<tr>
<td>The purpose of SPP4.2 <em>inter alia</em> is to specify broad planning requirements for the planning and development of new activity centres in Perth and Peel.</td>
</tr>
</tbody>
</table>

Golden Bay East is classified as a Neighbourhood Centre pursuant to SPP4.2. The proposed development is consistent with this classification and its identified functions. An assessment against the requirements of Clause SPP4.2 has been included in the Responsible Authority Report contained as Attachment 1 to this report; the proposed development was found to be compliant with the requirements of SPP4.2.
State Planning Policy 3.1 - Residential Design Codes (SPP3.1 - The R-Codes)

An assessment of the proposed development against the requirements of the R-Codes has been included in the Responsible Authority Report contained as Attachment 1 to this report; it is considered that the development meets either the relevant Deemed-to-Comply provisions or the Design Principles of the R-Codes.

Planning Policy 3.1.2 - Local Commercial Strategy (PP3.1.2)

The subject site is located within the area identified as ‘Golden Bay East’ under PP3.1.2.

The Golden Bay East Neighbourhood Centre is recommended to have a retail net letable area (NLA) of 3,540m² under PP3.1.2. The Development Application for the Golden Bay Village Centre was approved in June 2016 and included a retail NLA of 2,795m².

The commercial component of the development will have a retail NLA of 140m² and is considered to be compliant in terms of PP3.1.2 and is supported.

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

PP3.3.14 requires the appropriate provision of secure, well designed and effective on site bicycle parking and end-of-trip facilities to encourage the use of bicycles as a means of transport and access to and within the City.

**Bicycle Parking**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Required</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Short Term</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rate</td>
<td>Number</td>
<td>Rate</td>
</tr>
<tr>
<td>Multiple Dwellings (58)</td>
<td>1/10 dwellings</td>
<td>5.8</td>
<td>1/3 dwellings</td>
</tr>
<tr>
<td>Shop (140m²)</td>
<td>1/150m² NLA</td>
<td>0.9</td>
<td>1/250m² NLA</td>
</tr>
<tr>
<td><strong>Total Required</strong></td>
<td></td>
<td>7</td>
<td></td>
</tr>
<tr>
<td><strong>Total Provided</strong></td>
<td></td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

27 bicycle spaces are required in terms of PP3.3.14 and 25 have been provided. A store room for tenant use is located on the ground floor with the capacity to store 19 bicycles. Six visitor bicycle bays are provided on Thundelarra Drive adjacent to the residential entrances. One additional short term bicycle parking bay is recommended to be provided, should the development be approved. The shortfall of long term bays is acceptable as the dwellings have each been provided with a store room.

**End-of-Trip Facilities**

<table>
<thead>
<tr>
<th>Number of Long Term Parking Spaces Required</th>
<th>Rate</th>
<th>Amount</th>
<th>Number of showers provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>4 (two male, two female).</td>
<td>4 (two male, two female) showers and change facilities.</td>
<td>One shower and change room has been provided in each commercial tenancy (two in total).</td>
</tr>
</tbody>
</table>

Given that showers are provided in each multiple dwelling, only showers to service the commercial component of the proposed development are recommended. One shower has been provided in each Commercial tenancy.

The proposed development is compliant with PP3.3.14, subject to one additional short term bicycle parking bay being provided.
e. Financial

Nil

f. Legal and Statutory

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

Clause 27 - Effect of a Structure Plan

Clause 27 of the Regulations states that a decision-maker for an application for development approval in an area that is covered by a Structure Plan that has been approved by the Western Australian Planning Commission is to have due regard to, but is not bound by, the Structure Plan when deciding the application.

The Golden Bay Local Structure Plan (LSP) was adopted by Council in May 2012. TPS2 includes a Commercial designation for the land.

Clause 56 - Effect of a Local Development Plan

Clause 56 of the Regulations states that a decision-maker for an application for Development Approval in an area that is covered by a Local Development Plan that has been approved by the Local Government must have due regard to, but is not bound by, the Local Development Plan when deciding the application.

The Golden Bay Neighbourhood Centre Local Development Plan (LDP) was adopted by the Council in March 2015. A detailed assessment of the development against the LDP is provided in the Responsible Authority Report contained as Attachment 1 to this report where it is demonstrated that the development is consistent with the intent of the LDP.

Clause 67 - Matters to be considered by Local Government

Clause 67 of the Regulations provide the matters which the local government is to give due regard when considered relevant to an application. Where relevant, these are discussed in the Responsible Authority Report contained as Attachment 1 to this report.

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

Clause 3.2 - Zoning Table

The subject site is zoned ‘Development’ under TPS2 and is designated Commercial under the LSP. The proposed uses of a ‘Shop’ or ‘Office’ and ‘Multiple Dwellings’ are uses that are not permitted (D), unless the Council has exercised discretion by granting Development Approval.

Clause 4.2 - Development Zone

The subject site is zoned ‘Development’ under TPS2. A prerequisite to development in the zone is a Structure Plan. The Golden Bay LSP was adopted by Council in May 2012. As per the Regulations, the decision-maker for an application for Development Approval in an area that is covered by a Structure Plan is to have due regard to the Structure Plan when deciding the application.

Under the Golden Bay LSP, the site where the proposed development is located is an area that is zoned Commercial. In this regard, the application of the Commercial zone provisions of TPS2 is appropriate.

Clause 4.6 - Commercial Zone

Clause 4.6.1 – Objective

The development which provides a mixed use development within the Golden Bay Neighbourhood Centre is considered to be consistent with the objective of the Commercial zone, being:

“To provide for the development of District, Neighbourhood and Local shopping facilities to cater for the present and future residents of the City consistent with the Council’s Local Commercial Strategy and supported by any other Plan or Policy that the Council from time to time may adopt as a guide for the future development within the Zone.”
Clause 4.6.2 – Form of Development

Consistent with Clause 4.6.2, the proposed development is considered to be of an appropriate scale for the site and its built form, elevations and landscaping positively contribute to the streetscape and appearance and amenity of the locality.

Clause 4.6.3 - Carparking

Pursuant to Clause 4.15.1.1, carparking is required to be provided in accordance with Table No.2 of TPS2. The carparking requirement for Multiple Dwellings is as per the Residential Design Codes (R-Codes). Two commercial tenancies have been provided and it has not been indicated what the tenancies will be used for. The maximum parking requirements will be applied to the tenancies to ensure sufficient parking is provided; therefore the parking requirements for a Shop will be applied to the development.

An assessment of the proposed carparking against the requirements of TPS2 is provided below:

<table>
<thead>
<tr>
<th>Use</th>
<th>Table No.2 Requirement</th>
<th>Bays Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple Dwellings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 110m² and/or 1 or 2 bedrooms (58 dwellings)</td>
<td>1.25</td>
<td>72.5</td>
</tr>
<tr>
<td>Visitor Parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0.25 per dwelling</td>
<td></td>
<td>14.5</td>
</tr>
<tr>
<td>Shop</td>
<td></td>
<td></td>
</tr>
<tr>
<td>70m² NLA</td>
<td>6 bays per 100m² NLA</td>
<td>4.2</td>
</tr>
<tr>
<td>70m² NLA</td>
<td>6 bays per 100m² NLA</td>
<td>4.2</td>
</tr>
<tr>
<td>Total Required</td>
<td></td>
<td>95</td>
</tr>
<tr>
<td>Total Provided On-Site</td>
<td></td>
<td>119* **</td>
</tr>
</tbody>
</table>

*86 of the on-site parking bays are tandem bays.

** As per the Local Development Plan for the Golden Bay Neighbourhood Centre, any on-street parking bays adjacent to a lot may be included in the calculation of visitor parking provision for that lot. 9 on-street parking bays are shown on the site plan.

The applicant is required to provide a total of 95 bays on site, however, 86 are tandem in formation. Considering that there is an oversupply of car parking including the provision of 9 on-street parking bays, the carpark is functional and will ensure accessibility of the bays for all of the units. As such, the number of bays provided meets the requirements for the development.

It should also be noted that the development is within 250m of a bus stop and although it is not a high frequency route, the number of services is expected to increase as the neighbourhood centre and surrounding residential subdivision develops.

** Risk

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

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

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

**Traffic and Access**

Clause 67(s) of the Regulations requires the Council to give due regard to whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles.

The proposed development will be accessed by Jundee Lane, to the rear of the development, which provides adequate access and egress from the site.

**Waste**

Clause 67(u) (iii) of the Regulations requires the Council to consider the availability and adequacy of the development with respect to the storage, management and collection of waste.

A bin store has been provided for the residential development adjacent to Jundee Lane and two bin stores have been provided adjacent to the two Commercial tenancies. Specific details as to the storage and disposal of waste have not yet been provided. Should the application be approved, it is recommended a condition be imposed requiring the preparation and implementation of a Waste Management Plan.

**Conclusion**

The proposed Mixed Use development is compliant with TPS2 and Policy requirements.

The proposed development complies with the intent of the LSP and the Golden Bay Neighbourhood Centre Detailed Area Plan. The proposal is considered to be suitable for its site and the locality and is recommended for approval by the South-West Joint Development Assessment Panel.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **APPROVES** the Responsible Authority Report for the proposed Mixed Use Development (Fifty-Eight Multiple Dwellings and Two Commercial Units) at Lot 636 Thundelarra Drive, Golden Bay as contained as Attachment 1 as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel pursuant to Regulation 12 of the Planning and Development (Development Assessment Panels) Regulation 2011.

**Committee Recommendation**

Moved Cr Hamblin, seconded Cr Sammels:

That Council **APPROVES** the Responsible Authority Report for the proposed Mixed Use Development (Fifty-Eight Multiple Dwellings and Two Commercial Units) at Lot 636 Thundelarra Drive, Golden Bay as contained as Attachment 1 as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel pursuant to Regulation 12 of the Planning and Development (Development Assessment Panels) Regulation 2011, which recommends:

*That the Metro South-West Joint Development Assessment Panel, resolves to approve DAP Application reference DAP/16/1098 and accompanying plans:

- Concept Image 1, Drawing No. 1, received 10.08.2016;
- Concept Image 2, Drawing No. 4, received 10.08.2016;
- Accommodation Schedule, Drawing No. 5, received 02.09.2016;
- Materials, Drawing No. 6, received 10.08.2016;
- Concept Image 3, Drawing No. 7, received 10.08.2016;
- Location Plan, Drawing No. 8, received 10.08.2016;*
Site Plan, Drawing No.9; received 02.09.2016;  
Ground Floor Plan & Landscaping, Drawing No. 10, received 02.09.2016;  
First Floor Plan, Drawing No.11, received 01.09.2016;  
Second Floor Plan, Drawing No.12, received 01.09.2016;  
Third Floor Plan, Drawing No.13, received 01.09.2016;  
Typical Apartment Plans, Drawing No.14, received 10.08.2016; and  
Elevations, Drawing No.15, received 01.09.2016.

in accordance with Clause 68(2)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015 for the proposed Mixed Use Development (Fifty-Eight Multiple Dwellings and Two Commercial Tenancies) at Lot 636 Thundelarra Drive, Golden Bay, subject to the following conditions and advice notes:

**Conditions**

1. This approval does not authorise or approve the use of any of the ground floor commercial tenancies. A separate Development Approval must be obtained for the occupation of any ground floor commercial tenancy, prior to the occupation of any tenancy.

2. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.

3. Prior to applying for a Building Permit, all stormwater generated by the development shall be designed to be contained of on-site and certified by a suitably qualified engineer. The design shall be implemented and maintained for the duration of the development.

4. Prior to applying for a Building Permit, a Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City of Rockingham:

   (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 and areas to be mulched;

   (iii) Any natural landscape areas to be retained;

   (iv) Those areas to be reticulated or irrigated;

   (v) The street setback and verge treatments;

   (vi) Street trees to be provided at a minimum rate of 1 tree per 14m in the road reserve; and

   (vii) Shade trees to be provided to the carpark at a minimum rate of 1 tree per 8 car bays.

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 of Rockingham.

5. Arrangements being made to the satisfaction of the City of Rockingham for the payment of contributions towards the Administration and Community Infrastructure items pursuant to Clause 5.6.14 of the City of Rockingham Town Planning Scheme No.2, prior to works commencing.

6. The carpark must:

   (i) provide a minimum of 95 parking spaces;

   (ii) prior to applying for a Building Permit, be designed in accordance with User Class 1 for Commercial tenancies and 1A for Multiple Dwellings of the Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* unless otherwise specified by this approval;
(iii) include one car parking space 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;

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

(v) have lighting installed prior to the occupation of the development; and

(vi) 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 carpark must comply with the above requirements for the duration of the development.

7. Seven short-term bicycle parking spaces must be provided for the development in the road reserve adjacent the proposed commercial tenancies. The parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle Parking facilities, approved by the City of Rockingham prior to applying for a Building Permit, and constructed prior to occupancy of the development. The bicycle parking space must be retained and maintained in good condition at all times.

8. Two secure hot-water showers, change room and clothing lockers must be provided for the development in accordance with the plans submitted. They must be designed in accordance with Planning Policy 3.3.14 - Bicycle Parking and End-of-Trip Facilities, approved by the City prior to applying for a Building Permit, and constructed prior to occupancy of the development. The showers and change rooms and lockers must be retained and maintained in good condition at all times.

9. Nine on-street car parking spaces must be designed in accordance with the Australian Standard AS 2890.5-1993, Parking facilities, Part 5: On-street parking, prior to applying for a Building Permit.

10. Five visitor car parking spaces must be designed in accordance with the Australian/New Zealand Standard AA/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking, prior to applying for a Building Permit.

The visitor car parking spaces must be constructed, clearly marked/signposted as visitor spaces and connected to the development, via a 1.2m wide continuous accessible path of travel prior to occupation of the development, and must be retained and maintained in good condition at all times.

11. Clothes drying facilities (excluding electric clothes dryers) must be designed for each Multiple Dwelling, be screened from public view prior to applying for a Building Permit, and implemented as such for the duration of the development.

12. 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.

13. Public or customer access to the Commercial tenancies must be from Thundelarra Drive.

14. Above-ground meter boxes must not be located in a street setback area at any time.

15. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public views and/or screened, the details of which are to be provided to the City of Rockingham’s satisfaction prior to applying for a Building Permit.

16. Materials, sea containers, goods or bins must not be stored within the carpark at any time.

17. The standard of finish to the wall(s) built up to boundaries must be to the satisfaction of the adjoining owner(s) or, in the case of a dispute, to the satisfaction of the City.
18. Prior to applying for a Building Permit, where a nil setback has been provided to the street, a canopy(s) with continuous coverage to a minimum depth of 2.5m or to within 600mm of the back of the adjacent kerb where the verge is too narrow, must be provided across the entire street frontage.

19. Prior to applying for a Building Permit, a Waste Management Plan must be prepared and include the following detail to the satisfaction of the City:
   (i) the location of bin storage areas and bin collection areas;
   (ii) the number, volume and type of bins, and the type of waste to be placed in the bins;
   (iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas;
   (iv) frequency of bin collections;
   (v) details of screening bins from view of the street; and
   (vi) bin storage area drainage details.
All works must be carried out in accordance with the Waste Management Plan, for the duration of development and maintained at all times.

20. An Acoustic Report which demonstrates that all mechanical services associated with the proposed development and any other noise source will comply with the Environmental Protection (Noise) Regulations 1997, must be submitted to and approved by the City of Rockingham, prior to applying for a Building Permit.
All works must be carried out in accordance with the Acoustic Report, and implemented as such for the duration of the development.

21. Prior to applying for a Building Permit, the ground floor residential units must be designed in accordance with Australian Standard 1428.1-2009, Design for access and mobility.

22. Prior to applying for a Building Permit, the street frontage fencing must be no more than 1.8m high and must be at least 50% visually permeable from 0.9m above the ground level of the adjacent street with solid portions of fencing consisting of masonry construction. Colorbond fencing is not permitted within any street setback area.

23. Prior to applying for a Building Permit, the walls within 1.5m of where the vehicle accessway meets Jundee Lane must be truncated or reduced to no higher than 0.75m.

Advice Notes

1. This decision constitutes development approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

2. With reference to Condition No. 3, the City is supportive of urban water sensitive design solutions e.g. flush kerbing, rain gardens etc. There is potential to incorporate a bio filtration area, to treat the immediate surface run off from the carpark within the proposed planted area. The applicant and owner should liaise with the City’s Urban Water Assessment Officer in this regard.

3. With reference to Condition No. 4, the applicant and owner should liaise with the City’s Land and Development Infrastructure Services to confirm requirements for landscaping plans.

4. With reference to Condition No. 4, the proposed landscape treatment should be appropriate for a 'main street' town centre environment that enhances the streetscape, is robust, visually rich and reinforces the coastal townscape character. Full streetscape works shall be provided by the Developer to the public street immediately adjoining their development site. These shall generally include pavements, kerbside parking, street trees, lighting and furniture.

5. All works in the road reserve, including construction of a crossover or footpath, installation of on-street carparking spaces, planting of street trees, bicycle parking devices, street furniture and other streetscape works and works to the road carriageway must be to the specifications of the City; the applicant should liaise with the City’s Engineering Services in this regard.

7. The development (awnings) must comply with the Street Verandahs Local Law 2000 relating to encroachments into the road reserve. The applicant and owner should liaise with the City's Building Services in this regard.

8. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant should liaise with the City's Building Services in this regard.

9. With reference to Condition No. 19, a separate bin store is required for the residential and commercial development.

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-060/16 Metro South-West Joint Development Assessment Panel Application - Proposed Industry - Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2016.00000270.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Rowe Group Pty Ltd (on behalf of Coastline Kitchens)</td>
</tr>
<tr>
<td>Owner:</td>
<td>Western Australian Land Authority</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Greg Delahunty, Senior Projects Officer; Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 September 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive</td>
</tr>
<tr>
<td>Site:</td>
<td>Lots 35 (No.1), 51 (No.9), 52 (No.7), 53 (No.5), 54 (No.3) and 2002 (No.11) Merchant Drive and Lot 2000 Pedlar Circuit, Rockingham</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>Lot 35 - 2,800m²</td>
</tr>
<tr>
<td></td>
<td>Lot 51 - 1,836m²</td>
</tr>
<tr>
<td></td>
<td>Lot 52 - 1,836m²</td>
</tr>
<tr>
<td></td>
<td>Lot 53 - 1,836m²</td>
</tr>
<tr>
<td></td>
<td>Lot 54 - 1,836m²</td>
</tr>
<tr>
<td></td>
<td>Lot 2000 - 1.62ha</td>
</tr>
<tr>
<td></td>
<td>Lot 2002 - 1.08ha</td>
</tr>
<tr>
<td></td>
<td>Total - 3.73ha</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Service Commercial</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Industrial</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Responsible Authority Report</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photo</td>
</tr>
<tr>
<td></td>
<td>3. Site Plan</td>
</tr>
<tr>
<td></td>
<td>4. Ground Floor Plan</td>
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<td></td>
<td>5. Upper Floor Plan</td>
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<td></td>
<td>6. North and South Elevations</td>
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<td>7. East and West Elevations</td>
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<td></td>
<td>8. Perspective (South Elevation)</td>
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<tr>
<td></td>
<td>9. Paved Turn-Around Area</td>
</tr>
<tr>
<td></td>
<td>10. Proposed Footpath Location</td>
</tr>
</tbody>
</table>
1. Location Plan

2. Aerial Photo

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 OCTOBER 2016
Purpose of Report

To provide recommendations to the Metro South-West Joint Development Assessment Panel (SWJDAP) on an application for a proposed Industry - Service at Lots 35 (No.1), 51 (No.9), 52 (No.7), 53 (No.5), 54 (No.3) and 2002 (No.11) Merchant Drive and Lot 2000 Pedlar Circuit, Rockingham.

