MINUTES
Planning and Engineering Services Committee Meeting
Held on Monday 18 July 2016 at 4:00pm
City of Rockingham Boardroom
# City of Rockingham
## Planning and Engineering Services Committee
### Meeting Minutes
#### Monday 18 July 2016

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<td>Closure</td>
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1. **Declaration of Opening**

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

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

### 2.1 Councillors

<table>
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<th>Position</th>
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<tr>
<td>Cr Chris Elliott</td>
<td>Chairperson</td>
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<td>Cr Matthew Whitfield</td>
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<td>Cr Deb Hamblin (Deputy Mayor)</td>
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<td>Cr Katherine Summers</td>
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<td>Cr Barry Sammels (Mayor)</td>
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<tr>
<td>Cr Joy Stewart</td>
<td>(Observer)</td>
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<td>Cr Justin Smith</td>
<td>(Observer)</td>
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### 2.2 Executive

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<th>Name</th>
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<tr>
<td>Mr Andrew Hammond</td>
<td>Chief Executive Officer</td>
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<tr>
<td>Mr Bob Jeans</td>
<td>Director Planning and Development Services</td>
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<tr>
<td>Mr Chris Thompson</td>
<td>Director Engineering and Parks Services</td>
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<tr>
<td>Mr Peter Ricci</td>
<td>Manager Major Planning Projects</td>
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<tr>
<td>Mr Brett Ashby</td>
<td>Manager Strategic Planning and Environment</td>
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<tr>
<td>Mr Colin Reguero</td>
<td>A/Manager Building Services</td>
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<tr>
<td>Mr David Waller</td>
<td>A/Manager Statutory Planning</td>
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<tr>
<td>Mr Rod Fielding</td>
<td>Manager Health Services</td>
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<tr>
<td>Mr James Henson</td>
<td>Manager Land and Development Infrastructure</td>
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<tr>
<td>Mr Cyril Sharrock</td>
<td>A/Manager Parks Services</td>
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<tr>
<td>Mr Allan Moles</td>
<td>Manager Integrated Waste Services</td>
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<tr>
<td>Ms Melinda Wellburn</td>
<td>PA to Director Planning and Development Services</td>
</tr>
</tbody>
</table>

### 2.3 Members of the Gallery

Nil

### 2.4 Apologies

Nil

### 2.5 Approved Leave of Absence

Nil

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

### 3.1 Mr James Mumme, Shoalwater - Foreshore Management Plan 2016-2021

At the Planning and Engineering Services Committee meeting held on 20 June 2016, Mr Mumme asked the Director, Planning and Development Services provided a response in a letter dated 30 June 2018, as follows:
Question
1. What is the source for the claimed ratio of 1cm sea level rise to 1 metre loss of beach?

The Western Australian Planning Commission recommend that an allowance for sea level rise be accounted for during coastal planning, as it is generally accepted that a 1cm rise in mean sea level will result in a loss of approximately 1m of beach, with a rise of 0.9m predicted by 2011 (WAPC 2013). FMP page 31. I can find no reference in any 2.6 documents. PNP and CSCA give other figures which I quoted in my questions to full Council last month. Braun ratio for groundwater penetration is 100:1.

Response
This is outlined in Chapter 2 of the WAPC Coastal Planning and Management Manual (see p.2.11 Table 2-2 and p.2.13).

Question
2. How much erosion has been recorded between 1942 and present along Shoalwater Bay north?

If 250 metres has eroded there in 74 years with an accumulated total of 330 metres of erosion over the period, the rate is in excess of 4 metres a year.

Erosion at Shoalwater Bay north is known to be 2-3 metres a year. Long term solutions to manage erosion in this location (Michael and View) continue to be investigated, such as the installation of buried rock or GSC seawall or the realignment of the car parks to increase the buffer for erosion. It is likely that a combination of these options would provide the best long term protection and a cost benefit analysis of these options to protect two relatively small car parks would need to be considered. FMP page 82.

Response
Data from the Department of Transport indicates that shoreline movement has fluctuated considerably in the northern end of Shoalwater Bay since 1942 with some areas of beach experiencing approx. 80m of erosion and other areas experiencing approx. 80m of accretion, from Boundary Road to Point Peron.

Question
3. Why is the community not entitled to believe that the Council is avoiding considering the implications of coastal processes and climate change for a certain proposed development? Specifically the MBM.

Response
Proposals such as the Mangles Bay Marina are required to address State Planning Policy 2.6 – State Coastal Planning (‘SPP2.6’), which includes consideration of coastal processes, including those brought about by climate change.

The City’s submission on the Mangles Bay Marina MRS Amendment has raised concern that the information presented to support the coastal setback, and define the extent of the ‘Parks and Recreation (Foreshore) Reserve’, was not based on a Coastal Hazard Risk Management and Adaptation Plan (‘CHRMAP’) process as prescribed in SPP2.6.

Question
4. Why does the Plan omit mention of any proposed developments near the foreshore that might jeopardise the sustainable use and management of our coastline?

The Plan addresses both environmental and land use factors, with due consideration for physical coastal processes, proposed development, recreational...the need to balance environmental, social and economic values to ensure the long term sustainable use and management of the City’s unique coastline. Executive Summary page 6.
<table>
<thead>
<tr>
<th><strong>Response</strong></th>
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<tr>
<td><strong>The Plan does mention proposed coastal developments, see Section 3.5.</strong></td>
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<thead>
<tr>
<th><strong>Question</strong></th>
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<tr>
<td>5. Why does the Plan selectively omit mentioning the Community Aspiration regarding climate change (acknowledging, mitigating and adapting to the impacts of climate change)?</td>
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The Plan is said to deliver the following aspiration: Vision and Community Aspiration. Coastal and Bushland Reserves that are well used and sustainably managed preserving them for future generations to enjoy. However the Community Aspirations documents begins with "Climate change: Planning systems, infrastructure standards...that acknowledge, mitigate and adapt to the impacts of climate change.” And continues with "guiding development and land use to ensure that future generations enjoy a sustainable city...COR Strategic Community Plan 2015-2025."

<table>
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<tr>
<th><strong>Response</strong></th>
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<tr>
<td><strong>Section 3.1 of the Plan acknowledges that while all recommendations in this Plan were made with due consideration for SPP 2.6 and the potential impacts of climate change, a Climate Change Strategy and Coastal Hazard Risk Management and Adaptation Plan will be developed by the City to specifically address climate change impacts in accordance with Aspiration 9.</strong></td>
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<thead>
<tr>
<th><strong>Question</strong></th>
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<td>6. Why are the reports of CSCA and PNP omitted from the References?</td>
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Response
The work of CSCA and PNP was acknowledged during the development of the plan, particularly PNP, as noted in Section 1.5. The Climate Change Strategy and Coastal Hazard Risk Management and Adaptation Plan will be developed by the City to specifically address climate change impacts. The reports from CSCA and PNP will be an integral component of the CHRMAP process and the City will work closely with these groups through the development of this plan.

<table>
<thead>
<tr>
<th><strong>Question</strong></th>
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<tr>
<td>7. Why is the area from Hymus Street to Shoalwater Bay excluded from the Foreshore Management sectors map on page 7 Figure 1?</td>
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A detailed understanding of coastal processes which effectively considers past, present and predicted future shoreline change is critical to ensuring appropriate management and sustainability of coastal development. FMP page 15. I note that the Scientific Park, also in DPaW is not excluded.

<table>
<thead>
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<th><strong>Response</strong></th>
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<tr>
<td><strong>The purpose of the Foreshore Management Plan is to give direction for the ongoing use and management of the City’s foreshore reserves over the next five years. No management actions are prescribed for either the Point Peron area or Scientific Park as they are under management by the Department of Parks and Wildlife.</strong></td>
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The sectors map is indicative only for the purpose of document orientation.

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<th><strong>Question</strong></th>
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<tr>
<td>8. Why are the most recent data on climate change omitted?</td>
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Records show that the decade of 2001-2010 was the world's warmest decade on record and in Australia, each decade has been warmer than the previous decade since the 1950s (DoTE 2015). FMP page 31. There are more recent data showing even more warming.
Response

This was the most recent data available from the Department of the Environment’s website at the time the plan was written. Any updates in data released by the relevant government authorities will be incorporated into the Climate Change Strategy and the Coastal Hazard Risk Management and Adaptation Plan.

Question

9. Why is there no reference to the MBM as having potential impacts and implications for coastal vulnerability?

All future upgrades to the foreshore should be undertaken with consideration for coastal vulnerability and observed coastal processes. FMP page 48. At the very least Council should be calling for this in regards to the MBM, not just ignoring it.

Response

See responses to questions 3 above.

Question

10. Why has there been no call for a cost benefit analysis of the MBM in relation to both Mangies Bay and Shoalwater Bay coastal vulnerabilities?

As for example is called for in Sector Three Warnbro Port Kennedy Coastal Vulnerability. The erosion experienced near Michael Road and View Road in Warnbro threatens to undermine the car parks which are situated relatively close to the near shore environment. Beach renourishment does occur in this area as required but this only provides a temporary buffer from storm erosion before the sand is redistributed along the Warnbro Sound shoreline.

Long term solutions to manage erosion in this location continue to be investigated, such as the installation of buried rock or GSC seawall or the realignment of the car parks to increase the buffer for erosion. It is likely that a combination of these options would provide the best long term protection and a cost benefit analysis of these options to protect two relatively small car parks would need to be considered. FMP page 82.

Response

The consideration of coastal vulnerability is guided by SPP2.6 and gives consideration to cost and benefit of adaptation options/pathways as part of the CHRMAP exercise.

Question

11. Why does the Plan ignore the WAPC’s first management option for coastal management which is 4.4.1 Avoid?

Specifically...rejecting the site and finding another; transferring development rights to another parcel better able to accommodate development; and avoiding development within primary and fore dunes and low-lying coastal areas.

