MINUTES
Planning and Engineering Services Committee Meeting
Held on Monday 19 March 2018 at 4:00pm
City of Rockingham Boardroom
City of Rockingham
Planning and Engineering Services Committee
Meeting Minutes
Monday 19 March 2018

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<th></th>
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<th>75</th>
</tr>
</thead>
<tbody>
<tr>
<td>19.</td>
<td>Date and Time of Next Meeting</td>
<td>75</td>
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<tr>
<td>20.</td>
<td>Closure</td>
<td>75</td>
</tr>
</tbody>
</table>
The Chairperson declared the Planning and Engineering Services Committee Meeting open at 4:00pm, welcomed all present, and delivered the Acknowledgement of Country.

2.1 Councillors
- Cr Chris Elliott (Chairperson)
- Cr Matthew Whitfield
- Cr Andrew Burns (Deputising for Cr Barry Sammels)
- Cr Deb Hamblin (Deputy Mayor)
- Cr Katherine Summers
- Cr Joy Stewart (Observer)

2.2 Executive
- Mr Bob Jeans (A/Chief Executive Officer)
- Mr Peter Ricci (A/Director Planning and Development Services)
- Mr Peter Doherty (Director Legal Services and General Counsel)
- Mr Sam Assaad (Director Engineering and Parks Services)
- Mr Brett Ashby (Manager Strategic Planning and Environment)
- Mr Mike Ross (Manager Statutory Planning)
- Mr Rod Fielding (Manager Health and Building Services)
- Mr David Caporn (Manager Compliance and Emergency Liaison)
- Mr Ian Daniels (Manager Infrastructure Project Delivery)
- Mr Kelton Hincks (Manager Asset Services)
- Mr James Henson (Manager Land and Development Infrastructure)
- Mr Adam Johnston (Manager Parks Services)
- Ms Melinda Wellburn (PA to Director Planning and Development Services)

2.3 Members of the Gallery: 4

2.4 Apologies:
- Cr Barry Sammels (Mayor)

2.5 Approved Leave of Absence:

3. Responses to Previous Public Questions Taken on Notice

3.1 Mr James Mumme, 36 Gloucester Avenue, Shoalwater - Brazilian Peppers

At the Planning and Engineering Services Committee meeting held on 19 February 2018, Mr Mumme asked the following questions that were taken on notice and the Manager, Parks Services provided a response in a letter dated 23 February 2018 as follows:
(Preamble to questions) Regarding weeds on the DHA Palm Beach Caravan Park Site, thank you for whatever Council did to get monthly weed control.

Regarding Brazilian pepper (schinus terebinthifolia) I note that the response said “Brazilian Pepper is not listed under Schedule 1 of the Pest Plants Local Law 2000”. Neither is it listed under the 2010 update of the Law. However Council has in the past been proactive and asking the private owner of that lot and Landcorp to take action to deal with this weed. The approach produced action in both cases.

However I do have records that show that this weed was listed on the Council’s Local Law at least up until June 2017.

Question
1. Can Council clarify what happened with this listing?

Response
The City confirms that Brazilian Pepper has never been formally gazetted in the Pest Plant Local Law.

A past review of the local law proposed to add Brazilian Pepper to the Pest Plant Schedule, however, that was not formally progressed.

In error the non-gazetted pest plant list was attached to the Local Law giving rise to erroneous belief that Brazilian Pepper had been gazetted.

The Pest Plant Local Law is again currently under review and it is the intention to have Schinus terebinthifolius (Brazilian Pepper) included as a pest plant species.

The City will continue to provide an educational focus to detail the issues that pest plants such as Brazilian Pepper have on the environment.

Question
2. In the interest of also protecting Lake Richmond’s already threatened vegetation, can Council please repeat the request to Rivormist P/L again as the peppers have clearly only been slashed but not either dug out or poisoned with the result that they are sprouting up to one metre in height?

Response
City officers will communicate with the owners to discuss undertaking further works to the regrowth that has occurred.

3.2 Mr Terry Sanfead, 5 Olive Hill Close, Karnup - PDS-006/18 - Joint Development Assessment Panel Application - Renewal of Approval for Educational Establishment - Lot 11 (No.1809) and Lots 700 and 701 (No.1791) Mandurah Road, Karnup

At the Planning and Engineering Services Committee meeting held on 19 February 2018, Mr Sanfead asked the following questions that were taken on notice and the Director Planning and Development Services provided a response in a letter dated 27 February 2018 as follows:

Question
1. Is there a conflict of interest by anyone at the City present or not, such as related to or close friends with the Council contractors Foreshore Rehabilitation & Landscaping, also being the previous owners of lot 701 & the current owners of lot 700 who have already benefitted from this DA & stand to benefit much more once the DA is fully approved?

Response
No.

Question
2. We are at a loss to see how the over 200 Pinus Radiatus trees that were planted mid 2016 in clear straight lines with even spacing could be missed. They will become a major fire risk to the school. How could the pine trees have been missed?
Response

It is acknowledged that this vegetation was omitted in the applicant’s Bushfire Attack Level (BAL) assessment, however, it is advised that inclusion of this vegetation does not change the resultant BAL rating.

Question

3. The original report had the area South of the Development as flat & no trees with a BAL rating of 29 now this new report is claiming it is a steep down slope & yes, it is woodland yet the fire risk remains the same. This is illogical. Other omissions were tabled in a document provided at the meeting. Why?

Response

The amended Bushfire Management Plan and BAL assessment have been endorsed by the Department of Fire and Emergency Services.

Question

4. No parking allowance for ‘P’ Plate drivers has been made in the development. Why? Where are they going to park?

Response

There is no Scheme requirement to provide parking for ‘P’ Plate drivers.

Question

5. The fire report is deceptive and false and the RAR should not be supported. The fire report could endanger over 500 children, how can the City of Rockingham explain this occurrence? You have not looked at the report, why?

Response

The Bushfire Management Plan contains Emergency Evacuation that has been endorsed by the Department of Fire and Emergency Services. Thus the requirements for a vulnerable land use under State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7) have been met.

Question

6. Will the Council say ‘No’ to the RAR?

Response (provided at meeting)

The Chairperson advised that this item will be debated later in the meeting and the Committee will make a recommendation for consideration at the Council meeting next Tuesday night.

Question

7. The City of Rockingham only had one representative at the last JDAP meeting when it should have had 2 representatives. Will the Council have 2 representatives in attendance at the JDAP meeting?

Response (provided at meeting)

The Chairperson advised that he is a representative on the JDAP Committee and a date for the meeting has not been set, but is most certain that the City will have its two members at that meeting.

Question

8. Is it accurate that if the fire rating at the development was higher than the claimed BAL of 29 the project could not go ahead?

Response

SPP3.7 generally requires development to be BAL-29 or less. Development can be approved at BAL-40 or BAL-FZ if it is considered to be Minor or Unavoidable Development.
Question
9. Ask for clarification on Lot 700 being included with the application, as Lot 700 is Special Rural, making it clearly a prohibited use for an educational establishment?

Response
Clause 7.3 of Town Planning Scheme No.2 (TPS2) permits a change of an existing non-conforming use under certain circumstances.
The Munja Gardens Reception Centre on Lot 700 is an existing non-conforming use, therefore, approval can be issued for a different non-conforming use subject to certain criteria being met. This has been discussed in detail in the RAR.

Question
10. Why hasn’t the City explained the development is six times in size together with the 6 acres and 38 acres of the development?

Response
The RAR states that the proposed change in use will have a greater impact on the amenity of the locality than the existing non-conforming use based on visual and environment impacts, hours of operation and increased peak hour and overall traffic volumes.

Question
11. Why is the City not doing all it can. There are many amenity destroying implications of the DA that have been ignored?

Response
The RAR goes into great detail on the amenity impacts of the proposal.

Question
12. Will our rights to operate machinery such as chainsaws & tractors within the guidelines for rural & semi-rural properties also be stopped because the noise upsets the school?

Response
The current requirements with respect to noise will not change. A school is a “noise sensitive premises”, the same as a dwelling. The same requirements therefore apply under the Environmental (Protection) Noise Regulations 1997 (Regulations). There are time restrictions that apply to machinery and equipment currently under the Regulations.

Question
13. Will we be allowed to have 2 doberman guard dogs patrol our boundary or will that right also be taken from us?

Response
You can keep two dogs on the property, as long as they are licenced and fenced with an appropriate enclosure, in accordance with the requirements of the Dog Act 1976.

Question
14. Will our right to allow any member of the public access to our property be allowed or will the school’s requirements for security of its children also take precedent over these rights?

Response
The City has no requirements in this regard. There may be other restrictions that apply.

Question
15. Will the rights of the 12 or so land owners all within the developments fire buffer lose their right to plant trees & other types of developments that would see the fire risk to this development increase?
<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>16. Is the City going to remove all the fauna from the area as indicated?</td>
<td>It is not the City’s responsibility to remove the fauna.</td>
</tr>
<tr>
<td>17. Will the developments requirement for an acceleration lane do both shorten the Olive Hill lane deceleration lane &amp; have accelerating vehicles leaving the school entering Mandurah Highway as any vehicle is slowing to enter the shortened Olive Hill Close deceleration lane?</td>
<td>As part of the lapsed approval, Main Road Western Australia (MRWA) required “the existing left turn pocket into Olive Hill Close from Mandurah Road being modified to accommodate the acceleration lane”. MRWA have supported the application for renewal on the above basis. It is expected that a similar condition would be attached to any further approval, if one is issued.</td>
</tr>
<tr>
<td>18. Why is a Foreshore Rehabilitation &amp; landscaping activity operating from Lot 700?</td>
<td>The City will investigate the matter and take the appropriate action.</td>
</tr>
<tr>
<td>19. Why doesn’t the RAR mention the current DA shows the school sharing a driveway with trucks entering and leaving lot 700?</td>
<td>Any trucks currently operating from Lot 700 would no longer be present once the proposed Educational Establishment is operational.</td>
</tr>
<tr>
<td>20. Has there been changes to the JDAP system that now requires the JDAP to explain the rational for their decision &amp; if so will the City be requesting an explanation of any &amp; all decision made on the JDAP on this application?</td>
<td>JDAPs are required to give reasons for making a decision that differs from the RAR recommendations.</td>
</tr>
<tr>
<td>21. Will the Council petition the new Minister for Planning in regard to the pending JDAP decision preferably before this has occurred as these decisions cannot be appealed?</td>
<td>The current DAP application must be determined by the SWJAP in accordance with Planning and Development (Development Assessment Panels) Regulation 2011. The City has previously raised its concerns over the JDAP process with the Department of Planning and the Minister for Planning (former), citing a number of concerns and in particular, the SWJDAP’s previous decision to approve Montessori application.</td>
</tr>
</tbody>
</table>
### Question

22. Mr Sanfead outlined 36 reasons why the application for an extension should not be approved. Can the City include our concerns & report with its JDAP?

### Response

Subject to approval from the Presiding Member, Mr Sanfead will have the opportunity to present his concerns to the JDAP.

### 4. Public Question Time

4:01pm The Chairperson invited members of the Public Gallery to ask questions. There were none.

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

Moved Cr Whitfield, seconded Cr Summers:

That Committee **CONFIRMS** the Minutes of the Planning and Engineering Services Committee Meeting held on 19 February 2018, as a true and accurate record.

Committee Voting – 5/0

### 6. Matters Arising from the Previous Minutes

Nil

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

4:02pm The Chairperson announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.

### 8. Declarations of Members and Officers Interests

4:02pm The Chairperson asked if there were any interests to declare. There were none.

### 9. Petitions/Deputations/Presentations/Submissions

#### 9.1 Deputation

4:02pm Ms Emily Pink, Acquisitions Manager WA for Telstra - PD-009/18 Proposed Reconsideration of Telecommunications Infrastructure (Mobile Telephone) Secret Harbour District Centre - State Administrative Tribunal

The Chairperson welcomed Ms Pink, Acquisitions Manager WA for Telstra and invited her to present a deputation to the Committee. Ms Pink advised the application for telecommunications infrastructure is based on mobile download demand from its customers. Ms Pink emphasised that the technology needs to be near people and that Telstra’s current sites struggle and without the infrastructure there will be network degradation. She advised that several sites were examined leading to the preferred site which is a commercial location that is almost identical to the new Baldivis site. Ms Pink advised the Committee that their telecommunications facilities are on hospitals, schools and that acceptable radio emissions are set by the Federal Government. Ms Pink also advised that other telecommunication carriers would share the proposed telecommunications structure.

The Chairperson thanked Ms Pink and advised the matter is to be considered by the Committee as an item on the agenda.
10. **Matters for which the Meeting may be Closed**

Nil

11. **Bulletin Items**

Planning and Development Services Information Bulletin – March 2018

**Health Services**
1. Health Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 FoodSafe
   3.2 Industrial and Commercial Waste Monitoring
   3.3 Mosquito Control Program
   3.4 Environmental Waters Sampling
   3.5 Food Sampling
4. Information Items
   4.1 Mosquito-Borne Disease Notifications
   4.2 Food Recalls
   4.3 Food Premises Inspections
   4.4 Public Building Inspections
   4.5 Outdoor Public Event Approvals
   4.6 Permit Approvals
   4.7 After Hours Noise and Smoke Nuisance Complaint Service
   4.8 Complaint - Information
   4.9 Noise Complaints - Detailed Information
   4.10 Animal Exemptions
   4.11 Building Plan Assessments
   4.12 Septic Tank Applications
   4.13 Demolitions
   4.14 Swimming Pool and Drinking Water Samples
   4.15 Rabbit Processing
   4.16 Hairdressing and Skin Penetration Premises
   4.17 Caravan Park and Camping Ground Inspections

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

**Compliance and Emergency Liaison**
1. Compliance and Emergency Liaison Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Private Swimming Pool and Spa Inspection Program
   4.2 Ranger Services Action Reports
   4.3 Emergency Management and Fire Prevention
   4.4 Accredited Training
   4.5 Prohibited Burning Period
   4.6 CRM
## Strategic Planning and Environment

1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 Local Planning Strategy (LUP/1352)
   - 3.2 Waterwise Council Program (EVM/56-02)
   - 3.3 Wetland Management Plan
   - 3.4 Lake Richmond Management Plan Review
   - 3.5 Coastal Hazard Risk Management and Adaption Plan
4. Information Items
   - 4.1 Notification of Decision to Require Modifications to the Satisfaction of the Western Australian Planning Commission
   - 4.2 Submission on the Public Environmental Review for the Proposed Waste to Energy Facility - Lot 1 Office Road, East Rockingham
   - 4.3 Proclamation of Port Kennedy Development Act 2017
   - 4.4 Declaration of Planning Control Area No.126 – Dampier Drive Extension

## Land and Development Infrastructure

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

## Statutory Planning

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

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 Leeuwin Sector – Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.4 Northern Gateway Sector - Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.5 Improvements to City Square and Civic Plaza (LUP/1933)
   3.6 ‘Mangles Bay Marina’
4. Information Items
   4.1 City of Rockingham Bushfire Risk Management Plan – Status Update
   4.2 Draft State Planning Policy 4.1 – Industrial Interface
   4.3 Infrastructure WA

Advisory Committee Minutes

Committee Recommendation

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

Committee Voting – 5/0

Engineering and Parks Services Information Bulletin – March 2018

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

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

Infrastructure Project Delivery
1. Infrastructure Project Delivery Team Overview
2. Human Resource Update
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 16 APRIL 2018

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3. Project Status Reports
   3.1 Rockingham Foreshore Masterplan – Stage One Construction

4. Information Items
   4.1 Buildings and Facilities Construction Program
   4.2 Lighting Construction Program
   4.3 Park Infrastructure and Construction Program

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

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

**Advisory Committee Minutes**

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Hamblin:

That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – March 2018 and the content be accepted.