Background

The site is subject to an application seeking to amalgamate the existing seven lots to create 1 lot (proposed Lot 1 Merchant Drive, Rockingham). This application has been supported by the City and is pending approval by the Western Australian Planning Commission.

The prospective tenant of the development currently operates a kitchen and bathroom cabinetry manufacturing facility from Lot 500 (No.4) Smeaton Way and Lot 1 (No.20) Beale Way, Rockingham (approximately 300m south of the subject site) and is seeking to relocate as its operations have outgrown the existing premises.

Details

The proposed development will provide for the manufacturing and retail of kitchen components, comprising of a 15,120m² factory building and a 2,440m² (two storey) retail component. The development will occupy a total floor area of 17,560m². Specifically, the development comprises the following:

- **Factory:**
  - Design of Stone Benchtops (2,670m²)
  - Design of Laminate Benchtops (1,790m²)
  - Robes Machining (1,200m²)
  - Special Projects (300m²)
  - Outgoing Goods (1,470m²)
  - Cabinet Machining (2,335m²)
  - Hardware Storage Area (100m²)
  - Robes Assembling (470m²)
  - Cabinet Assembling (1,290m²)

- **Showroom Shopfront:**
  - Sales (335m²)
  - Selection Area (230m²)
  - Dispatch (112m²)
  - Offices (950m²) and Meeting Rooms

- **Amenities, Store Areas and Staff Facilities**

- **Landscaped areas (5,680m²) and nine rainwater tanks**

- **121 carparking bays, including two for the exclusive use of people with disability and vehicular access and manoeuvrability areas.**

A total of 95 full time and five part time employees are proposed.

The following information was provided in support of the application:

- Transport Impact Assessment
- Bushfire Management Plan
- Acoustic Assessment
6. North and South Elevations
7. East and West Elevations
8. Perspective (South Elevation)
Implications to Consider

a. Consultation with the Community
   Not Applicable

b. Consultation with Government Agencies
   Not Applicable

c. Strategic

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

   Aspiration D: Sustainable Environment

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

d. Policy

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

   SPP 3.7 seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.

   Portions of the site have been designated bushfire prone under the Fire and Emergency Services Act 1998 (as amended) and therefore the requirements of SPP3.7 are applicable.

   The objectives of SPP3.7 are to:

   “Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and the management of bushfire impact are paramount.

   Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.

   Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specified bushfire protection measures.

   Achieve an appropriate balance between bushfire risk management measures and, biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change.”

   As the land is designated as a Bushfire Prone Area, the applicant submitted a Bushfire Management Plan (BMP) in support of the application, as per the requirements of SPP3.7. The BMP has been assessed and is considered acceptable. Requirements of the BMP are recommended as conditions of approval.

   Guidelines for Planning in Bushfire Prone Areas (GfPBPA)

   The GfPBPA provide supporting information to assist in the interpretation of the objectives and policy measures outlined in SPP3.7. The following is an assessment against the relevant requirements of the GfPBPA.

   Bushfire Protection Criteria

   Element 1 - Location

   The development complies with the relevant Performance Solution for this Element, which states:

   “The subdivision, development or land use is located in an area where the bushfire hazard assessment is or will, on completion, be moderate or low, or a BAL-29 or below, and the risk can be managed.”
The applicant has demonstrated, through a Bushfire Attack Level (BAL) assessment and the implementation of an Asset Protection Zone, that the maximum BAL level that buildings will be required to be constructed to will be BAL-29 of Australian Standard 3959 - Construction of Buildings in Bushfire Prone Areas (AS3959). A condition of approval is recommended in this regard.

**Element 2 - Siting and Design of Development**

The applicant has proposed compliance with the Performance Criteria of this Element, which states:

“The siting and design of the strategic planning proposal, subdivision or development application, including roads, paths and landscaping, is appropriate to the level of bushfire threat that applies to the site. That is minimises the bushfire risk to people, property and infrastructure, including compliance with AS 3959 if appropriate.”

The applicant has proposed an Asset Protection Zone (APZ) and construction to the BAL-29 requirements of AS3959 to satisfy this requirement. Conditions of development approval are recommended to ensure the APZ is provided prior to the occupation of the development, and buildings are constructed to the requirements of AS3959.

**Element 3 - Vehicular Access**

The applicant has proposed compliance with the Acceptable Development and Performance Criteria for this Element, which states:

“Two different vehicular access routes are provided, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents/the public at all times and under all weather conditions”.

Merchant drive provides access to the site from the east and west, with multiple road connections to Patterson Road to the south.

“Lots greater than 0.5 hectares must have an internal perimeter firebreak of a maximum width of three metres or to the level as prescribed in the local firebreak notice issued by the local government”.

The northern and western site boundaries abut an internal private road with a minimum width of 9m, which acts as a permanent firebreak.

**Element 4 - Water**

The development will comply with the relevant Acceptable Solution as the site will be connected to a reticulated water supply and including a fire hydrant system in accordance with Water Corporation, Department of Fire and Emergency Services and City of Rockingham requirements. A condition of approval is recommended in this respect to ensure the connection to reticulated water is maintained at all times.

**Summary**

The proposed development and associated BMP is considered to be consistent with the requirements of the GfPBPA and SPP3.7.

**Planning Policy 3.3.1 - Control of Advertisements (PP3.3.1)**

PP3.3.1 sets out the specific requirements and objectives for each form of advertisement and the assessment criteria. The applicant has advised that a separate development application for a Pylon sign will be lodged should this application be approved. Should the application be approved, a condition of approval excluding the Pylon sign is recommended. The applicant will be advised of the need to apply for a Sign Permit for any signage on the building.

**Planning Policy 3.3.8 - East Rockingham Development Guidelines (PP3.3.8)**

The purpose of PP3.3.8 is to guide the orderly development of serviced industrial land within the East Rockingham Industrial Park (IP14 Area). The objectives of PP3.3.8 are:

“(a) To achieve an attractive and unified development which acknowledges the goal of conserving and enhancing the natural environment by emphasising the retention of natural vegetation and the introduction of complementary quality landscaping and well-designed buildings;
(b) To achieve a degree of consistency and compatibility in the built form and landscaping, whilst allowing for individuality and a well presented corporate or market image; and

(c) To avoid unsightly and poorly planned development and enhance and protect the investment of all owners within the East Rockingham Industrial Park and the investment of others in the region."

An assessment of the proposal against the provisions of PP3.3.8 has been included in the Responsible Authority Report contained as Attachment 1 to this report, where it is considered that the proposal is compliant.

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

The purpose of PP3.3.14 is to ensure there is adequate provision made in developments for secure on site bicycle parking and end-of-trip facilities, to encourage the use of bicycles as a mode of transportation. The following is an assessment of the proposed development against the requirements of PP3.3.14:

Bicycle Space Provision

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Long Term Bays Required</th>
<th>Short Term Bays Required</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rate</td>
<td>Amount</td>
</tr>
<tr>
<td>Industry - Service (15,120m²)</td>
<td>1 space per 800m² for premises greater than 300m² Net Leasable Area (NLA).</td>
<td>19</td>
</tr>
<tr>
<td>Office (950m²)</td>
<td>1 space 200m² NLA.</td>
<td>5</td>
</tr>
<tr>
<td>Showroom (677m²)</td>
<td>1 space per 750m² NLA for premises greater than 300m²</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>25</td>
<td>3</td>
</tr>
</tbody>
</table>

A total of eight bicycle parking bays are proposed. A condition of approval requiring the provision of 25 long term and three short term bicycle parking spaces is recommended to ensure compliance with PP3.3.14.

End-of-Trip Facilities

<table>
<thead>
<tr>
<th>Long Term Required</th>
<th>Bays</th>
<th>Number of long-term parking spaces provided</th>
<th>Number of showers required</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td></td>
<td>More than 20</td>
<td>4 (two male, two female) plus additional showers at the rate of 2 showers (one male, one female) for every 10 long-term parking spaces after 20 provided thereafter.</td>
</tr>
</tbody>
</table>

Four showers have been provided which complies with PP3.3.14.

e. Financial

Nil

f. Legal and Statutory

Planning and Development (Local Planning Scheme) Regulations 2015 (The Regulations)

Clause 67 of the Regulations provide the matters which the local government is to have due regard to in the assessment of development applications. Where relevant, these are discussed in the Comments section of this report.
City of Rockingham Town Planning Scheme No.2 (TPS2)

Clause 3.2 - Zoning Table

The subject site is zoned 'Service Commercial' under TPS2. The proposed development is interpreted as 'Industry - Service', which is a "P" (i.e. permitted) land use within the Service Commercial Zone. 'Industry - Service' is defined under TPS2 as follows:

"means a light industry carried out from premises which may have a retail shop front and from which goods manufactured on the premises may be sold; or premises having a retail shop front and used as a depot for receiving goods to be serviced."

Clause 4.8 - Service Commercial Zone

The objective of the Service Commercial Zone is as follows:

"To promote the establishment of showrooms/storerooms, service functions, offices, commercial recreation and bulk retail uses requiring larger floor areas with a high standard of building development, landscaping and working environment."

The proposed development is considered to comply with the objective of the Service Commercial zone as it provides for the establishment of a showroom and light industry with a high standard of building development, landscaping and working environment.

A detailed assessment of the proposal against the requirements of Clause 4.8 has been included in the Responsible Authority Report contained as Attachment 1 to this report, where it is considered that the proposal is compliant.

Clause 4.15 - Carparking

The following is an assessment against the minimum carparking requirements as per Clause 4.15 and Table No.2 of TPS2.

Given the proposed development incorporates industrial, office and showroom/sales components, the carparking has been calculated on the basis of each individual land use proposed.

<table>
<thead>
<tr>
<th>Minimum Carparking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use</td>
</tr>
<tr>
<td>Industry</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Showroom</td>
</tr>
<tr>
<td><strong>Total Bays Required</strong></td>
</tr>
<tr>
<td><strong>Total Bays Provided</strong></td>
</tr>
<tr>
<td><strong>Shortfall</strong></td>
</tr>
</tbody>
</table>

The proposed development results in a shortfall of 244 bays. The applicant has provided a Transport Impact Statement in support of the application, and the following justification for the shortfall in carparking provided:

- Car parking times differ between employee parking and visitor parking;
  The parking provision satisfies the practical demand for parking based on the existing operation of the development (i.e. at Lot 500 (No.4) Smeaton Way and Lot 1 (No.20) Beale Way, Rockingham);
- Of the 95 full time staff proposed, 20 will be off-site sales staff that would not utilise the carparking bays;
- A total of eight bicycle parking bays and four end-of-trip facilities have been provided; and
- The subject site is located within 250m of a public bus route.

The City supports the abovementioned justification and the shortfall in carparking in principle. This has been further discussed in the Comments section of this report.
### Carparking Spaces for People with Disability

<table>
<thead>
<tr>
<th>Class of Building*</th>
<th>Ratio</th>
<th>Standard Bays Required</th>
<th>Accessible Bays Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industry (Class 8)</td>
<td>1 space for every 100 carparking spaces or part thereof.</td>
<td>303</td>
<td>3</td>
</tr>
<tr>
<td>Office (Class 5)</td>
<td>1 space for every 100 carparking spaces or part thereof.</td>
<td>48</td>
<td>1</td>
</tr>
<tr>
<td>Showroom (Class 8)</td>
<td>1 space for every 100 carparking spaces or part thereof.</td>
<td>14</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total Bays Required</strong></td>
<td></td>
<td>365</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total Bays Provided</strong></td>
<td></td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>

*Class of Building as per the Building Classifications as per the Building Code of Australia

The reduction in bays for the exclusive use of people with disability is considered acceptable given the amount of bays provided is commensurate to the reduced amount of carparking bays required to service the development.

**Clause 5.3 – Control of Advertisements**

Clause 5.3.1 of TPS2 requires Development Approval to be obtained for the erection of advertisements. In considering an application for an advertisement, the Council is required to consider the objectives of TPS2.

Details of signage have not been included in this application. Following submission of the application, the applicant has advised that they intend to lodge a separate application for Development Approval for the Pylon sign detailed in the application. Should the application be approved, conditions of approval excluding the Pylon sign from this approval and requiring a Signage Strategy for the development are recommended.

**g. Risk**

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

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

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

Nil

**Comments**

**Land Use**

The City considers that the proposed development is consistent with the land use interpretation of a service industry, given the scale of the manufacturing to be undertaken from the premises is consistent with light industry and the proposal includes a retail shop front from which goods manufactured on the premises will be sold.

The City is concerned that should the scale of the operation increase or change, the processes carried out from the premises could extend beyond what is considered to be a light industry, and the development would therefore not be permitted within the zone. Conditions of approval ensuring the processes carried out and the machinery used at the premises do not adversely affect the amenity of the surrounding locality, including the residential area to the north of the subject site, are therefore recommended. This includes ensuring impacts associated with dust and noise from the site will not extend beyond what would currently be generated by the proposed development.
A condition of approval is also recommended requiring that only goods manufactured at the premises may be sold from the retail component of the development. This is consistent with the TPS2 land use interpretation for ‘Industry – Service’. This will ensure the retail component of the development cannot be used for the sale or display of goods not associated with the development.

Amalgamation

Given the proposed development extends over lot boundaries, the individual lots are required to be amalgamated onto one certificate of title. Should the application be approved, a condition of approval is recommended in this regard.

Health Implications

Clause 66(r) of the Regulations requires the Council to consider the suitability of the land for the development taking into account the possible risk to human health or safety. In this respect, the health and safety considerations applicable to the use of the development include dust and noise, which have been further discussed below.

Dust:

The applicant has provided a 250m² room at the rear of the factory to house a dust extraction fan machine. All large machinery and workstation within the factory will be connected to a dust extraction system, which will distribute to the extraction fan machine where it will be combined with water to expel small wooden blocks.

The applicant has also advised that a ride-on dust collection vehicle will be driven around the premises approximately every three hours to remove loose dust.

The applicant has advised that no dust will be blown within or outside of the building. The City has not received any dust complaints for the existing operation and therefore considered the measures proposed acceptable to control dust impacts associated with the development.

Noise:

The applicant has provided an Acoustic Assessment in support of the application. The Acoustic Assessment concludes that the expected noise levels associated with the development will comply with the assigned noise levels, and will not significantly contribute to noise levels at neighbouring properties, subject to the roof being lined with 50mm thick, 10kg/m³ insulation with either no facing material or perforated facing material. A condition of approval is recommended in this respect.

The Acoustic Assessment assumed that the dust extraction facility will be located within the factory, however, advised that a further detailed assessment should be undertaken to ensure the external outlets of the dust extraction facility are sufficiently attenuated. Should the application be approved, a condition of approval requiring a further detailed Acoustic Assessment to be provided and the requirements of the Acoustic Assessment being implemented is recommended.

Access and Egress

Clause 66(s)(i) of the Regulations requires the Council to consider the adequacy of access to and egress from the site.

The separation of service vehicles and customer and employee access via separate crossovers is considered suitable to provide safe and efficient access and egress to the site.

It is noted that at the time of subdivision, Pedlar Circuit was not constructed to connect to Merchant Drive around the northern edge of the site as intended. Given that the area where a road would have been constructed is proposed to be developed as an internal accessway with access and egress via the connection points to Merchant Drive and Pedlar Circuit, the location of the crossovers and internal accessway in these locations is considered appropriate.

The construction of a cul-de-sac head at the end of Pedlar Circuit is not considered necessary given there is an existing constructed paved area to the east of the subject site which enables vehicles to turn around on Pedlar Circuit without accessing the site (see Figure 8).
Carparking

Clause 66(s)(ii) of the Regulations requires the Council to consider the adequacy of arrangements for the loading, unloading, manoeuvring and parking of vehicles.

As previously identified in the Legislation section of this report, the proposed development results in a shortfall of 244 carparking bays. Part of the applicant's justification for the shortfall in carparking is based on the site being 250m from public transport (a bus service).

The City accepts this justification for the shortfall, however, notes that there is no footpath adjacent the site or connecting the site to the existing footpath network. The nearest footpath is approximately 117m to the east of the subject site on Pedlar Circuit.

The City therefore recommends that should the application be approved, a condition of approval be included requiring the applicant to design and construct a footpath connecting the site to the nearest footpath on Pedlar Circuit (as shown in figure 10), to the satisfaction of the City, to ensure safe pedestrian access is available from public transport to the site.
Traffic
Clause 66(t) of the Regulations requires the Council to consider the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.

The City considers the traffic associated with the development is within the capacity of the existing road network to accommodate.

Waste Management
Clause 66(u)(iii) of the Regulations requires the Council to consider the availability and adequacy of the development with respect to the storage, management and collection of waste.

Details of waste collection and removal have not been provided. Should the application be approved, a condition of approval is recommended requiring the provision of a Waste Management Plan to the satisfaction of the City, and the construction of a suitably sized bin store to service the development.

Conclusion
The proposed development is compliant with TPS2 and Policy requirements. In instances where a variation to a requirement is proposed, the City is satisfied that the variation will not compromise the functionality of the development or the amenity of the locality.

The City considers that suitable conditions of approval can be applied to ensure the operation of the development remains consistent with the objectives of the Service Commercial zone and that the amenity of the residential area to the north west of the subject site is maintained.

It is therefore recommended that the application be conditionally approved.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **APPROVES** the Responsible Authority Report for the proposed Industry - Service at Lots 35 (No.1), 51 (No.9), 52 (No.7), 53 (No.5), 54 (No.3) and 2002 (No.11) Merchant Drive and Lot 2000 Pedlar Circuit, Rockingham as contained as Attachment 1 as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel pursuant to Regulation 12 of the Planning and Development (Development Assessment Panels) Regulation 2011.
Committee Recommendation

Moved Cr Sammels, seconded Cr Whitfield:

That Council APPROVES the Responsible Authority Report for the proposed Industry - Service at Lots 35 (No.1), 51 (No.9), 52 (No.7), 53 (No.5), 54 (No.3) and 2002 (No.11) Merchant Drive and Lot 2000 Pedlar Circuit, Rockingham as contained as Attachment 1 as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel pursuant to Regulation 12 of the Planning and Development (Development Assessment Panels) Regulation 2011, which recommends:

"That the Metro South-West Joint Development Assessment Panel, resolves to approve DAP Application reference DAP/16/1086 and accompanying plans:

• Site Plan, Drawing No.S01 Rev F, dated 27.04.2016
• Ground Level Floor Plan, Drawing No.S02 Rev B, dated 27.05.2016
• Level 1 Floor Plan, Drawing No.S03 Rev B, dated 27.05.2016
• Elevations Plan, Drawing No.S04 Rev B, dated 27.05.2016
• Sections Plan, Drawing No.S05 Rev B, dated 27.05.2016
• Sections Plan, Drawing No.S05 Rev B, dated 27.05.2016

in accordance with Clause 68(2)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, for the proposed Industry-Service at Lots 35 (1), 51 (9), 52 (7), 53 (5), 54 (3) and 2002 (11) Merchant Drive and Lot 2000 Pedlar Circuit, Rockingham subject to the following conditions and advice notes:

Conditions

1. The retail shopfront component of the development must be maintained for the duration of the development.
2. Only goods manufactured at the premises are permitted to be displayed and sold in the retail shopfront component of the premises.
3. The activities carried on within the development must at all times comply with the 'light industry' interpretation of the City of Rockingham Town Planning Scheme No.2.
4. Prior to applying for a Building Permit, arrangements must be made to the satisfaction of the City of Rockingham for the amalgamation of Lots 35 (1), 51 (9), 52 (7), 53 (5), 54 (3) and 2002 (11) Merchant Drive and Lot 2000 Pedlar Circuit, Rockingham onto one Certificate of Title. The amalgamation must be completed prior to occupation of the development.
5. Prior to applying for a Building Permit, a separate schedule of colour and texture of the building materials for the ground floor portion of the development, demonstrating the proposed concrete panels have an exposed aggregate or textured finish must be provided to the satisfaction of the City of Rockingham.
6. Prior to applying for a Building Permit, all stormwater generated by the development shall be designed to be contained of on-site and certified by a suitably qualified engineer. The design shall be implemented and maintained for the duration of the development.
7. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
8. Trees, shrubs taller than 2m and grasstree plants (XANTHORRHOEACEAE family) must be retained (unless specifically identified for removal on the approved plans) and, during the construction period, measures for their retention must be taken in accordance with Australian Standard AS 4970—2009, Protection of trees on development sites.

