# City of Rockingham
## Planning and Engineering Services Committee
### Meeting Minutes
#### Monday 11 December 2017

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     - PDS-074/17 Draft Community Plan Strategy – Rockingham Strategic Metropolitan Centre Public Parking  
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**Planning and Development Services Information Bulletin – December 2017**

**Engineering and Parks Services Information Bulletin – December 2017**

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**PDS-071/17 Proposed Modification to Building Envelope**

**PDS-072/17 Proposed Planning Policy No.3.3.23 - Waikiki Hotel Site Urban Design Guidelines (Final Adoption)**

**PDS-073/17 Joint Development Assessment Panel Application – Renewal of Approval for Mixed Use Development (Showroom and Office) - Lot 159 Minden Lane, Baldivis**

**PDS-074/17 Draft Community Plan Strategy – Rockingham Strategic Metropolitan Centre Public Parking**

**PDS-075/17 Safety Bay/Shoalwater Foreshore Revitalisation Master Plan**

**EP-025/17 Tender T17/18-24 – Standing offer for the application of herbicide and pesticide services**

**EP-026/17 Tender T17/18-27 – Standing offer for the supply, fit and repair of tyres to heavy plant and equipment**

**EP-027/17 Tender T17/18-26 – Standing offer for the supply, fit and repair of tyres to passenger, light commercial vehicles, trailers and mowers**

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**City of Rockingham**

**Planning and Engineering Services Committee**

**Meeting Minutes**

**Monday 11 December 2017**

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**Declaration of Opening**

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

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

**Public Question Time**

**Confirmation of Minutes of the Previous Meeting**

**Matters Arising from the Previous Minutes**

**Announcement by the Presiding Person without Discussion**

**Declaration of Member’s and Officer’s Interest**

**Petitions/Deputations/Presentations/Submissions**

**Matters for which the Meeting may be Closed**

**Bulletin Items**

**Planning and Development Services Information Bulletin – December 2017**

**Engineering and Parks Services Information Bulletin – December 2017**

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**Agenda Items – Planning and Engineering Services Committee**

**Planning and Development Services**

**Engineering and Parks Services**

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**Reports of Councillors**

**Addendum Agenda**

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**Motions of which Previous Notice has been given**
<table>
<thead>
<tr>
<th></th>
<th>Notice of Motion for Consideration at the Following Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>16.</td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
</tr>
<tr>
<td>18.</td>
<td>Matters Behind Closed Doors</td>
</tr>
<tr>
<td>19.</td>
<td>Date and Time of Next Meeting</td>
</tr>
<tr>
<td>20.</td>
<td>Closure</td>
</tr>
</tbody>
</table>

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# City of Rockingham
## Planning and Engineering Services Committee Meeting Minutes
### Monday 11 December 2017 - Council Boardroom

### 1. Declaration of Opening

In the absence of the Chairperson the Chief Executive Officer assumed the Chair and called for nominations for the position of Acting Chairperson.

**Moved Cr Whitfield, seconded Cr Hamblin:**
That Cr Sammels be appointed Acting Chairperson until the Chairperson arrived at the meeting.

Committee Voting - 4/0

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

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

#### 2.1 Councillors

| Councillor            | Role/
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Chris Elliott</td>
<td>Chairperson (from 4:09pm)</td>
</tr>
<tr>
<td>Cr Matthew Whitfield</td>
<td></td>
</tr>
<tr>
<td>Cr Barry Sammels (Mayor)</td>
<td></td>
</tr>
<tr>
<td>Cr Deb Hamblin (Deputy Mayor)</td>
<td></td>
</tr>
<tr>
<td>Cr Katherine Summers</td>
<td></td>
</tr>
<tr>
<td>Cr Andrew Burns</td>
<td>Observer (from 4:30pm)</td>
</tr>
</tbody>
</table>

#### 2.2 Executive

| Executive            | Role/
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Mr Andrew Hammond</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Mr Bob Jeans</td>
<td>Director Planning and Development Services</td>
</tr>
<tr>
<td>Mr Peter Doherty</td>
<td>Director Legal Services and General Counsel</td>
</tr>
<tr>
<td>Mr Sam Assaad</td>
<td>Director Engineering and Parks Services</td>
</tr>
<tr>
<td>Mr Peter Ricci</td>
<td>Manager Major Planning Projects</td>
</tr>
<tr>
<td>Mr Brett Ashby</td>
<td>Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Mr Mike Ross</td>
<td>Manager Statutory Planning</td>
</tr>
<tr>
<td>Mr Rod Fielding</td>
<td>Manager Health and Building Services</td>
</tr>
<tr>
<td>Mr David Caporn</td>
<td>Manager Compliance and Emergency Liaison</td>
</tr>
<tr>
<td>Mr Ian Daniels</td>
<td>Manager Infrastructure Project Delivery</td>
</tr>
<tr>
<td>Ms Danielle Quinlivan</td>
<td>Coordinator Projects</td>
</tr>
<tr>
<td>Mr James Henson</td>
<td>Manager Land and Development Infrastructure</td>
</tr>
<tr>
<td>Mr Adam Johnston</td>
<td>Manager Parks Services</td>
</tr>
<tr>
<td>Ms Melinda Wellburn</td>
<td>PA to Director Planning and Development Services</td>
</tr>
</tbody>
</table>

#### 2.3 Members of the Gallery:

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#### 2.4 Apologies:

Nil

#### 2.5 Approved Leave of Absence:

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

Nil

4. **Public Question Time**

4:04pm The Chairperson invited members of the Public Gallery to ask questions.

4.1 **Mr Sunny Miller, 36 Elswick Street, Safety Bay - Cladded Buildings in Rockingham**

The A/Chairperson invited Mr Miller to present his question to the Planning and Engineering Services Committee. Mr Miller asked the following question:

1. With respect to cladded buildings, does Rockingham have any such buildings?

The Director Planning and Development Services advised that an investigation had been undertaken and that it appeared that no such buildings exist within the City, however, confirmation would be provided in writing to Mr Miller.

4.2 **Ms Joanne Brooke, 12 Canterbury Mews, Port Kennedy - Proposed Parking Controls - City of Rockingham Parking Station No.1 Boat Ramp Facility, Peron**

The A/Chairperson invited Ms Brooke to present her questions to the Planning and Engineering Services Committee. Ms Brooke asked the following question:

1. As the matter for parking at Peron was deferred to the December Planning and Engineering Services Committee meeting, will it be discussed at this afternoon's meeting?

The Director Planning and Development Services advised that investigations were continuing in liaison with Engineering and Parks Services and a report would not be presented to the Committee until those investigations were complete, likely to be approximately February 2018.

4:07pm There being no further questions the A/Chairperson closed Public Question Time.

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

Moved Cr Hamblin, seconded Cr Whitfield

That Committee **CONFIRMS** the Minutes of the Planning and Engineering Services Committee Meeting held on 20 November 2017, as a true and accurate record.

Committee Voting – 4/0

6. **Matters Arising from the Previous Minutes**

Nil

4:07pm - Cr Elliott arrived at the Planning and Engineering Services Committee meeting.

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

4:08pm The A/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**

4:08pm The A/Chairperson asked if there were any interests to declare.

There were none.
4:09pm - Cr Elliott assumed the Chair.

9. Petitions/Deputations/Presentations/Submissions

9.1 Deputation
Mr Ross Underwood - Planning Solutions - PDS-073/17 Joint Development Assessment Panel Application - Renewal of Approval for Mixed Use Development (Showroom and Office) - Lot 159 Minden Lane, Baldivis

4:09pm The Chairperson invited Mr Underwood to make his deputation on behalf of the owner.

Mr Underwood advised the application seeks approval to amend the Development Assessment Panel (DAP) approval to swap the ground floor Showroom and Office tenancies, add three new doors to the Showroom and extend the DAP approval by 2 years. He advised the planning framework has not changed since the DAP approval was granted and that the application should not be completely reviewed. Mr Underwood asked the Committee to support the DAP application.

4:13pm The Chairperson thanked Mr Underwood for his deputation

10. Matters for which the Meeting may be Closed
Nil

11. Bulletin Items

Planning and Development Services Information Bulletin – December 2017

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
**Building Services**

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

**Compliance and Emergency Liaison**

1. Compliance and Emergency Liaison Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   - 4.1 Compliance and Emergency Liaison
   - 4.2 Ranger Services Action Reports
   - 4.3 Emergency Management and Fire Prevention
   - 4.4 Restricted Burning Period / Permits to Burn
   - 4.5 CRM
   - 4.6 Office of Emergency Management
   - 4.7 Rural Urban Interface (RUI) Bushfire Exercise – Golden Bay
   - 4.8 Hazard Reduction Burn
   - 4.9 DFES Bushfire Forum
   - 4.10 SmartWatch Key Result Area: Visibility
   - 4.11 SmartWatch Key Result Area: Engagement with Community
   - 4.12 SmartWatch Key Result Area: Increasing perception of Safety
   - 4.13 Notable Statistics

**Strategic Planning and Environment**

1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 Local Planning Strategy (LUP/1352)
   - 3.2 Waterwise Council Program (EVM/56-02)
   - 3.3 Wetland Management Plan
   - 3.4 Lake Richmond Management Plan Review
   - 3.5 Coastal Hazard Risk Management and Adaption Plan
4. Information Items
   - 4.1 Notification of Approval of Structure Plans by the Western Australian Planning Commission
   - 4.2 Delegated Advertising of Proposed Structure Plans
   - 4.3 Update on the State Wide Single Use Plastic Bag Ban

**Land and Development Infrastructure**

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

**Statutory Planning**

1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Land Use - Planning Enforcement 31
   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

**Planning and Development Directorate**

1. Planning and Development Directorate Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Rockingham Primary Centre, Centre Plan Implementation (LUP/137-08)
   3.2 Northern Smart Village Sector - Masterplan, Development Policy Plan and Proposed Amendment No’s 161 and 162 to Town Planning Scheme No.2
   3.3 Leeuwin Sector – Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.4 Northern Gateway Sector - Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2
   3.5 Improvements to City Square and Civic Plaza (LUP/1933)
   3.6 Design Review Panel (LUP/2001)
   3.7 ‘Mangles Bay Marina’
4. Information Items
   4.1 Draft State Planning Policy 5.4 - Road and Rail Noise

**Advisory Committee Minutes**

**Committee Recommendation**

Moved Cr Sammels, seconded Cr Hamblin

That Councillors acknowledge having read the Planning Services Information Bulletin – December 2017 and the content be accepted.