Committee Voting – 5/0
### Reference No & Subject:

<table>
<thead>
<tr>
<th>Reference No &amp; Subject</th>
<th>PD-008/18</th>
<th>Proposed Planning Policy 3.4.3 - Urban Water Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>PKR/61</td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Damien Slack, Urban Water Assessment Officer</td>
<td>Mr James Henson, Manager Land and Development Infrastructure</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 March 2018</td>
<td></td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>November 2017 (PDS-070/17)</td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td></td>
<td></td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive</td>
<td></td>
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</tbody>
</table>

### Site:

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

### Purpose of Report

To consider Planning Policy 3.4.3 - Urban Water Management for adoption following public advertising.

### Background

At its ordinary Meeting held in November 2017, the Council resolved to approve Planning Policy 3.4.3 – Urban Water Management for the purpose of advertising. A copy of the advertised Planning Policy is attached.
Details

The public advertising period for Planning Policy 3.4.3 - Urban Water Management has now concluded. The advertising of the draft Planning Policy identified a number of matters that required attention to ensure that it reflected conventional best industry practice. The matters raised during public advertising, and the City’s subsequent response, is contained within the ‘Consultation with Government Agencies’ section below.

Implications to Consider

a. Consultation with the Community

In accordance with Clause 4(1-6) of Town Planning Scheme No.2, the draft Planning Policy was advertised for comment over a 21 day period, closing on 16 February 2018, by the following means:

(i) A Public Notice was placed in the Weekend Courier on 26 January, 2 February and 9 February 2018;

(ii) Public information was placed on the City’s Website giving formal notice of the proposed Planning Policy;

(iii) Copies of the proposed Planning Policy were made available for inspection at the City’s Administration Offices; and

(iv) Letters were forwarded to the Urban Development Institute of Australia (UDIA), as well industry groups New WAter Ways and Stormwater WA.

At the conclusion of the advertising period there were no submissions from the community or industry groups.

b. Consultation with Government Agencies

The Planning Policy was also forwarded for comment to the Department of Water and Environmental (DWER) and Water Corporation.

The feedback received from both agencies was generally supportive with no significant issues raised. Minor amendments to the Planning Policy were, however, required and clarification on a number of matters was sought, which has now been addressed. The City’s comment and recommendation in response to each submission is provided below:

<table>
<thead>
<tr>
<th>Section 4.1 General Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DWER Submission:</strong></td>
</tr>
<tr>
<td>Within the table, the “Approving Authority” for District and Local Structure Plans should be “WAPC on advice of DWER”</td>
</tr>
</tbody>
</table>

| **DWER Submission:** | **City Comment:** |
| Section 4.1.1 District Water Management Strategy | The Planning Policy will be amended to expand on when a DWMS is required as well as the change in land use types that it supports. |

Within the first paragraph, a DWMS is also prepared as a requirement of a region scheme amendment. As well as urban, the DWMS is to demonstrate that the area is capable of also supporting the change in land use to rural residential, commercial or industrial.
### Section 4.1 General Requirements (cont...)

<table>
<thead>
<tr>
<th><strong>DWER Submission:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section 4.1.2 Local Water Management Strategy</strong></td>
</tr>
<tr>
<td>Within the first paragraph, a LWMS is also prepared as a requirement of a local scheme amendment. The LWMS is to be consistent with the overarching DWMS and demonstrates that the proposed change in land use also includes rural residential, commercial or industrial.</td>
</tr>
<tr>
<td><strong>City Comment:</strong></td>
</tr>
<tr>
<td>The City acknowledges that a LWMS is required to support rezoning at the local scheme amendment stage, or where the provisions of the zone require a local structure plan to be prepared. The Planning Policy will be updated to expand on when a LWMS is required as well as the change in land use types that it supports.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DWER Submission:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section 4.1.3 Urban Water Management Plan</strong></td>
</tr>
<tr>
<td>Within the second paragraph, an UWMP must demonstrate how the final form of urban, as well as rural residential, commercial or industrial will use and manage water. Within the second paragraph, please amend to “The UWMP must include detailed hydrologic and hydraulic investigation, modelling and design to resolve issues identified within both the DWMS and LWMS.....”.</td>
</tr>
<tr>
<td><strong>City Comment:</strong></td>
</tr>
<tr>
<td>The Planning Policy will be updated to expand upon the change in land use it applies to and include the suggested text amendments.</td>
</tr>
</tbody>
</table>

### Section 4.2 Environmental Criteria Compliance

<table>
<thead>
<tr>
<th><strong>Water Corporation Submission:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional environmental policies or standards also apply but which are not catchment specific. These may need to be included in this section or in a separate section, and may include but are not limited to:</td>
</tr>
<tr>
<td>• SPP 2.5 Rural Planning, and;</td>
</tr>
<tr>
<td>• SPP 2.9 Water Resources and environmental protection policies.</td>
</tr>
<tr>
<td>Please consider including additional environmental policies which are not catchment specific but still apply in the area. Please consult with the Department of Water and Environmental regulation and the Environmental Protection Authority where required.</td>
</tr>
<tr>
<td><strong>City Comment:</strong></td>
</tr>
<tr>
<td>The City considers that all relevant federal and state government policies and guidelines have already been included in the Planning Policy, no changes are required in this regard.</td>
</tr>
</tbody>
</table>

Application of State Planning Policy (SPP) 2.9 Water Resources (2006) is referred to in the Policy Objectives (Section 3). The City notes that SPP 2.5 Rural Planning (2016) ‘seeks to protect and preserve rural land for rural purposes’ which does not apply to urban water management.

The DWER was consulted as a part of the advertising process but did not raise any additional federal and state government policies and guidelines in its submission.

The Environmental Protection Authority (EPA) was not consulted as part of the advertising process as the DWER’s role is to support the EPA in developing policies that protect the environment.
### Section 4.3 Urban Water Management Compliance

**Water Corporation Submission:**
Additional Urban Water Management information may need to be included in this section such as Water Corporation’s *Urban development within a rural drainage district* fact sheet. Please consider including the Water Corporation’s fact sheet.

**City Comment:**
As requested, the Planning Policy will be amended to refer to the fact sheet.

### Section 4.4 WSUD Principles

**DWER Submission:**
At point b), this applies to small rainfall events as per *Decision Process for Stormwater Management in WA* (DWER, 2017). Recommended wording to “Manage runoff from small rainfall events on-site or as close to the source as possible”.

**City Comment:**
The Planning Policy will incorporate the suggested wording to ensure compliance with DWER’s *Decision Process for Stormwater Management in WA* (2017).

**Water Corporation Submission:**
Your statement: “Minimise runoff as high in the catchment as possible and retain on-site or as close to the source as practical” only applies to small rainfall events as specified in the Decision process for stormwater management in WA (DWER, 2017). This may need to be clarified.

Please consider rewording this sentence in accordance with the Decision process for stormwater management in WA (DWER, 2017). A suggested text may be: “Manage runoff produced as a result of small rainfall events at source and/or retain on-site as much as practical”

**City Comment:**
As per the previous comment on the DWER’s submission, the Planning Policy will incorporate the suggested wording to ensure compliance with DWER’s *Decision Process for Stormwater Management in WA* (2017).

### Section 4.5.1 Stormwater Management

**DWER Submission:**
At point a) last sentence, remove “piped drainage or” and just include overland flow.

At point c) first sentence, add “....at least 0.5m above the 1% AEP flood level of waters and major drainage systems or based on...”

At point d) last sentence, amend to “adequate on-site retention and/or detention is required...”

At point e) first sentence, remove “living streams and drainage channels” as the depths of living streams and drainage channels could be more than the depths provided this guideline. The depths could vary depending upon the catchment area, flood flows, slops, whether is within a floodway or flood fringe, etc.

At point f) last sentence, include “....and treatment of small rainfall events to improve water quality:

At point i) first sentence, also include tree pits. In addition, second sentence “to” is “...the depth to Maximum Groundwater Level....”.

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CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 16 APRIL 2018

PRESIDING MEMBER
Section 4.5.1 Stormwater Management (cont…)

City Comment:
The City provides the following comments:
Point a) – Where site conditions do not allow for runoff generated by the first 15mm of rain to be retained at source, stormwater is conveyed to management areas within Public Open Space (POS) via the road reserve piped drainage network. There are WSUD best management practice exceptions to this such as flush kerbing surrounding landscaped areas and POS (POS) but these do not account for the total catchment area. No changes are proposed in this regard.
Point e) – The values represent the City’s position on maximum allowable flood depths for each design rainfall event and are used as the basis for urban water management criteria assessment. Increasing acceptable flood depths in living streams and drainage channels could negatively impact Public Open Space (POS) by encouraging narrow drainage corridors rather than promoting wide Multiple Use Corridors (MUCs). The values are also consistent with the Local Government Guidelines for Subdivisional Development (WAPC, 2017). Notwithstanding, the point states that drainage infrastructure should be designed using this criteria. Alternative flood depths may be considered where there are significant site constraints to applying the Planning Policy criteria.
The City agrees with the amendments suggested for Points c), d), f) and i). The Planning Policy will be updated accordingly.

Water Corporation Submission:
Small frequent rainfall events up to including the first 15mm are considered to be for water quality management but not for water quantity management. However, runoff generated as a result of the 1EY which may not be infiltrated or managed at source and needs to be conveyed somewhere else will need to be accounted for in overall water volume calculations, including any additional water that is generated as a result of impervious surfaces.
Please consider relocating this paragraph within the Stormwater Quality subsection.
City Comment:
For small frequent rainfall events up to the first 15mm, the City agrees that appropriate measures are required to manage both stormwater runoff quantity (volume) and stormwater runoff quality (treatment).
The City considers that the Planning Policy appropriately addresses stormwater quantity in point a). The assessment criteria for stormwater quality in point g) is however to be expanded to clearly describe that treatment of the first 15mm is required as per industry best management practice in accordance with DWER's Decision Process for Stormwater Management in WA (2017)

Water Corporation Submission:
Where it reads: “….and at least 0.5m above the 1% AEP flood level of waterways…”. Please add “and major drainage systems”.
City Comment:
The Planning Policy will be amended to refer to major drainage systems.

Water Corporation Submission:
Please consider rewording numeral d. A suggested text is:
“For land within the Peel Harvey Estuary Catchment, stormwater management design must be cognisant of the criteria specified in the Water Corporation’s Urban Development within a Rural Drainage District fact sheet (see link). Development proposals located within Water Corporation’s Mundijong Drainage District will need to seek advice from Water Corporation.”
### Section 4.5.1 Stormwater Management (cont...)

<table>
<thead>
<tr>
<th>Water Corporation Submission:</th>
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<tbody>
<tr>
<td>An additional numeral within this subsection may be needed. Please consider adding an additional numeral which contains the following text: “Maintain the predevelopment 1% AEP peak flow rates and levels at the outlet of the proposed development and maintain predevelopment flood volumes within the site, including any additional volumes produced as a result of impervious surfaces, or otherwise specified by DWER and the Water Corporation”</td>
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<table>
<thead>
<tr>
<th>City Comment:</th>
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<tbody>
<tr>
<td>The Planning Policy will be amended as recommended to ensure that urban water management planning is consistent with Water Corporation requirements. Point d) will be expanded to refer to the Water Corporation’s Urban Development within a Rural Drainage District Fact Sheet.</td>
</tr>
</tbody>
</table>

### Water Corporation Submission:

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>An additional numeral within this subsection may be needed. Please consider adding an additional numeral which contains the following text: “Living streams (in Water Corporation assets) should contain the 50% AEP event flows within the bankfull, the 20% AEP event flows within drainage reserves or public open space (10% AEP event flows in industrial and commercial areas) and the 1% AEP event in appropriate land uses including but not limited to POS, roads and road reserves. Please refer to the Drainage for Liveability Fact Sheet link.</td>
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<table>
<thead>
<tr>
<th>City’s Comment:</th>
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<tbody>
<tr>
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</tr>
</tbody>
</table>

### Section 4.5.2 Groundwater Management

<table>
<thead>
<tr>
<th>DWER Submission:</th>
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<tbody>
<tr>
<td>At point a), reference is made to a 1.2m separation distance from MGL for the requirements of fill and subsoil drainage. However, this figure was derived from the separation distance required for the installation of septic tanks.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City Comment:</th>
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</thead>
<tbody>
<tr>
<td>With regard to point a), the City notes consistency with the Government Sewerage Policy: Draft for Consultation (State of Western Australia, 2016).</td>
</tr>
</tbody>
</table>
### Section 4.5.2 Groundwater Management (cont…)

The City has adopted the urban water industry standard 1.2m depth to Maximum Groundwater Level (MGL) criteria. This has traditionally been applied to highlight the requirement for groundwater controls that provide adequate separation to the built form. An assessment criteria is essential to provide the basis for appropriate groundwater management controls, e.g., subsoil drainage, to be considered through the Better Urban Water Management (WAPC, 2008) process.