Prior to applying for a Building Permit, arrangements must be made to the satisfaction of the City of Rockingham for grasstree plants that are specifically identified for removal to be relocated.
9. The carpark must:
   (i) provide a minimum of 121 parking spaces;
   (ii) be designed in accordance with User Class 1 of Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking unless otherwise specified by this approval, prior to applying for a Building Permit;
   (iii) include two car parking spaces 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;
   (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;
   (v) have lighting installed, prior to the occupation of the development;
   (vi) 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; and
   (vii) include a separate pedestrian path directly adjacent the 57 carparking bays on the southern boundary of the site.

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

10. Prior to applying for a Building Permit, engineering drawings and specifications are to be submitted and approved for the construction of a footpath along the full width of the lot boundary adjacent Merchant Drive and connecting the subject site to the nearest public footpath, to the satisfaction of the City of Rockingham.

11. As per City of Rockingham Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities, three short-term bicycle parking spaces and 24 long-term bicycle parking spaces must be provided for the development. The parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities, approved by the City of Rockingham prior to applying for a Building Permit, and constructed prior to occupancy of the development.

The bicycle parking spaces must be retained and maintained in good condition at all times.

12. As per City of Rockingham Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities, four secure hot-water shower, change room and clothing lockers must be provided for the development. It must be designed in accordance with Planning Policy 3.3.14, Bicycle Parking and End-of-Trip Facilities, approved by the City of Rockingham prior to applying for a Building Permit, and constructed prior to occupancy of the development.

The showers and change rooms and lockers must be retained and maintained in good condition at all times.

13. Prior to occupation, the development must be connected to a reticulated water supply in accordance with the specifications of the Water Corporation in accordance with the recommendations of the Bushfire Management Plan prepared by RUIC Fire, dated 11 August 2016.

At all times, the reticulated water supply must be maintained in accordance with those requirements and in working condition.


Prior to issuing a Building Permit, amended plans must be submitted to the City of Rockingham demonstrating the building has been designed to the required BAL as specified in AS3959. The building must be maintained in accordance with the specified requirements of the BAL for the life of the development.
15. Prior to occupation of the development, the Asset Protection Zone (APZ), as depicted in Figure 4B of the Bushfire Management Plan prepared by RUIC Fire, dated 11 August 2016, must be installed on the site in accordance with the following requirements:

(a) maximum fine fuel load of 2 tonnes per hectare;
(b) Trees crowns a minimum of 10m apart, not located within 2 metres of a building or overhanging a building, and no dead material within the trees crown or on the bole;
(c) Shrubs not located within 2 metres of a building;
(d) Fences and sheds are to be constructed of non-combustible material; and
(e) Sheds must not contain flammable materials

The APZ must be maintained in accordance with these requirements and in a good and safe condition at all times.

16. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared which demonstrates that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*, and including the following information, to the satisfaction of the City of Rockingham:

(i) noise sources compared with the assigned noise levels as stated in the *Environmental Protection (Noise) Regulations 1997*, when the noise is received at the nearest 'noise sensitive premises' and surrounding residential area;
(ii) The noise from the dust extraction plant complies with the Environmental Protection (Noise) Regulations 1997, and will not significantly contribute to noise in the area
(iii) tonality, modulation and impulsiveness; and
(iv) confirm the implementation of noise attenuation measures.

Any further works must be carried out in accordance with the Acoustic Report, and implemented as such for the duration of the development.

17. Prior to applying for a Building Permit, the development must be designed such that the roof is lined with 50mm thick, 10kg/m² insulation with either no facing material or a perforated facing material, in accordance with the requirements of the Acoustic Environmental Noise Assessment prepared by Lloyd George Acoustics and dated 15 June 2016.

18. Prior to applying for a Building Permit, a Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City of Rockingham:

(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 and areas to be mulched;
(iii) Any natural landscape areas to be retained;
(iv) Those areas to be reticulated or irrigated;
(v) A minimum of one tree per four carparking bays;
(vi) Screening on the southern edge of the outdoor storage area; and
(vii) The street setback area and all verge areas including landscaping, paving and reticulation.

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 of Rockingham.

19. 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 of Rockingham, prior to applying for a Building Permit and implemented as such for the duration of the development.

20. The Pylon sign does not form part of this approval. A separate application for development approval is required for the Pylon sign.

21. Prior to applying for a Building Permit, a Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:
(i) the location of bin storage areas and bin collection areas;
(ii) the number, volume and type of bins, and the type of waste to be placed in the bins;
(iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
(iv) frequency of bin collections.

All works must be carried out in accordance with the Waste Management Plan, for the duration of development and maintained at all times.

22. Prior to applying for a Building Permit, 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 of Rockingham.

The bin storage area must be constructed prior to the occupation of the development and must be retained and maintained in good condition at all times.

23. A Dust Management Plan must be prepared in accordance with the Department of Environment and Conservation's DRAFT - A guideline for the development and implementation of a dust management program to the satisfaction of the City, prior to applying for a Building Permit.

All works must be carried out in accordance with the Dust Management Plan, for the duration of development.

Advice Notes

1. This decision constitutes Development Approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.

2. All works in the road reserve, including construction of a crossover or footpath, planting of street trees, other streetscape works and works to the road carriageway must be to the specifications of the City of Rockingham; the applicant should liaise with the City of Rockingham Land Infrastructure and Development Services in this regard.

3. With respect to Landscaping Plans, the applicant and owner should liaise with the City of Rockingham Land Infrastructure and Development Services.

4. The landscape theme for the East Rockingham Industrial Park is based predominantly on the use of hardy native trees, shrubs and ground covers. The applicant and owner should liaise with the City of Rockingham Land Infrastructure and Development Services for suitable species in this regard.

5. The development must comply with the Environmental Protection (Noise) Regulations 1997; contact the City of Rockingham Health Services for information on confirming requirements.

6. The car parking requirement for this development has been calculated as 365 car parking spaces. The proposed development provides a total 121 car parking spaces which has a shortfall of car parking spaces required for the development, which has been deemed acceptable.

7. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application, a new application for Development Approval must be submitted to the City of Rockingham.

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-061/16 Joint Development Assessment Panel Application - Mixed Use Development (51 Multiple Dwellings and Two Offices)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD020.2016.00000297.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Design Management Group Australia</td>
</tr>
<tr>
<td>Owner:</td>
<td>Flinders Rockingham Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Greg Delahunty, Senior Projects Officer</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 September 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>June 2015 (PDS-044/15)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 302 (No.1) Empress Corner, Rockingham</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>2,697m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Primary Centre Waterfront Village</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Central City Area</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Responsible Authority Report</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photo</td>
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<tr>
<td></td>
<td>3. Site Plan</td>
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<td></td>
<td>4. Ground Floor Plan</td>
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<td>5. First Floor Plan</td>
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<td></td>
<td>6. Second, Third and Fourth Floor Plans</td>
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<td></td>
<td>7. Fifth, Sixth and Seventh Floor Plans</td>
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<tr>
<td></td>
<td>8. Roof Plan</td>
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<tr>
<td></td>
<td>9. South West Elevation</td>
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<tr>
<td></td>
<td>10. South East Elevation</td>
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<td>11. North East Elevation</td>
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<td>12. North West Elevation</td>
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<tr>
<td></td>
<td>13. Section AA</td>
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<tr>
<td></td>
<td>14. Section BB</td>
</tr>
<tr>
<td></td>
<td>15. Overshadowing Plan</td>
</tr>
</tbody>
</table>
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES
MEETING HELD ON MONDAY 17 OCTOBER 2016

PRESIDING MEMBER
Purpose of Report

To provide recommendations to the Metro South-West Joint Development Assessment Panel (SWJDAP) on an application for a mixed use development, comprising fifty-one multiple dwellings and two office tenancies at Lot 302 (No.1) Empress Corner, Rockingham.

Background

In June 2015, Council recommended the SWJDAP approve a mixed use development comprising of 90 residential apartments and four commercial tenancies on the subject site. The SWJDAP subsequently approved the proposal on 8 July 2015.

The City has approved a sales office and development estate marketing on the site.

The applicant is seeking to downsize the previously approved development, the assessment of which forms the basis of this report.

Details

The applicant seeks Development Approval for an eight storey mixed use building fronting Empress Corner and Flinders Lane. Specifically, the development comprises the following:

- Fifty-one multiple dwellings, including:
  - Fourteen 3 bedroom x 2 bathroom;
  - Twenty-six 2 bedroom x 2 bathroom; and
  - Seven 1.5 bedroom x 1 bathroom; and
  - Four 1 bedroom x 1 bathroom.
- Two ground floor commercial tenancies including:
  - One 120m² Office tenancy fronting Flinders Lane; and
  - One 154m² Office tenancy fronting both Flinders Lane and Empress Corner;
- Swimming pool, lounge and barbeque area on the first floor podium level;
- 84 carparking spaces on the ground floor, including one bay for people with disability and 12 tandem formation bays, accessed from Empress Corner;
- Bicycle Parking; and
- Associated dwelling storage and bin store areas.
3. Site Plan

4. Ground Floor Plan
5. First Floor Plan

6. Second, Third and Fourth Floor Plans
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 OCTOBER 2016

PRESIDING MEMBER

7. Fifth, Sixth and Seventh Floor Plans

8. Roof Plan
9. South West Elevation

10. South East Elevation

11. North East Elevation
12. North West Elevation

13. Section AA

14. Section BB
15. Overshadowing Plan

**Implications to Consider**

a. **Consultation with the Community**
   
   Consultation with the community is not required for this application as the proposed development is consistent with the adopted Development Policy Plan No. 3.2.5 – Waterfront Village Precinct.

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

c. **Strategic**
   
   Community Plan
   
   This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
   
   **Aspiration D:** Sustainable Environment
   
   **Strategic Objective:** Land Use and Development Control - Planning for population growth and guiding development and land use to ensure that future generations enjoy a sustainable city and a genuinely desirable lifestyle.

d. **Policy**
   
   State Planning Policy 2.6 - State Coastal Planning Policy (SPP2.6)
   
   SPP2.6 provides guidance for development decision making within the coastal zone (areas within 300m of the horizontal shoreline datum), including managing development and land use change and protecting and conserving coastal values. The objectives of SPP2.6 are to:
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Monday 19 September 2016  
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- “ensure that the location of coastal facilities takes into account coastal processes, landform stability, coastal hazards, climate change and biophysical criteria;
- ensure the identification of appropriate areas for the sustainable use of the coast for housing, tourism, recreation, ocean access, maritime industry, commercial and other activities;
- provide for public coastal foreshore reserves and access to them on the coast; and
- protect, conserve and enhance coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, indigenous and cultural significance.”

An assessment against the requirements of SPP2.6 has been included in the Responsible Authority Report contained as Attachment 1 to this report, where the proposed development was found to be compliant with the requirements of SPP2.6

**State Planning Policy 3.1 - Residential Design Codes (R-Codes)**

An assessment of the proposed development against the requirements of the R-Codes not dealt by *Development Planning Policy 3.2.5 - Waterfront Village Sector* has been included in the Responsible Authority Report contained as Attachment 1 to this report; it considered that the development meets either the relevant Deemed-to-Comply provisions or the Design Principles of the R-Codes.

**Rockingham Strategic Metropolitan Centre Plan (Centre Plan)**

Under ‘*Statement of Planning Policy 4.2 - Activity Centres for Perth and Peel*’ (August 2010), the WAPC requires the City of Rockingham to prepare and maintain an endorsed Activity Centre Structure Plan (Centre Plan) to guide the development of public and private property within the Rockingham Strategic Metropolitan Centre.

An overall Concept Plan was development in conjunction with this plan, which sets out generalised land uses, with the local public transit system (i.e. the Rockingham City Centre Transit System) the focus of an intensified corridor of mixed-use development between the City Centre, education campuses and the beachfront.

The Concept Plan envisages the:

ongoing development of commercial and retail land in the core of the City Centre;  
development of two new Smart Villages (north and south of Dixon Road);  
creation of a ‘main street’ mixed use activity corridor along the route of the transit system; and  
intensification of residential development (densities and built form) along the coastal route of the transit system.

The Centre Plan area is divided into 11 Sectors, with the subject site located within the ‘Waterfront Village’ Sector. An assessment of the proposal against Planning Policy 3.2.5 - Development Policy - Waterfront Village Sector, is contained below where it is considered the proposed development is compliant.

**Planning Policy 3.2.5 - Development Policy Plan - Waterfront Village Sector (PP3.2.5)**

The purpose of PP3.2.5 is to establish the desired character, preferred uses and requirement elements of development within the zone. The subject site is located within the ‘Village Green’ Precinct of PP3.2.5.

A full assessment of the proposed development against the requirements of PP3.2.5 is included in the Responsible Authority Report contained as Attachment 1 to this report, where the proposed development was found to be compliant with PP3.2.5 with the exception of the following minor variations:
<table>
<thead>
<tr>
<th>Policy Requirement</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Frontage</strong></td>
<td></td>
</tr>
<tr>
<td>Buildings are to be located, configured and activated to frame and address street frontages, laneways and other public spaces in a way that is generally consistent with the Precinct Concept Plan and relevant ‘Frontage Types’ as indicated in Section 3.7.</td>
<td>The proposed development provides a nil setback and activation to the street via office tenancies to both Flinders Lane and Empress Corner. The proposed development fronting Flinders Lane provides a façade that is transparent for 52.3% of the ground floor area of the façade, which does not achieve the required minimum of 60%. The proposed development fronting Empress Corner provides 42.3% transparency of the ground floor façade area, which does not achieve the 60% requirement. These variations are considered acceptable given the entirety of the ground floor commercial tenancies and the entrance lobby have a transparent façade. The variations are incurred as a result of screening to the carparking area facing Flinders Lane and the require fire pump room to Empress Corner. An architectural screen is used fronting Flinders Lane to provide interest to this façade.</td>
</tr>
<tr>
<td><strong>Setbacks</strong></td>
<td></td>
</tr>
<tr>
<td>Front setback:-</td>
<td>The total height of the building is 34.15m/8 storeys with a 0.5m setback to the street front above 3.7m to 19m (fourth floor), with the remainder of the development setback 2.85m thereafter. The proposed variations to the required setbacks and related height and massing along Flinders Lane is not considered to detrimentally impact the streetscape of the Precinct as variations to street setbacks have previously been approved for adjacent developments.</td>
</tr>
<tr>
<td>Nil at streetfront to 12.5m high, 3.5m thereafter to 19.0m high, 6m thereafter. Refer to R-codes for solar access to properties on the southern side of Patterson Road.</td>
<td>A 2.2m side setback to the north eastern boundary has been provided for the full height of the building. This variation is considered acceptable as the setback pertains to the edge of the balconies for the multiple dwellings. The building itself will be setback 5m. The adjacent site to the north east is a carpark owned by the City of Rockingham. A 4m setback (averaging to 7.5m across the full width of the side of the building) to the northern side boundary has been achieved.</td>
</tr>
<tr>
<td>Side setback:-</td>
<td></td>
</tr>
<tr>
<td>Nil to 2 or 3 storey podium height. Minimum 4.0m above podium height.</td>
<td></td>
</tr>
<tr>
<td><strong>Height</strong></td>
<td></td>
</tr>
<tr>
<td>Street front:-</td>
<td>The total height of the building is 34.15m/8 storeys with a 0.5m setback to the street front above 3.7m to 19m (fourth floor), with the remainder of the development setback 2.85m thereafter. This variation is considered acceptable given only a 4.1m portion of the building is setback 0.5m from the street to the fourth floor only, with the remainder of the development setback 2.85m. The area between the nil lot boundary and 2.85m setback contains the balconies for the multiple dwellings.</td>
</tr>
<tr>
<td>Minimum 6.0m or 2 storeys, maximum 12.5m or 3 storeys within 3.5m street setback, maximum 19.0m between 3.5m and 6.0m street setback.</td>
<td></td>
</tr>
</tbody>
</table>
Height (Cont…)  

Remainder of site:  
Maximum 30.0m within 300 metres of coastline and 45.0m or 12 storeys beyond 300 metres from coastline - subject to Sections 4.2.5 (b), (c) and (d).  

The total height of the building is 34.15m/8 storeys. The overall height of the building excluding the wall concealing the lift shaft on the roof is 26.85m, which complies with PP3.2.5. The minor variation in height to a small portion of the building is not considered to add to building bulk and is therefore considered acceptable.

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

PP3.3.14 aims to facilitate the appropriate provision of secure, well designed and effective on site bicycle parking and end-of-trip facilities to encourage the use of bicycles as a means of transport and access to and within the City.

**Bicycle Parking**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Short Term</th>
<th>Long Term</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rate</td>
<td>Amount</td>
</tr>
<tr>
<td>Multiple Dwellings (51)</td>
<td>1/10 - dwellings</td>
<td>5</td>
</tr>
<tr>
<td>Office (274m² NLA)</td>
<td>1/500m² NLA</td>
<td>1</td>
</tr>
<tr>
<td>Total Required</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>Total Provided</td>
<td></td>
<td>0</td>
</tr>
</tbody>
</table>

The proposed development provides a bicycle cage to the rear of the ground floor carpark but does not specify the amount of bicycles that can be accommodated within this area.

The provision of six short term parking bay in accordance with AS 2890.3 - Bicycle Parking Facilities and Austroads Part 14 - Bicycles is required, being the total number of short term bays required for the multiple dwelling and office component of the development. It is not considered necessary to provide the 18 long term bays required for the multiple dwellings given each dwelling will have a store area to store bicycles if required. The location of the short term bays should be relocated in the road reserve adjacent to the building as is permitted by PP3.3.14, to ensure the parking bays are easily accessible and placed in public view.