Committee Voting – 5/0
### Engineering and Parks Services Information Bulletin – December 2017

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

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

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

#### Parks Services
1. Parks Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   - 4.1 Delegated Public Open Space Handovers
   - 4.2 2017/2018 Parks Services Projects Summary
   - 4.3 2017/2018 Parks Services Project Information
   - 4.4 Parks Maintenance Program 2017/2018

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

**Advisory Committee Minutes**

### Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin

That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – December 2017 and the content be accepted.

Committee Voting – 5/0
## Agenda Items

### Planning and Development Services

#### Planning and Development Services

**Statutory Planning Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-071/17 Proposed Envelope Modification to Building Envelope</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>DD024.2017.0000016.001</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Summit Homes Group</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr Richard and Mrs Samantha Marks</td>
</tr>
<tr>
<td>Author:</td>
<td>Ms Gayle O'Leary, A/Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>11 December 2017</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
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</tbody>
</table>

### Site:

- **Lot Area:** 3686 m²
- **LA Zoning:** Special Residential
- **MRS Zoning:** Rural

### Attachments:

1. Location Plan
2. Aerial Photograph
3. Site Inspection Photo Facing East towards the Forest Vegetation
4. Existing and Proposed Building Envelope Plan
5. Consultation Plan
1. Location Plan

2. Aerial Photograph
Purpose of Report

To consider an application to vary the approved building envelope at Lot 809 (No.15) Figtree Lane, Golden Bay.

Background

The site is located west of Mandurah Road, south of Dampier Drive, and east of Golden Bay Estate. The existing building envelope was created as part of the original subdivision in 2009.

The approved building envelope is 845m² and is setback 13m from Figtree Lane, 6m from the northern boundary, 13m from the southern boundary, and 22.5m from the rear boundary.

Details

The application proposes to modify the building envelope for the purpose of accommodating a single house, which has been lodged with the City pending the building envelope modification. The size of the Building Envelope will increase from 845m² to 928m².

The original proposed Building Envelope modification sought to bring the building envelope within 7.1m of the front lot boundary (Figtree Lane). The proposal was reviewed by the City Officers who recommended that the building envelope be moved a further 4 metres west toward the street in order to reduce the amount of vegetation required to be cleared for bushfire planning purposes.

The revised building envelope is located 3.1m from the western lot boundary, which is consistent with the City’s advice.

3. Site inspection photo facing east towards the forest vegetation
Implications to Consider

a. Consultation with the Community

In accordance with clause 64(3) of the deemed provisions of Town Planning Scheme No.2 (TPS2) and Planning Policy 3.3.17 - Variations to Building Envelopes, building envelopes may be varied at the discretion of the Council, only after consultation with the owners of affected or adjoining properties. The original application was referred to the adjacent landowners by the landowner, as shown on the Consultation Plan below. At the conclusion of the advertising period, no submissions were received.
5. Consultation Plan

b. Consultation with Government Agencies
   Not Applicable

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

   **Aspiration D:** Sustainable Environment

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

#### Planning Policy 3.3.17 – Variations to Building Envelopes (PP3.3.17)

The following is an assessment against the relevant requirements of PP3.3.17:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application complies with TPS2.</td>
<td>Schedule No.5 of TPS2 provides that the size and location of an approved building envelope may be varied with the approval of Council.</td>
<td>Yes</td>
</tr>
<tr>
<td>It is demonstrated that the varied Building Envelope will not result in an adverse environmental impact.</td>
<td>The application proposes the modification of the approved building envelope onsite in order to accommodate a single house. The applicant has applied for a single house in conjunction with the building envelope. The bushfire planning requirements of the development will trigger the removal of at least two small tuart trees, the City is currently liaising with the applicant regarding the single house proposal. The proposed building envelope results in an improved outcome compared to the original approved location of the building envelope as it positions the envelope further away from the forest vegetation to the rear of the site.</td>
<td>Yes</td>
</tr>
<tr>
<td>It is demonstrated that the varied Building Envelope will not result in an unacceptable level of bushfire risk.</td>
<td>The proposal has been supported by a Bushfire Management Statement (BMS). The BMS states that the single house will comply with the BAL-29 bushfire attack level rating, and the requirements of State Planning Policy 3.7 – Planning for Bushfire Prone Areas.</td>
<td>Yes</td>
</tr>
<tr>
<td>There are no unacceptable amenity impacts to neighbours.</td>
<td>The proposal was referred to the adjoining neighbours and no objections were received. The modification will not result in an adverse impact upon adjoining landowners.</td>
<td>Yes</td>
</tr>
<tr>
<td>The variation results only in a minor increase in the size of the approved Building Envelope. An increase up to a maximum of 10% of the area of the original approved Building Envelope will be considered.</td>
<td>The size of the proposed building envelope will increase from 845m² to 928m², which is an increase of just under 10%.</td>
<td>Yes</td>
</tr>
<tr>
<td>Building Envelopes are to be of a regular shape and comprise one single contiguous area.</td>
<td>The building envelope is generally of a regular shape and will comprise a single contiguous area. The modification will ‘square off’ the western and eastern edges of the building envelope resulting in a regular shape.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Planning Policy 3.3.21 – Heritage Conservation and Development (PP3.3.21)

The subject site abuts the Peelhurst Ruins located on Lot 40 Dampier Drive, which is a category “A” listed site in the City’s Municipal Heritage Inventory (MHI) and Heritage List. A category “A” place is afforded the highest level of statutory protection possible under the City of Rockingham. The Peelhurst Ruins site is subject to a Conservation Plan (2011) prepared by Hocking Heritage Studio on the City’s behalf.

The Conservation Plan recommends the following policy measure in regard to areas abutting the Peelhurst Ruins that are included within the conservation area:

v) “If the areas, which are identified in this conservation plan as holding a degree of archaeological potential, are subject to threat of disturbance, a suitably qualified archaeologist should be consulted to provide advice on the potential impact of the disturbance. Further research which may involve invasive and non-invasive methods should be undertaken prior to disturbance by a suitably qualified and experienced archaeologist.”

While it is noted that the subject site itself is not listed in the MHI, any development onsite bears the potential to disturb remnant archaeological items surrounding the Peelhurst Ruins. Artefacts have been discovered at the rear of the subject site in the past during the preparation of the Conservation Plan. On this basis, the City recommends that an archaeologist be appointed by the City (at the City’s expense), with the landowner’s consent, to undertake a survey of the site prior to works commencing in order to ensure that any remnant archaeological items within the subject site are identified and conserved accordingly.

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

The proposed building envelope modification is proposed for the purpose of accommodating a single house. The proposal and supporting Bushfire Management Plan are compliant with the requirements of SPP3.7.

e. **Financial**
   Nil

f. **Legal and Statutory**
   Schedule No.5 of TPS2 provides that the size and location of an approved building envelope may be varied with the approval of Council.

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

**Comments**

The proposed building envelope complies with TPS2 and PP3.3.17. The proposed building envelope is compatible with the amenity of neighbouring properties and the proposal has an acceptable level of bushfire risk. The proposed building envelope will result in a better environmental outcome with the proposed single house in contrast to the current approved building envelope.

It is recommended that the proposed building envelope be approved.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **APPROVES** the application to vary the building envelope at Lot 809 (No15) Figtree Lane, Golden Bay.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Sammels:

That Council **APPROVES** the application to vary the building envelope at Lot 809 (No15) Figtree Lane, Golden Bay.

Committee Voting – 5/0

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

Not Applicable

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

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

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>PDS-072/17 Proposed Planning Policy No.3.3.23 - Waikiki Hotel Site Urban Design Guidelines (Final Adoption)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/2079</td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td>434 Safety Bay Road Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Senior Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Greg Delahunty, Senior Projects Officer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>11 December 2017</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>September 2017 (PDS-052/17)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 100 (No.434) Safety Bay Road, Safety Bay</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>1.3ha</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Commercial</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Urban</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Schedule of Submissions</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Advertising Plan</td>
</tr>
</tbody>
</table>
To consider adopting Planning Policy No.3.2.23 - Waikiki Hotel Site Urban Design Guidelines, to establish urban design guidelines over Lot 100 (No.434) Safety Bay Road, Safety Bay (former Waikiki Hotel/Motel site).