The 1.2m depth to MGL criteria is cognisant of the risk management classifications in Guidance Note 3: Preparation and Assessment of Water Management Reports (DoW, 2013) and is also referred to in Better Urban Water Management (WAPC, 2008).

With regard to point d), the City does not wish to prescribe suitable subsoil filter material types and/or products that may benefit commercial entities. The onus is on the developer to demonstrate appropriateness of a proposed filter material, in consultation with the City.

### Water Corporation Submission:

The Water Corporation is uncertain that 1.2m is an accurate measure of maximum groundwater levels (MGL) that can be applied across the City’s boundary area, from which decisions on fill or subsoil drainage can be made.

Please consult with DWER where MGL statements have been made within the proposed policy.

### City Comment:

The City included the DWER as a key stakeholder in the Planning Policy advertising process. The DWER also queried the 1.2m clearance to MGL groundwater management criteria.

As per the previous comment on the DWER submission, the City has adopted the urban water industry standard 1.2m depth to Maximum Groundwater Level (MGL) criteria. This has traditionally been applied to highlight the requirement for groundwater controls that provide adequate separation to the built form. An assessment criteria is essential to provide the basis for appropriate groundwater management controls, e.g., subsoil drainage, to be considered through the Better Urban Water Management (WAPC, 2008) process.

The 1.2m depth to MGL criteria is cognisant of the risk management classifications in Guidance Note 3: Preparation and Assessment of Water Management Reports (DoW, 2013) and is also referred to in Better Urban Water Management (WAPC, 2008).

### Section 6.2 Interpretations

**DWER Submission:**

At *Maximum Groundwater Level*, the MGL to be determined through on-site measurement, monitoring and modelling and compared to the DWER’s regional long-term monitoring records (if available).

At *Multiple Use Corridors*, include “retention and detention”.

### City Comment:

The City agrees with the submission. Definitions to be updated accordingly.

### Appendix 1: Risk Classification for Subdivision and Development

**DWER Submission:**

Within “Site Conditions”, amend reference from “deep sewerage” to “reticulated sewerage” to align with the terminology used within the Draft Government Sewerage Policy (State of Western Australia, 2016).

At the “High risk” 3rd sentence, amend to “Located in a floodplain”. Also, within the 5th sentence, include resource enhancement wetlands. In addition, the phosphorus and nitrogen input conditions seem quite high. Were these taken from Hydrological Nutrient Modelling of the Peel-Harvey Catchment (Kelsey et al, 2011)?
City Comment:
The Planning Policy will be updated with suggested amendments.

With regard to the Phosphorus and Nitrogen inputs, the values shown in Appendix 1 have been transcribed from the EPA's model *Peel-Harvey WSUD Local Planning Policy* (EPA, 2006). The Planning Policy will be amended with the more recent recommended input values specified in the DWER's *Hydrological Nutrient Modelling of the Peel-Harvey Catchment* (Kelsey et al, 2011).

**Water Corporation Submission:**
Your statement: “Offsite discharge to local and/or regional drainage systems with low environmental risks” is unclear. What can be classified as “low environmental risks”? Also when you say “offsite discharge to local/regional drainage” do you mean free conveyance to drainage systems without any management strategies being address or implemented? Please clarify your statement.

City Comment:
The Risk Classification for Subdivision and Development table in Appendix 1 has been adopted from the DWER's *Guidance Note 3: Preparation and Assessment of Water Management Reports* (DoW, 2013).

Offsite discharge to a local/regional drainage system is applicable to land that cannot retain all stormwater onsite via traditional means such as infiltration. Stormwater management strategies for these sites are still required to ensure that offsite discharge peak flows and water quality remain relative to the pre-development environment.

With regards to environmental risk, this relates to the scale and nature of the land use change proposal in the context of the existing site characteristics and receiving environment.

**Water Corporation Submission:**
Some preliminary modelling may be required to mitigate medium risks, particularly when discharge to local and regional drainage systems is proposed. Please consider adding “preliminary modelling”.

City Comment:
The Planning Policy will be updated to state that for a medium risk development, standard modelling and investigations will be mandatory that address all applicable requirements of the *Better Urban Water Management* (BUWM) (WAPC, 2008) checklist.

**Water Corporation Submission:**
Where it reads:
“Contains floodplain” please add “major drainage systems”. Please consider adding to the bold text to read: “Contains floodplain and major drainage systems”

City Comment:
The Planning Policy will be amended as suggested to define a high risk development as being located in a floodplain and/or a major arterial drainage system.

c. **Strategic**

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

**Aspiration D:** Sustainable Environment
Strategic Objective: Climate Change – Planning system, infrastructure standard and community awareness programs that acknowledge, mitigate and adapt to the impacts of climate change.

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

PP3.4.3 is not part of TPS2 and does not bind the Council in respect of any application for Development Approval, but it must have due regard to the provisions of the Policy and the objectives, which the Policy is designed to achieve, before making its determination.

e. Financial

Nil

f. Legal and Statutory

In accordance with Clauses 3 and 4 of the deemed provisions of TPS2, following the expiry of the advertising period for submissions, the Council is to review PP3.4.3 in the light of submissions made and resolve to adopt the Policy with or without modifications, or not to proceed with the Policy.

g. Risk

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

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

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

Nil

Comments

The consultation process identified a number of minor matters that the advertised Planning Policy did not effectively address. The Planning Policy has been amended, where applicable, to expand on elements of the urban water management assessment criteria to ensure that terminology is consistent with DWER and Water Corporation requirements.

Implementation of the amended Planning Policy will ensure a cohesive assessment criteria is applied to all planning and development proposals. It is therefore recommended that the Council adopt Planning Policy 3.4.3 - Urban Water Management.

An Urban Water Management Planning Procedure will be implemented upon adoption of the amended Planning Policy.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ADOPTS the amended Planning Policy No.3.4.3 - Urban Water Management (changes in red).

Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council ADOPTS the amended Planning Policy No.3.4.3 - Urban Water Management (changes in red), as follows:
PLANNING POLICY NO.3.4.3 - URBAN WATER MANAGEMENT

1. Introduction

Urban development within the City of Rockingham (the City) has traditionally taken advantage of elevated land with sandy soils, limited surface water drains or watercourses, as well as generous clearance to groundwater. As the more suitable land has now largely been urbanised the focus has moved to areas which are more difficult to develop due to the presence of seasonal surface water inundation and/or geological complexity.

In addition, the new focus on housing diversity typical throughout the Perth Metropolitan and regional growth areas has meant lot sizes have decreased in size; which in turn has increased the impervious area (house, driveway and pavement), as well as providing less garden area and turf suitable for infiltration purposes.

With a view to obtaining the best possible environmental and water management outcomes for the City, it is important to ensure that all development occurs with a focus on total water cycle management and not just traditional ‘end of pipe’ drainage solutions. The purpose of this Planning Policy is therefore to:

(a) Ensure the application of Better Urban Water Management (WAPC, 2008) as part of the planning approvals process;
(b) Provide guidance on the City’s urban water management requirements to ensure that planning and development proposals are dealt with in a consistent manner;
(c) Ensure that appropriate measures are taken to manage catchments in order to maintain or improve surface and groundwater resources; and
(d) Promote alternative water conservation and sustainability practices that reduce reliance on traditional supplies.

2. Policy Application

This Policy articulates the City’s position on the planning, design and construction of Urban Water Management proposals and is to be considered by applicants, and City Officers in the design, assessment, and determination of:

- Structure Plans (District, Local and Activity Centre);
- Subdivision Applications;
- Development Applications;
- Detailed engineering/landscape drawings.

This Policy applies to proposals that facilitate residential (on both rural and urban land), commercial and industrial zoning, subdivision or development; and is also consistent with the responsibilities applied to the activities, works, services and programs conducted by the City.

3. Policy Objectives

The objectives of the Policy seek to:

(b) Ensure that land use planning decisions integrate land and water planning, achieve catchment specific environmental criteria, and thereby deliver better improved water management outcomes for the catchments within the City.
(c) Implement Water Sensitive Urban Design (WSUD) principles and best management practices for all development proposals and City Operations.
(d) Improve water quality within the City and ensure the protection and management of sensitive environments. Where possible, restore and enhance the environmental, economic and social values of the City’s waterways and protected wetlands.
(e) Assess the practical and appropriate level of risk related to the proposal (guidance on level of risk is contained in Appendix 1).
4. Policy Statement

4.1 General Requirements

Under the Better Urban Water Management (WAPC, 2008) framework, the following table articulates the integrated urban water planning with land planning process to ensure WSUD is achieved.

<table>
<thead>
<tr>
<th>Planning Trigger</th>
<th>Document Required</th>
<th>Responsibility</th>
<th>Approving Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Structure Plan</td>
<td>District Water Management Strategy (DWMS)</td>
<td>Local Authority or Landowner/Developer</td>
<td>WAPC on advice of DWER</td>
</tr>
<tr>
<td>Local Structure Plan</td>
<td>Local Water Management Strategy (LWMS)</td>
<td>Local Authority or Landowner/Developer</td>
<td>WAPC on advice of DWER</td>
</tr>
<tr>
<td>Subdivision Application</td>
<td>Urban Water Management Plan (UWMP)</td>
<td>Landowner/Developer</td>
<td>City of Rockingham</td>
</tr>
<tr>
<td>Development Application (DA)</td>
<td>Engineering Design Landowner/Developer</td>
<td>City of Rockingham</td>
<td></td>
</tr>
</tbody>
</table>

4.1.1 District Water Management Strategy (DWMS)

A DWMS is to be prepared to support a District Structure Plan (DSP) and/or as a component of an amendment to the Metropolitan Region Scheme (MRS). A DWMS must demonstrate that the area is capable of supporting the change in land use to rural residential, urban residential, commercial or industrial by achieving appropriate urban water management outcomes.

A DWMS is to be prepared consistent with Guidelines for District Water Management Strategies (DoW, 2013).

4.1.2 Local Water Management Strategy (LWMS)

A LWMS is required to support rezoning at the Local Scheme Amendment stage, or where the provisions of the zone require a Local Structure Plan to be prepared. Any Structure Plan associated LWMS is to be consistent with the overarching DWMS, where applicable. In the absence of a DWMS, a combined District and Local Water Management Strategy (D&LWMS) must be prepared.

A LWMS must demonstrate how the proposed change in land use (rural residential, urban residential, commercial or industrial) will address water use, the protection of water dependent environments and management, and identify existing and required water management infrastructure, including detailed land requirements.

Any application to amend a Structure Plan is to include an assessment of the impact of the proposed amendments on the approved LWMS. The City will then determine whether the proposed Structure Plan amendment is required to be supported by a revised LWMS.

A LWMS is to be prepared consistent with Interim: Developing a Local Water Management Strategy (DoW, 2008).

4.1.3 Urban Water Management Plan (UWMP)

An UWMP is to be submitted to the City as a condition of Subdivision Application approval and must be approved by the City prior to the commencement of any subdivisional works and/or lodgement of associated subdivision clearance. An UWMP is not generally required to subdivision in infill/brownfield areas, unless the development is likely to impact on significant water resources.

The UWMP is an extension of the LWMS that articulates the critical parameters for infrastructure design at the subdivision stage. An UWMP must demonstrate how the final built form will use and manage water including specific infrastructure, land requirements and detailed designs for both stormwater and groundwater management. An UWMP applies to urban residential, rural residential, commercial and industrial land uses.
The UWMP must include detailed hydrologic and hydraulic investigation, modelling and design to resolve issues identified within both the DWMS and LWMS with the level of detail required for the UWMP to be determined by the City based on the complexity and risk associated with each development proposal.

An UWMP is to be prepared consistent with Urban Water Management Plans: Guidelines for Preparing Plans and for Complying with Subdivision Conditions (DoW, 2008).

4.1.4 Stormwater Management Plan

Where applicable the City may impose conditions on Development Application (DA) approvals to ensure the implementation of strategies outlined in an approved UWMP. In the absence of an approved UWMP, a DA is still bound by the objectives and assessment criteria provided in this Policy. The applicant may be required to demonstrate the function and/or efficacy of their stormwater management methodology through the submission of a Stormwater Management Plan which includes detailed Engineering and Landscape drawings.

4.2 Environmental Criteria Compliance

Development proposals and City projects must demonstrate compliance with catchment specific environmental criteria outlined in the following:

- State Planning Policy 2.1 – Peel-Harvey Coastal Plain Catchment (WAPC, 2003)
- Water Quality Improvement Plan for the Rivers and Estuary of the Peel-Harvey System (EPA, 2008)

4.3 Urban Water Management Compliance

Development proposals and City project stormwater management systems must be designed using Australian Rainfall & Runoff (Geoscience Australia, 2016) in conjunction with the Bureau of Meteorology’s 2016 Intensity-Frequency-Duration design rainfall estimates.

Stormwater and groundwater management systems must consider the principles, objectives and guidelines outlined in the following:

- Stormwater Management Manual for Western Australia (DoW, 2004-2007)
- North East Baldivis Drainage and Water management Plan (in preparation by DWER)
- Decision Process for Stormwater Management in WA: Draft for Consultation (DoW, 2016)
- Local Government Guidelines for Subdivisional Development (IPWEA, 2011)
- Water Resource Considerations when Controlling Groundwater Levels in Urban Development (DoW, 2013)
- Specification Separation Distances for Groundwater Controlled Urban Development (IPWEA, 2016)
- Peel-Harvey Coastal Catchment WSUD Technical Guidelines (Peel Development Commission, 2006)
- Urban Development within a Rural Drainage District: Development Services Fact Sheet (Water Corporation)

4.4 WSUD Principles

The following WSUD principles (in order of priority) adapted from Stormwater Management Manual for Western Australia (DoW, 2004 – 2007) must be applied for all new development proposals as well as City operational projects and activities:

(a) Provide protection to life and property from flooding that would occur in a 1% Annual Exceedance Probability (AEP) event.

(b) Manage runoff from small rainfall events on-site or as close to the source as possible.