Response

Adaptation measures (such as avoid, retreat, accommodate and protect) are evaluated through the Coastal Hazard Risk Management and Adaptation Planning process, rather than the Foreshore Management Plan.

Question

12. Has the review of the SPP been completed to give a “defendable sea level rise figure, conversion of vertical to horizontal distance”?

The policy is currently being reviewed to provide a defendable sea level rise figure, conversation from vertical to horizontal distance and planning horizon timeframe, and guidance on development (infill) areas vs new (greenfield) development areas. WAPC response to GHD 2009.
### Response
A report, ‘Sea Level Change in Western Australia’, was prepared by the Department of Transport in 2010 and is published on the Western Australian Planning Commission’s website with SPP2.6.

### Question
13. Why is the Eastern Curlew not mentioned in the list of protected migratory birds when it has been recorded in the area by Birds Australia?

### Response
The desktop assessment was undertaken using the Department of Parks and Wildlife fauna database, a centralised service which compiles the latest fauna distribution records and research information throughout Western Australia. A field survey was also undertaken to observe species in the reserves. The Eastern Curlew (Numenius madagascariensis) was not identified as occurring or likely to occur in either of these assessments.

### Question
14. Why is there no comment on Shoalwater Bay's erosion like what there is for Michael Road and View Road regarding the long term protection and cost benefit analysis?

### Response
Michael Road and View Road are noted in the Plan given there is significant infrastructure within the City’s foreshore reserve at these locations which are under threat from coastal vulnerability in the short term and may require adaptation actions during the implementation period of the Plan.

### 4. Public Question Time

**4.03pm** The Chairperson invited members of the Public Gallery to ask questions. There were none.

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

Moved Cr Whitfield, seconded Cr Sammels:

That Committee **CONFIRMS** the Minutes of the Planning and Engineering Services Committee Meeting held on 20 June 2016, as a true and accurate record.

Committee Voting – 5/0

### 6. Matters Arising from the Previous Minutes

Nil

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

**4.03pm** The Chairperson announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.

### 8. Declarations of Members and Officers Interests

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

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

Nil

### 10. Matters for which the Meeting may be Closed

Nil
## 11. Bulletin Items

### Planning and Development Services Information Bulletin – July 2016

#### 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 New Family Day Care Approvals
   4.18 Caravan Park and Camping Ground Inspections
   4.19 Emergency Services
   4.20 Social Media
   4.21 Bush Fire Hazard Reduction
   4.22 Customer Requests Emergency Service Team
   4.23 Singleton Volunteer Bush Fire Brigade Annual General Meeting
   4.24 Baldivis Volunteer Bush Fire Brigade Annual General Meeting
   4.25 Community Events
   4.26 Structural Fire Fighting Capability – Baldivis
   4.27 Ranger Services - Ranger Action Reports
   4.29 SmartWatch - Visibility
   4.30 SmartWatch - Engagement with Community
   4.31 SmartWatch - Increasing Perception of Safety
   4.32 SmartWatch - Statistics

#### Building Services
1. Building Services Team Overview
2. Human Resource update
3. Project Status Reports
4. Information Items
   4.1 Monthly Building Permit Approvals - (All Building Types)
   4.2 Private Swimming Pool and Spa Inspection Program
   4.3 Demolition Permit
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**Strategic Planning and Environment**

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

4. Information Items
   4.1 Urban Development Snapshot from Approved and Proposed Structure Plans in 2015
   4.2 Frog Population Monitoring Program
   4.3 Threatened Ecological Community Trial

**Land and Development Infrastructure**

1. Land and Development Infrastructure Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Structure Plan Approval Referrals
   4.2 Subdivision Approval Referrals
   4.3 Urban Water Management Referrals
   4.4 Traffic Report Referrals
   4.5 Delegated Land and Development Infrastructure Assets Approvals
   4.6 Subdivision Clearance Requests
   4.7 Handover of Subdivisional Roads
   4.8 Development Application Referrals
   4.9 Delegated Subdivision 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
   3.1 Planning Products via the Web formerly eDA
4. Information Items
   4.1 Land Use - Planning Enforcement
   4.2 Subdivision/Development Approval and Refusals by the WAPC
   4.3 Notifications and Gazettals
   4.4 Subdivision Clearances
   4.5 Subdivision Survey Approvals
   4.6 Subdivision Lot Production
   4.7 Delegated Development Approvals
4.8 Delegated Development Refusals  
4.9 Delegated Building Envelope Variations  
4.10 Subdivision/Amalgamation Approved  
4.11 Strata Plans  
4.12 Subdivision/Amalgamation Refused  
4.13 State Administrative Tribunal - BP Australia vs. Metropolitan South-West Joint Development Assessment Panel - Withdrawal of Application  
4.14 Proposed NBN Wireless Telecommunications Infrastructure (Fixed Wireless Facility) - Lot 64 (No 301) Amarillo Drive, Karnup

**Planning and Development Directorate**

1. Planning and Development Directorate Team Overview  
2. Human Resource Update  
3. Project Status Reports  
   3.1 Rockingham Primary Centre, Centre Plan Implementation (LUP/137-08)  
   3.2 Northern Smart Village Sector – Masterplan, Development Policy Plan and Proposed Amendment No.s.161 and 162 to Town Planning Scheme No.2  
   3.3 Southern Gateway/Rockingham Station Sector – Masterplanning, Development Policy Plan and TPS (LUP/1846 and LUP/1847)  
   3.4 “Mangles Bay Marina”

**Advisory Committee Minutes**

**Committee Recommendation**

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

Committee Voting – 5/0

**Engineering and Parks Services Information Bulletin – July 2016**

**Engineering and Parks Services Directorate**

1. Engineering Services Team Overview  
2. Human Resource Update  
3. Project Status Reports  
   3.1 Rockingham Foreshore Master Plan – Detailed Design  
   3.2 Stormwater Adaptation Plan  
   3.3 Coastal Management Consultants (Sand Drift/Erosion Problems)  
   3.4 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)  
4. Information Items  
   4.1 Delegated Authority for Temporary Thoroughfare Closure.  
   4.2 Delegated Authority for the payment of Crossover Subsidies.  
   4.3 Delegated Authority for approval of Directional Signage  
   4.4 Engineering Services Design Projects 2015/2016  
   4.5 Authorised Traffic Management Plans for Works on City Controlled Roads  
   4.6 Safety Bay Road – Principal Shared Path – Stage 2B Mandurah Road to Eighty Road
| 4.7 | Millar Road Landfill – Concept Master Plan and Site Access |
| 4.8 | Water Corporation - Significant works within the City |
| 4.9 | Bent Street Boat Ramp Rock Armour Protection and Boat Ramp Maintenance |
| 4.10 | Waikiki Foreshore – Foreshore Protection Specification |
| 4.11 | Point Peron Sand Trap Excavation and Beach Nourishment 2015/2016 |
| 4.12 | Donald Drive Boat Ramp Feasibility Study |
| 4.13 | Bent Street Boat Ramp Navigation Channel Sand Bypassing |
| 4.14 | Mersey Point Jetty Design |
| 4.15 | Palm Beach West Boat Ramp Upgrade |
| 4.16 | Recreational Boating Facilities Scheme – Round 21 Grant Applications – Planning Grant |
| 4.17 | EP-013/16 – Investigate need for additional traffic signals on Warnbro Sound Avenue |
| 4.18 | Road Construction Program Roads to Recovery 2015/2016 |
| 4.19 | Road Construction Program Main Roads Grant 2015/2016 |
| 4.20 | Road Construction Program Municipal Works 2015/2016 |
| 4.21 | Drainage Program Municipal Works 2015/2016 |
| 4.22 | Footpath Construction Program Municipal Works 2015/2016 |
| 4.23 | Footpath Renewal Program Municipal Works 2015/2016 |
| 4.24 | Road Maintenance Program 2015/2016 |
| 4.25 | Litter Team 2015/2016 |
| 4.26 | LitterBusters and Sweeping 2015/2016 |
| 4.27 | Passenger Vehicle Fleet Program 2015/2016 |
| 4.28 | Light Commercial Vehicles Program 2015/2016 |
| 4.29 | Heavy Plant Program 2015/2016 |

### Parks Services
1. Parks Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Tamworth Hill Swamp, Revegetation
   3.2 Beach Lookout Replacement - Secret Harbour Foreshore
   3.3 Baldivis Nature Reserve, Install Formal Limestone Access Path (Greening Plan)
   3.4 Stan Twight Reserve – Cricket Net Renewal
   3.5 Centenary Reserve – Garden Kerbing Renewal
   3.6 Play Equipment Replacements
4. Information Items
   4.1 Groundwater Monitoring
   4.2 Kulija Road Environmental Offsets
   4.3 Memorial Seat Approvals
   4.4 Parks Maintenance Program 2015/2016

### Asset Services
1. Asset Management Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Road Condition Inspection and Modelling
   3.2 Lighting Consultants (Technical Planning/Design, Underground Power Program)
   3.3 Major Project Property Development Planning (Design Modifications/Tender Planning/Structural Testing)
4. Information Items
   4.1 Asset Management Improvement Strategy
   4.2 Asset Systems Management
| 4.3 | Solar Power Generation |
| 4.4 | 2016/2017 Public Area Lighting and Arterial Lighting |
| 4.5 | Secret Harbour Surf Life Saving Club – Renovation |
| 4.6 | Baldivis Reserve Toilet Replacement |
| 4.7 | Rockingham Day Care Fire Panel Replacement |
| 4.8 | Baldivis South Club Facility Eighty Road Baldivis |
| 4.9 | Laurie Stanford Reserve Development |
| 4.10 | Rhonda Scarrott Reserve Development |
| 4.11 | Administration Building Exterior Render Repairs |
| 4.12 | Aqua Jetty – Tiling of external 50m Pool |
| 4.13 | Secret Harbour – Inclusive Play Space |
| 4.14 | Baldivis South Youth Space |
| 4.15 | 2016/2017 Reserve Flood Lighting |
| 4.16 | Baldivis South Community Centre |
| 4.17 | Mike Barnett Sports Complex & Warnbro Recreation Centre - Renovations |
| 4.18 | Mike Barnett Sports Complex – Netball Courts Shelters |
| 4.19 | Depot – Light Vehicle Workshop roof works |
| 4.20 | PV (Solar) Array Installation at Various Sites |

**Building Maintenance**

1. Building Maintenance Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Building Renewals
   4.2 Parks Renewals
   4.3 Electrical/Lighting Renewals
   4.4 Building Maintenance
   4.5 Lighting Inspections
   4.6 Graffiti Removal Monthly Statistics
   4.7 Graffiti – Out and About
   4.8 Graffiti Removal Annual Statistics

**Waste Services**

1. Waste Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Introduction of 3 Bin Collection System
4. Information Items
   4.1 Kerbside Collection
   4.2 Bulk Verge Collection
   4.3 Waste Diversion Percentage

**Millar Road Landfill and Recycling Facility**

1. Millar Road Landfill and Recycling Facility's Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Landfill Access Road and Associated Internal Roads
   3.2 Cell Construction – Cell 16
4. Information Items
   4.1 Tip Passes
   4.2 Landfill Statistics
   4.3 Waste Education and Promotion

**Advisory Committee Minutes**
Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:
That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – July 2016 and the content be accepted.