**End-of-Trip Facilities**

<table>
<thead>
<tr>
<th>Number of Long Term Parking Spaces Required</th>
<th>Rate</th>
<th>Amount</th>
<th>Number of showers provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>4 (two male, two female).</td>
<td>4 (two male, two female) showers and change facilities.</td>
<td>one shower and change room has been provided in each office tenancy (three in total).</td>
</tr>
</tbody>
</table>
Given showers are provided in each multiple dwelling, only showers to service the office component of the proposed development is recommended. The applicant has proposed two showers (one in each office tenancy) which is acceptable to service the office component of the development.

The proposed development is compliant with PP3.3.4. The applicant is required to provide six short term parking bays and ensure end-of-trip facilitates are designed in accordance with PP3.3.14.

e. **Financial**

Nil

f. **Legal and Statutory**

Planning and Development (Local Planning Scheme) Regulations 2015 (The Regulations)

Clause 67 of the Regulations provide the matters which the Council is to have due regard to in the assessment of development applications. Where relevant, these are discussed in the Planning Comments section of this report.

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

Clause 3.2 - Zoning Table

The subject site is zoned 'Primary Centre Waterfront Village' under TPS2. The proposed uses are interpreted as 'Multiple Dwelling' and 'Office', which are 'D' uses, which means that the use is not permitted unless the local government has exercised its discretion by granting Development Approval.

Clause 4.3.2 - Objectives of the Primary Centre

The subject site is located within the Primary Centre as defined by Clause 4.3.1 of TPS2, which forms part of the Rockingham Strategic Metropolitan Centre. The proposed development is considered to be consistent with the objectives of the Primary Centre as it provides urban scaled, inner city housing which allows people to live within walking distance of shops and social and community activities. It is also considered to provide a high standard of amenity and urban design, planned around a fixed route public transport system.

Clause 4.3B - Primary Centre Waterfront Village Zone

Clause 4.3B provides the Objectives, Residential Design Code requirements and Minimum Residential Density requirements of the Primary Centre Waterfront Village as outlined below.

Clause 4.3B.1 - Objectives of the Zone

The proposed development is considered to be consistent with the objectives the Primary Centre Waterfront Village Zone as it provides contemporary residential accommodation, achieves appropriate land use and built for outcomes and provides high density housing within a walkable catchment of the central public transit system.

Clause 4.3B.2 - Residential Design Codes (R-Codes)

Clause 4.3B.2 outlines provisions relating to residential development in the Primary Centre Waterfront Village Zone as outlined below:-

"(a) Where residential development is proposed the R-AC0 density code of Residential Design Codes is to apply.

(b) In order to encourage residential development within the Primary Centre Waterfront Village Zone, consistent with the urban design objectives for individual Precincts set out in the Policy or other adopted Policies, the Council may exercise its discretion in respect to the Residential Design Codes provisions."

By virtue of Table No.4 of the R-Codes, the R-AC0 density code requires assessment against the development requirements of a Local Structure Plan or Local Development Plan. The applicable Local Development Plan is Planning Policy 3.2.5 - Development Policy Plan - Waterfront Village Sector (PP3.2.5).
As assessment against the relevant provisions of the R-Codes not dealt with by PP3.2.5 is contained within the Policy section of this report, which it considered the proposed development is compliant with the requirements of the R-Codes.

Clause 4.3B.3 - Minimum Residential Density
A minimum density of 1 dwelling per 180m² of land area for all development for the purpose of grouped or multiple dwellings is required by Clause 4.3B.3 in the Primary Centre Waterfront Village Zone. Based on a site area of 2,697m², a minimum of 15 dwellings is required. The development provides a total of 51 dwellings. This meets the minimum density requirements.

Clause 4.15 - Carparking
Pursuant to clause 4.15.1.1, car parking is required to be provided in accordance with Table 4 of TPS2. The carparking requirement for Multiple Dwellings is as per the Residential Design Codes (R-Codes).

Clause 4.15.2.1 of TPS2 also requires, for development other than development for any of the purposes dealt with by the R-Codes, not less than 60% of the minimum number of carparking bays required by TPS2 be provided in the form of cash-in-lieu payment to the Council.

The visitor allocation as per the Residential Design Codes must also be provided in the form of cash-in-lieu payment to the Council. The number of parking spaces provided on-site must also be reduced by the number of parking spaces provided through the cash-in-lieu contribution.

As assessment of the proposed carparking against the requirements of TPS2 is provided below:

<table>
<thead>
<tr>
<th>Use</th>
<th>Table No.4 Requirement</th>
<th>Bays Required</th>
<th>Cash-in-Lieu Requirement</th>
<th>Total Required On-Site</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Multiple Dwellings</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 110m² and/or 1 or 2 bedrooms (37 dwellings)</td>
<td>1*</td>
<td>37</td>
<td>nil</td>
<td>37</td>
</tr>
<tr>
<td>110m² and/or 3 or more bedrooms (14 dwellings)</td>
<td>1.25*</td>
<td>18</td>
<td>nil</td>
<td>18</td>
</tr>
<tr>
<td><strong>Visitor Parking</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0.25 per dwelling</td>
<td>13</td>
<td>12.75</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Office</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>120m² NLA</td>
<td>1 bay per 40m² NLA</td>
<td>3</td>
<td>1.79</td>
<td>1</td>
</tr>
<tr>
<td>154m² NLA</td>
<td>1 bay per 40m² NLA</td>
<td>4</td>
<td>2.31</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total Required</strong></td>
<td></td>
<td></td>
<td></td>
<td>16.85</td>
</tr>
<tr>
<td><strong>Total Provided On-Site</strong></td>
<td></td>
<td></td>
<td></td>
<td>58</td>
</tr>
</tbody>
</table>

* Carparking requirements are based on Location A as per Clause C3.1 of the R-Codes (i.e. within 250m of a high frequency bus route, measured in a straight line from along any part of the route to any part of a lot).
The applicant is required to provide a total of 58 bays on site and 16.85 bays in the form of cash-in-lieu payment to the Council.

The plans show a total of 84 bays, however, 12 spaces are in a tandem formation. The tandem bays are only considered suitable to service single dwellings, as using the bays for more than one dwelling or commercial land uses results in a lack of functionality and accessibility of the bays. Excluding the tandem bays, which are only to be used for single dwellings, 72 bays are available on site, and therefore the amount of carparking available on site complies with the requirements for the development regardless of the proposed tandem bays.

g. Risk

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

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

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

Nil

Comments

Waste

Clause 66(u)(iii) of the Regulations requires the Council to consider the availability and adequacy of the development with respect to the storage, management and collection of waste.

Bin Stores have been provided for the commercial and residential components of the proposed development adjacent Empress Corner, however, specific details as to the storage and disposal of waste have not yet been provided. Should the application be approved, it is recommended a condition be imposed requiring the preparation and implementation of a Waste Management Plan.

A concrete roof is proposed over the location of the bin stores and access to the carparking area. Should the development be approved, it is recommended that the applicant be required to provide a plan demonstrating service vehicles required by the development can manoeuvre around the site (geometry and height).

Canopy Cover

There is an encroachment of the canopy to a maximum of 5.1m into the road reserve extending on the southern portion of the site. The City supports this encroachment, as it is consistent with PP3.2.5 to provide verandahs and awnings over pedestrian thoroughfares to provide shelter.

The City considers that consistent with the requirements of PP3.2.5, the canopy should be extended to cover the front of tenancies 1 and 2 and the ground floor lobby area, to ensure continuous pedestrian shelter is provided. A condition of Development Approval is recommended in this respect.

Approval for encroachments over the road reserve is required under the Local Government (Miscellaneous Provision) Act 1960, and will need to comply with the City of Rockingham’s Street Verandah Local Law 2000. Should the application be approved, the applicant should be advised of these requirements.

Conclusion

The proposed mixed-use development is compliant with TPS2 and Policy Requirements.

The proposed development complies with the intent and objectives of the Village Green Precinct and the Waterfront Village Sector and is considered a desirable and suitable addition to the Precinct.

It is recommended that the application for a mixed-use development be conditionally approved.

Voting Requirements

Simple Majority
Officer Recommendation

That Council APPROVES the Responsible Authority Report for the proposed Mixed Use Development (Fifty-One Multiple Dwellings and Two Offices) at Lot 301 (No.1) Empress Corner, Rockingham as contained as Attachment 1 as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel pursuant to Regulation 12 of the Planning and Development (Development Assessment Panels) Regulation 2011.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Sammels:

That Council APPROVES the Responsible Authority Report for the proposed Mixed Use Development (Fifty-One Multiple Dwellings and Two Offices) at Lot 301 (No.1) Empress Corner, Rockingham as contained as Attachment 1 as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel pursuant to Regulation 12 of the Planning and Development (Development Assessment Panels) Regulation 2011, which recommends:

*That the Metro South-West Joint Development Assessment Panel, resolves to approve DAP Application reference DAP/16/01097 and accompanying plans:

- Site Plan, Drawing No.A01.01 Rev B, dated 09.08.2016;
- Overshadowing Plan, Drawing No.A01.03 Rev B, dated 09.08.2016;
- Ground Floor Plan, Drawing No.A02.01 Rev D, dated 13.09.2016;
- First Floor Plan, Drawing No.A02.02 Rev B, dated 09.08.2016;
- Second Floor Plan, Drawing No.A02.03 Rev B, dated 09.08.2016;
- Third Floor Plan, Drawing No.A02.04 Rev B, dated 09.08.2016;
- Fourth Floor Plan, Drawing No.A02.05 Rev B, dated 09.08.2016;
- Fifth Floor Plan, Drawing No.A02.06 Rev B, dated 09.08.2016;
- Sixth Floor Plan, Drawing No.A02.07 Rev B, dated 09.08.2016;
- Seventh Floor Plan, Drawing No.A02.08 Rev B, dated 09.08.2016;
- Roof Plan, Drawing No.A02.09 Rev B, dated 09.08.2016;
- Landscape Plan, Drawing No.A02.10 Rev B, dated 09.08.2016;
- South West Elevation and South East Elevation, Drawing No.A03.01 Rev C, dated 13.09.2016;
- North East Elevation and North West Elevation, Drawing No.A03.02 Rev C, dated 13.09.2016;
- Streetscape Perspectives, Drawing No.A03.03 Rev B, dated 09.08.2016; and
- Section AA and Section BB, Drawing No.A04.01 Rev B, dated 09.08.2016

in accordance with Clause 68(2)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015 for the proposed Mixed Use Development (Fifty-One Multiple Dwellings and Two Office Tenancies) at Lot 302 (No.1) Empress Corner, Rockingham, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
3. Prior to applying for a Building Permit, all stormwater generated by the development shall be designed to be contained on-site and certified by a suitably qualified engineer. The design shall be implemented and maintained for the duration of the development.

4. Prior to applying for a Building Permit, a Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City of Rockingham:
   (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 and areas to be mulched;
   (iii) Any natural landscape areas to be retained;
   (iv) Those areas to be reticulated or irrigated;
   (v) The street setback area and all verge areas including landscaping, paving and reticulation; and
   (vi) Vegetation to soften the ground floor blank facades fronting Lot 503 Kent Street and Lot 303 Empress Corner.

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 of Rockingham.

5. The street setback area between the proposed development and Empress Corner must be paved to the satisfaction of the City of Rockingham, and maintained for the duration of the development.

6. Arrangements being made to the satisfaction of the City of Rockingham for the payment of contributions towards the Administration and Community Infrastructure items pursuant to Clause 5.6.14 of the City of Rockingham Town Planning Scheme No.2, prior to works commencing.

7. The carpark must:
   (i) provide a minimum of 54 parking spaces;
   (ii) prior to applying for a Building Permit, be designed in accordance with User Class 1 for Offices and 1A for Multiple Dwellings of the Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking unless otherwise specified by this approval;
   (iii) include one car parking space 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;
   (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;
   (v) have lighting installed, prior to the occupation of the development; and
   (vi) 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.

8. A cash contribution being provided for 16.85 car parking spaces in accordance with clause 4.15.2.1 of Town Planning Scheme No.2, with the calculation of the cash contribution being in accordance with clause 4.15.6.2 of Town Planning Scheme No.2, must be provided to the City, prior to applying for a Building Permit.

9. Six (6) short-term bicycle parking spaces must be provided for the development in the road reserve adjacent the proposed commercial tenancies. The parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities, approved by the City of Rockingham prior to applying for a Building Permit, and constructed prior to occupancy of the development. The bicycle parking space must be retained and maintained in good condition at all times.
10. Two (2) secure hot-water showers, change room and clothing lockers must be provided for the development in accordance with the plans submitted. It must be designed in accordance with Planning Policy 3.3.14 - Bicycle Parking and End-of-Trip Facilities, approved by the City prior to applying for a Building Permit, and constructed prior to occupancy of the development. The showers and change rooms and lockers must be retained and maintained in good condition at all times.

11. Clothes drying facilities (excluding electric clothes dryers) must be designed for each Multiple Dwelling, be screened from public view prior to applying for a Building Permit, and implemented as such for the duration of the development.

12. 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.

13. In accordance with the requirements of Planning Policy 3.2.5 – Development Policy Plan - Waterfront Village Sector, entries and window frontages facing the street of ground floor tenancies must not be covered, closed or screened off (including by means of dark tinting, internal shelving, shutters, curtains, blinds or roller doors or similar), to ensure that a commercial, interactive frontage is available to the development from Flinders Lane and Empress Corner, at all times.

14. Public or customer access to the commercial tenancies must be from Flinders Lane or Empress Corner.

15. Above-ground meter boxes must not be located in a street setback area at any time.

16. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public views and/or screened, the details of which are to be provided to the City of Rockingham’s satisfaction prior to applying for a Building Permit.

17. Materials, sea containers, goods or bins must not be stored within the carpark at any time.

18. A Final Acoustic Assessment must be prepared which demonstrates that the completed development complies with the Environmental Protection (Noise) Regulations 1997, and including the following information, to the satisfaction of the City, prior to the occupation of the development:
   (i) noise sources compared with the assigned noise levels as stated in the Environmental Protection (Noise) Regulations 1997, when the noise is received at the nearest ‘noise sensitive premises’ and surrounding residential area;
   (ii) tonality, modulation and impulsiveness; and
   (iii) confirm the implementation of noise attenuation measures.

Any further works must be carried out in accordance with the Acoustic Report, and implemented as such for the duration of the development.

19. Prior to applying for a Building Permit, a Waste Management Plan must be prepared and include the following detail to the satisfaction of the City:
   (i) the location of bin storage areas and bin collection areas;
   (ii) the number, volume and type of bins, and the type of waste to be placed in the bins;
   (iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
   (iv) frequency of bin collections.

All works must be carried out in accordance with the Waste Management Plan, for the duration of development and maintained at all times.

20. It must be demonstrated to the City of Rockingham that the service vehicles required by the development can manoeuvre around the site (geometry and height). Plans demonstrating this access must be submitted to and be approved by the City of Rockingham prior to applying for a Building Permit.
21. The standard of finish to the wall(s) built up to boundaries must be to the satisfaction of the adjoining owner(s) or, in the case of a dispute, to the satisfaction of the City.

Advice Notes
1. With respect to the landscaping plan, the applicant and owner should liaise with the City's Land and Development Infrastructure Services to confirm requirements for landscaping plans.

2. All works in the road reserve, including construction of a crossover or footpath, installation of on-street carparking spaces, planting of street trees, bicycle parking devices, street furniture and other streetscape works and works to the road carriageway must be to the specifications of the City; the applicant should liaise with the City's Engineering Services in this regard.

3. The installation of security cameras linked to the City of Rockingham's security camera surveillance system should be considered, to provide surveillance of the proposed facility and public areas adjacent to the development.

4. The development (awnings) must comply with the Street Verandahs Local Law 2000 relating to encroachments into the road reserve. The applicant and owner should liaise with the City's Building Services in this regard.

5. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant should liaise with the City's Building Services in this regard.

6. Prior to applying for a Building Permit, approval for the pool must be granted from the Department of Health (WA).

7. The existing street tree in the road reserve must be retained at all times and protected from development works in accordance with AS4970-2009 - Protection of trees on development sites.

Committee Voting – 5/0

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

Implications of the Changes to the Officer's Recommendation
Not Applicable
## Purpose of Report

To consider the adoption of modifications to ‘Planning Policy No.3.2.5 – Development Policy Plan – Waterfront Village Sector’ (PP3.2.5) which introduces new provisions to facilitate the development of a ‘Hotel’ within the Foreshore Precinct of the Waterfront Village Sector.
This Report should be read in conjunction with PDS-063/16 – Proposed Planning Policy No.7.4 - Design Advisory Panel and PDS-064/16 - Amendment No.163 to Town Planning Scheme No.2 - Introducing a New Clause 6.5 - Design Advisory Panel.

**Background**

**The Planning Framework**

The planning and development for the Rockingham foreshore is dealt with by the Town Planning Scheme zoning of ‘Primary Centre - Waterfront Village Zone’ and by the Planning Policy No. 3.2.5 - Development Policy Plan ‘Waterfront Village Sector’.

The ‘Primary Centre - Waterfront Village Zone’ was gazetted into the Town Planning Scheme No 2 in September 2012, and PP 3.2.5 was simultaneously adopted on the day the zoning came into effect.

These two planning instruments (the zoning and the Policy) guide all existing and future development within the Waterfront Village Sector.

1. Waterfront Village Sector Indicative Development Plan
Planning and Engineering Services Committee Minutes
Monday 19 September 2016
PDS-062/16

Strategic Metropolitan Centre – Activity Centre Plan

The Waterfront Village Sector forms part of the wider Rockingham Strategic Metropolitan Centre.

The planning framework for the Strategic Metropolitan Centre has been progressively implemented, following the approval of the Activity Centre Plan by the Council and Western Australian Planning Commission in 2009.

The Waterfront Village Sector

Desired Future Character

Port Rockingham was once the busiest port in the State by tonnage of goods shipped through the jetties at the end of Railway Terrace. The associated beachfront and townscape was subsequently transformed into one of the State’s favourite holiday and day trip destinations. With the shifting south of many of its commercial and civic functions to the new Regional Centre in the early 1970’s, the historic ‘main street’ centre retained a compact townscape character well suited to the demands of a contemporary urban waterfront lifestyle.

The emerging Waterfront Village will continue with its transformation into a regionally significant beachfront hub with further redevelopment of under-utilised public and private properties. An attractive mix of medium and high density residential and short-stay apartments, hospitality-focused retail, offices and urban waterfront recreation uses will continue to make this a priority destination on the Rockingham coastline.

Preferred Uses

- Appropriate TOD uses lining the Transit Route
- Mixed use, urban-scaled development
- Residential (medium to high density)
- Serviced apartments
- Entertainment/hospitality
- Possible Contemporary Arts Centre
- Restaurants, small bars and cafes
- Local convenience retailing
- Public car parks
- Passive parklands

**Elements**

Continue with transformation of the historic beachfront centre into a contemporary waterfront residential, commercial and recreational activity node servicing local residents and regional visitors.

Prepare an updated Sector Development Plan with relevant changes to residential codings to guide the progressive consolidation and transformation of the area consistent with its TOD context.

Respond to the rare combination of a northerly coastal aspect, sheltered beach and shady parkland with appropriate land uses, in detailed urban design and with site responsive architecture.

Consolidate development within the walkable catchment of the transit system.