(c) Retain and restore existing elements of the natural drainage system, including waterway, wetland and groundwater features, regimes and processes, and integrate these elements into the urban landscape.
(d) Protect and enhance sensitive receiving environments by managing the water cycle, water quality, habitat diversity and biodiversity.

(e) Minimise pollutant inputs through implementation of appropriate non-structural source controls and structural controls.

(f) Increase water use efficiency and reduce potable water demand by maximising use of harvested stormwater from impervious surfaces.

(g) Achieve good urban amenity by integrating stormwater management systems within the design of road reserves and public open space.

(h) Reduce urban temperatures, runoff volumes, and peak flow rates and improve water quality, biodiversity and aesthetics by managing stormwater through the retention and planting of vegetation.

4.5 Assessment Criteria

4.5.1 Stormwater Management

The assessment criteria for stormwater management must be cognisant of the existing hydrological regime and the level of detail to be presented in accordance with the general requirements as outlined in Section 4.1.

Stormwater Quantity

(a) For frequently occurring small rainfall events up to and including the first 15mm, lot runoff should be managed within lots and road runoff should be managed within road reserves. Where site conditions do not allow for the full runoff to be managed at source, manage as much as practical at-source. The remaining runoff should be conveyed from a lot or road reserve via overland flow wherever practical.

(b) For minor events up to and including 20% AEP (residential) and 10% AEP (high density residential, commercial and industrial), stormwater management systems must be designed to provide appropriate levels of serviceability, amenity and road safety.

(c) For major events, protect people and property from flooding by constructing residential, commercial and industrial building habitable floor levels at least 0.3 m above the 1% AEP flood level of the urban drainage system and at least 0.5 m above the 1% AEP flood level of waterways and major drainage systems, or otherwise based on advice from the Department of Water and Environmental Regulation (DWER). Overland flow paths utilising the road network must be provided whilst avoiding trapped low points.

(d) For land within the Peel-Harvey Estuary Catchment, stormwater management designs must be cognisant of the criteria specified by the DWER and Water Corporation in the following publications:

- Urban Development within a Rural Drainage District: Development Services Fact sheet (Water Corporation);

- Drainage for Liveability Fact Sheet: Living Streams in Water Corporation Assets (Water Corporation), and;

- Drainage and Water Management Plan (DWMP) (In prep.) (DWER).

Development proposals located within Water Corporation’s Mundijong Drainage District will need to seek advice from Water Corporation. Where there is no published criteria, adequate on-site detention and/or retention is required to maintain post development outflows relative to pre-development conditions, consistent with BUWM.

(e) Drainage infrastructure (including basins, swales, living streams and drainage channels) should be designed so that flood depths do not exceed 0.5m for a 1 Exceedances per Year (EY) event, 0.9m for 20% AEP event and 1.2m for a 1% AEP event.

(f) The City will not accept direct discharge of small rainfall event runoff into wetlands. Runoff from minor and major events is acceptable providing it has been demonstrated that there is appropriate onsite management and treatment of small rainfall events to improve water quality.
Stormwater Quality

(a) Stormwater retention, use and quality treatment for runoff generated by small frequent rainfall events, up to the first 15 mm, shall occur at source or as high as possible in the catchment. Minimise pollutant inputs through implementation of appropriate non-structural source controls and structural controls.

(b) A treatment train approach is to be applied to maximise water quality improvement and achieve objectives of water sensitive urban design at the appropriate scale of development.

(c) Biofiltration systems (incorporated into swales, rain gardens, tree pits and drainage basins) are required to remove nutrients, sediment, heavy metals and other pollutants from stormwater runoff. Biofiltration systems should be considered as part of an overall strategy for managing stormwater in a development where the depth to Maximum Groundwater Level (MGL) is less than 5m. The City requires biofiltration systems to be designed and constructed in accordance to the specifications outlined in Adoption Guidelines for Stormwater Biofiltration Systems (Version 2) (CRCWSC, 2015).

(d) To reduce health risks from mosquitoes, retention and detention treatments should be designed to ensure detained immobile stormwater is fully infiltrated in a time period not exceeding 96 hours. Where applicable, the City may require a Mosquito Management Plan to address how mosquitoes will be controlled.

(e) The City requires the development of Multiple Use Corridors (MUCs) to integrate water quantity and quality management within Public Open Space (POS) that preserve nature conservation and ecological function, and provide recreational and educational opportunities.

(f) Demonstration of compliance with the environmental criteria referred to in Section 4.2 must be achieved through appropriate computer models (e.g. UNDO), assessments and calculations appropriate to the stage of planning and scope of the proposal, as supported by the DWER.

4.5.2 Groundwater Management

The assessment criteria for groundwater management must consider the existing groundwater regime to determine whether specific measures are required. This includes pre-development monitoring consistent with DWER standard practice. The level of detail to be presented is to be in accordance with the general requirements as outlined in Section 4.1.

Groundwater Levels

(a) Where the Maximum Groundwater Level (MGL) is at or within 1.2m of the surface, the importation of fill will be required together with the provision of subsoil drainage. In areas where the MGL is more than 1.2m from the surface, subsoil drainage may still be required to restrict the rise in groundwater and ensure there is adequate separation to critical elements of the built form and infrastructure. Any sub-surface drainage will need to be placed at an approved controlled groundwater level consistent with the Department of Water’s Water Resource Considerations when Controlling Groundwater Levels in Urban Development (DoW, 2013).

(b) Groundwater management systems must be designed to provide sufficient separation distances appropriate to acceptable levels of risk and amenity for critical elements of built form and infrastructure. Modelling must be performed to predict the performance of groundwater management systems under future climate, site and land use conditions. Planning and development proposals must consider the design methodology and criteria outlined in the Specification Separation Distances for Groundwater Controlled Urban Development (IPWEA, 2016).

Groundwater Quality

(c) Groundwater discharged by subsoil drainage should be treated to the appropriate level as determined based on the requirements of the receiving environment (outlined in Section 4.2).

(d) Treatment may be achieved using a suitably selected filter material to treat groundwater prior to entry into the subsoil pipe or by construction of a treatment system at the subsoil drainage system outlet (as described in Section 4.5.1).
4.5.3 **Wastewater Management**

A connection to reticulated sewerage is required as part of any proposal to develop land for residential, special residential, commercial or industrial uses. If exemptions apply, then:

(a) On-site sewerage disposal proposals are required to meet the minimum specifications outlined in the *Government Sewerage Policy* (as amended).

(b) The City may require additional setbacks for effluent disposal facilities and/or require the installation of specific types of facilities (including those involving the removal of nutrients) where it considers such requirements appropriate or necessary for the protection of water resources or other environmental values.

4.5.4 **Water Conservation and Sustainability**

The City has been endorsed as a Waterwise Council under the Water Corporation and DWER’s Waterwise Councils program. As such, the following water conservation and sustainability criteria must be considered.

(a) At the lot scale alternative sources of water and actions to minimise the use of potable water such as the reuse of rainwater and grey water in toilets, laundries and on gardens are encouraged and should be investigated as part of the planning and design process.

(b) At the development scale, where water resources are constrained, a water balance may be required for the plan area to guide identification of alternative sources of water (e.g. treated wastewater, harvested stormwater).

(c) The City requires the application of waterwise design and practices to minimise total water use. Land use planning should apply an average irrigation rate across a development of 7,500 kL/ha/yr from a suitable fit-for-purpose water source, unless directed otherwise by the DWER. A reduced rate of 6,750 kL/ha/yr may be acceptable providing sufficient information is provided to demonstrate suitability.

5. **Authority**

This Planning Policy has been adopted by the Council and applies to the entire Scheme area. Whilst it is not part of the Scheme, the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve.

6. **Interpretations**

6.1 **Agency Acronyms**

- CRCWSC – Cooperative Research Centre for Water Sensitive Cities
- DoH – Department of Housing
- DoP – Department of Planning
- DoW – Department of Water
- DWER – Department of Water and Environmental Regulation
- IPWEA – Institute of Public Works Engineering Australasia
- WAPC – West Australian Planning Commission

6.2 **Interpretations**

- **Annual Exceedance Probability (AEP)** – the probability of an event occurring or being exceeded within a year expressed as a percentage.

- **Best Management Practice** – Devices, practices or methods for removing, reducing or preventing targeted pollutants from reaching receiving waters and for reducing runoff volumes and velocities. Includes structural and non-structural controls.

- **Biofilter** – (also known as biofiltration basin and rain garden) are excavated basins or trenches filled with porous filter media and planted with vegetation to remove pollutants from stormwater runoff. They use natural and physical processes to treat stormwater.

- **Controlled Groundwater Level (CGL)** - The controlled (ie modified) groundwater level (measured in metres Australian Height Datum) at which drainage inverts are set. This level must maintain the hydrologic regimes of groundwater dependent ecosystems, such as wetlands, that are to be protected.

- **Council** - means the Council of the City of Rockingham.
Exceedances per Year (EY) – expresses the probability of how many times in any year that an event will occur.

Intensity Frequency Duration (IFD) - IFDs are Intensity–Frequency–Duration design rainfall intensities (mm/h) or design rainfall depths (mm) corresponding to selected standard probabilities, based on the statistical analysis of historical rainfall.

Maximum Groundwater Level (MGL) – To be determined through on-site measurement, monitoring and/or modelling and compared to the DWER’s regional long-term monitoring records (if available).

Non-Structural Practices – institutional and pollution prevention practices that prevent or minimise pollutants from entering stormwater runoff and/or reduce the volume of stormwater requiring management. They do not involve fixed permanent facilities and they usually work by changing behaviour through government regulation, persuasion and/or economic instruments. Such practices use alternative maintenance procedures, regulatory measures, economic incentives, education of management and technical personnel, or planning and design of structures to reduce the amount of pollutants entering stormwater and accumulating on impervious areas.

Multiple Use Corridors (MUCs) – Wide corridors of land that provide water quality treatment, flood conveyance and retention/detention, wildlife habitat, pedestrian and cycle paths and public open space.

Structural Practices – Structural stormwater quality and quantity best management practices are permanent, engineered devices implemented to control and improve stormwater quality and restore natural hydrological flows and velocities. Structural controls should be installed at or near the source of run-off/pollutant inputs, to prevent or treat pollution and manage the quantity of stormwater as high in the catchment as possible.

Total Water Cycle - water supply, stormwater, groundwater and sewage services are interrelated components of catchment systems, and therefore must be dealt with using an holistic water management approach that reflects the principles of ecological sustainability. Water efficiency, re-use and recycling are integral components of total water cycle management.

Treatment train - application of several types of stormwater best management practices in series or designed to achieve improved stormwater management.

Water Sensitive Urban Design (WSUD) – The philosophy of achieving better water resource management outcomes in an urban context by using an integrated approach to planning and incorporating total water cycle management objectives into the planning process. The key elements of this design include protection from flooding; management of water quantity and quality to achieve ecological objectives; and water conservation, efficiency and re-use.

7. Adoption

This Planning Policy was adopted by the Council at its Ordinary Meeting held on 27 March 2018.
**APPENDIX 1: RISK CLASSIFICATION FOR SUBDIVISION AND DEVELOPMENT**

<table>
<thead>
<tr>
<th>Risk Level</th>
<th>Site Conditions</th>
<th>Information Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>Good depth to Groundwater (&gt;5m). Can manage all stormwater onsite via infiltration, with no significant water dependent ecosystems, and no offsite discharge or regional drainage issues. Residential development connected to reticulated sewerage. Commercial or industrial use connected to reticulated sewerage or licensed under Part V of the Environmental Protection Act. Low-medium density residential subdivision creating less than four lots. Commercial, Industrial or Rural Residential subdivision applications that create no more than three lots.</td>
<td>Minimum Demonstrate the management of water will be consistent with: <em>State Planning Policy 2.9: Water resources</em> <em>Stormwater management manual for Western Australia</em> <em>Decision process for stormwater management in WA.</em></td>
</tr>
<tr>
<td>Medium</td>
<td>Depth to Groundwater between 1.2 and 5m. Offsite discharge to local and/or regional drainage system with low environmental risks. Medium acid sulphate soil risk. Residential, commercial and industrial development not connected to reticulated sewerage. Low-medium density residential subdivision creating four to 20 lots and less than 20ha. Commercial, Industrial or Rural Residential subdivision applications that create no more than 15 lots.</td>
<td>Limited Site assessment to determine management responses in terms of the surrounding (sub) catchment. On site monitoring and demonstration of representative sampling. <em>Standard modelling and investigations. BUWM checklist to be addressed, where applicable.</em></td>
</tr>
<tr>
<td>High</td>
<td>Maximum Depth to Groundwater (MGL) less than 1.2m below the natural ground surface. Any proposed offsite drainage with potential adverse effects on wetlands or waterways. Located in a floodplain and/or a major arterial drainage system. High acid sulphate soil risk. Contains any part of a resource enhancement or conservation category wetland or its buffer. Phosphorus input is likely to exceed 0.37 kg/ha/yr. Nitrogen input is likely to exceed 2.4 kg/ha/yr.</td>
<td>Comprehensive Detailed modelling and investigations. Full BUWM checklist to be addressed in detail.</td>
</tr>
</tbody>
</table>

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
### Reference No & Subject:

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PD-009/18 Proposed Reconsideration of Telecommunications Infrastructure (Mobile Telephone) Secret Harbour District Centre - State Administrative Tribunal</th>
</tr>
</thead>
</table>

### File No:

DD020.2017.00000231.001

### Applicant:

Aurecon Australasia Pty Ltd

### Owner:

Perpetual Limited

### Author:

Mr Chris Parlane, Senior Planning Officer

### Other Contributors:

Mr Mike Ross, Manager Statutory Planning Services

### Date of Committee Meeting:

19 March 2018

### Previously before Council:

October 2017 (PDS-057/17), January 2018 (PD-001/18)

### Disclosure of Interest:

Tribunal

### Nature of Council’s Role in this Matter:

Tribunal

### Site:

Lot 7001 Secret Harbour Boulevard, Secret Harbour

### Lot Area:

6.0138ha

### LA Zoning:

District Town Centre

### MRS Zoning:

Urban

### Attachments:

Schedule of Submissions

### Maps/Diagrams:

1. Location Plan
2. Aerial Photo
3. Proposed Monopole Location
4. Site location
5. Site Layout
6. North Elevation
7. Photomontage Locations
8. Montage 1 - Cycle Underpass Secret Harbour Boulevard
9. Montage 2 - Anstey Road
10. Montage 3 - Warnbro Sound Avenue
11. Montage 4 - Oasis Drive
12. Montage 5 - Clarkshill Road
13. Montage 6 - Cnr Stamford and Ortona Crescents
14. Montage 7 - Secret Harbour Boulevard
15. Submission Locations
1. Location Plan

2. Aerial Photo
**Purpose of Report**

To reconsider the development application for Telecommunications Infrastructure (mobile telephone) at Lot 7001 Secret Harbour Boulevard, Secret Harbour, being the site of the Secret Harbour District Centre, as invited by the State Administrative Tribunal (SAT) following a Councillor attended Mediation Session.