Committee Voting – 5/0
12. Agenda Items

Planning and Development Services

Planning and Development Services
Strategic Planning and Environment Services

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<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-042/16 Proposed Amendment to Structure Plan (The Spires Phase 2)</th>
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<tr>
<td>File No:</td>
<td>LUP/1633-14</td>
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<tr>
<td>Applicant:</td>
<td>CD &amp; P Pty Ltd (trading as Creative Design and Planning)</td>
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<tr>
<td>Owner:</td>
<td>Piperpoint Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Tristan Fernandes, Senior Strategic Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Jeff Bradbury, Coordinator Strategic Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
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<td>18 July 2016</td>
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<td>Previously before Council:</td>
<td>September 2012 (SPE-022/12); June 2013 (SPE-011/13)</td>
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<td>Disclosure of Interest:</td>
<td>Executive</td>
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<td>Nature of Council’s Role in this Matter:</td>
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Site: Lot 312 Fifty Road, Baldivis
Lot Area: 18.6329Ha
LA Zoning: Development
MRS Zoning: Urban

Attachments:
Schedule of Submissions

Maps/Diagrams:
1. Location Plan
2. Advertised Structure Plan Map
3. Proposed Local Development Plan
4. Location of Advertising
5. Densities within 200m of the Neighbourhood Centre

Purpose of Report

To consider a proposed Amendment to ‘The Spires Phase Two’ Structure Plan following the completion of the advertising period.
PRESIDING MEMBER

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 15 AUGUST 2016

Background

In October 2014, the Council adopted the Spires Phase Two Structure Plan covering Lots 311 and 312 Fifty Road, Lots 2, 4, and 5 Baldivis Road and Lots 7 and 8 Ingram Road, Baldivis. The Structure Plan included the following elements:

- Residential densities ranging from 'R25 - R60' to facilitate development of approximately 850 dwellings;
- Neighbourhood Shopping Centre; and
- Ten Public Open Space reserves ranging in size from 1,326m² to 9,400m².

The City has since approved three minor modifications to the Structure Plan to:

(i) Incorporate the adjoining Lot 774 Fifty Road, Baldivis into the Structure Plan area;
(ii) Update the local road network for appropriate future road connections into Lot 311 Fifty Road abutting the future Neighbourhood Centre; and
(iii) Update the Public Open Space schedule with accurate drainage figures determined within the subdivision process.
Details

The City is in receipt of an application seeking approval to amend the approved ‘Spires Phase 2’ Structure Plan, as follows:

1. Change all ‘R60’ coded land to ‘R100’ next to the proposed Neighbourhood Centre and local open space. The R100 density provides for 200 dwellings and represents the provision of an additional 100 dwellings to the Structure Plan area.


In support of the proposed Amendment, the Applicant has prepared a draft Local Development Plan to show how the R100 density is proposed to be delivered on-site.
3. Proposed Local Development Plan
Implications to Consider

a. Consultation with the Community

Advertising Methodology

The proposed Structure Plan Amendment was advertised for a period of 28 days, commencing on 6 May 2016 and concluding on 3 June 2016. Public advertising was carried out in the following manner:

- The adjoining land owner of Lot 311 Fifty Road (as shown in Figure 4 within a red border), servicing agencies and the Baldivis Residents Association were notified of the proposal in writing and invited to comment;
- The Applicant erected one (1) sign on the property in a prominent location at the intersection of Amazon Drive and Nairn Drive.
- A notice was placed in the Weekend Courier newspaper on 6 May 2016; and
- Copies of the proposed Structure Plan Amendment and relevant documents were made available for inspection at the City’s Administration Offices and placed on the City’s website.

Advertising was undertaken in accordance with the requirements of Schedule 2, Part 4, clause 18 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).

Following the close of the advertising period, the City had received no public submissions.
b. Consultation with Government Agencies

As mentioned above, relevant government agencies and servicing authorities were notified of the proposal in writing and invited to comment, pursuant to Schedule 2, Part 4, clause 18(1)(b) of the Regulations. In this regard, the City invited comments from the following agencies:

- APA Group
- ATCO Gas Australia
- Department of Aboriginal Affairs
- Department of Education
- Department of Environmental Regulation
- Department of Fire and Emergency Services
- Department of Health
- Department of Parks and Wildlife
- Department of Transport
- Department of Water
- Public Transport Authority
- Telstra
- Water Corporation
- Western Power

Following the close of the advertising period, the City had received eleven (11) submissions from State Agencies. A full copy of all submissions received during the advertising period is set out in the Schedule of Submissions (Attachment to this Report). The submissions that raised issues for consideration are summarised and addressed as follows:

### APA Group

**Submission:**
APA Groups (APA) owns and operates the Parmelia Gas Pipeline (PGP) is situated within registered easements within the Structure Plan area

APA shall require the following conditions/comments to form part of the approval:

Prior to the commencement of the subdivisional works, an AS2885 Qualitative Risk Assessment is to be conducted by the landowner/applicant and a Pipeline Risk Management and Protection Plan is to be prepared and implemented by the landowner/applicant to the satisfaction of the City of Rockingham and APA Group.

The risk mitigation measures/controls outlined within the Pipeline Risk Management and Protection Plan are to be implemented by the landowner/applicant at part of the subdivisional works to the satisfaction of the City of Rockingham and to the specifications of APA Group.

**City’s Comment:**
WAPC Planning Bulletin No.87 - *High Pressure Gas Transmission Pipelines in the Perth Metropolitan Region* provides guidance for development and ensures orderly and proper planning within the vicinity of regional gas pipelines, including the Parmelia High Pressure Gas Pipeline.

Planning Bulletin No.87 specifies setback distances within which applicants are required to demonstrate that the risk from the pipeline is within acceptable levels consistent with AS2885 *Pipelines - Gas and Liquid Petroleum* and EPA Guidance Statement 2, July 2000: Guidance for risk assessment and management: off-site individual risk from hazardous industrial plant.

Planning Bulletin No.87 states that the setback distance for the Parmelia Gas Pipeline (south of Caversham) is 65m for Residential uses.
**APA Group (Cont…)**

In this regard, the proposed modification to the Structure Plan area is approximately 500m from the pipeline easement and as such, is outside the defined setback distance and is deemed acceptable under the Planning Bulletin.

With respect to the overall Structure Plan area, section 6.4 of the Structure Plan Report states that a Pipeline Risk Management Plan is required to be imposed as a condition of Subdivision Approval when an application is lodged over land affected by the pipeline.

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**Department of Environment Regulation (DER)**

**Submission:**

Historically, Lot 312 Eighty Road, Baldivis operated as a market garden, for orchard cultivation and stock grazing. Under the Contaminated Sites Act 2003, DER classified land at Lot 312 Eighty Road, Baldivis as not contaminated - unrestricted use on the 20 August 2014.

Acid sulfate soil risk mapping shows that parts of Lot 312 Eighty Road, Baldivis lies within areas identified as having a moderate to low risk of ASS occurring within 3 metres (m) of the natural soil surface, but high to moderate risk of ASS beyond 3m below the natural soil surface.

Based on information provided, DER has no objection to the proposed amendment to The Spires (Phase Two) Structure Plan proposed for Lot 312 Eighty Road, Baldivis, and recommends that a contamination condition is not required in this instance.

However, if in the future, DER is requested to comment on the need for acid sulfate soils conditions to be placed on the development of the site, then based on acid sulfate soil risk mapping, DER may recommend that acid sulfate soils condition EN8 and advice ENa1 should be applied to the approval, as published in 'Model Subdivision Conditions Schedule' (Department of Planning and WAPC, October 2012). This should be regarded as advice relating to future development of the site, and is not related to the current proposed amendment to The Spires Structure Plan for Lot 312 Eighty Road, Baldivis.

**City's Comment:**

The matters raised by Department of Environment Regulation are noted.

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**Water Corporation**

**Submission:**

The Corporation has previously prepared water and wastewater planning for this area which provides a guide to the developer's consulting engineers. This planning may be varied and staged in liaison with the Corporation at the subdivision stage.

The proposed additional dwellings will create increased demands for water and produce greater wastewater flows than what has been allowed for in the current planning. The Corporation will make the necessary adjustments to its planning to address the additional dwellings.

The wastewater planning for this part of the Baldivis North Sewer District requires a substantial amount of fill over the area affected by the proposed amendment. This fill is required in order to provide adequate grades for the operation of the gravity sewers that will serve the area. The approximate location and extent of the fill area is denoted in brown hatching on the attached plan. It is recommended that this information be forwarded to the proponent.