Facilitate continued infill of residential and short-stay apartments along the central section of Rockingham Beach Road and along the south western side of Railway Terrace through to the Read Street intersection.

Retain and enhance activated commercial frontages to Rockingham Beach Road, central Kent Street, Flinders Lane (north of Kent Street) and Railway Terrace (north of Kent Street).

Update and expand application of the existing building height policy consistent with an adopted sector improvement plan.

Ensure that all new development is planned in accordance with the sustainability principles listed in Section 3.1.6 and designed to meet any applicable sustainability Key Performance Indicators endorsed by the City of Rockingham.

**Planning Policy 3.2.5 – Development Policy Plan - Waterfront Village Sector**

The guiding planning principles set out in the overall Activity Centre Plan have been further detailed in PP 3.2.5.

The Policy introduces an Indicative Development Plan (IDP) which deals with the recommended development pattern in much greater detail than the Activity Centre Plan. It also sets out the various requirements for future development under the following headings:

- Transit Oriented Development (TOD)
- Waterfront Village Sector Planning Guidelines
- Residential and Mixed Use Building Typologies
- Residential Design Codes
- Residential Density
- Building Height
- Frontage Types
- Car Parking
This report deals with the categories of ‘Residential Density’ and ‘Building Height’, as they are of direct relevance to the consideration of the proposed ‘Hotel’ variation provisions into the Planning Policy.

Waterfront Village Precincts

The Development Policy Plan for the Waterfront Village Sector divides the area into seven Precincts:

![Waterfront Village Precinct Concept Plan](image)

3. Waterfront Village Precinct Concept Plan

Residential Density

The Waterfront Village Policy illustrates a Residential Density which is intended to manage the density of development in accordance with the planning principles and the adopted TOD model for the Activity Centre.

The distribution of residential density in the Waterfront Village responds to the particular land use functions, amenity and levels of mixed use activity anticipated within the Sector, and in each Precinct within the Sector. In general, high density residential development will be located within 250m of the Central Transit Route, with particular concentrations around planned stops at Railway Terrace, Rockingham Beach Road, Flinders Lane and Wanliss Street.

Residential densities of 100-200 dwellings per hectare are proposed for the area within the Foreshore Precinct.
4. Residential Density – Waterfront Village Sector

Building Height

The Policy illustrates a Building Height Overlay for the Waterfront Village IDP, with permitted building heights rising with proximity to the route of the Central Transit Route and proximity to activity generators.

The building heights prescribed in PP 3.2.5 are generally consistent with the wider TOD based density height provisions set down in the approved 2009 Activity Centre Plan.

The existing Building Height Overlay requires:

- Less elevated residential development at the western end of the Waterfront Village Sector
- Varying height controls of a minimum 2-3 storeys (6m) at street level, rising to eight (8) storeys (30-32m) within 300m of the coastline; this building height limit was put in place to comply with State Governments Coastal Planning Policy (SPP 2.6). Under SPP2.6, a maximum height of eight (8) storeys or 32m was permitted, subject to public support. This provision within SPP2.6 has subsequently been deleted by the WAPC.
- Variations in additional building height is contemplated by PP 3.2.5, however, these locations were placed beyond the 300m limit prescribed by the then operable SPP2.6.
- The building height controls are subject to overshadowing and solar penetration requirements.
5. Building Height - Waterfront Village Sector

Building height limits of 32m or eight (8) storeys are currently required for the area within the Foreshore Precinct.

Foreshore Precinct – Planning Policy Elements

The Foreshore Precinct is the area relevant to a proposed Hotel (and mixed use) building proposals. In respect of the Foreshore Precinct, PP 3.2.5 states:

<table>
<thead>
<tr>
<th>Application</th>
<th>The Policy applies to the Foreshore Precinct as defined in the Precinct Plan (refer to Figure 4.1). The Foreshore Precinct extends along the foreshore reserve from Val Street through to Wanliss Street and incorporates Churchill and Bell Parks and properties between Rockingham Beach Road, Railway Terrace, Kent Street and Wanliss Street.</th>
</tr>
</thead>
</table>
| Desired Future Character | The visual and economic revitalization of the Waterfront Village area will be pivotal to the future prospects of the overall Policy Area.  

The Precinct has a proud history as a timber port, a former district centre and tourist destination. Development along this ‘promenade strip’ should be designed to imaginatively respond to the opportunity presented by the rare combination of a stimulating ocean outlook, a safe family beach and well-shaded, waterfront parkland.  

The Precinct should aim to achieve a lively, mixed use character with an emphasis on land-uses which will generate interest and pedestrian activity within the public domain.  

A contemporary waterfront aesthetic of varied, yet unified, architectural style (similar to the newer architecture of East Perth and Subiaco) is seen as more appropriate than resorting to a superficially themed (e.g. ‘colonial’, ‘Federation’ etc.) building appearance. |
### Preferred Uses
- Retail
- Entertainment
- Eating and drinking places
- Short-stay accommodation
- Offices and commercial
- Recreation
- Multiple dwellings/residential

### Required Elements
The Indicative Development Plan (IDP) and the Foreshore Precinct Concept Plan (both within the DPP), set out the general location and pattern of development envisaged by the City. Whilst there is scope for flexibility in such matters, development is required to adhere to certain “Required Elements” as set out in the Policy, dealing with:
- buildings to be street front, mixed use, based on ‘main street’ principles.
- location, configuration and activation of built form.
- a requirement for active street fronts.
- buildings to ‘infill’ street fronts.
- recommended ground floor, street front land uses.
- preferred upper floor land uses.
- encouraging short stay and mixed use developments
- minimum residential densities.
- maximum building heights, coupled with front, side and rear setbacks.
- carparking.
- façade treatments, materials and transparency.
- high design standards, related to public domain interface.
- landscaping.

### Building Height Development Controls
The DPP sets out detailed height controls on properties along the following streets:
- Rockingham Beach Road
- Kent Street
- Flinders Lane
- Railway Terrace
- Wanliss Street

Height controls vary between a minimum of 6m (2 storeys) at the street, through a maximum of 30m-32m setback from the street, which is subject to overshadowing and solar penetration to the street level.

This section of the Policy also deals with side setbacks, visual separation and minimum site dimensions.
6. Foreshore Precinct Concept Plan

The Waterfront Village Policy became operational in September 2012. In that time, several major medium rise buildings have been approved and constructed. The Policy has delivered a workable planning framework to guide the redevelopment of the Foreshore Precinct.

Town Planning Scheme No.2

Under Town Planning Scheme No.2, properties within the Waterfront Village Sector are zoned ‘Primary Centre - Waterfront Village Zone’. The Scheme defines the Waterfront Village Zone and sets out the following objectives:
• to promote contemporary waterfront residential and accommodation, commercial, tourism and recreational activities, which serves local residents and visitors alike, in accordance the Development Policy Plan for the Waterfront Village Sector;
• to maximise the potential of the northerly coastal aspect, sheltered beach and shady parkland of the Waterfront through appropriate quality built form and site responsive architecture;
• to achieve appropriate land use and built form outcomes, including a range of medium to high density housing, within a walkable catchment of the central public transit system;
• to create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages, particularly for pedestrians;
• to provide contiguous, activated street front development;
• to promote active day and night time retail and social environments;
• to encourage vibrant and diverse uses which promote the Waterfront as a destination;
• to provide a high amenity, street based transit route that will provide a high calibre model of sustainable, transit orientated development; and
• to provide high quality public spaces that permits a range of recreation and social activities and foster high quality development along their margins.

The Scheme also provides Council (or a Joint Development Assessment Panel) the ability to exercise discretion in the application of the Residential Design Codes to residential development. This would include any residential component of a mixed use development.

**The Investment Attraction Framework**


The Strategy ..."proposes a different pathway to the more traditional approach taken by Local Governments when delivering economic development programs and initiatives."

In short, the Strategy proposes a more targeted approach for the City's involvement in ‘Economic Development’ initiatives.

The key purposes of the Strategy are to:

• Define the City's role in local economic development.
• Attract investment to facilitate major development within the Waterfront Village and City Centre Precincts.
• Identify and utilise the City's key competencies in facilitating local economic development.
• Identify the key areas of difference within the City that can create a comparative advantage over competing Local Governments also seeking to attract investment funds and economic development.
• Develop sustainable working relationships with key economic development stakeholders.

The adopted Strategy contains eight (8) Key Recommendations; of most relevance to this report is Key Recommendation 8, which reads:

"Engage expert tourism/property development industry consultants to undertake the development of a business case for the establishment of a major hotel in the waterfront Village Precinct based upon the latent demand for tourism visitation." (emphasis added)

Key Recommendation 2 also deals with this issue, as follows:

"A detailed design and master planning exercise be undertaken for the area ...(the Foreshore Precinct)....

..... The Masterplan should deliver the following key outcomes.... (amongst other things) ...a design that is complementary to the functionality and feasibility of existing and future apartment/hotel/food and beverage/retail development...." (emphasis added)
The Hotel Demand Study

Following the adoption of the Economic Development Strategy by Council in June 2014, and in accordance with the recommended action as set out in Key Recommendation 8, the City subsequently commissioned a consultant to undertake a Hotel Demand Study to assess the potential for hotel development at the Waterfront Village Precinct.

The Hotel Demand Study was completed in November 2015.

For the purposes of the business case, the consultant assumed a ‘hotel’ to comprise a minimum of 160 rooms, 4 star full service internationally or nationally branded hotel, with the following facilities:

- Bar and bistro
- Restaurant (incorporating a mix of indoor and outdoor space)
- Room service
- Meeting and conference facilities
- Function room (max capacity of 300 guests)
- Leisure facilities e.g. pool, gym, spa, steam room sauna.
- Business/technology centre.

Whilst it is not intended to detail the findings of the Hotel Demand Study in this report (for reasons of commercial confidentiality), or to publish the details of the business case assembled by the consultant team, it is appropriate to discuss several findings related to the planning framework, and its influence on the potential to attract a major hotel development to the Foreshore Precinct.

As part of its findings, the consultant advised:

“The proposed hotel sites under consideration are unusual – they are very well positioned, large and in concentrated ownership. This makes them rare, and once developed it will be difficult to replicate the economic opportunity for the City they currently represent. It is therefore important that any future development on the sites maximises this opportunity.

The potential hotel sites have a prominence and importance that requires an additional level of sophistication in planning for their development, that simultaneously respects the overall objectives of the precinct plan and allow development that might be at some variance with the general provisions and development controls that might apply to the precinct generally. This might include substantial increases in height and density for these sites.

There are a number of ways in which this might be achieved:

- Ensuring discretionary provisions in the TPS and Waterfront Village Sector DPP can adequately apply to a potentially substantial increased development of the site.
- Incorporate performance criteria in the TPS for these sites to allow development increases, including the provision of at least 160 rooms of short stay/hotel accommodation, subject to meeting certain urban design criteria.
- Ensure the Council’s Design Advisory Committee or City Architect is available and skilled to assess the proposal and advise Council and the Joint Development Assessment Panel which would consider the Development Application for the site.”

The consultant also stated:

"Mixed Use Development

Given development barriers and scale of hotel development, it is likely that a hotel development in Rockingham will be a component of a larger mixed-use development. Mixed-use developments allow sharing of risk across various asset classes. This is common in major projects, even when government-sponsored. For example the Westin Hotel and the Como Hotel each have substantial co-located office space. It is likely that a hotel development in Rockingham will similarly be co-located with other uses, most likely reasonably extensive ground-floor retail and upper level residential development."

With respect to the future hotel development, the consultant provided the following specific recommendations:
the City has a limited array of tools in its toolbox to influence development at a detailed use level. The Town Panning Scheme and associated policy provisions are amongst the most powerful. It is therefore recommended that the TPS and associated Policies be reviewed and adjusted to ensure it contains provisions that give significant incentive for the provision of hotel accommodation of the scale recommended here.

Specific measures that might be considered are:

- Ensure discretionary provisions in the TPS and the Waterfront Village Sector
Development Policy Plan (DPP) can adequately apply to a potentially substantial increase development on the site. The DPP could include a provision such as:

**DISCRETIONARY CLAUSE:**

An important provision within the Planning Policy is the opportunity for the applicant(s) or owners(s) to meet the Vision and Objectives through an alternative solution. The Council may approve a development application where the applicant(s) or owner(s) has departed from the relevant Precinct Policy, including but not limited to building height and density provisions where, in the Council’s opinion, the applicant(s) or owner(s) has demonstrated that the alternative solution(s) is consistent with the Rockingham Strategic Metropolitan Centre Visions and Planning and Development Principles. Compliance with the recommended performance standards does not guarantee approval. The Council may refuse development applications that are considered not to be in keeping with the objectives of the Planning Policy. Each application for development approval will be assessed on an individual basis within the overall context of the visions for the Rockingham Strategic Metropolitan Centre and the approval of an alternative solution will not set a precedent for other developments.

The provision of a full service hotel of a minimum of 160 rooms (including a restaurant, lounge bar, fitness centre, spa, business centre and substantial conference and meeting room product offering) on a site of 4,000m² or over in the Waterfront Village Precinct will allow this Discretionary Clause to be applied.

Establish a suitably qualified, managed and resourced Design Advisory Committee or ensure a City Architect is available and skilled to assess major project proposals and advise Council and the Joint Development Assessment Panel which would consider the Development Application for the site on design aspects of proposals. This might include the specific awarding of a level of design excellence, which might be required before a discretionary clause could be fully implemented.

Based on the findings of the consultant (related to the planning framework), City Officers undertook a review of the PP3.2.5 and the TPS zoning and related provisions, to ascertain the potential for change to encourage a ‘hotel’, possibly co-located within a larger mixed use development project, whilst still retaining the objectives and intent of the Planning Policy.

### Details

In March 2016, Council resolved to advertise modifications to **Planning Policy No. 3.2.5 - Waterfront Village Sector** for public comment.

At the conclusion of the advertising period six submissions had been received, three from State Government agencies and three from residents affected by the proposal. The comments received are detailed in the attached Schedule of Submissions.

Each submission has been assessed by City Officers and comments provided in response, as shown below in the ‘Comments’ section of this Report.

### Implications to Consider

#### a. Consultation with the Community

**Advertising Methodology**

The modified DPP was advertised for a period of approximately 24 days, commencing on the 22 July 2016 and concluding on the 15 August 2016. Public advertising was carried out in the following manner:
• Landowners and occupiers within the Waterfront Village Zone (as shown on Figure 7), servicing agencies and major stakeholders were notified of the proposal in writing and invited to comment;

• The proposal was posted on the City’s Facebook;

• The proposal was advertised on the City’s website and included the following:
  - background information;
  - supporting documents;
  - invitation to comment;
  - the option to provide on-line submissions; and
  - a schedule, containing anticipated ‘Frequently Asked Questions’.

• Notices appeared in the general news and public notices section of the Weekend Courier newspaper on the 22 July 2016;

• Copies of the draft DPP were made available for inspection at the City’s Administrative Offices.

Advertising was undertaken in accordance with the requirements of Regulation 4(1) Schedule 2 - Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 (Regs).

7. Consultation Plan

b. Consultation with Government Agencies

The following Government Agencies were also consulted:
- Alinta Gas
- Water Corporation
- Western Power
- Public Transport Authority
- Telstra
c. Strategic

Community Plan

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

Aspiration A: Tourism Lifestyle

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

Objective: *Coastal Facilities* - A range of quality and contemporary leisure tourism facilities including a “major brand” hotel, marinas, boat ramps, jetties, boardwalks and foreshore parks that contribute to the City’s reputation as the premier metropolitan coastal tourism destination.

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Under the provisions of Clause 3 Schedule 2 - Deemed Provisions of the Regs, the Council may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

The amendment to Planning Policy 3.2.5 was advertised in accordance with Clause 3 Schedule 2 - Deemed Provisions of the Regs.

g. Risk

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

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

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

Nil

Comments

A total of 6 written submissions were lodged in response to the public advertising of the draft DPP:

- Three submissions from Government Agencies;
- One submission of support;
- Two submissions of comment, raising various matters as noted below.
Issues of Concern Raised in Submissions

Concerns raised in the submissions have been summarised into the following issues:

1. Lack of information regarding hotel
2. Requirement for amalgamation

Response to Issues of Concern

1. Lack of information regarding hotel

City’s Comment:

Town Planning Scheme No.2, which provides statutory effect to the DPP, sets out the objectives for the Waterfront Village Zone which in part details the following:-

‘to promote contemporary waterfront residential and accommodation, commercial, tourism and recreational activities, which serves local residents and visitors alike, in accordance with the Development Policy Plan for the Waterfront Village Sector’.

The proposed amendment to the Policy provides the City with an opportunity to consider variations to height and density to accommodate major future ‘Hotel’ development applications within the Foreshore Precinct which may exceed the current requirements.

In this context, a ‘Hotel’ is assumed will comprise of a minimum of 160 rooms, 4 star full service major internationally or nationally branded hotel with the following facilities:-

- Bar and bistro
- Restaurant (incorporating a mix of indoor and outdoor space)
- Room Service
- Meeting and conference facilities
1. Lack of information regarding hotel (Cont…)

- Function Room (maximum capacity of 300 guests)
- Leisure facilities e.g. pool, gym, spa, steam room and sauna

It should be noted that the City has not yet received any applications for a ‘Hotel’ development within the Foreshore Precinct.

2. Requirement for amalgamation

City’s Comment:
The proposed modifications to the DPP do not require the further amalgamation of lots.

Government Agency Submissions
Comments on the modification to the DPP were received from the following Government Agencies:
- The Water Corporation;
- ATCO Gas; and
- The Department of Transport

All three submissioners offered no objection to the proposed modification to the DPP.

Conclusion
The submissions received during the advertising period did not raise any substantiated planning matters, which would provide cause for not adopting the proposed modifications to the DPP.

As such, it is recommended that Council adopt the amended ‘Planning Policy No.3.2.5 - Development Policy Plan – Waterfront Village’.

Voting Requirements
Simple Majority

Officer Recommendation
That Council ADOPTS the modifications to ‘3.2.5 - Development Policy Plan: Waterfront Village Sector’, to include new variation provisions for ‘Hotel’ Development within the Foreshore Precinct, as follows:

1. It is proposed that Section 4.1 ‘Foreshore Precinct Policy’ be amended to include the following additional text in ‘4.1.2 Desired Future Character’ (shown in red):

   ‘Given the attractiveness and uniqueness of Churchill and Bells Parks, the adjacent north facing friendly beaches, and the emerging mixed use and apartment precinct along Rockingham Beach Road and Kent Street, coupled with the City’s intentions to significantly redevelop the area in accordance with the adopted ‘Rockingham Beach Foreshore Master Plan’ (August 2015), to enhance the appeal of the Foreshore Precinct, the City considers that a Hotel development, based on business tourism, will provide a facility that will genuinely attract and retain both leisure and business tourists.

   Attracting a major hotel brand to the Rockingham foreshore is a Key Element of the City’s ‘Economic Development Strategy 2014-2017’; in respect of this Key Element, a ‘Hotel’ is defined as comprising a minimum of 160 rooms, 4 star full service internationally or nationally branded hotel, with the following facilities:

   (i) Bar and bistro
   (ii) Restaurant (incorporating a mix of indoor and outdoor space)
   (iii) Room service
   (iv) Meeting and conference facilities
   (v) Function room (approximate minimum capacity of 300 guests)
   (vi) Leisure facilities e.g. pool, gym, spa, steam room and sauna.'
This Policy supports the development of a Hotel within the Foreshore Precinct, subject to the planning and urban design intent and objectives of the Policy being respected through the building design.