Background

At its ordinary Meeting in September, Council resolved to approve the publishing of a notice that it had prepared draft ‘Planning Policy No.3.3.23 - Waikiki Hotel Site Urban Design Guidelines’ for public comment.

Details

The public advertising period for Planning Policy 3.2.23 - Waikiki Hotel Site Urban Design Guidelines (draft PP3.3.23) has now concluded. The following report provides a summary of the issues raised during the submission period and recommended modifications to draft PP3.3.23.

Implications to Consider

a. Consultation with the Community

Advertising Methodology:

- A letter advising of the draft Planning Policy was sent to the real estate agents managing the sale of the site;
- An advertisement was published in the Weekend Courier Newspaper on 20 October 2017;
- A copy of the draft Planning Policy was advertised on the City's website from 20 October 2017 to 10 November 2017;
- Copies of the draft Planning Policy were made available in the City's Administration Office; and
- Notification of the proposal was sent to owners and occupiers within approximately 500m of the site, as per figure 2 below.

2. Advertising Plan

A total of 61 submissions were received, 27 in support, 6 opposed and 28 providing conditional support.

<table>
<thead>
<tr>
<th>Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submission:</td>
</tr>
<tr>
<td>(i) Proposed development will increase traffic on Safety Bay Road.</td>
</tr>
</tbody>
</table>

| City’s Comment: |
| The City will assess the level of impact that the development will have on the transport network on receipt of a future Development Application in accordance with the Department of Planning, Lands and Heritage’s Transport Impact Assessment Guidelines. This assessment will determine if the scale of the proposed development is within the capacity of the existing road network to accommodate, or if modifications will be required to be made to the proposed development or upgrades to the road network. |
### Traffic (cont…)

**Submission:**

(ii) Increase in traffic making it too difficult for pedestrians to cross Safety Bay Road.

**City's Comment:**

The City has been made aware that local residents are currently experiencing difficulty crossing Safety Bay Road during peak times due to the volume of traffic using the road.

Principle 8.3 (Pedestrian Movement and Amenity) of draft PP3.3.23 requires proposed development to:

*Provide obvious and direct pedestrian routes to, and between, major attractors to make walking a legible and convenient alternative to car use.*

To ensure the provision of pedestrian crossing facilities are incorporated into the design of a future Development Application, the City recommends draft PP3.3.23 be modified to include the following new Required Element:

9(p) Any development must include pedestrian crossing facilities from the site to Lot 2041 Safety Bay Road (Waikiki Beach).

It should also be noted a pedestrian island crossing is available at the roundabout at Safety Bay Road and Malibu Road, and the City is intending on installing a pedestrian crossing facility approximately 150m south of the subject site adjacent Wambro Beach Road.

### Amenity

**Submission:**

(i) Increase in litter and graffiti.

**City's Comment:**

There is no evidence to suggest the redevelopment of the site will result in an increase in litter and graffiti.

Notwithstanding this, the City can require future developers of the site to provide public bins.

**Submission:**

(ii) Antisocial behaviour associated with Licenced Premises.

**City's Comment:**

Draft PP3.3.23 supports a licenced premises to ensure that the site retains its previous role as an eating and drinking venue.

Section 64(3) of the *Liquor Control Act 1988* empowers the licensing authority to impose conditions on a licence that are in the public interest and reflect local issues. Those conditions are primarily aimed at ensuring that liquor is sold and consumed in a responsible manner.

In view of these legislative requirements, there is a need for licensees to demonstrate a strong commitment to the way in which their premises are being managed.

As part of any Development Application incorporating a licenced premises, the applicant will be required to demonstrate that the principles of harm minimisation have been addressed by the lodgement of a House Management Policy and Code of Conduct and Management Plan in accordance with the Department of Racing, Gaming and Liquor Guidelines. These documents must address how potential antisocial behaviour will be managed.

Should complaints be received or the City otherwise became aware of issues, the City will undertake an assessment of the situation and determine if intervention is required.

It should also be noted that antisocial behaviour is a police matter to enforce.
**Amenity (cont...)**

**Submission:**
(iii) **Antisocial behaviour associated with Short Stay Accommodation.**

**City's Comment:**
The City typically requires operators of short stay accommodation to establish 'house rules' for residents that would take into consideration the amenity of adjoining and nearby properties, particularly in relation to noise and disturbance.

Short Stay Accommodation will also need to comply with the *Environmental Protection (Noise) Regulations 1997.*

Notwithstanding the above, future residents of any development would be aware the premises could be utilised for short stay accommodation by virtue of the approved land uses on any Development Approval and the Planning Policy.

**Submission:**
(iv) **Short Stay Accommodation does not foster a 'sense of community'**.

**City's Comment:**
The City considers the use of the site for a mix of short stay accommodation, Residential and commercial development will contribute to the 'sense of community' of the locality by providing permanent residences and providing a 'social hub' in the community by virtue of a licences premises and commercial tenancies.

**Submission:**
(v) **Noise impacts from Licenced Premises.**

**City's Comment:**
To address noise impacts from a proposed licensed premises, the City may require that an applicant submit an acoustic report with any Development Application, prepared by a suitably qualified acoustic consultant (as determined by the City), demonstrating that the noise likely to be emitted from the licensed premises will comply with the *Environmental Protection (Noise) Regulations 1997.*

The report should indicate the likely noise nuisance and what sound attenuation measures will be needed to control noise emissions from the premises in accordance with the requirements of the *Environmental Protection (Noise) Regulations 1997.*

It is also noted the Required Elements of the draft Policy requires the following:

"9(ii) Any residential development must incorporate noise attenuation measures to limit the noise impacts to residences from the licensed premises."

**Height**

**Submission:**
(i) **Eight storey building height will result in loss of visual privacy, breezes and will result in overshadowing.**

**City's Comment:**
The following comments are made with respect to concerns relating to height:

**Visual Privacy:**
The mandatory setbacks provided in the draft PP3.3.23 require setbacks to be increased as the height of the building increases. Greater setbacks are required to the north eastern and south eastern boundaries, which directly abut existing residential properties. The 'bulk' of any building height will be adjacent Safety Bay Road. Setbacks have been determined in this manner to reduce the potential for overlooking and overshadowing of adjacent residential properties.
**Height (cont...)**

Notwithstanding the above, any future residential development will be required to comply with the Visual Privacy requirements of State Planning Policy 3.1 - Residential Design Codes, which also requires appropriate setbacks or permanent screening to restrict views where overlooking occurs.

**Overshadowing:**

With respect to overshadowing, the Required Elements of the draft PP3.3.23 requires the following:

"9(f) The scale and design of buildings is to be designed to minimise any overshadowing of adjoining properties and public spaces to the satisfaction of the City"

It is also noted that any shadow cast as a result of future development will likely only occur on the site or over a portion of the adjacent No.436 Safety Bay Road and the Safety Bay Road reserve.

**Breeze:**

The City agrees that any future development should be designed to achieve natural cross ventilation and should consider the impact on surrounding properties of the prevailing winds. A new Required Element is therefore recommended to be included in the draft Policy as follows:

"9(q) The layout and design of the building must maximise natural ventilation and, where possible, cross ventilation. Consideration must be given to the impact of the building on the prevailing winds to adjacent properties."

**Submission:**

(ii) Eight storey building height could increase wind within the neighbourhood.

City's Comment:

The mandatory setbacks provided in the draft Policy result in the 'stepping back' of the building as height increases. Varying the width up the height of the building through tapering setbacks results in vortices shedding at different frequencies at different heights. This has the effect of reducing the associated fluctuating forces, thus minimising the impact the building will have on existing conditions.

**Future Development**

**Submission:**

(i) Concern that the current market conditions are prohibiting development of the site and Council should undertake a Market Assessment.

City's Comment:

The site is in private ownership and a market assessment is for the owner to consider, not Council. Notwithstanding this, the draft PP3.2.23 provides for a range of land uses to be developed on the site, which increases the development potential for the site.

(ii) Specified land uses (such as a Council operating Community Centre) and temporary land uses should be developed on the site.

City's Comment:

The City is not the owner of the land and therefore cannot establish a community facility on the site without the owner's consent. The City also has no plans to provide a community facility in this location at this time. The owners of the site have not proposed 'pop up' type land uses on the site, and the City cannot require the owners to do so. Should the owners seek to provide temporary 'pop up' type land uses on the site, the City would assess each application on a 'case-by-case' basis.
### Tourism

| Submission: |  
| (i) Not in favour of Safety Bay becoming a 'Tourist Hub'. |

**City's Comment:**

The site has historically been used for recreational and for tourist accommodation purposes. The former use of the site was a hotel/motel.

The City's Strategic Community plan 2015-2025 includes creating a tourism lifestyle as a community aspiration. The City supports the redevelopment of the site for tourism purposes as it aligns with the strategic object to provide a range of quality and contemporary leisure tourism facilities.

### Right of Access

| Submission: |  
| (i) Right of Access to future facilities from former Lot 101 Malibu Road, Safety Bay. |

**City's Comment:**

In August 2012, the Western Australian Planning Commission (WAPC) granted conditional Subdivision Approval for the creation of 37 survey strata lots at Lot 100 (No.434) Safety Bay Road, Safety Bay (subdividing the rear portion of the former Waikiki Hotel/Motel Site).