**City's Comment:**

The matters raised by the Water Corporation are 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 Policies**

**Directions 2031**

*Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon (‘Directions 2031’)* was released by the WAPC in August 2010 as the plan to provide a vision for the future growth of the Metropolitan and Peel region. It provides a broad framework to guide detailed planning and the delivery of the various elements that provide for growth.

*Directions 2031* seeks to increase the proportion of infill development to the ratio of new ‘greenfield’ development sites. A target of 47% infill development is sought under the Policy. As of 2009, only 30% infill development was being achieved. This Policy seeks a 50% improvement from the existing trend.

To achieve this target, the Policy sets a density target of 15 dwellings per gross urban zoned hectare in new development areas. The Structure Plan report states that the proposed Structure Plan delivers approximately 19 dwellings per gross urban zoned hectare.

**Liveable Neighbourhoods**

*Liveable Neighbourhoods* (LN) has been prepared to implement the objectives of the State Planning Strategy and State Sustainability Strategy, and operates as a sustainable development control policy to guide structure planning and subdivision. The document outlines all the requirements a new Structure Plan and the supporting documentation needed to assess such. These requirements are intended to facilitate the State Government's objective to create communities that reduce dependency on private vehicles and are more energy and land efficient.

LN contains eight ‘elements’ under which Structure Plans and subdivisions are assessed, as follows:

- **Element 1 - Community Design**
- **Element 2 - Movement Network**
- **Element 3 - Lot Layout**
- **Element 4 - Public Parkland**
- **Element 5 - Urban Water Management**
- **Element 6 - Utilities**
- **Element 7 - Activity Centres and Employment**
- **Element 8 - Schools**

Each Element has two components - ‘Objectives’ and ‘Requirements’. Objectives describe the principal aims of each Element, and Requirements present a range of qualitative and quantitative responses to meeting the Objectives. Requirements include matters that ‘should’ be considered, where there is a range of design solutions and matters that ‘must’ be satisfied.
The City has assessed the proposal in accordance with the 'Objectives' and 'Requirements' of LN. The assessment outcomes are summarised as follows:

**Element 1 - Community Design**

The Structure Plan integrates appropriately with its surroundings and all lots are within a walkable catchment to public open space from within the Structure Plan area.

LN encourages a mix of housing types, lot sizes and densities, with smaller residential lots and higher density housing in areas close to centres, near public transport stops and in areas with high amenity such as next to parks. This criteria gives context to the allocation of density.

A key principle of LN is to achieve sustainable urban outcomes by increasing residential densities in and around centres and areas well served by public transport routes. LN recommends residential densities that achieve 20-30 dwellings per site hectare within a 400m walkable catchment of a neighbourhood shopping centre.

Public transport within proximity to the proposed high density development is limited at present. In review of the ultimate intent for public transport in northern Baldivis, it is considered that this section of Nairn Drive will serve an important role as a public transport route.

The proposed Amendment to locate R100 residential densities in context to a Neighbourhood Centre, future public transport and situated in context to open space, achieves the intent of LN and is supported.

**Element 2 - Movement Network**

The City has assessed the potential traffic impact and has determined that the road network is capable of accommodating additional traffic generated from the proposed additional 100 dwellings.

In review of the Structure Plan and the intended provisions contained within the draft Local Development Plan (which is prepared over both R100 and R40 zoned land), it is unclear how the streetscape will effectively work with on-street car parking, streetscape works (i.e. street trees and landscaping) and the provision of shared paths.

It is recommended that additional clarification be provided within the Structure Plan Report to rationalise the road reservation required to provide all necessary infrastructure.

It is also desirable to have a footpath on both sides of streets immediately surrounding the R100 areas to encourage walkability to and from the commercial centre. In this regard, it is recommended that the pedestrian movement network plan be amended accordingly.

**Recommendation:**

That the Structure Plan Report be modified to include the following:

(i) A new road profile cross section to demonstrate the interface of development and its relationship with the street and required infrastructure that will be contained within the road reserve.

(ii) Amend Figure 14 - *Indicative Path Network* to provide shared paths to both sides of streets adjacent to R40 and R100 sites near the Neighbourhood Centre.

**Element 3 - Lot Layout**

An indicative lot layout demonstrates that the Structure Plan layout can effectively accommodate the siting and construction of multiple dwellings on generally rectangular shaped lots which can be suitably accessed by residents and serviced.

An assessment of the Local Development Plan (LDP) prepared in draft to illustrate the intent of the Structure Plan Amendment has determined that a number of matters will need to be addressed at subdivision stage. These matters include:
The draft LDP shows R100 height limits over land with a residential density of R40. The LDP will require modifications to reflect the requirements of the R40 code as shown on the Structure Plan.

Introduce provisions to address Bushfire Attack Level construction standards and provision for 20m Asset Protection Zone setbacks for R100 sites located adjacent to bushfire prone vegetation.

Consider the in which manner refuse collection areas will be addressed.

Outline where on-street car-parking bays, street improvements and landscaping requirements will be provided adjacent to development sites subject to the LDP.

Update Figure 2 to show the correct road layout depicted within the Structure Plan.

Introduce provisions for architectural treatments to enhance the potential quality and interest of buildings, including provision of landmark features to be provided in prominent locations of buildings subject to the LDP.

Revise setback requirements to integrate adjoining low and medium density development and simplify requirements to be applied within a future Development Application.

Element 4 - Public Parkland

Increasing residential densities does not trigger a requirement to provide additional open space under LN. It is noted that the proposed increase in density has a direct relationship to public open space which will contribute to the recreational needs of prospective residents. In this regard, the Applicant intends to develop the public open space to a higher specification befitting the more urban context.

Element 5 - Urban Water Management

Urban water management for increased density development is proposed to be treated at source and will be dealt with through detailed design. An update to the Local Water Management Strategy is not deemed necessary given the nature of the proposed change.

Element 6 - Utilities

The Structure Plan Report provides appropriate documentation of the utilities requirements to be implemented at subdivision stage.

Element 7 - Activity Centres and Employment

Residential development within the immediate context of the neighbourhood centre is an important contributing element to the overall development of an activity centre. LN states that “Neighbourhood Centres should seek to include local office and higher density residential development”.

LN also states that neighbourhoods which contain distinct and Neighbourhood Centres should be structured to contain a substantial majority of dwellings within 400 to 500m radius of a centre. State Planning Policy 4.2 – Activity Centres for Perth and Peel provides additional guidance with respect to recommended residential densities which is addressed below.

The City has the ability to consider future home office and home business applications within the Neighbourhood Centre precinct.

In this regard, it is considered that the proposal achieves the intent of LN.

Element 8 - Schools

There are no Schools proposed in the Structure Plan area, however, the structure plan area is located approximately 300m (at its closest point) from Baldivis Primary School located on Fifty Road to the north-east.

State Planning Policy No.3.7 - Planning in Bushfire Prone Areas (December 2015) and Guidelines for Planning in Bushfire Prone Areas (December 2015)

On 7 December 2015, the following documents were gazetted:
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 15 AUGUST 2016

- Fire and Emergency Services (Bush Fire Prone Areas) Order 2015;
- Planning and Development (Local Planning Schemes) Amendment Regulations 2015;
- State Planning Policy No.3.7 - Planning in Bushfire Prone Areas; and
- Building Amendment Regulations (No.3) 2015.

The Department of Fire and Emergency Services (DFES) and the Western Australian Planning Commission (WAPC) concurrently released the:

- Map of Bush Fire Prone Areas; and
- Guidelines for Planning in Bushfire Prone Areas.

State Planning Policy No.3.7 - Planning in Bushfire Prone Areas (SPP3.7) applies immediately to all planning applications in designated bushfire prone areas identified on the Map of Bush Fire Prone Areas (State Map). It sets out policy measures applicable to the consideration of development in bushfire prone areas. SPP3.7 provides a general presumption against the introduction or intensification of land use in areas subject to extreme bushfire hazard (including BAL-40 and BAL-FZ) unless it is minor development or unavoidable development. The level of information required at each stage of the planning process is clearly articulated, including additional requirements for vulnerable and high risk land uses.


The State Map is based on the Department of Fire and Emergency Services/Office of Bushfire Risk Management’s Mapping Standard for Bush Fire Prone Areas. It essentially includes any bush fire prone vegetation with a 100m buffer around the vegetation. It is a binary system, i.e. it is either bush fire prone or not. The mapping does not indicate any level of hazard; it is simply a tool to trigger further assessment.

The State Map has received its first six monthly review following the release of the Guidelines and a review will now occur on an annual basis.

For all planning applications (Structure Plans, Scheme Amendments, Subdivision Applications, Development Applications), SPP3.7 and the Guidelines will apply immediately to all applications in designated bushfire prone areas identified on the State Map.

The Spires Phase 2 Structure Plan has an accompanying Fire Management Plan prepared under the Planning for Bushfire Protection Guidelines (2010), which was approved by the WAPC as part of the original determination of the Structure Plan. In review of the proposal, it is intended that the development occur in accordance with the existing Structure Plan approval.

It is noted that portion of the site will be impacted by bushfire prone vegetation located within the adjacent Parks and Recreation Reserve. Future development will be required to address asset protection zone setbacks and BAL construction standards within a future development application.

Comment was sought from the Department of Fire and Emergency Services and no response was provided in relation to the proposed Structure Plan Amendment.

State Planning Policy 4.2 – Activity Centres for Perth and Peel

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2) was adopted in August 2010.

SPP4.2 requires a Local Commercial Strategy to be prepared by the City to guide the long-term distribution of retail and commercial floor space and housing supply via a network of centres that:

- Capitalise on opportunities to revitalise activity centres in established urban areas, as a catalyst for urban renewal in the surrounding catchment;
- Provide sufficient development opportunities to enable a diverse supply of commercial and residential floor space to meet projected community needs;
- Cater for a full range of needs from shopping, commercial and community services from local convenience to higher-order comparison retail/goods and services;
- Mitigate the potential for an over-concentration of shopping floor space in large activity centres at the expense of a more equitable level of service to communities; and
- Promote the walkable neighbourhoods principle of access to employment, retail and community facilities by distributing activity centres to improve access by foot or bicycle, rather than having to depend on access by car in urban areas.