This Policy acknowledges that potential hotel sites and buildings have a prominence and importance, together with a high level of activity, that requires an additional level of sophistication in planning and design that simultaneously respects the overall objectives of the Precinct, whilst allowing some design flexibility with respect to height and density.

Such variations will only be considered if the building design satisfies the intent of Policy objectives, including any proposed variations."

2. Include the following new Clause immediately after Clause 4.1.5 (shown in red):

"4.1.6 Hotel Development
The Council may consider variations to Required Elements (f) and (g) relating to height and density within the Foreshore Precinct, providing the proposed development:

(a) Includes a hotel as part of the building development, comprising a minimum of 160 rooms, 4 star full service internationally or nationally branded hotel, with the following facilities:
   (i) Bar and bistro
   (ii) Restaurant (incorporating a mix of indoor and outdoor space)
   (iii) Room service
   (iv) Meeting and conference facilities
   (v) Function room (approximate minimum capacity of 300 guests)
   (vi) Leisure facilities e.g. pool, gym, spa, steam room sauna;

(b) Is located on a single consolidated site of a minimum of 4000m², located within the Foreshore Precinct;

(c) Is consistent with the Objectives of the Primary Centre, as set out in Clause 3.4.2 of the Town Planning Scheme No.2;

(d) Is consistent with Clause 4.3.3 (Special Considerations Applicable to Planning Applications, specifically sub-clause (a), (b) and (e);

(e) Is consistent with the Objectives of the Primary Centre Waterfront Village Zone, as set out in Clause 4.3B.1;

(f) Is consistent with the planning and development principles, as set out in Clause 2.2 of this Policy;

(g) Is consistent with the Required Elements – Foreshore Precinct, as set out in Clause 4.1.4 of the Policy, notwithstanding that the Council may consider variations to sub-clause (f) and (g); and

(h) Receives an endorsement with respect to the building design from the City’s Design Advisory Panel."

Committee Recommendation

Moved Cr Sammels, seconded Cr Whitfield:

That Council ADOPTS the modifications to ‘3.2.5 – Development Policy Plan: Waterfront Village Sector, to include new variation provisions for ‘Hotel’ Development within the Foreshore Precinct, as follows:

1. It is proposed that Section 4.1 ‘Foreshore Precinct Policy’ be amended to include the following additional text in ‘4.1.2 Desired Future Character’ (shown in red):

‘Given the attractiveness and uniqueness of Churchill and Bells Parks, the adjacent north facing friendly beaches, and the emerging mixed use and apartment precinct along Rockingham Beach Road and Kent Street, coupled with the City’s intentions to significantly redevelop the area in accordance with the adopted ‘Rockingham Beach Foreshore Master Plan’ (August 2015), to enhance the appeal of the Foreshore Precinct, the City considers that a Hotel development, based on business tourism, will provide a facility that will genuinely attract and retain both leisure and business tourists.'
Attracting a major hotel brand to the Rockingham foreshore is a Key Element of the City’s ‘Economic Development Strategy 2014-2017’; in respect of this Key Element, a “Hotel” is defined as comprising a minimum of 160 rooms, 4 star full service internationally or nationally branded hotel, with the following facilities:

(i) Bar and bistro
(ii) Restaurant (incorporating a mix of indoor and outdoor space)
(iii) Room service
(iv) Meeting and conference facilities
(v) Function room (approximate minimum capacity of 300 guests)
(vi) Leisure facilities e.g. pool, gym, spa, steam room sauna.

This Policy supports the development of a Hotel within the Foreshore Precinct, subject to the planning and urban design intent and objectives of the Policy being respected through the building design.

This Policy acknowledges that potential hotel sites and buildings have a prominence and importance, together with a high level of activity, that requires an additional level of sophistication in planning and design that simultaneously respects the overall objectives of the Precinct, whilst allowing some design flexibility with respect to height and density.

Such variations will only be considered if the building design satisfies the intent of Policy objectives, including any proposed variations.”

2. Include the following new Clause immediately after Clause 4.1.5 (shown in red):

“4.1.6 Hotel Development

The Council may consider variations to Required Elements (f) and (g) relating to height and density within the Foreshore Precinct, providing the proposed development:

(a) Includes a hotel as part of the building development, comprising a minimum of 160 rooms, 4 star full service internationally or nationally branded hotel, with the following facilities:
   (i) Bar and bistro
   (ii) Restaurant (incorporating a mix of indoor and outdoor space)
   (iii) Room service
   (iv) Meeting and conference facilities
   (v) Function room (approximate minimum capacity of 300 guests)
   (vi) Leisure facilities e.g. pool, gym, spa, steam room sauna;

(b) Is located on a single consolidated site of a minimum of 4000m², located within the Foreshore Precinct;

(c) Is consistent with the Objectives of the Primary Centre, as set out in Clause 3.4.2 of the Town Planning Scheme No.2;

(d) Is consistent with Clause 4.3.3 (Special Considerations Applicable to Planning Applications, specifically sub-clause (a), (b) and (e);

(e) Is consistent with the Objectives of the Primary Centre Waterfront Village Zone, as set out in Clause 4.3B.1;

(f) Is consistent with the planning and development principles, as set out in Clause 2.2 of this Policy;

(g) Is consistent with the Required Elements – Foreshore Precinct, as set out in Clause 4.1.4 of the Policy, notwithstanding that the Council may consider variations to sub-clause (f) and (g); and

(h) Receives an endorsement with respect to the building design from the City’s Design Advisory Panel.”

Committee Voting – 5/0
<table>
<thead>
<tr>
<th>The Committee's Reason for Varying the Officer's Recommendation</th>
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<tbody>
<tr>
<td>Not Applicable</td>
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<table>
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<tr>
<th>Implications of the Changes to the Officer’s Recommendation</th>
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<tbody>
<tr>
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### Planning and Development Services Directorate, Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-063/16 Proposed Planning Policy 7.4 – Design Advisory Panel</th>
</tr>
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<tbody>
<tr>
<td>File No:</td>
<td>LUP/2001</td>
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<tr>
<td>Applicant:</td>
<td></td>
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<tr>
<td>Owner:</td>
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<tr>
<td>Author:</td>
<td>Mrs Sharon Peacock, Projects Research Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Bob Jeans, Director, Planning and Development Services</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 September 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>May 2016 (PDS-032/16)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
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</table>

### Purpose of Report

To consider the adoption of ‘Planning Policy No.7.4 – Design Advisory Panel’, following the completion of public advertising on the draft Policy.

**Note:** This Report should be read in conjunction with Agenda Reports PDS-064/16 for Amendment No.163 to Town Planning Scheme No.2, which proposes to introduce a new Clause 6.5 ‘Design Advisory Panel’ to provide the statutory framework to the Planning Policy for the Design Advisory Panel and, PDS-062/16 Proposed Amendment to Planning Policy No.3.2.5 – Development Policy Plan: Waterfront Village Sector – including new Variation Provisions for ‘Hotel’ development.

### Background

In November 2015, the City of Rockingham commissioned a ‘Hotel Demand Study’ to assess the potential for interest from national and international operators to invest in a new hotel development, specifically in the Rockingham Waterfront Village area.

This Study feeds into the ongoing efforts to redevelop and build amenity in the Waterfront Village Precinct and to guide investment and initiatives as detailed in the Economic Development Strategy 2014-2017.
The Hotel Demand Study identified a number of ‘Planning Considerations’ to ensure that opportunities to develop sites within the Foreshore Precinct of the Waterfront Village Policy are maximised including:

- Ensuring discretionary provisions in Town Planning Scheme No.2 (TPS) and Planning Policy No.3.2.5 - Waterfront Village Sector Development Policy Plan can adequately apply to a potentially substantial increase in development on sites;
- Incorporating performance criteria in the TPS for sites to allow development increases including the provision of at least 160 rooms of short stay/hotel accommodation, subject to the meeting of certain urban design and planning criteria; and
- Ensuring the Council’s Design Advisory Panel or city architect is available and skilled to assess the proposal and advise Council and the Joint Development Advisory Panel, which would consider the Development Application for the site.

With an increasing level of development activity in and around the City, a Design Advisory Panel would enable a more comprehensive and refined level of assessment of Development Applications which could result in significantly enhanced built form outcomes.

The Policy will apply to the administration and operation of the Design Advisory Panel to facilitate the provision of independent expert advice to the Council and the City’s Administration on the design and site planning of specified development proposals across the City.

### Details

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

At the conclusion of the advertising period, two (2) submissions had been received, both offering no objection to the proposal.

### Implications to Consider

a. **Consultation with the Community**
   
   **Advertising Methodology**
   
   The draft Policy was advertised from 22 July 2016 and concluded on 15 August 2016. Public advertising was carried out in the following manner:
   
   - Major stakeholders and developers were notified of the proposal in writing, and invited to comment;
   - A public notice was placed in the local Weekend Courier newspaper on 22 July 2016; and
   - The draft Policy was made available for inspection at the City’s Administrative Offices and placed on the City’s website.

   The draft Planning Policy No.7.4 was advertised in accordance with the Planning and Development (Local Planning Policies) Regulations 2015.

b. **Consultation with Government Agencies**
   
   The following Government Agencies were also consulted:
   
   - Office of the Government Architect
   - Landcorp
   - Department of Planning
   - Western Australian Planning Commission
   - Department of Housing

c. **Strategic**

   **Community Plan**
   
   This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objectives contained in the Community Plan 2015-2025:
   
   **Aspiration A:** Tourism Lifestyle
Objective: Investment Attraction - A strategic and focussed approach to attracting major investment to the City’s coastal nodes, City’s Centre and inland settlements that promotes quality retail, commercial and residential development, improved civic infrastructure and leisure tourism experiences for residents and visitors.

Objective: Coastal Facilities - A range of quality and contemporary leisure tourism facilities including a “major brand” hotel, marinas, boat ramps, jetties, boardwalks and foreshore parks that contribute to the City’s reputation as the premier metropolitan coastal tourism destination.

d. Policy
Nil

e. Financial
Nil

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

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

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

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

Nil

Comments

Policy Amendments
The proposed modifications to the Policy will encourage applicants to seek preliminary design advice for Joint Development Assessment Panel (JDAP) applications. By introducing these additional steps into the process, potential aspects of a design that may require improvement prior to a formal lodgement can be addressed.

It is anticipated that the early lodgement process will significantly improve outcomes by identifying and reducing potential risks, delays and costs that can result from an inadequate design.

During and after the public consultation process, City officers further assessed the draft Policy to examine its effectiveness for dealing with the JDAP pre-lodgement process.

As such, minor editorial modifications (highlighted in red), are now proposed for the purpose of introducing a pre-lodgement assessment procedure.

Submissions

<table>
<thead>
<tr>
<th>Submission</th>
<th>City Comment</th>
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<tbody>
<tr>
<td>No.1 – Rockingham Kwinana Chamber of Commerce</td>
<td>Noted.</td>
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<tr>
<td>RKCC fully supports this proposal.</td>
<td></td>
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<tr>
<td>No.2 – Department of Housing</td>
<td>Noted.</td>
</tr>
<tr>
<td>The Authority wishes to express its support for the new policy to implement a ‘Design advisory Panel’ (the Panel) which will provide independent expert advice in relation to urban design and built form outcomes on specified development with the City and the introduction of Clause 6.5 within the Scheme to underpin the implementation of the Panel.</td>
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</tr>
<tr>
<td>In addition to the above, I wish to advise the City of Rockingham that the implementation of Policy 7.4 and the accompanying Scheme Amendment should be considered in light of the Department of Planning’s ‘Planning Reform for Better Design’ work currently being undertaken which may have a future impact upon this policy and scheme amendment.</td>
<td></td>
</tr>
</tbody>
</table>
Conclusion

The submissions received during the advertising period do not raise any substantiated planning matters which would provide cause for not adopting the proposed Planning Policy and, as such, it is recommended that Council adopt 'Planning Policy No.7.4 – Design Advisory Panel'.

The Policy is also linked with Scheme Amendment No.163 to Town Planning Scheme No.2, which seeks to introduce new Clause 6.5 – Design Advisory Panel. The introduction of this new Clause will provide statutory effect to the Policy.

Given that both submissions received during the advertising period support the proposal, it is recommended that, subject to editorial modifications, Council adopt ‘Planning Policy No.7.4 – Design Advisory Panel’:

Voting Requirements

Simple Majority

Officer Recommendation

That Council ADOPTS Planning Policy No.7.4 – Design Advisory Panel’, subject to the following minor editorial modifications (changes highlighted in red).

1. Amend Section 1 - Introduction to include the following paragraph after the opening paragraph:

"Purpose of Design Review

Design review, particularly when undertaken early has multiple benefits for a range of stakeholders including the delivery of quality development outcomes, a reduction in time and cost through early identification of issues, and progressive certainty for design teams provided through collaborative resolution of planning and design issues.

Design review undertaken by suitably qualified and independent experts provides confidence and empowers decision makers to better meet the needs of the community. Design review can also support Local Authorities in their role as clients, helping them secure high quality design.

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

2. Amend clause 6(f) to include the word ‘Joint’ as follows:

From: (f) Development Assessment Panel applications, which, as a result of public consultation, are the subject of opposition on relevant planning grounds.

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

3. Include the following new section:

"7. Joint Development Assessment Panel Application Referral Requirements

7.1 To ensure that development is of a high quality and standard, applicants are encouraged to seek preliminary design advice from the Design Advisory Panel prior to lodging a formal JDAP application. Applications should be submitted in accordance with Planning Procedure 1.20 – Design Advisory Panel."

4. Renumber the remaining Sections accordingly.

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council ADOPTS Planning Policy No.7.4 – Design Advisory Panel’, subject to the following minor editorial modifications (changes highlighted in red).
1. Amend Section 1 - Introduction to include the following paragraph after the opening paragraph:

"Purpose of Design Review

Design review, particularly when undertaken early has multiple benefits for a range of stakeholders including the delivery of quality development outcomes, a reduction in time and cost through early identification of issues, and progressive certainty for design teams provided through collaborative resolution of planning and design issues.

Design review undertaken by suitably qualified and independent experts provides confidence and empowers decision makers to better meet the needs of the community. Design review can also support Local Authorities in their role as clients, helping them secure high quality design.

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

2. Amend clause 6(f) to include the word ‘Joint’ as follows:

From: (f) Development Assessment Panel applications, which, as a result of public consultation, are the subject of opposition on relevant planning grounds.

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

3. Include the following new section:

“7. Joint Development Assessment Panel Application Referral Requirements

7.1 To ensure that development is of a high quality and standard, applicants are encouraged to seek preliminary design advice from the Design Advisory Panel prior to lodging a formal JDAP application. Applications should be submitted in accordance with Planning Procedure 1.20 – Design Advisory Panel.”

4. Renumber the remaining Sections accordingly.

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
Directorate, Planning Services

Reference No & Subject: PDS-064/16 Amendment No.163 to Town Planning Scheme No.2 – Introducing a new Clause 6.5 - Design Advisory Panel

File No: LUP/2003

Applicant: 

Owner: 

Author: Mrs Sharon Peacock, Projects Research Officer

Other Contributors: Mr Bob Jeans, Director Planning and Development Services

Date of Committee Meeting: 19 September 2016

Previously before Council: May 2016 (PDS-033/16)

Disclosure of Interest: Legislative

Nature of Council’s Role in this Matter: Legislative

Site: 

Lot Area: 

LA Zoning: 

MRS Zoning: 

Attachments: Amendment No.163 Scheme Amendment Report

Maps/Diagrams: 

Purpose of Report

To consider granting Final Approval to Amendment No.163 to Town Planning Scheme No.2 to introduce a new Clause 6.5 - Design Advisory Panel.

Note: This Report should be read in conjunction with Agenda Report PDS-063/16 ‘Proposed Planning Policy No.7.4 - Design Advisory Panel’ and PDS-062/16 ‘Proposed Amendment to Planning Policy No.3.2.5 - Waterfront Village Sector’.

Background

In May 2016 the Council endorsed a proposal to advertise Amendment No.163 to Town Planning Scheme No.2 for the propose of introducing a new Clause 6.5 which will give statutory effect to new Planning Policy No.7.4 – Design Advisory Panel.

With an increasing level of development activity, especially related to increased density in and around the Rockingham Strategic Metropolitan Centre and other Activity Centres within the City, it is considered that the expert advice from a Design Advisory Panel would enable a more comprehensive assessment of Development Applications and result in significantly improved built form outcomes.
Details

At the conclusion of the advertising period, two (2) submissions in support of the Amendment had been received.

Implications to Consider

a. Consultation with the Community

Scheme Amendments are required to be dealt with in accordance with the ‘Planning and Development (Local Planning Schemes) Regulations 2015’, which includes a requirement to advertise ‘Standard’ Amendment proposals for public comment over a period of 21 days, prior to Council considering Final Adoption.

Advertising Methodology

The draft Scheme Amendment (and draft Planning Policy No.7.4 – Design Advisory Panel) were advertised concurrently for a period of approximately 21 days commencing on the 22 July 2016 and concluding on the 15 August 2016. Public advertising was carried out in the following manner:

- Major stakeholders and developers were notified of the proposal in writing and invited to comment;
- The proposal was advertised on the City’s website and included the following:
  - background information;
  - supporting documents;
  - invitation to comment;
  - the option to provide on-line submissions; and
- A notice appeared in the public notices section of the local Weekend Courier newspaper on the 22 July 2016;
- Copies of the draft Scheme Amendment and DPP were made available for inspection at the City’s Administrative Offices.

b. Consultation with Government Agencies

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

The following Government Agencies were also consulted:

- Office of the Government Architect
- Department of Planning
- Western Australian Planning Commission
- Department of Housing
- Landcorp

c. Strategic Community Plan

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

**Aspiration A:** Tourism Lifestyle

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

d. Policy

A draft Planning Policy No.7.4 – Design Advisory Panel has been prepared. Refer to Agenda Report PDS-063/16.
e. Financial
Nil

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

Regulation 47(3) provides that the City shall:
As soon as practicable after the end of the consideration period for a standard amendment to a local planning scheme, or if no submissions have been received within the submission period, after the end of the submission period, the local government must pass a resolution:
(a) to support the amendment to the local planning scheme with or without modification;
or
(b) not to support the amendment to the local planning scheme.

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

Comments
Given that the comments detailed in the submissions support the proposed Amendment, it is recommended that the Council adopt Scheme Amendment No.163, and request the Hon Minister for Planning grant Final Approval.