Whilst the Grouped Dwellings have since been developed on these lots, the balance of the site has not been developed.

Condition 7 of August 2012 approval required suitable (reciprocal if required) rights of access to be provided between the Common Property lot and the adjoining development site to the west (the balance of Waikiki Hotel/Motel Site).

Whilst access is required to be provided between the sites, there are no requirements for the owners of the Waikiki Hotel/Motel site to provide access to any future recreational facilities to residents of the Grouped Dwellings.

Any access to future recreational facilities included in any redevelopment must be agreed upon between the individual owners.

### Property Values

| Submission: |  
| (i) Eight storey development could potentially decrease property values. |

**City's Comment:**

Property values are not a relevant planning consideration.

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b. **Consultation with Government Agencies**

Nil

c. **Strategic Community Plan**

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

**Aspiration A:** Tourism Lifestyle

**Strategic Objective:** Investment Attraction - A strategic and focused approach to attracting major investment to the City's coastal nodes, City Centre and inland settlements that promotes quality retail, commercial and residential development, improved civic infrastructure and leisure tourism experiences for residents and visitors.
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
Clause 3(1) of the deemed provisions of TPS2 enable the local government to prepare a local planning policy in respect of any matter related to the planning and development of the Scheme Area.

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

Comments
Council's consent is sought to adopt draft PP3.3.23.

As a result of comments made during the public advertising period, the following additional provisions are proposed to be included in the Required Elements section of draft PP3.3.23:

"9(p) Any development must include pedestrian crossing facilities from the site to Lot 2041 Safety Bay Road (Waikiki Beach).

9(q) The layout and design of the building must maximise natural ventilation and, where possible, cross ventilation. Consideration must be given to the impact of the building on the prevailing winds to adjacent properties."

No further changes are proposed and it is recommended that Council adopts draft PP3.3.23.

Voting Requirements
Simple Majority

Officer Recommendation
That Council ADOPTS the amended Planning Policy 3.3.23 - Waikiki Hotel Site Urban Design Guidelines (changes in red and bold).

Committee Recommendation
Moved Cr Whitfield, seconded Cr Sammels:
That Council ADOPTS the amended Planning Policy 3.3.23 - Waikiki Hotel Site Urban Design Guidelines (changes in red and bold) as follows:

Planning Policy No.3.3.23 - Waikiki Hotel Site - Urban Design Guidelines

1. Introduction
The redevelopment of the former Waikiki Hotel/Motel site (the site) is the principal opportunity to recreate the site's former reputation as a focal point for the coastal strip along the Safety Bay foreshore. It is important that the site delivers a significant commercial/mixed use component and licensed premises, to attract and maintain a sufficient number of residents to help support the commercial component, and a built form that is a recognisable landmark which capitalises on its unique coastal location.
2. **Purpose of Policy**

The purpose of this Policy is to establish a framework of planning principles and development controls to deliver an appropriate redevelopment of the site.

Whilst the Commercial zoning of the site permits a range of land uses, the City will only consider Development Applications that includes a licensed premises component, to ensure the future use of the site is consistent with its former status as a social hub in the community.

Residential development will only be considered in association with commercial development, which will serve to increase the resident population in the area to support the commercial land uses. In this regard, the Policy, establishes a site specific planning framework which includes land use, urban design, movement and other considerations which will apply to the redevelopment of the site.

3. **Background**

During the 1960’s, the hotel/motel was very popular with locals and tourists alike, as it was one of two licensed venues within Rockingham, and it was permitted to trade on Sundays when other metropolitan hotels were required to close. This cemented its popularity and place in the history of Rockingham as a coastal tourist town during that time.

Over the years, and with the development of alternative licenced premises, the popularity of the Waikiki Hotel declined. In 2009 the complex was demolished to make way for a mixed use development on the site. The owner went into administration and plans to redevelop the site were cancelled. The remaining vacant and derelict shops adjacent to the existing service station were also demolished in August 2017.

Since 2008, the Council has granted three Development Approvals and the Metropolitan South West Joint Development Assessment Panel (SWJDAP) has granted two Development Approvals for ‘mixed use’ developments on the Waikiki Hotel/Motel site (the site), none of which have been acted on.

4. **Policy Application**

This Policy applies to all applications for development and subdivision on Lot 100 Safety Bay Road, Safety Bay.
2. The former Waikiki Hotel/Motel Site - Lot 100 Safety Bay Road, Waikiki

The Policy is structured such that it contains a set of Planning and Development Principles that apply to the site, and Required Elements that must be achieved.

All applications will be assessed against the relevant criteria in the Planning and Development Principles and the Required Elements, and will be subject to a design review.

5. **Policy Objectives**

The Objectives of this Policy are to encourage a development that will:

(a) Provide for commercial/mixed use development, including licensed premises.

(b) Provide for a diverse range of complimentary land uses.

(c) Achieve a contemporary, mixed use landmark development that attracts and encourages people to visit.

(d) Increase the residential population and contribute to a sense of community.

(e) Contribute positively to the streetscape.

(f) Respond to the coastal aspect with appropriate land uses and with site responsive architecture.

6. **Desired Future Character**

The future redevelopment of the site will achieve a lively, mixed use character with an emphasis on land uses which will generate interest and pedestrian activity within the public domain. Future development will build on, respect and respond to the coastal environment and the rich social history of the site. Future buildings will respond to the opportunity presented by the stimulating ocean outlook and provide a contemporary waterfront aesthetic of varied, yet unified, architectural style.

7. **Preferred Land Uses**

Preferred uses are:

- licensed premises
• entertainment/hospitality; eating and drinking places
• retail
• short-stay accommodation/serviced apartments
• medium to high density residential, only in conjunction with commercial development
• Other permissible uses listed under Town Planning Scheme No.2 (TPS2) are not preferred.

8. Planning and Development Principles
The following Planning and Development Principles will apply:

8.1 Land Use
Principles:
• Encourage the inclusion of suitably scaled licensed premises to ensure that the site retains its previous role as an eating and drinking venue.
• Establish buildings that provide an attractive setting for business and social interaction within an environment that combines an appropriate mix of uses with a high quality public domain.
• Encourage vibrant and diverse land uses that attract visitors.
• Encourage attractive alfresco dining facilities to foster a lively streetscape.
• Increase the residential community to strengthen the sense of community and increase the number of people within the coastal node outside business hours.
• Ensure that residential uses are integrated with the retail, commercial and hospitality potential of the site.
• Provide a range of dwelling sizes to appeal to a diverse range of residents.
• Provide short-stay accommodation to promote tourism.
• Design buildings to a scale that minimises overshadowing of adjacent properties.

8.2 Urban Design
Principles:
• Locate and configure buildings to address the street and facilitate continuous 'Main Street' style streetscapes which provide interest and interaction between buildings and pedestrians at street level.
• Use landscaping, on-street parking, and al-fresco dining areas to establish a stronger relationship between the building and the street.
• Utilise building scale and design to create an identifiable scale and character for adjacent streets and publicly accessible spaces.
• Provide openings at all building levels to enable passive surveillance of adjacent publicly accessible areas.
• Provide shade and shelter through the use of a continuous awning and/or colonnade treatment. Street trees are also encouraged.

8.3 Pedestrian Movement and Amenity
Principles:
• Employ 'Crime Prevention Through Environmental Design' principles to create a safe, and well-lit pedestrian environment with good surveillance.
• Provide obvious and direct pedestrian routes to, and between, major attractors to make walking a legible and convenient alternative to car use.

8.4 Vehicle Movement and Access
Principles:
• Minimise and locate vehicle crossovers to avoid disruption of pedestrian amenity along the principal pedestrian routes.
• Provide for the safe use of alternative transport modes (such as bikes and scooters) to encourage their use in preference to car travel.

### 8.5 Vehicle Parking

**Principles:**

- Locate car parks (other than on-street parking) out of sight from the public domain (that is; behind, below or above buildings) to avoid a detrimental visual impact on the adjacent streetscapes.
- Provide attractive parking for bicycle, motorbike and scooter users, and suitable end-of-trip facilities, to encourage their use as an alternative to car travel.
- Separate resident parking from short stay, commercial and other visitor parking.

### 8.6 Materials, Finishes and Landscaping

**Principles:**

- Contribute to attractive and well-landscaped streets and other public or semi-public spaces, and enhance the quality and experience of the public realm.
- Employ coastal, drought and salt-tolerant, low-maintenance plants, and avoid plant species that are likely to spread into the surrounding natural environment.
- Integrate public art into the design of the built form.

### 9. Required Elements

(a) A licensed premises must be included in any development. The building must be framed along its Safety Bay Road and Malibu Road frontages by commercial uses with direct pedestrian access to the street. All development must address the street in a manner consistent with contemporary urban streetscape design disciplines.