SPP4.2 focuses strongly on the function and urban form of a centre, with reduced emphasis on maximum shop/retail floor space of a centre. Part 5.2.2 of the Policy outlines the intended approach for considering residential land uses within and with a direct relationship to activity centres. In this regard the Policy states:

“1. Commercial and residential growth should be optimised through appropriately-scaled buildings and higher-density development in walkable catchments of centres.

2. Higher-density housing should be incorporated within and immediately adjacent to activity centres to establish a sense of community and increase activity outside normal business hours. Performance targets for residential density are in Table 3.”

According to Table 3 of SPP4.2, a minimum of 15 dwellings and desirable 25 dwellings per gross hectare should be accommodated within 200m of a Neighbourhood Centre. An assessment of the anticipated dwellings per gross hectare has determined that with the including of the R100 density sites, a gross density of approximately 24 dwellings per hectare would be achieved within 200m of the neighbourhood centre, excluding land zoned Parks and Recreation to the south-west of the centre.

5. Densities within 200m of the Neighbourhood Centre

SPP4.2 establishes that in order to determine the residential density code, the gross hectare figure should be multiplied by 2-3 times. In this regard, the minimum density is between R30 – R50 (rounding up) and desired density from R50 to R80 (rounding up) within 200m of a Neighbourhood Centre.
The proposal of R100, in its own right, exceeds the desirable density sought within a Neighbourhood Centre, however, it is noted that within 200m of the proposed centre there is a mix of R25, R40 and R60 densities. Accounting for the mix of residential densities, the proposed Amendment to incorporate R100 will not exceed the overall desired gross densities sought under the Policy.

In light of the above, the proposal is consistent with desired densities sought within the Policy.

e. **Financial**

Nil

f. **Legal and Statutory**

*Amendment to Structure Plan under Planning and Development (Local Planning Schemes) Regulations (2015)*

Schedule 2, Part 4, clause 29 of the Regulations states that a structure plan may be amended by the Commission at the request of the local government or a person who owns land in the area covered by the plan. The Procedures for making a structure plan set out in the Regulations, with any necessary changes, are to be followed in relation to an amendment to a structure plan.

*Process for Assessment of Structure Plan under Planning and Development (Local Planning Schemes) Regulations (2015)*

In accordance Clause 19(1) of the Regulations, the local government:

(a) must consider all submissions made to the local government within the period specified in a notice advertising the structure plan; and

(b) may consider submissions made to the local government after that time; and

(c) may request further information from a person who prepared the structure plan; and

(d) may advertise any modifications proposed to the structure plan to address issues raised in submissions.

Determination of a Structure Plan ultimately rests with the WAPC. In accordance with Clause 20 of the Regulations, the local government must perform the following actions:

(1) The local government must prepare a report on the proposed structure plan and provide it to the WAPC no later than 60 days after the day that is the latest of:

(a) the last day for making submissions specified in a notice given or published under clause 18(2); or

(b) the last day for making submissions after a proposed modification of the structure plan is advertised under clause 19(2); or

(c) a day agreed by the Commission.

(2) The report on the proposed structure plan must include the following:

(a) a list of the submissions considered by the local government, including, if relevant, any submissions received on a proposed modification to the structure plan advertised under clause 19(2);

(b) any comments by the local government in respect of those submissions;

(c) a schedule of any proposed modifications to address issues raised in the submissions;

(d) the local government's assessment of the proposal based on appropriate planning principles;

(e) a recommendation by the local government on whether the proposed structure plan should be approved by the WAPC, including a recommendation on any proposed modifications.
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 structure plan has been assessed by City Officers and the following additional comments are provided:

Structure Plan Framework

Assessment:
The WAPC has released the Structure Plan Framework 2015 (the Framework) on a trial basis to outline the manner and form for the preparation of Structure Plans.

The proposal is generally compliant with the Framework, however, the following matters are required to be addressed within the Part One Implementation Section of the Structure Plan Report:

- Update the Table of Amendments to clarify the description of proposed amendments to the Structure Plan;
- Remove Section 4.4 - Residential Density Targets because this is inconsistent with the Framework;
- Update Part 4 to outline the requirement for Traffic Signals at the intersection of Amazon Drive and Nairn Drive;
- Update Part 5 to insert requirement to prepare a Local Development Plan in locations identified by the City.
- Update Part 7 - Additional Information to outline all necessary reports that are required to be prepared at subdivision stage.

In addition to the matters raised above, the City will also require minor corrections and updates to the documentation contained within the Part Two – Explanatory Section of the Structure Plan Report associated with the proposed Amendments to increase density to R100. These recommended changes will be communicated to the WAPC within a Schedule of Modifications.

Recommendation:
That the Structure Plan Report be amended to comply with the requirements of the Structure Plan Framework, and to correct and update to the documentation as set out in this Report.

Conclusion

The proposed amendment to provide three parcels of R100 residential development in context to a Neighbourhood Centre, future public transport and situated in context to open space, achieves the intended outcomes sought within Liveable Neighbourhoods and State Planning Policy 4.2 – Activity Centres for Perth and Peel policy documents and is supported.

To ensure this development will provide appropriate interface with surrounding streets, modifications are recommended to the Structure Plan Report to guide future subdivision applications. The assessment has also identified minor errors within the Structure Plan Report that a recommended to be corrected.

It is also recommended that the City liaise with the applicant to refine the draft Local Development Plan to ensure appropriate built form outcomes will be achieved within subsequent stages of the planning process.

Voting Requirements

Simple Majority
Officer Recommendation

That Council APPROVES the following recommendations to the Western Australian Planning Commission, with respect to the proposed Structure Plan Amendment prepared over Lot 312 Fifty Road, Baldivis:

1. That the proposed Structure Plan Amendment be approved subject to the following modifications to the Structure Plan Report:
   (i) The inclusion of a new road profile cross section to demonstrate an appropriate development interface to the street and required infrastructure that will be contained within the road reserve.
   (ii) Amend Figure 14 - Indicative Path Network to provide shared paths to both sides of streets adjacent to R40 and R100 sites near the neighbourhood centre.
   (iii) Amending the Structure Plan Report to comply with the requirements of the Structure Plan Framework and to correct and update the documentation as set out in the Local Government Report.

2. That the advice and recommendations as outlined in the Local Government Report be considered by the Western Australian Planning Commission in its determination.

Committee Recommendation

Moved Cr Hamblin, seconded Cr Summers:

That Council APPROVES the following recommendations to the Western Australian Planning Commission, with respect to the proposed Structure Plan Amendment prepared over Lot 312 Fifty Road, Baldivis:

1. That the proposed Structure Plan Amendment be approved subject to the following modifications to the Structure Plan Report:
   (i) The inclusion of a new road profile cross section to demonstrate an appropriate development interface to the street and required infrastructure that will be contained within the road reserve.
   (ii) Amend Figure 14 - Indicative Path Network to provide shared paths to both sides of streets adjacent to R40 and R100 sites near the neighbourhood centre.
   (iii) Amending the Structure Plan Report to comply with the requirements of the Structure Plan Framework and to correct and update the documentation as set out in the Local Government Report.

2. That the advice and recommendations as outlined in the Local Government Report be considered by the Western Australian Planning Commission in its determination.

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

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

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

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<tr>
<td>Author:</td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
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<td>Other Contributors:</td>
<td>Ms Donna Shaw, A/Coordinator, Statutory Planning</td>
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<td>18 July 2016</td>
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</table>

### Purpose of Report

To amend the Planning Service Fees to charge $295 to amend or cancel Development Approval, in accordance with the *Planning and Development Regulations 2009* (Regulations).

### Background

In July 2009, the Council revoked Statement of Planning Policy No.1.2 - Scale of Fees for Planning Services, as it was superseded by the fees and charges prescribed by the Regulations.

### Details

The Department of Planning (Department) recently advised of an amendment to the Regulations applying to subdivision application fees. The Department also advised that in October 2015, the Regulations were amended to include a $295 fee to amend or cancel Development Approval. There were no other changes to the maximum Planning Service Fees in the Regulations.
Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Nil

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
   
   Aspiration D: Sustainable Environment
   Strategic Objective: 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
   Planning and Development Regulations 2009 (Regulations)
   The Council must only charge the maximum fee for Local Government Planning Services in the Regulations. The City’s Planning Service Fees must be amended to charge $295 to amend or cancel Development Approval.
   
   The City's Planning Service Fees currently include a fee to amend Development Approval, which is 10% of the scheduled fee, with a minimum of $200. If major design and layout changes are proposed the full planning fee is applied. The $295 Regulation fee is higher than the City’s current minimum fee of $200, but it’s lower than applying 10% of the scheduled fee, to amend Development Approval. The City currently does not charge a Planning Service Fee to cancel Development Approval, as it considers applicants are unlikely to lodge these applications.

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

It is recommended that Council amend its Fee Schedule in the 2016/17 Budget (Fees and Charges) to charge a $295 fee to amend or cancel Development Approval. All other Planning Service Fees remain unchanged.