Voting Requirements
Simple Majority

Officer Recommendation
That Council:
1. ADOPTS for Final Approval Amendment No.163 to Town Planning Scheme No.2.
2. ADOPTS the recommendations contained within the Schedule of Submissions as follows:

CITY OF ROCKINGHAM
AMENDMENT NO.163 TO TOWN PLANNING SCHEME NO.2
SCHEDULE OF SUBMISSIONS

<table>
<thead>
<tr>
<th>SUBMISSION</th>
<th>COMMENT</th>
<th>RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.1 – Mr T Solin, Rockingham Kwinana Chamber of Commerce, 19 Kent Street, Rockingham WA 6168</td>
<td>RKCC fully supports this amendment.</td>
<td>Support for Amendment.</td>
</tr>
<tr>
<td>No.2 – Ms A Biondi, Department of Housing, L8, 8 Bennett Street, East Perth WA 6004</td>
<td>The Authority wishes to express its support for the new policy to implement a ‘Design Advisory Panel’ (the Panel) which will provide independent expert advice in relation to urban design and built form outcomes on specified development within the City and the introduction of Clause 6.5 within the Scheme to underpin the implementation of the Panel.</td>
<td>Support for Amendment.</td>
</tr>
</tbody>
</table>
No.2 - Cont...
In addition to the above, I wish to advise the City of Rockingham that the implementation of Policy 7.4 and the accompanying Scheme Amendment should be considered in light of the Department of Planning’s ‘Planning Reform for Better Design’ work currently being undertaken which may have a future impact upon this policy and scheme amendment.

**Committee Recommendation**

Moved Cr Sammels, seconded Cr Summers:

That Council:

1. **ADOPTS** for Final Approval Amendment No.163 to Town Planning Scheme No.2.

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

CITY OF ROCKINGHAM

AMENDMENT NO.163 TO TOWN PLANNING SCHEME NO.2

SCHEDULE OF SUBMISSIONS

<table>
<thead>
<tr>
<th>SUBMISSION</th>
<th>COMMENT</th>
<th>RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.1 – Mr T Solin, Rockingham Kwinana Chamber of Commerce, 19 Kent Street, Rockingham WA 6168</td>
<td>RKCC fully supports this amendment.</td>
<td>That the submission be upheld.</td>
</tr>
<tr>
<td>No.2 – Ms A Biondi, Department of Housing, L8, 8 Bennett Street, East Perth WA 6004</td>
<td>The Authority wishes to express its support for the new policy to implement a ‘Design Advisory Panel’ (the Panel) which will provide independent expert advice in relation to urban design and built form outcomes on specified development within the City and the introduction of Clause 6.5 within the Scheme to underpin the implementation of the Panel. In addition to the above, I wish to advise the City of Rockingham that the implementation of Policy 7.4 and the accompanying Scheme Amendment should be considered in light of the Department of Planning’s ‘Planning Reform for Better Design’ work currently being undertaken which may have a future impact upon this policy and scheme amendment.</td>
<td>Support for Amendment.</td>
</tr>
</tbody>
</table>

Committee Voting – 5/0

**Not Applicable**

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

Not Applicable

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

Not Applicable
Engineering and Parks Services

Engineering and Parks Services
Engineering Services

Reference No & Subject:

<table>
<thead>
<tr>
<th>EP-033/16</th>
<th>Tender T16/17-32 – Standing offer for bituminous surfacing</th>
</tr>
</thead>
<tbody>
<tr>
<td>T16/17-32</td>
<td></td>
</tr>
</tbody>
</table>

Proponent/s:

- Mr Darren Dropulich, Construction Engineer

Other Contributors:

Date of Committee Meeting:

19 September 2016

Previously before Council:

Disclosure of Interest:

Nature of Council's Role in this Matter:

Executive

Site:

Lot Area:

LA Zoning:

MRS Zoning:

Attachments:

Maps/Diagrams:

Schedule of Rates for T16/17-32

Purpose of Report

Provide Council with details of the tenders received for Tender T16/17-32 – Standing offer for bituminous surfacing, document the results of the tender assessment and make recommendations regarding award of the tender.

Background

Tender T16/17-32 – Standing offer for bituminous surfacing was advertised in the West Australian on Saturday, 30 July 2016. The Tender closed at 2.00pm, Wednesday, 17 August 2016 and was publicly opened immediately after the closing time.

Details

The scope of the contract is for the supply and installation of bituminous surfacing treatments for road projects.

2 Correction of repetition in numbering from previous Agenda.
The type of works to be undertaken under the contract shall include the application of sprayed bituminous treatments for primes, primer seals, conventional seals and reseals and geotextile reinforced seals.

The period of the contract shall be from 1 October 2016 until 30 June 2020.

Submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Downer EDI Works Pty Ltd</td>
</tr>
<tr>
<td>Keslake Group Pty Ltd trading as Bitumen Surfacing</td>
</tr>
<tr>
<td>Fulton Hogan Industries Pty Ltd</td>
</tr>
</tbody>
</table>

The Schedule of Rates for tender T16/17-32 is attached.

A panel nominated by the Director Engineering and Parks Services, and comprising of Manager Engineering Services, Construction Engineer and Senior Infrastructure Management Officer undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Level of Service</th>
<th>Understanding Tender Requirements</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Max. Points</td>
<td>40 Pts</td>
<td>20 Pts</td>
<td>40 Pts</td>
</tr>
<tr>
<td>Downer EDI Works Pty Ltd</td>
<td>36</td>
<td>16</td>
<td>37.7</td>
<td>89.7</td>
</tr>
<tr>
<td>Keslake Group Pty Ltd</td>
<td>27</td>
<td>10</td>
<td>31.1</td>
<td>68.1</td>
</tr>
<tr>
<td>Fulton Hogan Industries</td>
<td>29</td>
<td>10</td>
<td>22.3</td>
<td>61.3</td>
</tr>
</tbody>
</table>

The contract rates will be subject to a price variation every 12 months from 1 October 2016. Such a price variation will be calculated in accordance with the variation in the Consumer Price Index (CPI) for Perth Western Australia for all groups for the 12 months preceding the last completed CPI quarter as at the date the price variation is due.

Implications to Consider

a. Consultation with the Community
   Not Applicable

b. Consultation with Government Agencies
   Not Applicable

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
   
   **Aspiration C:** Quality Leadership
   
   **Strategic Objective:** Infrastructure - Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis.

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

Expenditure in accordance with the City’s Annual Budgets.

Historical expenditure for 2014/2015 was $124,262 and 2015/2016 was $143,921.

f. **Legal and Statutory**


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

g. **Risk**

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

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

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

Nil

**Comments**

Following consideration of the submissions in accordance with the tender assessment criteria, all companies demonstrated a capacity to provide the services for the tendered items.

However, the in-depth submission received from Downer EDI Works Pty Ltd included extensive information on all criteria requested which demonstrated it would offer the best level of service and understanding of the tender requirements. Therefore, Downer EDI Works Pty Ltd is recommended as the preferred tenderer.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **ACCEPTS** the tender submitted from Downer EDI Works Pty Ltd for Tender T16/17-32 – Standing offer for bituminous surfacing in accordance with the tender documentation for the contract period 1 October 2016 to 30 June 2020.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Summers:

That Council **ACCEPTS** the tender submitted from Downer EDI Works Pty Ltd for Tender T16/17-32 – Standing offer for bituminous surfacing in accordance with the tender documentation for the contract period 1 October 2016 to 30 June 2020.

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>Reference No &amp; Subject:</th>
<th>EP-028/16 Tender T16/17-04 – Standing offer for the road surface profiling and side paving</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>T16/17-04</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Aulad Hossain, Civil Maintenance Supervisor</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 September 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td></td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td>Schedule of Rates for T16/17-04</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
</tr>
</tbody>
</table>

**Purpose of Report**

Provide Council with details of the tenders received for Tender T16/17-04 – Standing offer for the road profiling and side paving, document the results of the tender assessment and make recommendations regarding award of the tender.

**Background**

Tender T16/17-04 – Standing offer for the road profiling and side paving was advertised in the West Australian on Saturday, 16 July 2016. The Tender closed at 2.00pm, Wednesday, 3 August 2016 and was publicly opened immediately after the closing time.

**Details**

The scope of the contract is for the standing offer for the road surface profiling and side paving works.

The period of the contract shall be from 1 October 2016 until 30 June 2018.

Submissions were received from:
The Schedule of Rates for tender T16/17-04 is attached.

A panel nominated by the Director Engineering and Parks Services, and comprising of Manager Engineering Services, Senior Infrastructure Management Officer and Civil Maintenance Supervisor undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Level of Service</th>
<th>Understanding Tender Requirements</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bluestone (WA) Pty Ltd trading as WA Profiling and WA Stabilising</td>
<td>32</td>
<td>15</td>
<td>37.2</td>
<td>84.2</td>
</tr>
<tr>
<td>West Coast Profilers Pty Ltd</td>
<td>31</td>
<td>11</td>
<td>28.6</td>
<td>70.6</td>
</tr>
</tbody>
</table>

**Implications to Consider**

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

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

c. **Strategic**
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
   Aspiration C: Quality Leadership
   Strategic Objective:  Infrastructure - Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis.

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

e. **Financial**
   Expenditure in accordance with the City’s Annual Budgets.
   Historical expenditure for 2014/2015 was $932,647 and 2015/2016 was $931,223.

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

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

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

Nil

Comments

The City’s tender assessment panel sought clarification from ‘West Coast Profilers Pty Ltd’ and ‘Bluestone (WA) Pty Ltd trading as WA Profiling and WA Stabilising’ regarding the mobilisation charge items.

The written response received from ‘West Coast Profilers Pty Ltd’ clarified the panel’s concerns that its method of calculating the mobilisation charges does not comply with the request for tender.

The written response received from ‘Bluestone (WA) Pty Ltd trading as WA Profiling and WA Stabilising’ clarified that its method of calculating the mobilisation charges does comply with the request for tender.

‘Bluestone (WA) Pty Ltd trading as WA Profiling and WA Stabilising’ is the city's current contractor for the road surface profiling and side paving works and has provided good levels of service.

Following consideration of the submissions in accordance with the tender assessment criteria, ‘Bluestone (WA) Pty Ltd trading as WA Profiling and WA Stabilising’ represents best value to the City and is therefore recommended as the preferred tenderer.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ACCEPTS the tender submitted from Bluestone (WA) Pty Ltd trading as WA Profiling and WA Stabilising, for Tender T16/17- 04 – Standing offer for the road surface profiling and side paving in accordance with the tender documentation for the contract period 1 October 2016 to 30 June 2018.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council ACCEPTS the tender submitted from Bluestone (WA) Pty Ltd trading as WA Profiling and WA Stabilising, for Tender T16/17- 04 – Standing offer for the road surface profiling and side paving in accordance with the tender documentation for the contract period 1 October 2016 to 30 June 2018.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
Reference No & Subject: EP-029/16  Tender T16/17-01 – Standing offer for the laying of hot asphalt

File No: T16/17-01

Proponent/s: Mr Aulad Hossain, Civil Maintenance Coordinator

Author: 19 September 2016

Other Contributors:

Date of Committee Meeting:

Previously before Council:

Disclosure of Interest:

Nature of Council’s Role in this Matter: Executive

Site:

Lot Area:

LA Zoning:

MRS Zoning:

Attachments: Schedule of Rates for T16/17-01

Maps/Diagrams:

Purpose of Report

Provide Council with details of the tenders received for Tender T16/17-01 – Standing offer for the laying of hot asphalt, document the results of the tender assessment and make recommendations regarding award of the tender.

Background

Tender T16/17-01 – Standing offer for the laying of hot asphalt was advertised in the West Australian on Saturday, 9 July 2016. The Tender closed at 2.00pm, Wednesday, 27 July 2016 and was publicly opened immediately after the closing time.

Details

The scope of the contract is for the standing offer for the supply and laying of hot asphalt, minor concrete kerbing and minor drainage works.

The period of the contract shall be from 1 October 2016 until 30 June 2018.

Submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>BGC (Australia) Pty Ltd trading as BGC Asphalt</td>
</tr>
</tbody>
</table>
The Schedule of Rates for tender T16/17-01 is attached.

A panel nominated by the Director Engineering and Parks Services, and comprising of Manager Engineering Services, Senior Infrastructure Management Officer and Civil Maintenance Supervisor undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Level of Service 40 Pts</th>
<th>Understanding Tender Requirements 20 Pts</th>
<th>Tendered Price/s 40 Pts</th>
<th>Total Weighted Scores 100 Pts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads 2000 Pty Ltd trading as Roads 2000</td>
<td>36</td>
<td>18</td>
<td>35.6</td>
<td>89.6</td>
<td></td>
</tr>
<tr>
<td>Downer EDI Works Pty Ltd</td>
<td>36</td>
<td>16</td>
<td>35.4</td>
<td>87.4</td>
<td></td>
</tr>
<tr>
<td>BGC (Australia) Pty Ltd trading as BGC Asphalt</td>
<td>24</td>
<td>12</td>
<td>38.7</td>
<td>74.7</td>
<td></td>
</tr>
<tr>
<td>Boral Resources WA Ltd</td>
<td>31</td>
<td>12</td>
<td>29.4</td>
<td>72.4</td>
<td></td>
</tr>
<tr>
<td>Asphalttech Pty Ltd</td>
<td>30</td>
<td>12</td>
<td>24.0</td>
<td>66.0</td>
<td></td>
</tr>
<tr>
<td>Merger Contracting Pty Ltd</td>
<td>16</td>
<td>8</td>
<td>23.9</td>
<td>47.9</td>
<td></td>
</tr>
</tbody>
</table>

**Implications to Consider**

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

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

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

   **Aspiration C:** Quality Leadership

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

d. **Policy**
   
   In accordance with the City’s Purchasing Policy, for purchases above $150,000, a public tender process is to be conducted in accordance with the provision of section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11A(1).
e. **Financial**
   Expenditure in accordance with the City's Annual Budgets.
   Historical expenditure for 2014/2015 was $5,116,395 and 2015/2016 was $5,753,909.

f. **Legal and Statutory**
   In accordance with section 3.57 of the Local Government Act 1995 and Local Government
   (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11(1).
   ‘Tenders are to be publicly invited according to the requirements of this Division
   before a local government enters into a contract for another person to supply
   goods or services if the consideration under the contract is, or is expected to be,
   more, or worth more, than $150,000 unless sub regulation (2) states otherwise’.

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

**Comments**
Tenders received were of varying standards, with Roads 2000 Pty Ltd and Downer EDI Works Pty
Ltd providing very high quality submissions with competitive rates. It should be noted that Roads
2000 Pty Ltd is the City's current contractor for the supply and laying of hot asphalt works and has
provided good levels of service.

Following consideration of the submissions in accordance with the tender assessment criteria,
Roads 2000 Pty Ltd represents best value to the City due to it having an excellent level of service
and understanding of the tender requirements and is therefore recommended as the preferred
tenderer.

**Voting Requirements**
Simple Majority

**Officer Recommendation**
That Council **ACCEPTS** the tender submitted from Roads 2000 Pty Ltd for Tender T16/17-01 –
Standing offer for the laying of hot asphalt in accordance with the tender documentation for the
contract period 1 October 2016 to 30 June 2018.

**Committee Recommendation**
Moved Cr Sammels, seconded Cr Summers:
That Council **ACCEPTS** the tender submitted from Roads 2000 Pty Ltd for Tender T16/17-01 –
Standing offer for the laying of hot asphalt in accordance with the tender documentation for the
contract period 1 October 2016 to 30 June 2018.

Committee Voting – 5/0

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

**Implications of the Changes to the Officer’s Recommendation**
Not Applicable
## Purpose of Report

For Council to delegate authority to the Chief Executive Officer (CEO) to award WALGA Quote W16/17-26 - Supply, Assembly and Distribution of Mobile Garbage Bins (MGB's) for General Waste; Mobile Recycling Bin’s (MRB’s) for Recyclable Waste and Green Waste; and associated components.

### Background

The City has committed to introducing a three bin waste collection system in 2016/2017 and to facilitate the new service requires new 360 litre yellow lidded recycling bins, 140 litre red lidded general waste bins and the replacement of lids on existing 240 litre bins with lime green lids for the green waste bins.

To provide sufficient time for the preferred supplier to manufacture the required bins, deliver the bins to each property and to changeover the lids before the new service commences it is requested that delegation to award the contract be given to the CEO to maximise the manufacturing timeframe.
Three Bin Waste Collection System

**Details**

The scope of work for this contract comprises the supply and delivery of 140 litre, 240 litre and 360 litre bins, including replacement lids and associated parts necessary for the introduction of the three bin waste collection system and for new and replacement bins for the next three years.

Quotations are being sought from the following suppliers,

- Scandinavian Investments Pty Ltd trading as GC Sales (WA)
- Mastec Australia Pty Ltd
- Sulo MGB Australia Pty Ltd

A panel comprising of the City's Director Engineering and Parks Services, Manager Waste Services and Waste Services Project Coordinator will be undertaking the quotation evaluations.

**Implications to Consider**

a. **Consultation with the Community**
   
   Nil

b. **Consultation with Government Agencies**
   
   Nil

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

   **Aspiration D**: Sustainable Environment

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

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

e. **Financial**
   
   Included in the 2016/2017 budget is $5,392,500 for the introduction of the three bin waste collection system with the bulk of the expense being the purchase of the new bins.

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

Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11(2) states that;

‘Tenders do not have to be publicly invited according to the requirements of this Division if, (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program’.

In accordance with section 5.42, subsection (1) read in conjunction with section 5.43 of the Local Government Act 1995.

‘A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties’.

g. Risk

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

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

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

Nil

Comments

Although the value of the contract is high, the bulk of this cost is due to the large quantity (approximately 100,000) of the new bins which individually will be less than $100 each.

The timeframes for the manufacturing of the large number of bins required and to enable a smooth transition to the three bin waste collection service is tight and by delegating authority to the CEO the City will be able to gain up to a month to allow the successful supplier to complete the contract before the new service is scheduled to commence in April 2017.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council DELEGATES authority to the Chief Executive Officer to award WALGA Quote W16/17-26 - Supply, Assembly and Distribution of Mobile Garbage Bins (MGB's) for General Waste; Mobile Recycling Bin's (MRB's) for Recyclable Waste and Green Waste; and associated components, subject to the quotation being within the budget.

Committee Recommendation

Moved Cr Sammels, seconded Cr Summers:

That Council DELEGATES authority to the Chief Executive Officer to award WALGA Quote W16/17-26 - Supply, Assembly and Distribution of Mobile Garbage Bins (MGB's) for General Waste; Mobile Recycling Bin's (MRB's) for Recyclable Waste and Green Waste; and associated components, subject to the quotation being within the 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
13. **Reports of Councillors**

Cr Whitfield raised the issue of the amount of road works occurring in the Baldivis area. He requested that earlier notification of upcoming works be provided to local residents to reduce the impact on them.

14. **Addendum Agenda**

Nil
15. Motions of which Previous Notice has been given

Planning and Development Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>Planning and Development Services Directorate, Planning Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>PDS-065/16 Notice of Motion - Karnup Station</td>
</tr>
<tr>
<td>Applicant:</td>
<td>LUP/2057 Cr Matthew Whitfield</td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Peter Ricci, Manager Major Planning Projects</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 September 2016</td>
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<tr>
<td>Previously before Council:</td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td></td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Advocacy</td>
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<tr>
<td>Site:</td>
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<tr>
<td>Lot Area:</td>
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<tr>
<td>LA Zoning:</td>
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<td>MRS Zoning:</td>
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<tr>
<td>Attachments:</td>
<td>Extract from draft South Metropolitan Peel Sub-Regional Planning Framework</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
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</tbody>
</table>

### Purpose of Report

To consider a Notice of Motion from Cr Matthew Whitfield, as follows:

“That Council DIRECT the Chief Executive Officer to write to the main political parties asking the question; if elected to State Government in 2017 what is your timeframe for delivering the Karnup Train Station?”