(b) An activated frontage with eating and drinking and commercial uses at ground level and a three storey minimum contiguous façade positioned in accordance with the setback requirements must be provided. At the ground level, buildings must address the street with a primary business entrance and a shopfront façade that is transparent over at least 75% of the area of the facade. The following mandatory setbacks apply:

<table>
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<tr>
<th>Malibu Road</th>
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</thead>
<tbody>
<tr>
<td><strong>Height</strong></td>
<td><strong>Required Setback</strong></td>
</tr>
<tr>
<td>1st – 3rd storey</td>
<td>Nil</td>
</tr>
<tr>
<td>4th - 5th storey</td>
<td>6m</td>
</tr>
<tr>
<td>6th – 7th storey</td>
<td>16m</td>
</tr>
<tr>
<td>8th storey and above</td>
<td>19m</td>
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</table>

<table>
<thead>
<tr>
<th>Safety Bay Road</th>
<th></th>
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<tbody>
<tr>
<td><strong>Height</strong></td>
<td><strong>Required Setback</strong></td>
</tr>
<tr>
<td>1st – 4th storey</td>
<td>Nil</td>
</tr>
<tr>
<td>5th – 7th storey</td>
<td>3m</td>
</tr>
<tr>
<td>8th storey and above</td>
<td>6m</td>
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</table>
Side (South Eastern) Boundary

<table>
<thead>
<tr>
<th>Height</th>
<th>Required Setback</th>
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</thead>
<tbody>
<tr>
<td>1st – 4th storey</td>
<td>6m</td>
</tr>
<tr>
<td>5th storey</td>
<td>9m</td>
</tr>
<tr>
<td>6th – 7th storey</td>
<td>18m</td>
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<tr>
<td>8th storey and above</td>
<td>19m</td>
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Side (North Eastern) Boundary

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<tr>
<th>Height</th>
<th>Required Setback</th>
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</thead>
<tbody>
<tr>
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<td>Nil</td>
</tr>
<tr>
<td>2nd – 4th store</td>
<td>6m</td>
</tr>
<tr>
<td>5th storey</td>
<td>9m</td>
</tr>
<tr>
<td>6th – 7th storey</td>
<td>18m</td>
</tr>
<tr>
<td>8th storey and above</td>
<td>19m</td>
</tr>
</tbody>
</table>

(c) To allow for robust buildings, a minimum ground floor to first floor height of 3.2 metres with a minimum 3.0 metres ceiling height must be provided.

(d) Street elevations must be articulated to include defined streetfront entries which are clearly identifiable from the street. Balconies, deep window reveals, related awning and roof elements and changes in materials (subject to the maintenance of a predominantly glazed and transparent commercial frontage at ground level) are also encouraged.

(e) Street awnings must be provided to the full width of the proposed building at a minimum 2.5m wide, with lighting being provided under the street awnings.

(f) The scale and design of buildings is to be designed to minimise any overshadowing of adjoining properties and public spaces to the satisfaction of the City.

(g) Between windows and glazed commercial frontages, walls must be predominantly masonry, rendered brick or stone. Tilt slab or pre-cast concrete construction is only to be approved for visible external walls where the design achieves an adequate level of articulation and detail consistent with the spirit and intent of the guidelines.

(h) Residential development must accommodate a balanced mix of dwelling sizes, and will only be considered in conjunction with commercial development, including licensed premises.

(i) Any residential development must incorporate noise attenuation measures to limit the noise impacts to residences from the licensed premises.

(j) The provision of open space in accordance with the minimum open space requirements of State Planning Policy 3.1 - Residential Design Codes.

(k) Off-street car parking must be located behind, under or over ground floor, streetfront buildings.

(l) In lieu of the normal landscaping requirements of the Scheme, developers may be required to contribute to the cost of streetscape and/or landscape works within the public domain in the general vicinity of their development site.

(m) Loading and servicing areas must be screened from view of the street to the satisfaction of the City.

(n) Should development of the Waikiki Hotel site precede any redevelopment of Lot 2 Safety Bay Road (the Service Station site), the proposal must provide for an appropriate interface along the common boundary to the satisfaction of the City.
(o) Any subdivision application is to be prepared in accordance with an approved Development Application.

9(p) Any development must include pedestrian crossing facilities from the site to Lot 2041 Safety Bay Road (Waikiki Beach).

9(q) The layout and design of the building must maximise natural ventilation and, where possible, cross ventilation. Consideration must be given to the impact of the building on the prevailing winds to adjacent properties.

10. Authority

This Planning Policy has been adopted by the Council under Clause 4 (4) of the Planning and Development (Local Planning Schemes) Regulations 2015. The Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

11. Interpretations

For the purposes of this policy, the following terms shall have the following meanings:

- **Amenity**: Means all those factors which combine to form the character of an area and includes the present and likely future amenity.

- **Articulation**: means an element of building design which means the breaking up of a façade into individual elements to provide a modulated effect aimed at enhancing individual building identity, variety and interest. This can be achieved through the use of such elements as window projections, balconies, awnings, minor recesses and/or projections of walls or parts of walls to provide visual interest, and to enhance the 'fine grained' scale of development.

- **Built Form**: means the configuration of the aggregate of all buildings, structures, etc., which make up a town or city.

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

- **Façade**: means the exposed face(s) of a building towards roads or open space, or the frontal outward appearance of a building.

- **Height**: means the measurement taken from the natural ground level immediately in front of the centre of the face of the building to a level at the top of the ridge, parapet, or flat roof, whichever is the highest, but does not include any lift plant, water tower or similar utility or service, not exceeding 3 meters in height, or any architectural feature or decoration (other than a freestanding sign) not used for any form of accommodation, which may be approved by the Council.

- **Main Street**: means mixed land use developments fronting a street in a manner whereby pedestrian access to the majority of individual businesses can be achieved directly from the street, and/or where customer car parks on private property do not separate the road reserve boundary from the front of a building.

- **Surveillance**: means the presence of passers-by or the ability of people to be seen in public spaces from surrounding windows, decks, balconies or the like. 'Casual surveillance' means "eyes on the street" provided by local people going about their daily activities.

12. Adoption

This Policy was adopted by the Council at its ordinary Meeting held on **19 December 2017**.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
## Joint Development Assessment Panel Application – Renewal of Approval for Mixed Use Development (Showroom and Office) - Lot 159 Minden Lane, Baldivis

### Reference No & Subject:
- **PDS-073/17**
- **Joint Development Assessment Panel Application – Renewal of Approval for Mixed Use Development (Showroom and Office) - Lot 159 Minden Lane, Baldivis**

### File No:
- DD020.2017.00000372.001

### Risk Register No:

### Applicant:
- Planning Solutions (Aust) Pty Ltd

### Owner:
- Staub Family Pty Ltd

### Author:
- Mr Greg Delahunty, Senior Projects Officer

### Other Contributors:
- Mr Mike Ross, Manager Statutory Planning
- Mr Bob Jeans, Director Planning and Development Services

### Date of Committee Meeting:
- 11 December 2017

### Previously before Council:
- November 2014 (PDS-096/14), February 2015 (PDS-014/15)
- September 2015 (PDS-063/15), January 2016 (PDS-001/16)

### Site:
- Lot 159 Minden Lane, Baldivis

### Lot Area:
- 2,814m²

### LA Zoning:
- District Town Centre

### MRS Zoning:
- Urban

### Attachments:
- Responsible Authority Report

### Maps/Diagrams:
- 1. Location Plan
- 2. Aerial Photo
- 3. JDAP Approved Ground Floor Plan
- 4. JDAP Approved First Floor Plan
- 5. JDAP Approved Street Elevations
- 6. Revised Site and Ground Floor Plan
- 7. Revised First Floor Plan
- 8. Revised Second Floor Plan
- 9. South Western Elevation
- 10. North Eastern Elevation
11. Staging Plan
12. Indicative Development Guide Plan
13. North Western Corner Settlers Ave/Safety Bay Road Intersection
14. South West Corner Settlers Avenue/Atwick Terrace Intersection
15. North West corner of Settlers Avenue/Atwick Terrace Intersection
16. North Eastern corner of Settlers Avenue/Atwick Terrace Intersection
17. Detailed Area Plan

1. Location Plan
Purpose of Report

To provide recommendations to the Metro South West Joint Development Assessment Panel (SWJDAP) on an application for the renewal of approval and minor changes to a commercial development, comprising of a Showroom and Offices on Lot 159 Minden Lane, Baldivis.

Background

The site fronts the north eastern corner of the Nairn Drive and Safety Bay Road intersection. The rear of the lot is bounded by Minden Lane. The lot is vacant.

JDAP Meeting - 12 December 2014 - Initial Consideration

The application was initially considered by the South-West Joint Development Assessment Panel (SWJDAP) on 12 December 2014 when it was resolved to defer the application for the following reason:

“In order for the applicant to address matters pertaining to parking, deliveries (servicing) and waste management.”

JDAP Meeting - 3 March 2015 - Second Consideration

The applicant provided additional information to address the reasons for deferral. The revised application was considered by the SWJDAP on 3 March 2014 when it was resolved to defer the application in order for the applicant to liaise further with the City regarding:

“1. Review layout of car parking to ensure it satisfies all relevant standards, including consideration of the following:
   a. Pedestrian connection between building, car park, and streets at all opening hours.
   b. Keeping ROW easements clear of obstructive use."
c. Service bays and refuse storage areas and manoeuvring.
d. Centralized disability bays to main access.
e. Levels to reflect disability access (AS1428).
f. Internal footpath should be 1700 width or more.
g. Defined pedestrian entry and exit points from the building to show safe footpath access.

2. In relation to the building facades, greater consideration be given to the points raised by the City’s Urban Design Consultant in the RAR.”