Voting Requirements

Simple Majority
Officer Recommendation

That Council *AMEND* the Fee Schedule in the 2016/17 Budget (Fees and Charges) to include a $295 fee for application to amend or cancel Development Approval.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Sammels:

That Council *AMEND* the Fee Schedule in the 2016/17 Budget (Fees and Charges) to include a $295 fee for application to amend or cancel Development Approval.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable
**Reference No & Subject:**

- **EP-019/16**
- **Tender T15/16-96 – Construction of the Baldivis South Club Facility, Eighty Road, Baldivis**

**File No:**

- T15/16-96

**Proponent/s:**

- Mr John Spearing, Project Engineer Asset Services

**Author:**

- Mr John Spearing, Project Engineer Asset Services

**Other Contributors:**

- Mr John Spearing, Project Engineer Asset Services

**Date of Committee Meeting:**

- 18 July 2016

**Previously before Council:**

- 22 March 2016 (CD-009/16)

**Disclosure of Interest:**

- Executive

**Site:**

- Lot 798 Peckham Boulevard, Baldivis

**Lot Area:**

- 57,711m²

**LA Zoning:**

- Lot 798 Peckham Boulevard, Baldivis

**MRS Zoning:**

- Lot 798 Peckham Boulevard, Baldivis

**Attachments:**

- Aerial Photo – Site of Baldivis South Club Facility

**Maps/Diagrams:**

- Aerial Photo – Site of Baldivis South Club Facility

---

**Site of Baldivis South Club Facility – Lot 798 Peckham Boulevard, Baldivis**

- Club facility to be built here.
Purpose of Report

Provide Council with details of the tenders received for Tender T15/16-96 – Construction of the Baldivis South Club Facility, Eighty Road, Baldivis, document the results of the tender assessment and make recommendations regarding award of the tender.

Background

Tender T15/16-96 – Construction of the Baldivis South Club Facility, Eighty Road, Baldivis was advertised in the West Australian on Saturday, 21 May 2016. The tender closed at 2:00pm, Wednesday, 15 June 2016 and was publicly opened immediately after the closing time.

Details

The scope of work for this contract comprises the construction of the Baldivis South Club Facility, Eighty Road, Baldivis.

Tender submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th>Tendered Price (Exclusive of GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shelford Constructions Pty Ltd</td>
<td>$1,882,479</td>
</tr>
<tr>
<td>Firm Construction Pty Ltd</td>
<td>$1,919,580</td>
</tr>
<tr>
<td>McCorkell Constructions (WA) Pty Ltd</td>
<td>$1,935,850</td>
</tr>
<tr>
<td>Mitie Construction Pty Ltd</td>
<td>$1,978,545</td>
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<tr>
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</tr>
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<td>$2,051,329</td>
</tr>
<tr>
<td>Bistel Construction Pty Ltd</td>
<td>$2,123,598</td>
</tr>
<tr>
<td>BE Projects (WA) Pty Ltd</td>
<td>$2,180,465</td>
</tr>
<tr>
<td>Maintenance and Construction Services (Australia) Pty Ltd</td>
<td>$2,180,974</td>
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<tr>
<td>Merym Pty Ltd t/a EMCO Building</td>
<td>$2,196,620</td>
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<tr>
<td>Pindan Pty Ltd AFT Chamois Unit Trust</td>
<td>$2,204,530</td>
</tr>
<tr>
<td>Renascent Australia Pty Ltd</td>
<td>$3,070,477</td>
</tr>
</tbody>
</table>

A panel comprising of the City’s Project Engineer and Manager Community Infrastructure Planning along with the project Architect undertook tender evaluations.

The evaluation of the tender submissions was undertaken in accordance with the advertised tender assessment criteria and produced the following weighted scores:
Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Nil

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

   **Aspiration B:** Strong Community
   **Strategic Objective:** Mobility and Inclusion - Community services, programs and infrastructure that effectively caters for all residents including seniors, youth and vulnerable populations.
   **Strategic Objective:** Services and Facilities - Community facilities and services that accommodate contemporary community expectation and are justified, well used, cost effective and, where appropriate, multi-functional.
   **Strategic Objective:** Building Capacity and Awareness - A healthy community that volunteers, embraces lifelong learning and cultural awareness, and is involved with a diverse range of vibrant and sustainable community, sporting, cultural and artistic organisations and pursuits.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Level of Service</th>
<th>Understanding Tender Requirements</th>
<th>Price Considerations</th>
<th>Total Weighted Scores</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>40</td>
<td>25</td>
<td>35</td>
<td>100</td>
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<tr>
<td>Shelford Constructions Pty Ltd</td>
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<td>23.7</td>
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<tr>
<td>McCorkell Constructions Pty Ltd</td>
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<tr>
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<td>BE Projects (WA) Pty Ltd</td>
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<td>30.2</td>
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<td>Firm Construction Pty Ltd</td>
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<td>Mitie Construction Pty Ltd</td>
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<td>81.1</td>
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<td>Sanpro Construction Pty Ltd</td>
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<td>17.3</td>
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<tr>
<td>Merym Pty Ltd t/a EMCO Building</td>
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<td>17.7</td>
<td>30.0</td>
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<td></td>
</tr>
<tr>
<td>Quality Group Services Pty Ltd t/a Cercon Building</td>
<td>26.5</td>
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<td>32.1</td>
<td>74.9</td>
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<tr>
<td>DGX Construction Pty Ltd</td>
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<td>32.3</td>
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<tr>
<td>Maintenance and Construction Services (Australia) Pty Ltd</td>
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<tr>
<td>Renascent Australia Pty Ltd</td>
<td>25.9</td>
<td>18.0</td>
<td>21.5</td>
<td>65.4</td>
<td></td>
</tr>
</tbody>
</table>
d. **Policy**

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

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**Financial**

$4,090,000 was included in the 2016/2017 annual budget for the construction of the Baldivis South Club Facility, Eighty Road, Baldivis. This is inclusive of a grant from The Department of Sport and Recreation for $450,000. This tender has come in as per the Quantity Surveyor estimate and is only for the building component of the project.

Non-Building costs to be covered by the projects budget are included in the following table:

<table>
<thead>
<tr>
<th>Item</th>
<th>Estimated Cost (Exclusive of GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loose Furniture</td>
<td>$80,000</td>
</tr>
<tr>
<td>Architect Fees</td>
<td>$126,000</td>
</tr>
<tr>
<td>Car Park Construction</td>
<td>$350,000</td>
</tr>
<tr>
<td>Car Park Lighting</td>
<td>$100,000</td>
</tr>
<tr>
<td>Reserve Flood Lighting</td>
<td>$325,000</td>
</tr>
<tr>
<td>Oval Sports Facilities</td>
<td>$70,000</td>
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<tr>
<td>Contingency</td>
<td>$350,000</td>
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<tr>
<td>On-cost</td>
<td>$325,348</td>
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</tbody>
</table>

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**Legal and Statutory**


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

---

**Risk**

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

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

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

---

**Comments**

Following consideration of the submissions and in accordance with the tender criteria all companies demonstrated a capacity to complete the works. In assessing the submissions the assessment panel identified that the submission received from Shelford Construction demonstrated a high level of understanding of the requirements of the tender, identified highly experienced personnel to work directly on the project and were in a position to apply resources towards the project. Therefore the submission received from Shelford Construction is considered to represent best value to the City and are therefore recommended as the preferred tenderer.

---

**Voting Requirements**

Simple Majority
Officer Recommendation

That Council **ACCEPTS** the tender submitted from Shelford Constructions Pty Ltd for tender T15/16-96 – Construction of the Baldivis South Club Facility, Eighty Road, Baldivis, for the total price of $1,882,479 (excluding GST).

Committee Recommendation

Moved Cr Hamblin, seconded Cr Whitfield:

That Council **ACCEPTS** the tender submitted from Shelford Constructions Pty Ltd for tender T15/16-96 – Construction of the Baldivis South Club Facility, Eighty Road, Baldivis, for the total price of $1,882,479 (excluding GST).

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
### 13. Reports of Councillors

Nil

### 14. Addendum Agenda

Nil

### 15. Motions of which Previous Notice has been given

**Planning and Development Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-044/16 Notice of Motion - Dog Management Throughout the City</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>CUS/8-08</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Cr Matthew Whitfield</td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr R M Jeans, Director Planning and Development Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>18 July 2016</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
</tbody>
</table>

**Purpose of Report**

To consider a Notice of Motion from Cr Matthew Whitfield, as follows:

“That Council **DIRECTS** the Chief Executive Officer to implement a policy, strategy or action plan that addresses the issue of Dog Management throughout the City.”
Background
Nil

Details
On 13 June 2016, Cr Whitfield submitted the following Notice of Motion for consideration at the July Ordinary Meeting of Council:

"That Council DIRECTS the Chief Executive Officer to implement a policy, strategy or action plan that addresses the issue of Dog Management throughout the City."

Cr Whitfield submitted the following reasons in support of his Notice of Motion:

"Wandering Dogs, Nuisance Dogs, Consistently barking dogs and Defecating Dogs are often raised as issues throughout the City of Rockingham. Dog Management was the only service within the 2015 Customer Service Satisfaction Survey that has declined in the last three years but was not listed as an area to focus improving.

There is no specific policy or strategy in place for the Ranger Services as they are operational and ideally that is something I would like to address at a strategic level but I understand the success of that motion would be low.

The Ranger Services program has been problematic and there will have been two structural over hauls of this service in less than two years which highlights how hard this service is to deliver. This current over-haul provides an ideal opportunity for positive changes to be factored in which makes the timing of this motion important."

Implications to Consider

a. Consultation with the Community
Nil

b. Consultation with Government Agencies
Nil

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

Aspiration B: Strong Community

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

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

d. Policy
Nil

e. Financial
Nil

f. Legal and Statutory
Section 5.41 (Functions of CEO) sub-section (d) of the Local Government Act 1995 sets out that the CEO's functions are to "manage the day to day operations of the local government."
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

At the direction of the Chief Executive Officer, the Ranger Services Team is currently being reviewed to examine structure, process, resources and service delivery. This review is currently 'on foot' and is expected to deliver improvements in the near future, following consideration of recommendations arising therefrom.

Given the above, the Notice of Motion is unnecessary, as the Chief Executive Officer is currently implementing an Action Plan that addresses the issue of dog management throughout the City, along with other services provided by the Ranger Services Team.

Voting Requirements

Simple Majority

Officer Recommendation

That Council NOT SUPPORT the Notice of Motion as proposed by Cr Whitfield.

Notice of Motion from Cr Matthew Whitfield

That Council DIRECTS the Chief Executive Officer to implement a policy, strategy or action plan that addresses the issue of Dog Management throughout the City.