**Background**

On 20 July 2017, an application for Development Approval was received for Telstra to establish Telecommunications Infrastructure (mobile telephone) at Lot 7001 Secret Harbour Boulevard, Secret Harbour, being the site of the Secret Harbour District Centre.

The matter was referred to the ordinary Meeting of Council on 31 October 2017, whereupon the Council resolved not to endorse the Committee recommendation. In doing so, the Council failed to resolve whether to refuse the application, or provide grounds for varying the Committee recommendation.

The applicant was advised of the outcome of the Council meeting on 2 November 2017.

On 30 November 2017, Telstra lodged an application for review with SAT seeking a review of the Councils decision.

The matter was considered by the SAT at a directions hearing held on 15 December 2017, whereupon the following orders were issued:

1. Pursuant to s31 of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision at its meeting of 23 January 2018.
2. The matter is listed for mediation on 1 February 2018 to commence at 10am on-site at No.420 Secret Harbour Boulevard, Secret Harbour, and thereafter of the offices of the City of Rockingham.
3. By 29 January 2018 the respondent is to file and serve a statement of issues for the purposes of mediation.
4. The Mayor of the respondent is invited to attend and/or nominate one or more Councillors and/or the Chief Executive Officer of the respondent to attend the mediation.
5. By 31 January 2018 the parties are to exchange any documents to be relied on which have not already been provided."

An independent planning consultant Altus Planning was appointed by the City to provide planning expertise at SAT.

In accordance with Order No.1, the matter was referred to the ordinary Meeting of Council on 23 January 2018, whereupon it was resolved, by way of an Alternative Motion:

"That Council **REFUSES** the application for Telecommunications Infrastructure (Mobile Telephone) on Lot 7001 Secret Harbour Boulevard, Secret Harbour for the following reasons:

1. The proposed development will have a significant adverse impact on the visual amenity of adjacent residents residing in close proximity of the site.
2. The benefit of the proposed development to the community does not outweigh the adverse visual impact of the development on adjacent residents.
3. That Councillors Hamblin and Jones attend the mediation at the State Administrative Tribunal on 1 February 2018, at 10am on-site at No.420 Secret Harbour Boulevard, Secret Harbour, together with an independent planning consultant."

Councillors Hamblin and Jones were nominated to attend the SAT Mediation Session as the Council representatives, as the Council resolved to refuse the Development Application, which was against the Officer Recommendation to conditionally approve the application. This meant that the City Officers were unable to participate in the mediation, as their professional view was to approve the Development Application.

The applicant was notified of the Council’s decision on 25 January 2018.
On 29 January 2018 a statement of issues for discussion at mediation was filed with SAT and served on the applicant.

On 1 February 2018, Councillors Hamblin and Jones attended mediation with the applicant on-site at the Secret Harbour shopping centre.

On 1 February 2018, the SAT issued Orders adjourning the matter for further mediation to be held on 15 February. This was to provide an opportunity for the Councillors to meet with the shopping centre manager and discuss an alternative site.

On 6 February 2018, Councillors Hamblin and Jones and Altus Planning met with the shopping centre manager. The shopping centre manager confirmed the current site as the only acceptable option.

As the Council did not adopt the Officers Recommendation, City Officers were not present during mediation. Altus Planning provided planning expertise to the mediation on the City’s behalf.

On 15 February 2018, SAT issued the following orders:

1. The mediation is listed at 2pm on 15 February 2018 is vacated.
2. Pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision at its meeting on 27 March 2018.
3. The matter is listed to a directions hearing at 9:30am on 29 March 2018 at 265 Hay Street, Perth, Western Australia.”

Details

In accordance with the SAT Order No.2, Council is invited to reconsider its decision on the application for the Development Approval.

The original Officer report is reproduced below.

The application by Telstra for Telecommunications Infrastructure comprised the following:

- 23.8m high monopole structure with a circular headframe at the 25m level, with 3 panel antennas and 6 remote radio units attached.
- Telstra and Optus equipment cabinets located at the base of the monopole within a 27m² unfenced leased area. It is intended for Optus to co-locate on this structure in the future.
- The proposed monopole mast is located in a service area adjacent to the northern-western end of the shopping centre building, approximately 20m from the shopping centre car park to the north.
- Access to service the facility by Telstra service vehicle is intermittent and proposed via the existing car park circulation roadway.

The application is in response to a perceived need for improved mobile phone coverage in the Secret Harbour area by Telstra.

The location of the proposed Telecommunications Infrastructure is situated at the Secret Harbour Shopping Centre, located on the western side of Wambro Sound Avenue and south of Secret Harbour Boulevard, Secret Harbour.

Woolworths supermarket within the shopping centre building abuts the proposed Telecommunications Infrastructure site to the south-east, while the Celebrations drive through liquor store is located to the north-west. The Whistling Kite tavern is located to the south and has a service area accessed from adjacent to the proposed telecommunications infrastructure.

The nearest Residential zoned land to the proposal is located beyond the drive through liquor store, approximately 85m west.

The Secret Harbour Primary School and oval are located north of Secret Harbour Boulevard, with the classrooms situated approximately 330m from the proposed Telecommunications Infrastructure site.
A Caltex service station and buildings of the shopping centre are located north-east and south-east of the proposed site.

Land between the proposed Telecommunications Infrastructure site and Secret Harbour Boulevard is used for car parking, and contains ancillary buildings and service areas associated with the shopping centre.

3. Proposed Monopole Location

4. Site Location
5. Site Layout
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 16 APRIL 2018

PRESIDING MEMBER
7. Photo Montage Locations

8. Montage 1 (Cycle Underpass Secret Harbour Boulevard)
9. Montage 2 (Anstey Road)

10. Montage 3 (Wambro Sound Avenue)
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 16 APRIL 2018

PRESIDING MEMBER
13. Montage 6 (Cnr Stamford & Ortona Crescents)

14. Montage 7 (Secret Harbour Boulevard)
Implications to Consider

a. Consultation with the Community

No further consultation has been undertaken as part of the section 31 reconsideration process, as the original application was advertised for public comment, as discussed below, in the lead up to Council considering the matter.

In accordance with Clause 64 of the deemed provisions of Town Planning Scheme No.2 (TPS2), the application was previously referred to property owners and occupiers within 500m radius of the proposed telecommunications infrastructure, as per the submission location plan below. A total of 570 landowners and occupiers were consulted.

Two signs were erected on site and notices were placed on the City's website. The application was advertised in the Sound Telegraph on the 16 and 23 August 2017.

At the closing of advertising, a total of 41 submissions were received.

The following is a breakdown of the submissions:

- 36 submissions objecting to the proposal; and
- 5 submissions received supporting or indicating no objection to the proposal.

Submissions objecting were also received from properties located at 17 Cobblestone Circuit, 54 Secret Harbour Boulevard and 15 Genoa Place, which are not shown on the consultation plan.

15. Submission Locations
An assessment of the concerns raised by the submitters is as follows:

<table>
<thead>
<tr>
<th>Health Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) Exposure to radiation and health and safety risk as a result of development</td>
</tr>
<tr>
<td><strong>Proponent’s Response:</strong></td>
</tr>
<tr>
<td>This is not a valid planning ground of objection. Notwithstanding, the facility is required to be licensed by the Australian Media and Communications Authority (ACMA) and will operate in accordance with Commonwealth regulatory standards established by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). The State Planning Policy recognises that licensing standards provide sufficient safeguards and states that …buffer zones and/or setback distances are not to be included in planning schemes or local planning policies.</td>
</tr>
<tr>
<td><strong>City’s Comments:</strong></td>
</tr>
<tr>
<td>In terms of State Planning Policy 5.2 – Telecommunications Infrastructure (SPP5.2), 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 are set by ARPANSA. It is for this reason that planning policies do not contain specified buffer distances for Telecommunications Infrastructure. Standards set by ARPANSA incorporate substantial safety margins to address human health and safety matters. As such, it is not within the scope of the City to address health and safety matters. The Secret Harbour Primary School classrooms are located 330m north of the proposed tower. The Department of Education lodged a submission of &quot;no objection&quot;, indicating that sufficient separation exists between the school and the Telecommunications Infrastructure.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Values</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) Adverse impact on property values</td>
</tr>
<tr>
<td><strong>Proponents Response:</strong></td>
</tr>
<tr>
<td>This is not a valid planning ground of objection. Notwithstanding, we are unaware of any independent or reputable studies that have established a link between the provision of fast and efficient telecommunications services and reduced property values. We would understand that access to fast and reliable voice and data services is essential for the efficient operation of local businesses, to improve social connectivity, and for educational purposes.</td>
</tr>
<tr>
<td><strong>City’s Comments:</strong></td>
</tr>
<tr>
<td>The impact of the proposed Development on property values is not a valid planning consideration.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Visual Amenity</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submission:</strong></td>
</tr>
<tr>
<td>(i) Concerns regarding adverse visual impact of the Telecommunications Infrastructure</td>
</tr>
<tr>
<td><strong>Proponents Response:</strong></td>
</tr>
<tr>
<td>The nature of the technology is such that height is an integral part of the successful functioning of a network. It is impractical for base stations to be invisible such that the State Planning Policy does not require facilities to be screened from public view. Instead, the Policy encourages placement and design techniques to minimise visual impact, particularly when viewed from places of community sensitivity.</td>
</tr>
</tbody>
</table>
We submit that the proposed facility has been situated, designed and located so as to minimise potential visual impact with specific regard to avoiding locally or regionally significant views, areas of cultural heritage or conservation value, or areas in close proximity to community sensitive land uses. From most vantage points the backdrop is a service/loading area or is screened by the shopping centre itself, other buildings or vegetation. Whilst collective view experiences hold greater weight when balancing the visual impact against the community benefit the technology will bring, it is also acknowledged that those dwellings in closest proximity have an outlook away from the shopping centre car park towards parkland.

The design response includes the use of headframes to minimise the overall height, the construction of a monopole that enables the structure to present the smallest profile and the use of equipment cabinets to minimise ground level infrastructure. Additionally, the lighter finishes and modern architectural form of the shopping centre together with a degree of visual clutter from light poles and advertising signage assists in being able to demonstrate recognised blending principles.

City's Comments:
The assessment of the visual impact of development a proposal for Telecommunications Infrastructure is made on a ‘case by case’ basis.

The photo montages submitted indicate the upper portion of the Telecommunications Infrastructure will be visible above the existing buildings of the shopping centre from all directions. The lower portion of the Telecommunications Infrastructure will only be visible from a northerly aspect against the backdrop of the shopping centre, as it will be otherwise screened by buildings.

The close proximity of the proposed Telecommunications Infrastructure to the 8.5m high buildings of the shopping centre (and Celebrations liquor store) reduces the visible extent of the structure to only the upper portion of the monopole structure when viewed from the west, south and east. The extent of visual impact of the upper portion of the monopole structure will vary depending on the viewing location, however, it must be recognised that the subject land accommodates a large developed commercial shopping centre and associated car park. As such, the area can be characterised as having a somewhat “busy” urban landscape.
**Visual Amenity (Cont…)**

Established trees and vegetation screen the structure from residential properties and the primary school to the north, meaning the predominant viewing audience will be traffic using Secret Harbour Boulevard, approximately 85m to the north, or pedestrians using the pathway network. Views obtained from Secret Harbour Boulevard and the pedestrian movement network will be intermittent in nature, as verge trees (and car park vegetation) provide an element of screening to the proposed Telecommunications Infrastructure and contribute to mitigating the visual impact. The visual prominence of the structure is further mitigated by the (85m) distance separating the structure from the main viewing audience.

The ground level infrastructure, as proposed, will be visible from a northerly aspect. This visual impact can be mitigated by enclosing the compound with screen walls painted to match the colour of the adjoining shopping centre building wall.

On balance, the degree of visual impact is considered acceptable, as discussed in the Comments section of this report.

### Alternative Locations

| (i) There are better alternative locations available (e.g. Lark Hill) |
| Proponent’s Response: |
| Whether or not there may be alternative sites available is not determinate of the matter. |
| The site selection process for the processed facility has been lengthy and rigorous (as outlined in section 5 of the development application submission). We further submit that the proposed location, on balance, has the least impact of those sites for which service objectives can be met and for which landowner interest was expressed and is compliant with the planning policy framework. |

### Impact on Shopping Centre

| (i) The proposed location will impact on Woolworths waste handling |
| Proponents Response: |
| Having regard to their own operational needs and that of their tenants the Shopping Centre Management have directed Telstra as to where the proposed facility may be located. |
| The plans illustrate that all but approximately 1m² of the 27.2m² lease area either accommodates an existing storage room to be demolished or is within an area delineated by kerbing. |
Impact on Shopping Centre (Cont…)

City's Comments:
The proposed Telecommunications Infrastructure will be erected in the location of an existing store room (adjacent a bin store compound), which will be demolished. The proposal will not impact on waste management for the shopping centre, or the servicing requirements of the nearby Whistling Kite tavern and the drive through bottle shop. A Construction and Maintenance Traffic Management Plan is recommended as a condition to manage this aspect, in the event approval is granted.

b. Consultation with Government Agencies

During the public consultation period the City consulted the Department of Education, which lodged a submission of "no objection" to the proposal.

Department of Education

Submission
(i) The Department of Education has reviewed the document and wishes to advise that it has no objection to this proposal. There is sufficient distance separation from the proposed tower to the Secret Harbour Primary School on Maratea Parade, Secret Harbour.

City's Comments:
Noted.