JDAP Meeting - 2 October 2015 - Third Consideration (Refusal)
The applicant provided additional information but failed to sufficiently address the reasons for deferral. As such, the SWJDAP resolved to refuse the application for the reasons recommended by the City in its Responsibility Authority Report.

State Administrative Tribunal (SAT) Appeal
In October 2015, the applicant lodged an application for review of the SWJDAP’s decision with the State Administrative Tribunal (SAT). A mediation session was subsequently held as part of the SAT proceedings and the JDAP was invited to reconsider its decision.

JDAP Meeting – 4 February 2016 - Fourth Consideration (Approval)
The SWJDAP was invited to reconsider its decision to refuse the JDAP application for the Showroom, a Health Studio and an Office pursuant to section 31 of the State Administrative Tribunal Act 2004. As part of the reconsideration, the applicant provided additional information and made a number of changes to the proposal, including changing the proposed Gym to an Office. The SWJDAP subsequently approved the proposal against Council’s recommendation.
3. JDAP Approved Ground Floor Plan
4. JDAO Approved First Floor Plan
5. JDAP Approved Street Elevations
Details

The applicant seeks Development Approval to extend the period within which an approved development must be substantially commenced, as the existing approval expires in February 2018. It is also proposed to amend the development plans by changing the use of the ground floor tenancies as follows:

- Eastern ground floor tenancy – from Office to Showroom
- Western ground floor tenancy – from Showroom to Office

Additionally, three new doors are proposed to the Showroom tenancy, including one to Safety Bay Road, as shown by red circles on Figure 6.

The change of use is required to facilitate the staged construction of the building. Specifically, the proponent intends to construct the eastern portion of the building (including the whole carpark) in the first stage.

The proposal now involves the development of a two-storey, plus mezzanine level, mixed use commercial building comprising of the following landuses:

- A ground floor, first floor and mezzanine level Offices (1,972.9m²); and
- A ground floor Showroom tenancy (528.8m²).

Construction materials have not been specified for the proposal. A colour palette of white and grey has been proposed.

The building is comprised of two wings (8.02m in height) and a central mezzanine component (12.04m in height). The wings are proposed to be located on the street boundary with the central component recessed from the street. The development proposes repetitive triangular windows on both the street and rear elevation of the wings. It is proposed to incorporate non-transparent tinted glazing within the central component. A 2.5m deep cantilevered awning is proposed to run along the street frontage.
CONFIRMED AT A PLANNING AND ENGINEERING
SERVICES MEETING HELD ON MONDAY 15 JANUARY 2018

6. Revised Site and Ground Floor Plan
CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 15 JANUARY 2018

PRESIDING MEMBER

7. Revised First Floor Plan
8. Revised Second Floor Plan
9. Revised Safety Bay Road Elevation (South Western)
10. Revised Minden Lane Elevation (North Eastern)
11. Revised Staging Plan

Implications to Consider

a. **Consultation with the Community**
   The Council has the discretion, pursuant to TPS2, to advertise the proposal. The City, however, did not consider it necessary to advertise the proposal.

b. **Consultation with Government Agencies**
   The revised proposed (incorporating the renewal) was not referred to the Department of Planning, Lands and Heritage, as the proposed changes are minor in nature and will not have any further impact on the Regional Road Reservation.
Background
As the subject lot abuts Safety Bay Road, which is classified as an “Other Regional Road” under the Metropolitan Region Scheme (MRS), the original application was referred to the former Department of Planning (DoP) for comment in September 2014. Upon receipt of the referral, the DoP requested that the applicant submit a Traffic Impact Statement in support of the proposal. Due to the location of the site, within the Baldivis Activity Centre Structure Plan (BACSP) area, the applicant supplied the DoP with the Transport Assessment undertaken for the BACSP. The DoP was satisfied that this Transport Assessment contained sufficient detail for the subject proposal.

Department of Planning (2014)

Submission:
The DoP was satisfied that the surrounding intersections would continue to operate within acceptable levels with the proposed development application subject to modifications as outlined in the transport assessment. The DoP had no objections to the proposal on regional transport planning grounds subject to the development proposal contributing towards the construction of the northern path on Safety Bay Road to finalise the pedestrian network to the signalised pedestrian crossing at the Safety Bay Road/ Settlers Avenue intersection.

City’s Comment:
Should the application be approved, the DoP’s recommended condition would be applied.

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

Aspiration D: Sustainable Environment

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

d. Policy
State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP4.2)
The purpose of SPP4.2 inter alia is to specify broad planning requirements for the planning and development of new activity centres in Perth and Peel.

Clause 5.1 - Activity Centre Hierarchy
Baldivis is identified as a 'District Centre' under the Activity Centres Hierarchy in SPP4.2. The proposed development is consistent with the planned activity centre hierarchy.

Clause 5.2 - Activity
Although the proposal contributes to the overall mix of land uses within the District Centre, the proposed Showroom is not considered to be appropriate in this location. Showroom developments work best from a functional perspective when the customer car parking is located either at the front of the Showrooms in the conventional ‘service road’ format, or where a rear parking court is accessed directly from the adjacent major road(s).

In this case, the proximity to the intersection precludes direct access to this site, requiring customers to navigate through the town centre and along Minden Lane to find the car parking, which brings a high degree of inconvenience and is at odds with the convenience normally associated with Showroom developments.

The other fundamental issue with Showroom uses that have car parking to the rear is that the shopfront tends to face the car park. Whilst a proposal may show doors facing the street, the reality is that there will always be pressure from the tenants to prioritise frontage to the car park and, thus, render the street frontage as a token gesture and a signage opportunity.
Clause 5.3 - Movement
The subject site was chosen as the location for the District Centre given its proximity to Safety Bay Road which is identified under the MRS as an ‘Other Regional Road’. Consistent with SPP4.2, the City has set upper limits to parking in TPS2 reflecting the opportunity for reciprocal and shared parking and availability of on-street parking. Clause 5.3.2 (4) of SPP4.2 states that parking should be provided at a rate of two (2) bays per 100m² (i.e. one (1) bay per 50m²) for Showrooms and Offices.
SPP4.2 requires that parking facilities are to be located, scaled, designed and landscaped to avoid visual domination of street and public space frontages, and to avoid discontinuity of the urban form and pedestrian amenity. The development proposes sleeved parking generally consistent with the intent of SPP4.2. The design of the carpark, however, fails to comply with AS/NZS 2890.1:2004 Parking facilities - Off-street car parking’s (AS/NZS 2890.1), AS/NZ2890.6 Off-street parking for people with disabilities (AS/NZ2890.6) and AS1428.1-2009 - Design for access and mobility – General requirements for access – New building work (AS1428.1-2009.) As such, the development fails to make adequate provision for car parking, including parking for people with a disability. This is discussed in detail in the Planning Assessment Section of this report.

Clause 5.4 - Urban Form
The proposed development is characterised by its lack of variety. Excessive repetition is found in the:
− Parapet height;
− Articulation of façade;
− Façade treatment;
− Opaque street frontage; and
− Awning treatment.

The proposal is considered to be of an architectural appearance that lacks the urban or civic character associated with a town centre.
The configuration and use of ground floor buildings is unlikely contribute to an active and attractive outdoor space which the public will occupy. Both ground floor tenancies will still be accessed primarily from the rear carpark. It is noted that once Nairn Drive is completely constructed, the intersection with Safety Bay Road will be converted to a signalised intersection. Furthermore, the City recently installed a shared path that connects the Baldivis Town Centre with the Warnbro Train Station. These changes will undoubtedly foster an attractive pedestrian environment at this intersection directly in front of the development site. It is, therefore, considered short sighted to denounce the requirement for an active street frontage on the basis on the current intersection configuration.
Assessment of the proposal against the design principles of PP3.2.4 and the approved DAP, in addition to advice received from the City’s Consultant Urban Designer, concludes that the proposal is considered to be inconsistent with the Urban Form intent of SPP4.2.

Clause 5.5 - Resource Conservation
The application has not identified whether the development will include any measures to contribute to the conservation of resources.

Clause 5.6 - Out of Centre Development
A Showroom is not classified as a high trip generating land use in Appendix 1 of SPP4.2. Clause 5.6.1 states that bulky goods retailing (i.e Showroom) is unsuited to the walkable catchment or the core of activity centres given their size and car-parking requirements, low employment densities and need for freight vehicle access. As such, its location within the Activity Centre is not considered to be appropriate.

Clause 6.6 - Development Control
Clause 6.6.1 of SPP4.2 requires the preparation of an Activity Centre Structure Plan prior to approval of any major development within an activity centre and for the development to be located within an appropriate level centre of the activity centre hierarchy. The Baldivis Activity Centre Structure Plan (BACSP), which is discussed below, was prepared to fulfil this requirement.
Clause 6.6.1(5) of SPP4.2 requires the responsible authority to consider the region planning scheme, town planning scheme or strategy, state planning policy, and any relevant endorsed policy, strategy or plan. These have all been considered in this assessment.

**Baldivis Activity Centre Structure Plan (BACSP)**

The BACSP is a strategic planning document prepared to fulfil the requirements of SPP4.2 as outlined above. The BACSP provides a strategic framework for the Centre and informs and guides changes to the IDGP and the Baldivis Town Centre Policy. It was adopted by Council in July 2012 and endorsed by the WAPC in December 2012.