Cr Whitfield withdrew his Notice of Motion as the Chief Executive Officer advised that the City is currently implementing an Action Plan that addresses the issue of dog management throughout the City.
Reference No & Subject: EP-020/16 Notice of Motion – Safe pedestrian crossing on Settlers Avenue between Shopping Centre and Mary Davies Library

File No: RDS/5
Proponent/s: Cr Matthew Whitfield
Author: Mr Chris Thompson, Director Engineering and Parks Services
Other Contributors: Mr Stuart McCarthy, A/Manager Engineering Services
Date of Committee Meeting: 18 July 2016
Previously before Council:
Disclosure of Interest: Executive
Nature of Council’s Role in this Matter:

Site:
Lot Area:
LA Zoning:
MRS Zoning:
Attachments:
Maps/Diagrams:
1. Baldivis Commercial Precinct
2. Settlers Avenue showing location of Pedestrian Crossing between Mary Davies Library and Baldivis Shopping Centre
3. Street View of Settlers Avenue Pedestrian Crossing area – looking south

Purpose of Report
To provide officer comment and advice on Cr Matthew Whitfield’s Notice of Motion.

Background
Cr Matthew Whitfield submitted the following motion for consideration at the 26 July 2016 Council Meeting:

“That Council DIRECTS the Chief Executive Officer to investigate all options that would make it safer for pedestrians to cross on Settlers Avenue between the Shopping Centre and the Mary Davies Library and present those options to Council for consideration.”
Details

The Baldivis Commercial Precinct is within a District Town Centre zoning under the City’s Town Planning Scheme 2 as shown below.

1. Baldivis Commercial Precinct

Over the past three to four years development within this precinct has occurred which has included the expansion of the Baldivis Shopping Centre, Mary Davies Community Centre and Library, local tavern, Post Office, Medical Centre and other ancillary premises.

2. Settlers Avenue showing location of Pedestrian Crossing between Mary Davies Library and Baldivis Shopping Centre

Currently pedestrians cross Settlers Avenue between the Mary Davies Library/Community Centre and the Baldivis Shopping Centre at the marginally raised plateau with different coloured paving, as shown in the street view photograph below. There is no signage identifying this as a crossing point.
Planning and Engineering Services Committee Minutes
Monday 18 July 2016
EP-020/16 PAGE 43

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 15 AUGUST 2016

PRESIDING MEMBER

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 15 AUGUST 2016

PRESIDING MEMBER

3. Street View of Settlers Avenue Pedestrian Crossing area - looking south

### Implications to Consider

a. **Consultation with the Community**
   Nil

b. **Consultation with Government Agencies**
   There will be a requirement to liaise with and gain approval from Main Roads WA (MRWA) for any modification to the pedestrian crossing.

c. **Strategic**
   **Community Plan**
   This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
   - **Aspiration C:** Quality Leadership
   - **Strategic Objective:** Infrastructure – Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis.

d. **Policy**
   Nil

e. **Financial**
   There will be no financial implications to undertake the investigation and analysis of upgrading the pedestrian crossing. There will, however, be a cost implication attached to any modification that may come out of the investigation. This cost implication is unknown at this stage and would need to be included in the City’s budgetary process.

f. **Legal and Statutory**
   Nil

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

Given the increase in commercial premises and the opening of the Mary Davies Library/Community Centre, it is now appropriate to undertake an investigation into the suitable type of pedestrian crossing at this location.

Options may include, but not limited to, speed limit change, speed control devices or formalising the pedestrian crossing but will be limited to those that would be appropriate under MRWA guidelines and approval processes. Officers will undertake traffic and pedestrian counts on Settlers Avenue near the Mary Davies Library crossing point.

It is anticipated that Officers can investigate the most appropriate options that would require support by MRWA.

It is likely that this investigation will take up to six months to complete and report back to Council.

Voting Requirements

Simple Majority

Officer Recommendation

That Council DIRECTS the Chief Executive Officer to investigate all options that would make it safer for pedestrians to cross on Settlers Avenue between the Shopping Centre and the Mary Davies Library and present those options to Council for consideration.

Notice of Motion from Cr Matthew Whitfield

That Council DIRECTS the Chief Executive Officer to investigate all options that would make it safer for pedestrians to cross on Settlers Avenue between the Shopping Centre and the Mary Davies Library and present those options to Council for consideration.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council DIRECTS the Chief Executive Officer to investigate all options that would make it safer for pedestrians to cross on Settlers Avenue between the Shopping Centre and the Mary Davies Library and present those options to Council for consideration.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-021/16 Notice of Motion - Amenity of safety fencing and revegetation adjacent to Safety Bay Road Principal Shared Path between Nairn Drive and Eighty Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>RDS/60</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Cr Matthew Whitfield</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Stuart McCarthy, Engineering Services Project Coordinator</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Ian Daniels, Manager Engineering Services</td>
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<tr>
<td>Date of Committee Meeting:</td>
<td>18 July 2016</td>
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<td>Previously before Council:</td>
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<td>Disclosure of Interest:</td>
<td>Executive</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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<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
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</tr>
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</table>

### Purpose of Report

To provide officer comment and advice on Cr Matthew Whitfield’s Notice of Motion.

### Background

Cr Matthew Whitfield submitted the following motion for consideration at the 26 July 2016 Council Meeting:

“That Council:

1. **DIRECTS** the Chief Executive Officer to ensure that the design of safety fencing to be installed as part of the Nairn Drive to Eighty Road, Baldivis dual use path project is of a height and opaqueness that preserves the visual amenity of the neighbouring residents.

2. **DIRECTS** the Chief Executive Officer to ensure that tree and shrub plantings are undertaken where practical in order to reinstate vegetation that has been removed in order to facilitate the project.”
Details

Safety Bay Road is a designated District Distributor “A” Road and is a primary route from Kwinana Freeway to Rockingham. Following many requests from local residents, the Department of Transport and the City recognised the importance of creating a Principal Shared Path (PSP) along this route to complete the Perth Bicycle Network creating a link from Baldivis Town Centre to Warnbro Train Station and subsequently providing 40% funding to the City.

Several PSP alignments were considered including utilising the existing fire break at the property boundary, but ultimately the final alignment of the PSP will be on the southern edge of the Safety Bay Road carriageway reducing the privacy concerns for residents.

Two stages of the PSP have been constructed in the current financial year. These include:

- Stage 1 - Warnbro Train Station Entrance to Mandurah Road
- Stage 2A - Eighty Road to Nairn Drive

The section of PSP still to be installed in the 2016/2017 financial year is called Stage 2B and is from Mandurah Road to Eighty Road.

This section of the PSP will have an extensive retaining system with a safety fence. This aspect is still being investigated and reviewed with a view to addressing residents’ concerns raised as a result of the public consultation. Additional consultation will be undertaken with property owners directly impacted by the construction of the PSP.

Implications to Consider

a. Consultation with the Community

In December 2014 and January 2015, a community consultation process was undertaken pursuant to Section 3.51 of the Local Government Act 1995. This consultation process took the following form:

Two notices were published in the Public Notices section of the Sound Telegraph on 17 December 2014 and the Weekend Courier on 19 December 2014. An invitation to comment was placed on the City of Rockingham’s website under the Community Engagement Section – Share your thoughts. Notices were placed in each of the City’s Library facilities; Safety Bay Library, Warnbro Community Library, Mary Davis Library and Community Centre, Rockingham Campus Community Library. A notice was displayed in the notice board at the City of Rockingham Administration Centre.

Ten submissions were received

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>FORMAT</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Website</td>
<td>This is a fantastic proposal, I ride that road often and it could be dangerous for an inexperienced cyclist or children.</td>
</tr>
<tr>
<td>2</td>
<td>Website</td>
<td>Would love for this to occur as soon as possible, with the path extended to the currently terminating path from the freeway.</td>
</tr>
<tr>
<td>3</td>
<td>Website</td>
<td>Great idea and wonderful to see some extra cycle links to the railway being instigated. Would it not make sense to continue this path through to the new High School and PSP adjacent to the freeway?</td>
</tr>
<tr>
<td>4</td>
<td>Website</td>
<td>It is about time the pathway got completed. Having a pathway will allow many Baldivis residents to cycle to the train station and/or to the beautiful Rockingham beaches. Currently the roadway is far too dangerous to travel on by bike. The sooner it gets done, the better.</td>
</tr>
</tbody>
</table>
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 15 AUGUST 2016

b. Consultation with Government Agencies

- Department of Environmental Regulation, permit CPS 6741/1 to clear native vegetation under the Environmental Protection Act 1986

c. Strategic

Community Plan

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

Aspiration C: Quality Leadership

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

d. Policy

Nil
e. **Financial**

Capital expenditure to be allocated in the 2016-2017 budget. This includes funding of 37.8% of project costs up to $717,160 from the Perth Bicycle Network Grants Program and $1,000,000 from the City of Rockingham. Upgrade to the fencing requirements is likely to require additional funding.

f. **Legal and Statutory**

Local Government Act 1995, “Section 3.51 Affected owners to be notified of certain proposals.”

<table>
<thead>
<tr>
<th>Risk</th>
<th>Implications and comment only be provided for the following assessed risks.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer Service / Project management / Environment: High and Extreme Risks</td>
<td></td>
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<tr>
<td>Finance / Personal Health and Safety: Medium, High and Extreme Risks</td>
<td></td>
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<tr>
<td>Nil</td>
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</table>

**Comments**

The majority of the submissions were in favour of the path being installed. Concerns have been raised from residents whose properties are adjacent to Safety Bay Road regarding privacy and revegetation.

The City has undertaken due diligence obtaining all statutory approvals for the project and as part of the design process all efforts are being made to reduce the impact on the environment which will include revegetation of the affected area. Revegetation will consist of mixed tube stock at 2 stems per square metre.