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)

The Western Australia Planning Commission's (WAPC) SPP5.2 seeks to balance the need for effective telecommunication services and effective roll-out of networks, with the community interest in the protection of 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 infrastructure should be made on a case by case basis.</td>
<td>The visual impact of the application was assessed by the City, which included an appraisal of the applicant's visual amenity assessment and photomontages, as well as a site inspection.</td>
<td>Yes</td>
</tr>
<tr>
<td>Telecommunications infrastructure should be sited and designed to minimise visual impact and whenever possible:</td>
<td>The visual impact of the proposed Telecommunications Infrastructure is minimised by the utilising a slimline 'monopole' structural form. The proposed site is well back from the surrounding road network, in a service area for the shopping centre, where the lower portion of the infrastructure will be screened from most viewing angles by adjacent buildings. This will ensure that:</td>
<td>Yes</td>
</tr>
<tr>
<td>(a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;</td>
<td>(a) the proposed Telecommunications Infrastructure will not be prominently visible when viewed from scenic routes, lookouts or recreation areas;</td>
<td>Yes</td>
</tr>
<tr>
<td>(b) be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;</td>
<td>(b) the proposed Telecommunications Infrastructure will not detract from significant views of any heritage place, landmark, streetscape, panorama or vista;</td>
<td>Yes</td>
</tr>
<tr>
<td>(c) not be located on sites where environmental, cultural heritage, social and visual landscape values may be compromised; and</td>
<td>(c) the proposed Telecommunications Infrastructure will not be located on a site where environmental or cultural heritage values may be compromised. While the structure will to some extent (by necessity) be visible, Telecommunications Infrastructure is considered to be consistent with the urban landscape of the district town centre; and</td>
<td>Yes</td>
</tr>
<tr>
<td>(d) display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape.</td>
<td>(d) the slim form and the unpainted colour of the monopole structure is designed to assist it blend against the background of the building and sky.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Telecommunications infrastructure should be located where it will facilitate continuous network coverage and/or improved telecommunications services to the community.

The applicant has submitted that reliable depth of coverage will be provided to users currently experiencing reduced signal level on hand held devices (particularly inside of buildings); for motorists travelling along Mandurah Road and for those shadowed by the dune system.

Telecommunications infrastructure should be co-located and whenever possible:
(a) Cables and lines should be located within an existing underground conduit or duct; and
(b) Overhead lines and towers should be co-located with existing infrastructure and/or within existing infrastructure corridors and/or mounted on existing or proposed buildings.

The applicant investigated potential to co-locate onto the nearest existing telecommunications infrastructure at Port Kennedy, Golden Bay and Karnup, and advised that further upgrades of these site will not achieve the desired coverage objectives, particularly for locations closest to the coast and in-building coverage. Co-location is not possible in this instance. Roof mounted ‘low impact’ options were also considered. These were not pursued as coverage objectives could not be achieved, due to insufficient elevation or the inability to secure lease agreements.

The proposal is considered consistent with SPP5.2.

Planning Policy 3.3.16 - Telecommunications Infrastructure (PP3.3.16)

PP3.3.16 is a local planning policy which the Council must have due regard to in its consideration of applications seeking Development Approval for Telecommunications Infrastructure. The objectives for PP3.3.16 are:

“(a) To promote a consistent approach in the assessment and determination of applications for Development Approval for Telecommunications;

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

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

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

The following is an assessment of the proposal 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>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 is not a “low impact” facility and will be located within the District Town Centre zone, which is a commercial zone and a preferred location.</td>
<td>Yes</td>
</tr>
<tr>
<td>Policy Requirement</td>
<td>Provided</td>
<td>Compliance</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>To provide for future co-location, new mobile telecommunication towers and sheds are to be designed to permit at least 3 carriers to co-locate. Carriers shall co-locate onto existing towers wherever possible.</td>
<td>The proposed telecommunications infrastructure is structurally capable of accommodating 3 carriers, however, whether a third carrier co-locates onto it will depend on their coverage needs. Refer above to comments on SPP5.2.</td>
<td>Yes</td>
</tr>
<tr>
<td>Assessment of the visual impact of development proposals for telecommunications infrastructure should be made on a case by case basis.</td>
<td>The visual impact of the application was assessed by the City, which included an appraisal of the applicant's visual assessment and photomontages as well as a site inspection. For the reasons discussed further below, while the proposed structure will (by necessity) be visible to some degree, it is not regarded as being visually obtrusive.</td>
<td>Yes</td>
</tr>
<tr>
<td>Telecommunications Infrastructure should be sited and designed to have minimal impact on the environmental, cultural heritage, social and visual landscape.</td>
<td>The proposal will have no impact on the environmental and cultural heritage landscape. The proposed Telecommunications Infrastructure will provide reliable Depth of Coverage, and therefore enhanced service to local residents. The social impacts of the proposal are considered positive. Refer to the Comments section below for discussion of the visual landscape implications.</td>
<td>Yes</td>
</tr>
<tr>
<td>Be located away from scenic routes and recreation sites.</td>
<td>Secret Harbour Boulevard is located 85m to the north of the proposed monopole structure. Views from Secret Harbour Boulevard will be intermittent in nature, as intervening vegetation screens the structure and mitigates the visual impact when viewed by passing traffic. The nearest recreation site the Secret Harbour oval is located 112m away from the structure, to the north of Secret Harbour Boulevard. Established trees and the lower level of the reserve (below the level of Secret Harbour Boulevard) effectively screen the structure from view.</td>
<td>Yes</td>
</tr>
<tr>
<td>To avoid detracting from significant views of landmarks, streetscapes and vistas.</td>
<td>The surrounding landscape is generally flat, so the proposal will not detract from any significant views of landmarks or vistas. As the structure is proposed well set back from the surrounding road network and screened from view from Oasis Drive (by the built form of the shopping centre) it is unlikely to detract from any streetscapes.</td>
<td>Yes</td>
</tr>
<tr>
<td>Policy Requirement</td>
<td>Provided</td>
<td>Compliance</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>The scale, materials and colours should be sympathetic to the surrounding landscape and use techniques to blend the facility into the environment.</td>
<td>The proposal is for a slim line monopole structure, which by retaining a natural galvanised metal finish can more effectively blend with the lighter backgrounds of the building and sky.</td>
<td>Yes</td>
</tr>
<tr>
<td>Towers should be of monopole construction.</td>
<td>The proposed structure is a slim line monopole tower.</td>
<td>Yes</td>
</tr>
<tr>
<td>The screening of the base of the tower and associated installations by vegetation will be applied on a ‘case by case’ basis.</td>
<td>As the proposed location is within a paved service area of the shopping centre, vegetation screening would be inappropriate in this instance. The ground level infrastructure can be completely screened from views from the north by the installation of a masonry wall around the perimeter of the proposed lease area. This would also secure the infrastructure from accidental damage or vandalism.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Plan the Policy 3.2.3 Secret Harbour Town Centre (PP3.2.3)**

PP3.2.3 is a local planning policy which the Council must have due regard to in its consideration of applications seeking Development Approval within the Secret Harbour Town Centre. The policy is to be read in conjunction with an adopted Indicative Development Plan (IDP) and intends to “establish a flexible framework that is clear and concise, within which an integrated Town Centre will be created”.

Relevant objectives of PP3.2.3 include:

(i) To create a Town Centre which will become the primary social and commercial focus of the locality and surrounding district.

(ii) To achieve an integrated townscape character that incorporates Main Street design principles.

(iii) To create a built environment and landscape that will make a substantial contribution to the sense of community and identity of Secret Harbour.

(iv) To achieve a contemporary mixed use development by incorporating the best features of commercially successful townsapes.

(v) To allow the Town Centre to grow in stages, whilst maintaining a ‘sense of being’ at every stage.

(vi) To maintain flexibility to ensure that various land use combinations can be incorporated as demand emerges.

The policy advocates the implementation of ‘Liveable Neighbourhoods’ objectives and requirements for the development of a town centre with the following stated Desired Future Character:

“The Town Centre will be the major commercial and social centre of Secret Harbour and its wider district centre catchment. An integrated, distinctly urban townscape character is envisaged, with a legible network of human scaled streets and public places defined by an orderly and generally contiguous framework of active, street front buildings”.

The policy outlines Development Guidelines which are directed at managing the desired built form outcome of the centre, and which do not specifically relate to Telecommunications Infrastructure.

In so far as the IDP is concerned, the proposed Telecommunications Infrastructure does not compromise future development of the centre, given the location proposed, while the form of development proposed is consistent with the Desired Future Character for the centre.
e. **Financial**

There are potential financial implications for the City if the Council decision is not based on valid planning grounds, in the event of the matter proceeding to a hearing at SAT. Implications include the cost of engaging an independent planning consultant and any expert witnesses, and the potential for costs being awarded against the Council by SAT.

f. **Legal and Statutory**

**State Administrative Tribunal Act 2004:**

If invited by SAT, the Council has the ability to reconsider its decision pursuant to Section 31(2) of the *State Administrative Tribunal Act 2004*. This report forms the assessment for the Council to reconsider its decision.

**Town Planning Scheme No.2 (TPS2)**

Clause 3.2 - Zoning and Land Use

The proposed use is interpreted as 'Telecommunications Infrastructure', which is a land use which is not permitted ("D") unless the Council grants its approval within the District Town Centre zone.

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

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**Comments**

The applicant has indicated that there is a need for Telecommunications Infrastructure in the Secret Harbour Town Centre area. Alternative sites and design options were considered by the applicant, with the current location being the only feasible option.

Applications need to be considered by Council on a 'case by case' basis.

The proposal is compliant with SPP5.2, PP3.3.16 and PP3.2.3, and is considered an appropriate use for the zone.

Perceived impacts on human health and visual impact are the main concerns raised in submissions. Standards established by ARPANSA include substantial safety margins to address human health. As such, SPP5.2 states it is not within the scope of the policy to address human health and safety matters.

The visual impact in this instance is considered acceptable and adequately mitigated, as the existing shopping centre buildings assist to screen and reduce the size of the structure from most viewing perspectives.

Telecommunications Infrastructure is consistent with the urban form of a district town centre, and is not considered out of character for a shopping centre.

Screening is recommended of the ground level infrastructure, in the form of a wall or solid fence painted to match the colour of the adjoining exterior wall of the Woolworths Supermarket. In addition to screening the ground level equipment cabinets from view and improving amenity, the screen wall will assist to protect the assets from accidental damage or vandalism.

Approval is recommended, subject to conditions.

Independent town planning consultant Altus Planning has inspected the site and has advised that the application is recommended for approval, based on a review of the visual impact of the proposal and consideration of other similar proposals that have been approved by other local governments and SAT.

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**Voting Requirements**

Simple Majority
Officer Recommendation

That Council **APPROVES** the application for Telecommunications Infrastructure (Mobile Telephone) on Lot 7001 Secret Harbour Boulevard, Secret Harbour, subject to the following conditions:

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
   - Site Layout and Access Plan, Drawing No.W108058, dated 02.08.2016; and
   - Site Elevation Plan, Drawing No.W108058, dated 02.08.2016.

2. Prior to the commencement of any works a Construction and Maintenance Traffic Management Plan ("CMTMP") shall be submitted and approved by the City, which shall include provisions to minimise any inconvenience and safety risk for nearby properties during construction and maintenance works. The CMTMP shall include a requirement for the proponent to consult with and notify nearby businesses in regards to potential disruptions during construction and maintenance work.

3. A 2m high screen wall shall be erected around the perimeter of the proposed lease area, which shall match the colour of the adjacent exterior wall of the Woolworths Supermarket. Plans detailing the proposed screening measures shall be submitted for the approval of the City prior to works commencing, and maintained for the duration of the development.

4. The telecommunications infrastructure shall be structurally capable of accommodating three telecommunications carriers.

Committee Recommendation

Moved Cr Hamblin, seconded Cr Whitfield,

That Council **APPROVES** the application for Telecommunications Infrastructure (Mobile Telephone) on Lot 7001 Secret Harbour Boulevard, Secret Harbour, subject to the following conditions:

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
   - Site Layout and Access Plan, Drawing No.W108058, dated 02.08.2016; and
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4. The telecommunications infrastructure shall be structurally capable of accommodating three telecommunications carriers.

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
## Planning and Development Services
### Statutory Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PD-010/18</th>
<th>Proposed Modification to Building Envelope</th>
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<tbody>
<tr>
<td>File No:</td>
<td>DD024.2017.0000018.001</td>
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<tr>
<td>Applicant:</td>
<td>Content Living Pty Ltd</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr Justin and Mrs Lindy Carnecky</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Neels Pretorius, Planning Officer</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr David Waller, Coordinator Statutory Planning</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 March 2018</td>
<td></td>
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<td>Previously before Council:</td>
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<td>Disclosure of Interest:</td>
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<td>Nature of Council’s Role in this Matter:</td>
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<tr>
<td>Site:</td>
<td>Lot 1030 Gaze Grove, Golden Bay</td>
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<td>Lot Area:</td>
<td>2,585m²</td>
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<td>LA Zoning:</td>
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<td>Maps/Diagrams:</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photograph</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Site Overview – Building Layout Plan</td>
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<td></td>
<td>4. Existing and Proposed Building Envelope Plan (Detail)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5. Consultation Plan</td>
<td></td>
</tr>
</tbody>
</table>
1. Location Plan

2. Aerial Photograph
Purpose of Report

To consider an application to vary the approved Building Envelope at Lot 1030 Gaze Grove, Golden Bay.

Background

The site is located west of Mandurah Road, north of Crystaluna Drive, and east of Golden Bay Estate. The existing Building Envelope was created as part of the subdivision of Peelhurst Estate Golden Bay and has never been modified.

The approved Building Envelope has an area of 604m² and is setback 10.5m from Gaze Grove, 3m from the eastern boundary, 21m from the western boundary and 34.5m from the southern boundary of the property.

Details

The applicant proposes to modify the approved Building Envelope for the purposes of building a new dwelling. The size of the Building Envelope will increase from 604m² to 664m².
4. Existing and Proposed Building Envelope Plan (Detail)
Implications to Consider

a. **Consultation with the Community**
   
   In accordance with clause 64 of the deemed provisions of Town Planning Scheme No.2 (TPS2) and Planning Policy 3.3.17 - Variations to Building Envelopes, Building Envelopes may be varied at the discretion of the Council, only after consultation with the owners of affected or adjoining properties. The application was referred to the adjacent landowners for comment for a period of 14 days, as shown on the Consultation Plan below. At the conclusion of the advertising period no submissions were received.