**Centre Vision**

The subject site is located within the Core Precinct of the Structure Plan. The proposed development is partially consistent with the vision for the Core Precinct which is to achieve a lively character with an emphasis on land uses which will generate interest and pedestrian activity.

**Activity**

The Core Precinct forms the core of the Activity Centre with key concentrations of commercial and community activity. The precinct will accommodate the major shopping and community facilities within the activity centre and be supported in the future by Office activity and residences.

Land uses identified for the Core precinct include:
- Retail;
- Entertainment and leisure;
- Eating and drinking premises; and
- Offices.

A Showroom is not identified as a preferred land use for the Core precinct. It is, however, identified as a preferred land use Transition and Eastern precincts.

The assessment of the proposal against the provisions of Planning Policy 3.2.4 - Baldivis Town Centre (PP3.2.4) concludes that the proposal does not sufficiently generate pedestrian activity along Safety Bay Road and Nairn Drive. As noted earlier under the SPP4.2 - Urban Form heading, it is considered short sighted to denounce the requirement for an active street frontage at this site on the basis on the current intersection configuration.

**Urban Form**

The BACSP outlines that the Core Precinct will continue to be characterised by a strong built form accommodating pedestrian-based activity and appropriate land uses to encourage pedestrian activity. Development within the Core Precinct will build upon the theme of an urban town centre, with strongly defined streets, which accentuate the void in the street created by the town square. Active ground floor uses should be present on all frontages in this precinct.

Assessment of the proposal against the design principles of PP3.2.4 and the approved DAP, in addition to advice received from the City's Consultant Urban Designer, concluded that the proposal was inconsistent with the Urban Form intent of the BACSP.

**Planning Policy 3.1.2 – Local Commercial Strategy (PP3.1.2)**

The subject site forms part of the Baldivis District Centre in the City’s PP3.1.2. In 2012, PP3.1.2 was reviewed by the Council to incorporate the recommendations of SPP4.2. A Retail Sustainability Assessment (RSA) was undertaken as part of the Baldivis Activity Centre Structure Plan in accordance with SPP4.2. The BACSP outlines retail floor space requirements. A Showroom and an Office are not considered to be Planning Land Use Category 5 land uses in terms of PP3.1.2. Accordingly, the proposal complies with PP3.1.2.

**Planning Policy 3.2.4 - Baldivis Town Centre (PP3.2.4)**

PP3.2.4 provides guidance on development of land within the Baldivis Town Centre, based on land use, movement network, urban design, and specific precinct considerations. The proposed development is considered to be inconsistent with the provisions of PP3.2.4 as outlined below.
Integrated Development Guide Plan (IDGP)

PP3.2.4 contains an IDGP for the Baldivis Town Centre. The purpose of the IDGP is to illustrate building envelopes, indicative building configurations, setbacks, pedestrian and vehicular access, indicative carparking layouts and any rights of way or access easements required, and any other information required by the Council. The approved IDGP is shown in Figure 12.

12. Approved IDGP

The proposal is generally consistent with the IDGP.

Requirements

PP3.2.4 includes general requirements as well as specific precinct requirements applying to development. These requirements are outlined below, along with comments on compliance with these requirements.

<table>
<thead>
<tr>
<th>Policy Requirements</th>
<th>Planning Comments</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Use</td>
<td></td>
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<tr>
<td>Retail land uses shall be considered having regard to the City’s Local Commercial Strategy.</td>
<td>A Showroom and an Office are not considered to be Planning Land Use Category 5 land uses in terms of PP3.1.2.</td>
<td>N/A</td>
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<tr>
<td>Movement Network</td>
<td></td>
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<tr>
<td>Whilst provision for kerbside parking will be made, the majority of parking will occur to the rear of buildings that front the street.</td>
<td>The site’s location is not suitable for on street parking. Consequently the parking is proposed to be located to the rear of the development.</td>
<td>Yes</td>
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<tr>
<td>To achieve street front continuity, and limit vehicular/pedestrian conflict points, the number of access driveways crossing pavements will be minimised.</td>
<td>Three crossovers are proposed to Minden Lane. This is consistent with the DAP and considered to be acceptable.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
### Policy Requirements

<table>
<thead>
<tr>
<th>The number of on-street parking spaces may contribute towards the parking required for adjacent non-residential uses.</th>
<th>No on street parking proposed.</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provision must be made for delivery and service vehicles to have rear access to buildings via laneways or rights-of-way.</td>
<td>Access for service vehicles is proposed to be obtained from Minden Lane. This is considered to be suitable within the context of the site. The development, however, only proposes one service bay, meaning that the Office development cannot be serviced appropriately. (The service bay is located in the North Western corner of the lot, away from the Showroom). Access to the service bay is poor as a result of the vehicle overhang. Pedestrians will be required to traverse the carpark in order to access the bin store.</td>
<td>Partially Compliant (Access)</td>
</tr>
</tbody>
</table>

### Urban Design

<table>
<thead>
<tr>
<th>The height of buildings will generally be set at a minimum two stories or equivalent parapet height.</th>
<th>The proposed building achieves an equivalent two-storey height level.</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure that the main pedestrian areas remain substantially sunlit throughout the day, particularly in winter months, buildings will be limited in height to three stories except where it can be demonstrated that an equivalent degree of sunlight penetration can be achieved by a stepped-back building profile for taller structures.</td>
<td>The proposal is three storeys at its maximum.</td>
<td>Yes</td>
</tr>
<tr>
<td>In practice, the standard will be sun penetration to substantial areas of pedestrian streets and spaces between 12 noon and 2pm on June 22.</td>
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<tr>
<td>The built form of the Town Centre is to be framed around the public street system with generally contiguous and active building frontages positioned at the streetscape boundary, subject to minor variations for residential development.</td>
<td>While the building offers contiguous framing of the street, the land uses are not considered to be conducive to providing an active street frontage. A Showroom is not a preferred land use in this area as it is heavily car dependant. The proposed Office will likely have future compliance issues as tenants seek to cover up the already insufficient glazing via curtains, blinds etc.</td>
<td>Partially Compliant (Contiguous)</td>
</tr>
</tbody>
</table>
It is noted that once Nairn Drive is completely constructed, the intersection with Safety Bay Road will be converted to a signalised intersection. Furthermore, the City has recently installed a shared path connection from the Baldivis Town Centre with the Warnbro train station. These changes will undoubtedly foster an attractive pedestrian environment at this intersection directly in front of the development site. It is, therefore, considered short sighted to denounce the requirement for an active street frontage at this site on the basis on the current intersection configuration.

Variety and articulation of street front building facades will be encouraged to avoid monotony and to break up the horizontal scale of contiguous building frontages. The proposed building features extensive repetition of the architectural treatment. Both wings remain the same height for their entire length. This serves to accentuate the horizontal scale of the building.