Opus Consulting Engineers are currently finalising Stage 2B PSP design which is to be constructed in 2016-2017. The PSP will have extensive limestone retaining walls that will be constructed approximately 7m off the existing solid white edge line of Safety Bay Road west bound carriageway for the majority of its constructed length. The retaining wall will include a post and railing/wire fence. Opus Consulting Engineers are also investigating a screen system based on the following criteria;

- Privacy for residents abutting Safety Bay Road
- Some acoustic value
- Aesthetically pleasing
- Vandal resistant

This element is still to be finalised and is subject to engineering suitability and cost analysis.

The issues being requested in the Notice of Motion are being addressed as part of the design criteria for the PSP.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **DIRECTS** the Chief Executive Officer to ensure that the design of safety fencing to be installed as part of the Mandurah Road to Eighty Road, Baldivis dual use path project is of a height and opaqueness that preserves the visual amenity of the neighbouring residents.

2. **DIRECTS** the Chief Executive Officer to ensure that tree and shrub plantings are undertaken where practical in order to reinstate vegetation that has been removed in order to facilitate the project.

---

1 Correction of typographical error. Incorrect road name identified prior to Committee meeting.
Notice of Motion from Cr Matthew Whitfield

That Council:

1. **DIRECTS** the Chief Executive Officer to ensure that the design of safety fencing to be installed as part of the Nairn Drive to Eighty Road, Baldivis dual use path project is of a height and opaqueness that preserves the visual amenity of the neighbouring residents.

2. **DIRECTS** the Chief Executive Officer to ensure that tree and shrub plantings are undertaken where practical in order to reinstate vegetation that has been removed in order to facilitate the project.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Sammels:

That Council:

1. **DIRECTS** the Chief Executive Officer to ensure that the design of safety fencing to be installed as part of the **Mandurah Road** to Eighty Road, Baldivis dual use path project is of a height and opaqueness that preserves the visual amenity of the neighbouring residents.

2. **DIRECTS** the Chief Executive Officer to ensure that tree and shrub plantings are undertaken where practical in order to reinstate vegetation that has been removed in order to facilitate the project.

Committee Voting – 5/0

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

Incorrect road name in Cr Whitfield's original Notice of Motion.

Implications of the Changes to the Officer's Recommendation

Not Applicable
## Purpose of Report

To provide Officer comment and advice on Cr Joy Stewart’s Notice of Motion.

## Background

Cr Joy Stewart submitted the following motion for consideration at 26 July 2016 Council Meeting:

“That Council **ENDORSES** the concept of chilled water dispensers in high pedestrian traffic public open spaces and:

1. Direct that chilled water dispensers be included in the infrastructure design, planning and implementation of the Rockingham Beach Foreshore Master Plan.

2. Direct the Chief Executive Officer to undertake an investigation into world’s best practice public space chilled water dispensers and report back to Council within three months on the following:
   
   (a) Machine examples, analysis and comparisons with specific recommendation

   (b) Site options and recommendation

   (c) Capital cost and year in year out expenditure estimations”

## Details

Water Refill Stations (WRS) have been considered by Council over the past 12 months.
In response to a Notice of Motion from Cr Stewart, Council at its 23 June 2015 meeting resolved:

“That Council DIRECT the Chief Executive Officer to investigate the installation of Water Refill Stations within the City boundaries to provide a network of water dispensers.”

Following the June 2015 resolution, the Engineering and Parks Division investigated installation of WRS and reported back to Council at its meeting held 25 August 2015. In response to the investigation Council resolved the following:

“That Council SUPPORT the concept of commercial water dispensing in public reserves subject to:

1. Any proposal being cost neutral or cost positive to the City.
2. The placement of water dispensing units be in line with normal park design considerations.”

On 6 February 2016, an Expression of Interest was issued regarding implementing a WRS in Rockingham. Only ProAcqua responded. ProAcqua’s proposal was not cost neutral to the City of Rockingham and hence, failed to meet the conditions of the Council resolution from August 2015. It was, therefore, rejected. An offer was made to ProAcqua on 11 March 2016 to further discuss options that might satisfy the Council resolution, however, ProAcqua has not since tabled a proposal that meets the Council conditions.

### Implications to Consider

<table>
<thead>
<tr>
<th>a. Consultation with the Community</th>
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<tbody>
<tr>
<td>Extensive consultation has been undertaken for the Rockingham Beach Foreshore Master Plan. This consultation will be further developed as part of the detailed design work that is currently underway.</td>
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<thead>
<tr>
<th>b. Consultation with Government Agencies</th>
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<tbody>
<tr>
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</tr>
</tbody>
</table>

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<tr>
<th>c. Strategic</th>
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<tbody>
<tr>
<td>Community Plan</td>
</tr>
<tr>
<td>This item addresses the Community’s Vision for the future and specifically the following Aspiration and Strategic Objectives contained in the Community Plan 2015-2025:</td>
</tr>
<tr>
<td><strong>Aspiration B:</strong> A Strong Community</td>
</tr>
<tr>
<td><strong>Strategic Objective:</strong> Services and Facilities - Community facilities and services that accommodate contemporary community expectation and are justified, well used, cost effective and, where appropriate, multi-functional.</td>
</tr>
<tr>
<td><strong>Aspiration C:</strong> Sustainable Environment</td>
</tr>
<tr>
<td><strong>Strategic Objective:</strong> Carbon Footprint and Waste Reduction: Carbon footprint reduction and waste minimisation programs focussed on community education and awareness, and the use of new technologies proven to be environmentally acceptable and financially sustainable.</td>
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<tr>
<th>d. Policy</th>
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<tr>
<td>Nil - Subject to pending investigation.</td>
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<th>e. Financial</th>
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<tr>
<th>g. Risk</th>
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</thead>
<tbody>
<tr>
<td>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.</td>
</tr>
<tr>
<td>Customer Service / Project management / Environment : High and Extreme Risks</td>
</tr>
<tr>
<td>Finance / Personal Health and Safety : Medium, High and Extreme Risks</td>
</tr>
<tr>
<td>Nil</td>
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</tbody>
</table>
**Comments**

The design scope for the Rockingham Beach Foreshore Revitalisation Detailed Design included the following:

**The design objectives for drinking fountains**

The design objectives for drinking fountains are that the drinking fountains have the following characteristics:

(a) have sufficient flow rate for ease of use;
(b) provide cool drinking water;
(c) located appropriately to both need, and health and safety considerations;
(d) be located and of heights accessible to all users;
(e) be universally accessible;
(f) be vandal resistant;
(g) be aesthetically pleasing; and
(h) be considerably greater number than currently exists.

In addition, there are further specific mentions in the scope such as:

(e) incorporate a (free) water bottle fill station.

These design scope elements will result in increased access to free drinking water, including WRS, within the Master Plan area. There are a number of options available for provision of WRS, including chilled water in areas with appropriate access to electricity. Many of these are small units that can be tailored to blend with the overall design of the Foreshore area. They will also not require a leasing arrangement or special permission from the Department of Lands as a commercial WRS requires.

Evidence from other councils and organisations in the region are that freely provided WRS have been very popular and very successful. This has been supported by extensive community consultation that was recently undertaken on the same issue within the ACT. In contrast, commercial WRS have been providing small amounts of water in surrounding areas - at Cockburn Central only 7.4L per day last summer.

WRS offer a way for the City to take action on reducing its carbon footprint and minimising waste through decreasing the use of plastic water bottles. As such, it is a positive initiative that should be supported in appropriate environments within the City.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council ENDORSES the concept of chilled water dispensers in high pedestrian traffic public open spaces and:

1. Direct that chilled water dispensers be included in the infrastructure design, planning and implementation of the Rockingham Beach Foreshore Master Plan.

2. Direct the Chief Executive Officer to undertake an investigation into world’s best practice public space chilled water dispensers and report back to Council within three months on the following:
   (a) Machine examples, analysis and comparisons with specific recommendation
   (b) Site options and recommendation
   (c) Capital cost and year in year out expenditure estimations
Notice of Motion from Cr Joy Stewart

That Council ENDORSES the concept of chilled water dispensers in high pedestrian traffic public open spaces and:

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   (c) Capital cost and year in year out expenditure estimations

Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council ENDORSES the concept of chilled water dispensers in high pedestrian traffic public open spaces and:

1. Direct that chilled water dispensers be included in the infrastructure design, planning and implementation of the Rockingham Beach Foreshore Master Plan.

2. Direct the Chief Executive Officer to undertake an investigation into world’s best practice public space chilled water dispensers and report back to Council within three months on the following:
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   (b) Site options and recommendation
   (c) Capital cost and year in year out expenditure estimations

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
16. Notices of Motion for Consideration at the Following Meeting

Nil

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

Cr Whitfield - Planning Services July Bulletin - Item 4.26 (Emergency Services)

Cr Whitfield raised the issue of the structural fire fighting capabilities in Baldivis related to Item 4.26 of the Planning Services July Bulletin. Cr Whitfield was keen to ensure that if the Baldivis Volunteer Bush Fire Brigade supports the transition to either a Volunteer Fire and Rescue Service or a Volunteer Fire and Emergency Service, which aligned with the City’s draft position, that action to progress the transition occurred as soon as possible. The Chief Executive Officer suggested the proposed resolution which would remove the necessity for consideration at a subsequent Council meeting, should the position of the Baldivis Volunteer Bush Fire Brigade and the City’s draft position align.

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

That Council **DELEGATES** authority to the Chief Executive Officer to endorse Council’s draft position on the provision of Fire and Rescue Services for the Baldivis area, subject to congruence with the policy position of the Baldivis Volunteer Bush Fire Brigade.

Committee Voting – 5/0

18. Matters Behind Closed Doors

Nil

19. Date and Time of Next Meeting

The next Planning and Engineering Services Committee Meeting will be held on **Monday 15 August 2016** in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.

20. Closure

There being no further business, the Chairperson thanked those persons present for attending the Planning and Engineering Services Committee meeting, and declared the meeting closed at **4:50pm**.