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

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

d. **Policy**
   
   Planning Policy 3.3.17 – Variations to Building Envelopes (PP3.3.17)
   
   The following is an assessment against the relevant requirements of PP3.3.17:
<table>
<thead>
<tr>
<th>Requirement</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance with Schedule No.5 of TPS2.</td>
<td>Schedule No.5 of TPS2 provides that the size and location of an approved Building Envelope may be varied with the approval of Council.</td>
<td>Yes</td>
</tr>
<tr>
<td>The varied Building Envelope must not result in an adverse environmental impact.</td>
<td>Only one dead tree will need to be removed for the purposes of varying the Building Envelope.</td>
<td>Yes</td>
</tr>
<tr>
<td>The varied Building Envelope must not result in an unacceptable level of bushfire risk.</td>
<td>The proposed modification will not result in an increased level of bushfire risk.</td>
<td>Yes</td>
</tr>
<tr>
<td>No unacceptable amenity impacts to neighbours.</td>
<td>The proposal was referred to the adjoining neighbours and no submissions were received. The modification is not considered to result in an adverse impact upon adjoining landowners.</td>
<td>Yes</td>
</tr>
<tr>
<td>The variation is a minor increase in the size of the approved Building Envelope. An increase up to a maximum of 10% of the area of the original approved Building Envelope will be considered.</td>
<td>The size of the original Building Envelope will be increased from 604m² to 664m², which is an increase of 10%, which complies with the maximum allowable increase of 10%.</td>
<td>Yes</td>
</tr>
<tr>
<td>Building Envelopes are to be of a regular shape and comprise one single contiguous area.</td>
<td>The Building Envelope is generally of a regular shape and will comprise a single contiguous area.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

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

The purpose of the proposed Building Envelope modification is to accommodate the future construction of a Single House on the site. A Bushfire Management Plan was submitted when the original Building Envelope was approved.

The proposed modification of the Building Envelope will not result in an increase in bushfire risk. The proposal is considered to be compliant with the requirements of SPP3.7.

e. Financial
Nil

f. Legal and Statutory

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

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

Implications and comment will only be provided for the following assessed risks.
Customer Service / Project management / Environment: High and Extreme Risks
Finance / Personal Health and Safety: Medium, High and Extreme Risks

Nil

Comments

The proposed Building Envelope complies with TPS2 and PP3.3.17. The impact of the proposed Building Envelope on the amenity of neighbouring properties is considered minimal, as only one dead tree will need to be removed to accommodate the amended building envelope. The proposal will not result in an increased level of bushfire risk and no objections were received from adjoining owners.

It is recommended that the proposed Building Envelope be approved.

Voting Requirements

Simple Majority

Officer Recommendation

That Council APPROVES the application to vary the Building Envelope at Lot 1030 Gaze Grove, Golden Bay.

Committee Recommendation

Moved Cr Hamblin, seconded Cr Burns:

That Council APPROVES the application to vary the Building Envelope at Lot 1030 Gaze Grove, Golden Bay.

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>PD-011/18 Proposed Amendments to Planning Policy 3.3.2 - Bed and Breakfast Accommodation</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/364</td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Kevin Keyes, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 March 2018</td>
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<td>Previously before Council:</td>
<td>May 2008 (PD81/5/08), October 2010 (SP-004/10) and February 2011 (SP-005/11)</td>
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<td>Disclosure of Interest:</td>
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<td>Nature of Council’s Role in this Matter:</td>
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<td>Site:</td>
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<td>Lot Area:</td>
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<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
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</tr>
</tbody>
</table>

**Purpose of Report**

To consider amending Planning Policy 3.3.2 – Bed and Breakfast (PP3.3.2) to reflect changes in legislation, terminology and operational criteria.

**Background**

In May 2008, Council adopted PP3.3.2. In October 2010 and February 2011, the Council resolved to modify this Policy to reflect the requirements of the Food Act 2008.

**Details**

The following amendments to PP3.3.2 are proposed:

**Legislation**

The following changes are proposed to the names of relevant legislation, with the associated terminology used in these documents also amended:
The Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)

The Regulations were gazetted on 25 August 2015 and took effect on 19 October 2015, replacing the Town Planning Regulations 1967. PP3.3.10 terminology is amended to be consistent with the Regulations (e.g. 'Development Approval’ in lieu of ’Planning Approval’ and ‘Council’ in lieu of ’Local Government’).

Building Codes of Australia (BCA)

Update the Policy to align with the Building Code of Australia (BCA), Disability (Access to Premises-Building) Standards 2010, which came into effect in May 2011 and relevant provisions of AS 1428 – Design for access and mobility.

Health Application Forms

Update PP3.3.2 to align with the City’s current Health Application Forms.

Terminology

Minor wording changes are proposed to simplify PP3.3.2 for ease of use, correct typographical errors and prevent duplication.

Location and Operational Criteria

Clause 4.1 Location has been modified to include ‘high frequency bus routes’. With the aim of promoting public transport usage among visitors, it is considered appropriate to encourage Bed and Breakfast Accommodation within close proximity to ‘high frequency bus routes’.

Clause 4.2 Scale of Operations has been modified to ensure that Bed and Breakfast Accommodation remains an incidental use to a Single House. Only a maximum of four adult persons or one family and containing not more than two guest bedrooms for any proposal within a ‘dwelling’ are recommended in accordance with the definition of Bed and Breakfast Accommodation of the Regulations.

Clause 5. Application Procedure (c) has been modified to alert the applicant for the need to include the car parking requirements on a site plan.

Implications to Consider

a. Consultation with the Community

Under clause 4(1) of the deemed provisions of Town Planning Scheme No.2 (TPS2), if the local government resolves to amend a Planning Policy, the local government must advertise the proposed amendments to the Policy as follows:

(i) publish a notice of the proposed Policy in a newspaper circulating in the Scheme area giving details of:

(a) the subject and nature of the proposed amended Policy;
(b) the objectives of the proposed amended Policy;
(c) where the proposed amended Policy may be inspected; and
(d) to whom, in what form and during what period submissions in relation to the proposed amended Policy may be made;

(ii) if, in the opinion of the local government, the Policy is inconsistent with any State Planning Policy, give notice of the proposed Policy to the Commission;

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

Under Clause 4(2), the period for making submissions in relation to a Local Planning Policy must not be less than a period of 21 days commencing on the day on which the notice of the Policy is published under subclause (1)(a).

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

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

d. Policy
Nil

e. Financial
Nil

f. Legal and Statutory
Under the deemed provisions of TPS2 the Local Government may prepare, modify or revoke a Local Planning Policy. If the Local Government resolves to amend the PP3.3.2, the City is required to publicly advertise the proposed changes for a period of 21 days.

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
Consent is sought to advertise amendments to PP3.3.2.
The text amendments proposed are predominantly administrative in nature to ensure legislation and definitions, referenced within PP3.3.2, are consistent with the Regulations. Other changes include modifying the scale of operations to ensure the Bed and Breakfast establishment remain incidental to the residential use and promoting the use of public transport. Updates of information requirements have been amended accordingly.
It is recommended that Council approves revised PP3.3.2 for the purpose of advertising.

Voting Requirements
Simple Majority

Officer Recommendation
That Council APPROVES the advertising of the revised Planning Policy 3.3.2 - Bed and Breakfast Accommodation, for public comment (amendments in red marked).

Committee Recommendation
Moved Cr Whitfield, seconded Cr Hamblin:
That Council APPROVES the advertising of the revised Planning Policy 3.3.2 - Bed and Breakfast Accommodation, for public comment (amendments in red marked).

PLANNING POLICY 3.3.2
BED AND BREAKFAST ACCOMMODATION

1.
Introduction
The City of Rockingham Town Planning Scheme No.2 defines ‘Bed and Breakfast’ as a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast.

1 Correction of typographical error

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 16 APRIL 2018

PRESIDING MEMBER
The 'Council Local Government' recognises the importance of tourism development and seeks to encourage the provision of a wide range of short stay Bed and Breakfast accommodation. In this regard, Bed and Breakfast provides visitors with low key, home-style, type of accommodation.

The purpose of this Planning Policy is to set out the objectives and policy provisions which the Council Local Government shall have due regard to in the assessment and determination of applications for planning Development Approval for the establishment of Bed and Breakfast accommodation.

In this regard, no person shall commence or carry out any development of Bed and Breakfast accommodation without first having applied for and obtained the planning Development Approval of the Council Local Government, pursuant to the provisions of Part 6 of Town Planning Scheme No.2 deemed provisions of TPS2.

2. Policy Application

In Town Planning Scheme No.2 TPS2, the Zoning Table (Table No.1) indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme Area in the various zones.

The permissibility of the Bed and Breakfast use in Town Planning Scheme No.2 TPS2 can be summarised as follows:

(a) the use is not permitted in the Residential, Development and Rural zones unless the use is 'incidental' to the 'predominant' use of the land as determined by the Council Local Government;

(b) the use is not permitted in the Special Rural Zone unless the Council Local Government has exercised its discretion by granting planning Development Approval, following a process of community consultation in accordance with clause 4 of 6.3.3 of the scheme the deemed provisions of TPS2;

(c) the use is not permitted in the Special Residential Zone unless the Council Local Government has exercised its discretion by granting planning Development Approval;

(d) the use is not permitted in the Warnbro Dunes Special Residential Zone and all other zones.

1. In the Development Zone, a Structure Plan imposes a classification on the land included in it by reference to reserves, zones, landuses or Residential Design Codes. Where a Structure Plan has been approved, in the areas designated as zones, the permissibility of uses is to be the same as set out in the Zoning Table as if those areas were zones under the Scheme having the same designation. Refer to clause 4.2.9 of Town Planning Scheme No.2. In the Development Zone, the Local Government will have due regard to use class permissibility in accordance with a Structure Plan approved by the Western Australian Planning.

2. Bed and Breakfast is a use not permitted in the Warnbro Dunes Special Residential Zone. Refer to Schedule No.5 of Town Planning Scheme No.2 relating to the Warnbro Dunes Special Residential Zone.

This Planning Policy should be read in conjunction with Planning Procedure 1.1 - Delegated Authority, Planning Procedure 1.3 - Community Consultation, the Food Act 2008, the Food Safety Standards and the Building Code of Australia.

3. Policy Objectives

The objectives of this Planning Policy are as follows:

(a) To promote the orderly and proper development of land by making suitable provisions to guide applicants who wish to establish Bed and Breakfast accommodation from their homes;

(b) To secure the amenity, health and convenience of both visitors and surrounding residents through appropriate development requirements; and

(c) To ensure that the Bed and Breakfast accommodation is incidental to the predominant use of the property in order to maintain the amenity of the immediate area.
4. Policy Statement

4.1 Location
Applications for Bed and Breakfast accommodation are favoured in locations that present an advantage to visitors to the City, such as proximity to the beach, lakes, parks, high frequency bus routes, retail and restaurant facilities.

The establishment of more than two Bed and Breakfast uses within small residential streets and culs-de-sac may not be supported where, in the opinion of the Council Local Government, traffic generation will affect the amenity of existing residents.

4.2 Scale of Operation
The applicant will need to satisfy the Council Local Government that the space to be used for the provision of Bed and Breakfast accommodation is such that the predominant use will continue to be one of a ‘dwelling’ and. The Local Government will only consider a maximum of four adult persons or one family and containing not more than two guest bedrooms for any proposal within a ‘dwelling’. It will therefore require information concerning the maximum numbers of guests and the floor space to be used.

4.3 Parking
One carparking bay for each bedroom to be used for Bed and Breakfast accommodation must be provided on-site. If two bedrooms are to be separately let for Bed and Breakfast accommodation via a separate booking at the same time, two carparking bays must be provided on-site. This requirement is in addition to the two on-site carparking bays required for the existing dwelling.

Should the occupant of the Bed and Breakfast accommodation be towing a trailer, caravan, boat or the like, these must also be parked on the subject site land the subject of the Development Application.

4.4 Advertising Signs
Any proposed advertising sign shall not exceed 0.2m² in area and may be illuminated without subject to the prior approval of the Council Local Government.

A Bed and Breakfast sign shall only describe the name of the business and the contact name(s) and telephone numbers.

No more than one sign per lot shall be permitted and the sign shall be erected on the land on which the Bed and Breakfast is being carried out.

Pursuant to the provisions of Town Planning Scheme No.2 TPS2 and the Council’s Local Government’s Signs, Hoardings and Bill Posting Local-Law, a proposed advertising sign which does not exceed 0.2m² in area is exempt from the requirement to obtain a planning Development Approval and a Sign Licence (unless the advertising sign is proposed to be illuminated, in which case a Sign Licence would be required).

4.5 Health Requirements
The City’s Health Services will require the following:

(a) All Bed and Breakfast accommodation must comply with the provisions of the Health Act 1911, the Food Act 2008 and the Food Safety Standards, to the satisfaction of the Manager, Health Services, including the following:
   - Separate shower, WC and hand basin to be provided where practical;
   - Room sizes in accordance with the Health Act 1911 (14 cubic metres per person);
   - Hygiene standard of premises is to be acceptable before approval given; and
   - Food preparation areas to comply with "Guidelines for the Preparation of Foods in Residential Premises" (see Appendix 1).

(b) Food Act 2008—Application for a Registration Certificate form to be completed by the applicant. Application Form for Registration of a Bed & Breakfast to be completed by the applicant (see Appendix 2);

(c) The Food Premises Notification Form is to be completed by the applicant. Application for Registration/ Notification of a Food Business Form (see Appendix 3);
(d) If the dwelling is serviced by a septic disposal system, upgrading to a new system may be required; and
(e) If there is a pool or spa on the property, approval from the Executive Director of Public Health at the Department of Health (WA) is required under the Health (Aquatic Facilities) Regulations 2007, before guests are able to utilise these facilities.

Please note that Health Services fees apply. For further information or assistance on this section, contact the City's Health Services on 9528 0315.