### Background

The Mandurah passenger railway (‘Mandurah line’) opened in 2007 linking the Perth CBD to Mandurah over a distance of approximately 70km. The construction process delivered ten stations including Rockingham and Warnbro within the City of Rockingham. An additional station, referred to as ‘Aubin Grove’, is currently being constructed at the intersection of Kwinana Freeway and Russell Road in Success.
Various State Government initiatives have identified future station locations on the Mandurah line, including the draft *Public Transport for Perth in 2031*, released by the Department of Transport in 2011. It referenced the future Karnup Station at the corner of Mandurah and Paganoni Roads.

The draft *Public Transport for Perth in 2031* states that the Karnup Station "would be constructed to serve the rapidly expanding population between Wambro and Mandurah, as well as the proposed urban development at Keralup, east of the Kwinana Freeway. This station will be a transit interchange and needs to be constructed in the next 5 to 10 years" (from 2011).

In its submission on the draft *Public Transport for Perth in 2031*, the City linked the construction of the Karnup Station to the first stage of Keralup being released along with a ‘fixed route priority transit network’ (ie. light rail) connecting the Station to Keralup.

The draft *Public Transport for Perth in 2031* was never adopted by the State Government.

In 2014, the State Government decided not to proceed with the Keralup proposal which was reflected in the Western Australian Planning Commission’s *Perth and Peel @ 3.5 Million* suite of documents released in 2015.

The draft *South Metropolitan Peel Sub-Regional Planning Framework*, being a component of *Perth and Peel @ 3.5 Million*, states that the ‘anticipated timing’ of the Karnup Station is ‘by-2015’ (extract from document below).

*Perth and Peel @ 3.5 Million* is yet to be adopted by the State Government.

Extract from draft *South Metropolitan Peel Sub-Regional Planning Framework*

Whilst the approvals for Keralup were being progressed prior to 2014, the City participated in a WAPC process to establish the feasibility of developing Transit Oriented Development on the land surrounding the site of the Karnup Station. With the demise of the Keralup proposal, the WAPC ceased the Karnup TOD exercise.
Details

In late July 2016, the Department of Transport released the draft *Perth Transport Plan* (also referred to as *Transport @ 3.5 Million*) for public comment. Information on the *Perth Transport Plan* is contained within Item 4.1 of the Planning and Development Services Information Bulletin (Strategic Planning and Environment section).

The *Perth Transport Plan* essentially provides the transport response to the urban growth proposals within *Perth and Peel @ 3.5 Million* and the *Perth and Peel Green Growth Plan*. It contains recommendations on the transport network to service Perth and Peel, under the following headings:

- Public Transport
- Road
- Active Transport (Walking, Cycling etc)
- Freight

The recommendations within the *Perth Transport Plan* essentially address regional transport proposals with the majority requiring reservation under the Metropolitan Region Scheme. In terms of implementation, the *Perth Transport Plan* contains three broad timeframes based on populations thresholds for the study area; ‘by 2.7 million, by 3.5 million and beyond 3.5 million’. Current population projections suggest that 2.7 million will be achieved in 10 -15 years and 3.5 million in 35 – 40 years.

The City is currently assessing the content of the *Perth Transport Plan* which is focussed on its implication on the City of Rockingham and specifically its ability to service anticipated growth. In October 2016, the Council will be requested to endorse the content of a submission on the *Perth Transport Plan*.

Implications to Consider

a. Consultation with the Community

The Department of Transport has released the draft *Perth Transport Plan* for public comment over a three month period closing 28 October 2016.

b. Consultation with Government Agencies

All government agencies have been invited to lodge a submission on the draft *Perth Transport Plan*.

c. Strategic

Community Plan

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

Aspiration D: Sustainable Environment

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

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Nil

g. Risk

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

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

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

Nil
Comments

The Notice of Motion seeks to establish the priority associated with the construction of the Karnup Station from the incumbent government and opposition. The premise being that the Karnup Station is required in the short term to service the local catchment.

The City’s assessment of the Perth Transport Plan will address the adequacy of the ‘Public Transport’ proposals to meet the City’s requirements. This will include new infrastructure such as railway stations.

A preliminary assessment of the Perth Transport Plan has established that the document does not include a delivery timeframe for the Karnup Station. This is a significant over-sight and further consideration of this matter will be included in the Agenda Item to the October meeting of the Planning and Engineering Services Committee.

Rather than isolate the delivery of the Karnup Station, it is recommended that consideration of the matter be deferred pending assessment of the suite of transport proposals within the Perth Transport Plan. By doing so, the delivery of the Karnup Station will have the benefit of detailed consideration. It is also possible that other infrastructure priorities will emerge and be the subject of enquiry into delivery timeframes.

It is therefore recommended that the Notice of Motion not be supported and that consideration be deferred to the assessment of the Perth Transport Plan.

Voting Requirements

Simple Majority

Officer Recommendation

That Council DEFERS consideration of the Karnup Train Station delivery timing pending consideration of its submission on the draft Perth Transport Plan in October 2016.

Notice of Motion from Cr Matthew Whitfield

Moved Cr Whitfield, seconded Cr Summers:

That Council DIRECTS the Chief Executive Officer to write to the main political parties asking the question; if elected to State Government in 2017 what is your timeframe for delivering the Karnup Train Station.

Committee Voting – 1/4

(Crs Sammels, Hamblin, Elliott and Summers voted against)

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council DEFERS consideration of the Karnup Train Station delivery timing pending consideration of its submission on the draft Perth Transport Plan in October 2016.

Committee Voting – 4/1

(Cr Whitfield voted against)

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
**Reference No & Subject:**

| EP-031/16 | Notice of Motion – Installation of playground equipment on June Road Reserve, Safety Bay in the 2016/2017 financial year, subject to the allocation of funds in the first quarter budget review |

**File No:**

R/33198

**Proponent/s:**

Councillor Deb Hamblin

**Author:**

Mr Chris Thompson, Director Engineering and Parks Services

**Other Contributors:**

**Date of Committee Meeting:**

19 September 2016

**Previously before Council:**

**Disclosure of Interest:**

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

Executive

**Site:**

June Road Reserve, Safety Bay

**Lot Area:**

**Attachments:**

1. June Road Reserve Safety Bay site reference
2. June Road Reserve existing play equipment
3. June Road Reserve existing swing set

**Maps/Diagrams:**

1. June Road Reserve Safety Bay site reference

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**CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 17 OCTOBER 2016**

PRESIDING MEMBER
2. June Road Reserve existing play equipment

3. June Road Reserve existing swing set

**Purpose of Report**

To provide officer comment and advice on Cr Deb Hamblin's Notice of Motion.

**Background**

Cr Deb Hamblin submitted the following motion for consideration at the 23 August 2016 Council Meeting:

“That Council SUPPORTS the installation of playground equipment on June Road Reserve, Safety Bay in the 2016/2017 financial year, subject to the allocation of funds in the first quarter budget review.”

**Details**

Play equipment is an important element in the provision of public recreation facilities and supports various aspects of a child’s development including imaginative play, physical coordination and peer interaction. Play equipment has evolved from rudimentary timber and steel structures to highly interactive play elements that provide safe, challenging and meaningful play.

The City of Rockingham has 220 playgrounds across the City. The industry benchmark for the provision of playgrounds by local government is 1:250 children. The City of Rockingham has approximately 16,000 children between the ages of 0-11. By this account, if the City met the benchmark minimum it would need to provide 64 playgrounds. The current volume of play equipment equates to 1:72 children. It is unsustainable for the City to have large amounts of play equipment on every developed reserve and there is an expectation that residents will travel short distances to access reserves with play equipment.
At the February 2012 Council Committee Meeting the Specific Purpose Strategy - Playground Development Plan was adopted. The purpose of the plan was to guide the provision of playground facilities over a 10 year period and to demonstrate considered assessment for the assignment, placement and maintenance of play equipment within the City. The key elements from the plan included:

- Functional hierarchy – Develop appropriate placement hierarchy and standards for playground provision
- Playground safety – Undertake annual safety and condition audit
- Playground maintenance – Develop playground maintenance programs

The functional hierarchy actions initiated an inventory audit and gap analysis so as to rationalise and determine a sustainable level of service for play equipment.

Service levels of play equipment for each category of reserve have been created so requests for new or additional play equipment are considered in an all-inclusive manner rather than in a piecemeal manner.

Categories are identified by the following:

- Local Reserve – up to 3000m² located within 150 to 300m of safe walking distance to all dwellings. Play equipment assessed on a case by case basis, contingent upon existing provision, demographics and future urban growth
- Neighbourhood Reserve – approximately 3000m² – 5000m² or larger serving 600 – 800 dwellings and a maximum of 400m walk from most dwellings. Play equipment to include 5 unit modules incorporating as a minimum; a climbing frame, a slide and confidence course equipment, designed for ages 2-14 years.
- District Reserve – around 25000m² – 70,000m² located 600m to 1km walk from most dwellings. Play equipment to include 7 unit modules and above, incorporating as a minimum, as slide, a swing, interactive lookout, flying fox, seesaw, monkey bars and confidence course.

It was recognised as part of the inventory audit and gap analysis that the service levels of existing playgrounds in some instances did not meet the minimum levels of play and current safety standards.

A priority replacement program has been implemented as part of the Asset Management Plan adopted by Council in September 2014. In the past 3 financial years in the order of two million dollars has been spent on the replacement and upgrading of play equipment.

**Implications to Consider**

a. **Consultation with the Community**
   Nil

b. **Consultation with Government Agencies**
   Nil

c. **Strategic Community Plan**

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

   - **Aspiration B:** Strong Community
     **Strategic Objective:** Building Capacity and Awareness – A healthy community that volunteers, embraces lifelong learning and cultural awareness, and is involved with a diverse range of vibrant and sustainable community, sporting, cultural and artistic organisations and pursuits

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

Specific Purpose Strategy: Playground Development Plan

The purpose of the Playground Development Plan is to guide the provision of playground facilities in the City of Rockingham over a 10 year period commencing in 2012.

d. Policy

- Planning Policy 3.4.1 Public Open Space
- The purpose of this Planning Policy is to set out the objectives and policy provisions which the "Council" shall have due regard to in assessing the provision, location, design and development of POS in the City of Rockingham. This Policy does not cover regional open space or foreshore reserves.

e. Financial

A budget allocation of $546,000 has been allocated in the 2016/2017 Business Plan for upgrade and replacement of play equipment at select sites within the City. No additional funds have been allocated for additional play equipment infrastructure.

The cost to upgrade June Road Reserve play ground to a District level facility is estimated at $55,000.

f. Legal and Statutory

Nil

g. Risk

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

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

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

Nil

Comments

Under the functional hierarchy categories June Road Reserve would be considered a District level Reserve given its size of 27,470m2. The current equipment at June Road Reserve is a double swing set and confidence climbing frame. This equipment does not meet the recommended volume and functionality for the category of the reserve. In addition there is limited play equipment of significance within the surrounding reserves. To maintain a level of service in accordance with the reserve functional hierarchy it is recommended that additional play equipment be installed so as to meet District level requirements. Additional equipment will look to suit 4 – 12 year olds and consist of a multi element play structure including slides, monkey bars, climbing frames, balance beam, interactive panels and flying fox.

Voting Requirements

Simple Majority

Officer Recommendation

That Council SUPPORTS the installation of additional play equipment at June Road Reserve, Safety Bay to a District Reserve level in the 2016/2017 financial year, subject to the allocation of funds in the first quarter budget review.

Notice of Motion from Cr Deb Hamblin

That Council SUPPORTS the installation of playground equipment on June Road Reserve, Safety Bay in the 2016/2017 financial year, subject to the allocation of funds in the first quarter budget review.
Committee Recommendation

Moved Cr Hamblin, seconded Cr Whitfield:

That Council **SUPPORTS** the installation of additional play equipment at June Road Reserve, Safety Bay to a District Reserve level in the 2016/2017 financial year, subject to the allocation of funds in the first quarter budget review.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
Engineering and Parks Services
Engineering and Parks Services Directorate

Reference No & Subject: EP-032/16 Notice of Motion – Tip Passes - to identify options that would ensure that renters receive a fair allocation of tip passes

File No: WSM/4-04
Proponent/s: Councillor Matthew Whitfield
Author: Mr Chris Thompson, Director Engineering and Parks Services
Other Contributors: 
Date of Committee Meeting: 19 September 2016
Previously before Council: 
Disclosure of Interest: Executive
Nature of Council’s Role in this Matter: Executive

Purpose of Report
To provide officer comment and advice on Cr Matthew Whitfield’s Notice of Motion.

Background
Cr Matthew Whitfield submitted the following motion for consideration at the 27 September 2016 Council Meeting:

“That Council DIRECTS the Chief Executive Officer to:

  a) write a report that identifies options that would ensure that renters receive a fair allocation of tip passes.

  b) present that report to Council prior to the January Council Meeting 2017.”

Details
A local government may provide for the proper disposal of waste, by making an annual charge per waste receptacle, in respect of premises it provides with a waste service. The charge is to be imposed on the owner and means a person who is in possession as the holder of an estate of freehold in possession of the land, including an estate or interest under a contract or an arrangement with the Crown or a person, by virtue of which contract or arrangement the land is held or occupied with a right to acquire by purchase or otherwise the fee simple.

At its budget meeting held on 28 June 2016 the City imposed a Standard Waste Service charge of $352.00 on all owners of habitable property within the Municipality. This charge includes the provision of the following waste services;
• Supply and weekly collection of 1 x 140ltr or 240ltr Mobile Garbage Bin,
• Supply and fortnightly collection of 1 x 240ltr or 360ltr Mobile Recycling Bin,
• One Bulk Waste pick up
• Two Green Waste pick ups and
• One Tip Pass allowing 4 entries to Millar Road Landfill Facility (Cannot be Resold)

When the City issues its Annual Rate Notices to the owners of rateable land the Waste Service Charge is included on the rate notice which also now includes the Electronic Tip Pass, (which was incorporated some 4 years ago because of inappropriate use and to improve the City’s data collection) and is separable from rate notice by tearing off.

The City is required to keep a database of property owners as part of its rate register but it is not required and does not keep any details of any tenants/occupiers etc. This is consistent with all other Local Governments.

In researching this matter Officers were unable to find any situation where a Local Government was providing tip passes directly to tenants.

**Implications to Consider**

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

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

c. **Strategic Community Plan**

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

   **Aspiration B:** Strong Community
   **Strategic Objective:** Building Capacity and Awareness – A healthy community that volunteers, embraces lifelong learning and cultural awareness, and is involved with a diverse range of vibrant and sustainable community, sporting, cultural and artistic organisations and pursuits

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

d. **Policy**
   - Nil

e. **Financial**
   - Nil

f. **Legal and Statutory**

   In accordance with Section 67 (1) of the Waste Avoidance & Resource Recovery Act 2007
   A local government may, in lieu of, or in addition to a rate under section 66, provide for the proper disposal of waste, whether within its district or not, by making an annual charge per waste receptacle, payable in one sum or by equal monthly or other instalments in advance, in respect of premises provided with a waste service by the local government.

   In accordance with Section 1.4 of the Local Government Act 1995.

   Terms used - owner, where used in relation to land —

   (a) means a person who is in possession as —
(i) the holder of an estate of freehold in possession in the land, including an estate or interest under a contract or an arrangement with the Crown or a person, by virtue of which contract or arrangement the land is held or occupied with a right to acquire by purchase or otherwise the fee simple.

g. Risk

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

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

Nil

Comments

The City does not have a statutory requirement to keep a database of tenants. Because of this it has no way of knowing which properties are tenanted and does not have any means of maintaining or keeping current any information it may receive. Any attempt to try such would be extremely difficult and labour intensive if at all possible.

There is no direct connection between the Tip Pass system at Landfill and the City’s Rate/Property System.

Rate Notices (which include a separable/tear off tip pass) are sent to Property Owners, providing tip pass to tenants is at the discretion of property owner/agent, however they are encouraged to pass on the tip pass to their tenants.

The State Government predominately through Homeswest is the biggest property landlord within the City. They receive tip passes on their rate notices and have a system whereby tenants approach their local Homeswest Office and a tip pass is given to the tenant.

Some local real estate agents acting on behalf of Property Owners also have access to the property owners tip passes.

Tenants do have access to the weekly waste collection services, Annual Bulk and Green Waste pick ups and are at any time able to go to the Millar Road Recycling facility where recyclable material in residential quantities can be dropped off free of charge.

The following items are accepted free of charge (subject to the acceptance of Landfill staff):

- Cardboard - compacted (compactor available on site)
- Polystyrene, excluding seedling drainage squares - compacted (compactor available on site)
- Clear film and bubble wrap plastics - compacted (compactor available on site)
- Gas bottles, car batteries and motor oil (max 20 litres)
- Pavers
- All scrap metal, including fridges, washing machines and microwaves
- Other items accepted at landfill staff discretion.

Significant changes were made to our Tip Pass system for the 2015/16 year this was based upon only 15% of the available tip passes were redeemed during 2013/14. To minimise state government levy increases and to encourage recycling some changes to the tip pass system were required.

The following changes were made to 2015/2016 tip passes:

- One barcode located on the purple detachable section of the rates notice
- Represents four ‘multi-purpose’ passes
- Each pass has increased to one and a half cubic metres
- Can conveniently be used for general waste or green waste

Less than 7% of households used four or more tip passes in the last financial year, with only 1% using their whole allocation. Therefore the number of households across the City that noticed a difference was very small.
The only option that may assist that renters receive a fair allocation of tip passes is that the City promote via its media communications that “providing tip pass to tenants is at the discretion of property owner, however they are encouraged to pass on the tip pass to their tenants”.

Should the Notice of Motion be successful the time period granted is very short and considerable time and effort will need to be allocated to undertake something that is considered to be extremely difficult if at all possible.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That the Notice of Motion *NOT* be supported.

**Notice of Motion from Cr Matthew Whitfield**

Moved Cr Whitfield, seconded Cr Summers:

That Council *DIRECTS* the Chief Executive Officer to:

1. Write a report that identifies options that would ensure that renters receive a fair allocation of tip passes.

Committee Voting – 1/4

(Crs Sammels, Hamblin, Elliott and Summers voted against)

**Committee Recommendation**

Moved Cr Sammels, seconded Cr Hamblin:

That the Notice of Motion *NOT* be supported.

Committee Voting – 4/1

(Cr Whitfield voted against)

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

Not Applicable

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

Not Applicable
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<tr>
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<th>Notices of Motion for Consideration at the Following Meeting</th>
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<tbody>
<tr>
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<tr>
<td>17.</td>
<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
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<tr>
<td></td>
<td>Nil</td>
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<tr>
<td>18.</td>
<td>Matters Behind Closed Doors</td>
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<td></td>
<td>Nil</td>
</tr>
<tr>
<td>19.</td>
<td>Date and Time of Next Meeting</td>
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<tr>
<td></td>
<td>The next Planning and Engineering Services Committee Meeting will be held on <strong>Monday 17 October 2016</strong> in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
</tr>
<tr>
<td>20.</td>
<td>Closure</td>
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<td>There being no further business, the Chairperson thanked those persons present for attending the Planning and Engineering Services Committee meeting, and declared the meeting closed at <strong>5:20pm</strong>.</td>
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