4.6 Fire Control and Lighting
A smoke alarm system and lighting to assist evacuation shall be installed so as to comply with the Building Code of Australia. Fire extinguishers and fire blankets must also be provided to the satisfaction of the Manager, Building Services.

4.7 Refuse Collection/Recycling
Satisfactory arrangements will need to be made with the Manager, Engineering Services to ensure that measures are put in place to cope with any additional wastes generated, such that nuisance is not created by bins being overloaded. Operators are also actively encouraged to promote recycling.

4.8 Amenity
The operator of a Bed and Breakfast shall establish 'house rules' for residents that would take into consideration the amenity of adjoining and nearby properties, particularly in relation to noise and disturbance.

4.9 Building Approval

Where When a Bed and Breakfast accommodation requires the construction of a new building or modifications to an existing building, a Building Licence Permit (Certified) will be required from the Council Local Government, (in addition to a Planning Development Approval), and must comply with the Building Code of Australia (NCC BCA), Disability (Access to Premises-Building) Standards 2010 and the relevant provisions of AS 1428 - Design for access and mobility.

Consultation with a Private Building Certifier is required and all applications must be certified to ensure compliance with disability access.

4.10 Consultation

All applications for planning Development Approval for the establishment of Bed and Breakfast accommodation will be the subject of a process of community consultation in accordance with clause 4 of 6.3.3 of Town Planning Scheme No.2 the deemed provisions of TPS2 and Planning Procedure No.1.3 - Community Consultation.

5. Application Procedure

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

(a) A written submission describing the proposal, which should include confirmation that the requirements of this Planning Policy can be achieved;
(b) A detailed house plan indicating which bedroom(s) are to be used for the Bed and Breakfast accommodation and not exceeding the requirements of 4.2 'Scale of Operations';
(c) Such plans and other information that the Council Local Government may reasonably require to enable the application to be determined. Refer to clause 6.2.2 of Town Planning Scheme No.2, including but not limited to the location, number and layout of all existing and proposed car parking spaces on-site;
(d) Details of any proposed signage to be erected (to demonstrate that sign does not exceed 0.2m²);
(e) The payment of a Planning Services Fee as detailed in the Council's Local Government's Planning Information Bulletin No.2.2 - Scale of Fees for Planning Services;
(f) A Food Act 2008 — Application for Registration Certificate An Application Form for Registration of a Bed and Breakfast (Appendix 2); and
(g) An Application Form for Registration of a Bed and Breakfast Application for Registration/Notification of a Food Business Form (Appendix 3).
Confined at a Planning and Engineering Services Meeting held on Monday 16 April 2018

6. Authority

This Planning Policy has been adopted by the Council Local Government under clause 8.9 of Town Planning Scheme No.2 the deemed provisions of TPS2 and whilst it is not part of the Scheme and does not bind the Council Local Government in respect of any application for planning Development Approval, the Council Local Government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

7. Interpretations

For the purposes of this Planning Policy, the following terms shall have the same meaning as in Town Planning Scheme No.2 and the State Planning Policy 3.1; Residential Design Codes (R Codes):

Local Government means the Council Local Government of the City of Rockingham.

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

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

Incidental Use means a premises which is ancillary and subordinate to the predominant use.

Predominant Use means the primary use of premises to which all other uses carried out on the premises are subordinate, incidental or ancillary.

High Frequency Bus Route means a public transport route with timed stops that run a service at least every 15 minutes during week day peak periods (7 to 9am and 5 to 7pm).

8. Delegation

Subject to no substantiated objections being received following community consultation, applications for planning approval which comply in all respects with the objectives and provisions of this Planning Policy will be determined under delegated authority, pursuant to clause 8.10 of Town Planning Scheme No.2 and Planning Procedure 1.1 – Delegated Authority. Development Applications which comply in all respects with the objectives and provisions of this Planning Policy will be determined under delegated authority, pursuant to clause 83 of the deemed provisions of TPS2 and the Delegated Authority Register.

In the event that substantiated objections are received following community consultation, the application for planning Development Approval will be referred to the Council Local Government for determination.

9. Adoption

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

10. Amendment

This Planning Policy was amended by the Council Local Government at its ordinary Meeting held on 22 March 2011 and blank.

11. Revocation

This Planning Policy supersedes the Council’s Statement of Planning Policy No.2.9 - Bed and Breakfast Accommodation.

Appendices (not attached to this report)

2. Application Form for Registration of a Bed and Breakfast.
3. Application for Registration/ Notification of a Food Business Form.
<table>
<thead>
<tr>
<th><strong>The Committee’s Reason for Varying the Officer's Recommendation</strong></th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Implications of the Changes to the Officer’s Recommendation</strong></td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
**Engineering and Parks Services**

**Engineering and Parks Services**

**Engineering Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-003/18 Recommendations from the Marine Infrastructure Advisory Committee Meeting held on 26 February 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>COM/71-04</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Manoj Barua, Manager Engineering Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mrs Andrea Holman, Executive Assistant Director Engineering and Parks Services</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 March 2018</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>Attachments:</td>
<td>Minutes of the Marine Infrastructure Advisory Committee Meeting held on 26 February 2018</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
</tr>
</tbody>
</table>

**Purpose of Report**

To consider the name and Terms of Reference change for the current ‘Marine Infrastructure Advisory Committee’.

**Recommendations to the Planning and Engineering Services Committee**

**Advisory Committee Recommendation 1 of 1: Name and Terms of Reference change of Advisory Committee**

That Council:

1. **APPROVES** the name change of the ‘Marine Infrastructure Advisory Committee’ to ‘Coastal Facilities Advisory Committee’.

2. **APPROVES** the revised Terms of Reference as “To provide input and advice into the development, implementation and performance of the City of Rockingham Coastal Facilities Strategy” for the Coastal Facilities Advisory Committee.

**Officer Recommendation if Different to Advisory Committee Recommendation**

Nil

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

Nil
Background

Change of Committee Name:
The current Advisory Committee name is - Marine Infrastructure Advisory Committee
The proposed Advisory Committee name is - Coastal Facilities Advisory Committee

Terms of Reference:
The current Terms of Reference for the Marine Infrastructure Advisory Committee is:
The Committee was formed to discuss and advise on various coastal facilities, amenities and infrastructure within the City of Rockingham Municipality.
The proposed Terms of Reference for the Marine Infrastructure Advisory Committee is:
To provide input and advice into the development, implementation and performance of the City of Rockingham Coastal Facilities Strategy.

Implications to Consider

a. Strategic
   Community Plan
   This item addresses the Community's Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Community Plan 2015-2025:
   Aspiration A: A Tourism Lifestyle
   Strategic Objective: Coastal Facilities - A range of quality and contemporary leisure tourism facilities including a “major brand” hotel, marinas, boat ramps, jetties, boardwalks and foreshore parks that contribute to the City’s reputation as the premier metropolitan coastal tourism destination.
   Aspiration D: A Sustainable Environment
   Strategic Objective: Coastal and Bushland Reserves - Coastal and bushland reserves that are well used and sustainably managed preserving them for future generations to enjoy.

b. Policy
   The Governance and Meeting Framework Policy will be updated to reflect the committee name change.

c. Financial
   Nil

d. Legal and Statutory
   Nil

e. Voting Requirements
   Simple Majority

f. 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
Committee Recommendation

Moved Cr Burns, seconded Cr Hamblin:

That Council:

1. **APPROVES** the name change of the ‘Marine Infrastructure Advisory Committee’ to ‘Coastal Facilities Advisory Committee’.

2. **APPROVES** the revised Terms of Reference as “To provide input and advice into the development, implementation and performance of the City of Rockingham Coastal Facilities Strategy” for the Coastal Facilities Advisory Committee.

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 provide Council with the outcomes of community consultation regarding the construction of additional parking bays on Exhibition Way, Cooloongup adjacent to Salvation Army Corps complex.

**Background**

At its meeting held on 31 October 2017, Council resolved:

“That Council **Supports** the construction of on-street parking bays in Exhibition Way, Rockingham subject to:

1. Confirmation that use of The Salvation Army Corps complex complies with previous development applications.
2. A community consultation is undertaken with all affected residents.
3. The outcomes of the community consultation be brought back to Council with further recommendations on location, number of bays and costings.”

**Details**

The Salvation Army Corps development includes 65 car parking bays which comply with the car parking requirements of Town Planning Scheme No.2 (TPS2), based on one bay per four persons accommodated for the Place of Public Worship.
The Salvation Army has advised the City that their patronage levels have significantly increased over time. The City undertook multiple parking demand surveys for a period of four weeks starting in September 2017. During this period, overflow parking was noticed only on two occasions. On the 26 September and 10 October 2017 one and six vehicles were observed to be parked on the verge. These investigations indicate that the current carpark provides sufficient capacity for the parking demand most of the time.

The City also undertook engagement with 27 residents of Exhibition Way, Cooloongup in the proximity of the Salvation Army Corps facility. The City received nine responses from the community which represents approximately 33% of the residents consulted. Out of the nine respondents five supported, three rejected and one neither supported nor rejected the proposal for additional parking bays.

The feedback received from the community is summarised below. Figure 1 shows the community consultation results and demonstrates the proposed location for parking embayment.

<table>
<thead>
<tr>
<th>Property</th>
<th>Support</th>
<th>Reject</th>
<th>Neither</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Park Drive</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Exhibition Way</td>
<td>1</td>
<td></td>
<td></td>
<td>There are enough people parking on the verges to visit the Salvo Church without encouraging a permanent place for the temporary homeless to park. Give them homes not carparks. PS they also camp in the park on Park Drive near phone booth</td>
</tr>
<tr>
<td>7 Exhibition Way</td>
<td>1</td>
<td></td>
<td></td>
<td>None Provided</td>
</tr>
<tr>
<td>9 Exhibition Way</td>
<td>1</td>
<td></td>
<td></td>
<td>You promised us in writing that this would never happen, when we agreed to the construction of the church. We have 2 children &amp; plan to have more I do not want our street turning into a carpark, a place for people who are homeless to loiter. Why can't you utilise the park at the end of the street, it's a waste of space that isn't used &amp; needs money spent on it. I don't want people parking/rocking up/leaving in the evening on our street. Will our street still be deemed residential area? If that's changing, I want reductions in my rates! Permanently!</td>
</tr>
<tr>
<td>10 Exhibition Way</td>
<td>1</td>
<td></td>
<td></td>
<td>None Provided</td>
</tr>
<tr>
<td>12 Exhibition Way</td>
<td>1</td>
<td></td>
<td></td>
<td>None Provided</td>
</tr>
<tr>
<td>16 Exhibition Way</td>
<td>1</td>
<td></td>
<td></td>
<td>Go ahead with what you want to do. Get rid of trees out the front, we are old and are worn out with the leaves everywhere or send some around to clean up the leaves.</td>
</tr>
<tr>
<td>24 Exhibition Way</td>
<td>1</td>
<td></td>
<td></td>
<td>None Provided</td>
</tr>
<tr>
<td>28 Exhibition Way</td>
<td>1</td>
<td></td>
<td></td>
<td>None Provided</td>
</tr>
<tr>
<td>Total</td>
<td>3</td>
<td>5</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>
Extent of public consultation and proposed location of parking embayments

If additional parking bays are to be constructed, the existing footpath connections and street lighting may be affected. This will lead to an increase in the cost of the project.

**Implications to Consider**

a. **Consultation with the Community**
   Community consultation was carried out in November 2017 with residents who are in close proximity to the Salvation Army Corps facility and the potential parking locations.

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 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
d. **Policy**  
Nil

e. **Financial**  
The cost of providing six parking bays along with auxiliary works such as lighting and necessary realignment of a footpath is approximately $45,000. There are no funds allocated in the business plan to construct the parking bays. If the Council resolves to construct the parking bays it is recommended that the Salvation Army is requested to fund the project.

f. **Legal and Statutory**  
Nil

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**

The parking investigation demonstrates that the current Salvation Army Corps facility provides sufficient parking for Salvation Army’s day to day functions and continues to meet the requirements of the previous development application.

As there are no other generators of parking demand in this locality, the estimated overflow parking demand is estimated to be six vehicles and is only required occasionally. The occasional demand for additional parking can be accommodated with available verge and on-street parking in accordance with the City’s Parking Local Law. The City notes that there have been no significant complaints from nearby residents in relation to existing on-street parking by visitors to this facility.

Considering the low demand for additional parking, low response rate from community consultation Administration recommends not to construct any additional parking bays at this stage.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **NOT SUPPORT** the request for On Street Parking embayments on Exhibition Way on the basis of lack of demonstrated need and lack of community support.

**Committee Recommendation**

Moved Cr Summers, seconded Cr Whitfield:

That Council **NOT SUPPORT** the request for On Street Parking embayments on Exhibition Way on the basis of lack of demonstrated need and lack of community support.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
<table>
<thead>
<tr>
<th></th>
<th>Reports of Councillors</th>
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<tbody>
<tr>
<td></td>
<td>Nil</td>
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</table>

14. Addendum Agenda

<table>
<thead>
<tr>
<th></th>
<th>Addendum Agenda</th>
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<tr>
<td></td>
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</table>

15. Motions of which Previous Notice has been given

<table>
<thead>
<tr>
<th></th>
<th>Motions of which Previous Notice has been given</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
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16. Notices of Motion for Consideration at the Following Meeting

<table>
<thead>
<tr>
<th></th>
<th>Notices of Motion for Consideration at the Following Meeting</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
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17. Urgent Business Approved by the Person Presiding or by Decision of the Committee

<table>
<thead>
<tr>
<th></th>
<th>Urgent Business Approved by the Person Presiding or by Decision of the Committee</th>
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<tbody>
<tr>
<td></td>
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</table>

18. Matters Behind Closed Doors

<table>
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<tr>
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<tr>
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<td>Nil</td>
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19. Date and Time of Next Meeting

<table>
<thead>
<tr>
<th></th>
<th>Date and Time of Next Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The next Planning and Engineering Services Committee Meeting will be held on Monday 16 April 2018 in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
</tr>
</tbody>
</table>

20. Closure

<table>
<thead>
<tr>
<th></th>
<th>Closure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>There being no further business, the Chairperson thanked those persons present for attending the Planning and Engineering Services Committee meeting, and declared the meeting closed at 4:52pm.</td>
</tr>
</tbody>
</table>