### Precinct Requirements

#### Core Precinct

<table>
<thead>
<tr>
<th>Policy Requirements</th>
<th>Planning Comments</th>
<th>Compliance</th>
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<tbody>
<tr>
<td>The configuration and ground floor use of buildings must define an attractive sequence of outdoor spaces which the public will occupy.</td>
<td>The configuration and use of ground floor buildings will not contribute to an active and attractive outdoor space which the public will occupy. Both ground floor tenancies will be accessed primarily from the rear carpark. It is considered that the proposed ground floor Office is likely to come with future compliance issues as tenants seek to cover up the already insufficient glazing via curtains, blinds etc.</td>
<td>Partially Compliant (Mixture of land uses)</td>
</tr>
<tr>
<td>All structures must be built to a minimum of two storeys or equivalent parapet height to keep the Town Centre compact and to reinforce the desired urban character. This standard applies to buildings along all street frontages.</td>
<td>The proposal achieves the minimum two storey height.</td>
<td>Yes</td>
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<tr>
<td>Policy Requirements</td>
<td>Planning Comments</td>
<td>Compliance</td>
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<td>Buildings shall be designed to achieve an appropriate use profile with an active, ground floor street frontage incorporating convenience or recreation-related retail, entertainment, cafés, restaurants and similar uses. Short-stay accommodation, multiple dwellings, Offices, function rooms, etc. are the preferred upper floor uses.</td>
<td>The proposed development provides a Showroom and an Office on the ground floor. Both tenancies are proposed to be accessed primarily from the rear. Showroom developments work best from a functional perspective when the customer car parking is located either at the front of the Showrooms in the conventional 'service road' format, or where a rear parking court is accessed directly from the adjacent major road(s). A Showroom is not considered to be an appropriate land use in this location for this building to promote an active street frontage. The reception centre for the Office is located towards the rear of the building meaning that entries from the street will be unlikely. The proposed Office is likely to come with future compliance issues as tenants seek to cover up the already insufficient glazing via curtains, blinds etc. It is noted that once Nairn Drive is completely constructed, the intersection with Safety Bay Road will be converted to a signalised intersection. Furthermore, the City has recently installed a shared path connection from the Baldivis Town Centre with the Warnbro train station.</td>
<td>No</td>
</tr>
<tr>
<td>These changes will undoubtedly foster an attractive pedestrian environment at this intersection directly in front of the development site. It is, therefore, considered short sighted to denounce the requirement for an active street frontage at this site on the basis on the current intersection configuration.</td>
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<tr>
<td>To allow for robust buildings, a minimum ground floor to first floor height of 3.2 metres with a minimum 3.0 metres ceiling height is to be provided.</td>
<td>The proposal achieves the minimum ceiling height.</td>
<td>Yes</td>
</tr>
<tr>
<td>Street elevations are to be articulated to include defined street front entries which are clearly identifiable from the street.</td>
<td>The street entries, while present, are not well defined. Five unidentifiable entries, set within the triangular windows, serve the Showroom and the ground floor Office.</td>
<td>No</td>
</tr>
<tr>
<td>Policy Requirements</td>
<td>Planning Comments</td>
<td>Compliance</td>
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<tr>
<td>Balconies, deep window reveals, related awning and roof elements and changes in materials (subject to the maintenance of a predominantly glazed and transparent commercial frontage at ground level) are also encouraged.</td>
<td>The two entries serving the central portion of the building are recessed from the street. Even with the additional street entry, the entries lack elements, outlined in the policy provision that would assist legibility from the street. Two new Showroom entries from the carpark, further diminish the function of street entries.</td>
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<tr>
<td>Continuous pedestrian shelter shall be provided at street level through a generally continuous street verandah (awning) treatment that is a minimum 2.5m wide. Verandah posts within the road reserve are generally not supported.</td>
<td>A continuous awning has been provided.</td>
<td>Yes</td>
</tr>
<tr>
<td>Special architectural emphasis should be provided at street and laneway corners with elements such as additional height, distinct roof forms, curved walls and tower elements.</td>
<td>The three-storey element is appropriately located at the point where the building cranks, however, other than increased height, little to no architectural treatment has been provided to this section of the building.</td>
<td>Partially Compliant (Height)</td>
</tr>
<tr>
<td>Blank walls fronting public spaces will not be permitted.</td>
<td>The ground floor tenancies provide for a mixture of glazed and blank facades. Less that 50% of the facade, however, is proposed to be glazed.</td>
<td>Partial (Mixture of facades provided)</td>
</tr>
<tr>
<td>Within an urban streetscape discipline, variety and high design standards will be encouraged in the fit-out, awning treatments, lighting and signage of individual premises. Tilt slab or pre-cast concrete construction will only be approved for visible external walls where the design achieves an adequate level of articulation and detail consistent with the spirit and intent of the Policy requirements.</td>
<td>The revised plans are still characterised by a lack of variety. Excessive repetition is found in the: Parapet height; Articulation of façade; Façade treatment; Opaque street frontage; and Awning treatment. The proposal is considered to be of an architectural appearance that lacks the urban or civic character associated with a town centre.</td>
<td>No</td>
</tr>
<tr>
<td>Street entries and window frontages are to remain transparent to ensure that a commercial, interactive frontage is available to the development from the street at all times.</td>
<td>The revised plans still have less than 50% of the ground floor street frontage is proposed to be transparent.</td>
<td>No</td>
</tr>
<tr>
<td>Drive-through facilities will not be supported in the Core Precinct, consistent with main street design principles.</td>
<td>No drive through facilities are proposed.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
The pedestrian entry onto the street is to remain open during business hours. Where rear customer parking is provided, provision should be made for a pedestrian path linking the carparking area with the street. 

Pedestrian entries onto the street could be conditioned to remain open during business hours if the application were to be approved. One pedestrian path has been provided through the centre of the building.

Residential development shall achieve a minimum density of 40 dwellings per site hectare. For the purposes of the Residential Design Codes, there is no maximum density applicable.

No residential development. Not applicable to this development.

Residential development must incorporate noise attenuation measures to the satisfaction of the City to protect dwellings from being unreasonably affected by activities causing noise associated with lively mixed use areas.

No residential development. Not applicable to this development.

Full streetscape works shall be provided by the subdivider. Where the adjoining verge has not already been streetscaped, developers will be required to contribute the full cost of streetscape works in the public streets immediate adjoining their development site. These shall generally include pavements, kerbside parking, streets trees, lighting and furniture.

Verge treatments could be conditioned to be upgraded if the application were to be approved.

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

The proposal shows indicative signage only. A Sign Strategy would be required to be submitted which demonstrates compliance with the objectives of PP3.3.1, prior to the placement of advertisements on a building or structure. Section 6 of PP3.3.1 outlines the requirements for the Sign Strategy. It is noted that the building design does not make adequate provision for signage.

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

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

Bicycle Parking Requirement

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Required</th>
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<tbody>
<tr>
<td></td>
<td>Short Term</td>
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<tr>
<td></td>
<td>Rate</td>
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<tr>
<td>Showroom (528.8m²)</td>
<td>1/1000m² NLA</td>
</tr>
<tr>
<td>Office (1,972.9m²)</td>
<td>1/500m² NLA</td>
</tr>
<tr>
<td>Total</td>
<td>5</td>
</tr>
</tbody>
</table>
The application proposes 28 bicycle bays: 14 in the road reserve and 14 in the carpark. It is considered that the 28 in the carpark can serve as long term bays as per the requirements of PP3.3.14.

End-of-Trip Facilities
In terms of PP3.3.14, the provision of eleven (11) long term parking spaces requires the provision of four showers (two male, two female). The showers are required to be provided in a change room in accordance with PP3.3.14. Should the application be approved, it is recommended that a condition be imposed requiring the provision of end-of-trip facilities.

e. Financial
Nil

f. Legal and Statutory

Planning and Development (Local Planning Schemes) Regulations 2015
Schedule 2 - Deemed Provisions
Clause 67 - Matters to be considered by local government
Clause 67 outlines the matters to which the Local Government is to give due regard when considered relevant to an application. Where relevant, these have been discussed in the Planning Assessment.

Metropolitan Region Scheme (MRS)
The subject lot is zoned ‘Urban’ under the MRS.
The subject lot abuts a road reserved as an ‘Other Regional Road’ under the MRS. For this reason the proposal was previously referred to the then Department of Planning for comment. (See consultation section).

Town Planning Scheme No. 2 (TPS2)
Clause 3.2 - Zoning Table
The subject site is zoned ‘District Town Centre’ under TPS2. The proposed uses of ‘Showroom’, ‘Office’ and ‘Health Studio’ are not permitted (D), unless the Council has exercised its discretion by granting Development Approval.

Clause 4.5 - District Town Centre Zone
Objective
The objective of the zone is to establish a clear and concise statement of planning and main street principles to guide the development of ‘Main Street’ Town Centres having due regard to the objectives and principles outlined within a prepared District Town Centre Policy, and supported by any other Plan or Policy that the Council may adopt from time to time as a guide to future development within the Zone.
As is highlighted in the assessment of the proposal against the provisions of PP3.2.4, the proposal is not considered to be consistent with the objective of the District Town Centre Zone.

Clause 4.15 - Carparking
Parking Requirements and Provision
Pursuant to clause 4.15.1.1, car parking is required to be provided in accordance with Table No.3 of TPS2.
A full assessment of the car parking requirements and provision is contained within the Comments Section, where it is demonstrated that the proposal complies with TPS2 requirements.

Clause 5.3 - Control of Advertisements
Clause 5.3.1 requires Development Approval to be obtained for the erection of advertisements. In considering an application for an advertisement, the Council is required to consider the objectives of TPS2.
The proposal shows indicative signage only. Further detail on signage is discussed in the Policy section under Planning Policy 3.3.1 - Control of Advertisements.

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

**Site Context and Design**

The site forms part of the larger Baldivis Activity Centre, which includes the Settlers Avenue main street and the Baldivis Shopping Centre. The site is located within the Core Precinct of the Baldivis Activity Centre Structure Plan, which is planned to contain the major shopping facilities of the Centre and provide an attractive visual presence to the traffic dominated Safety Bay Road and an intimate pedestrian oriented presence.

Figure 13 illustrates the built form intention for the Core Precinct Area and Figures 13-16 illustrate the existing built form in the area. These figures show appropriate land uses (retail, café etc.) and development that provides variety in parapet height and building materials, articulation of the façade and active street frontages.

The City’s consultant Urban Designer has previously advised that the proposal is lacking in detail and is of an architectural appearance that lacks the urban or civic character associated with a town centre. This advice has been extrapolated upon throughout the assessment of the proposal against the provision of PP3.2.4 and the approved DAP.

The City has previously had numerous meetings with the developer and applicant where the urban design concerns were raised. Apart from some minor changes, the applicant/developer refused to amend the design to address these issues.

In any event, the JDAP approved the proposed development in 2016 against the Council’s recommendations. The latest proposal, even with the three new entries and modified ground floor uses are still considered to provide for an inappropriate design, form and activation

![North Western Corner Settlers Avenue/Safety Bay Road Intersection](image-url)
14. South West Corner Settlers Avenue/Atwick Terrace Intersection

15. North West corner of Settlers Avenue/Atwick Terrace Intersection
16. North Eastern corner of Settlers Avenue/Atwick Terrace Intersection

**Detailed Area Plan**

Pursuant to Clause 4.23 (which was, at the time, Clause 4.3.2) of TPS2 a Detailed Area Plan was prepared and approved for the subject lot. This DAP was approved 20 July 2012.

17. Detailed Area Plan
<table>
<thead>
<tr>
<th>DAP Requirements</th>
<th>Planning Comments</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Provisions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Permitted Land Use</strong></td>
<td>The proposed land uses are permitted only when the Council exercises its discretion by issuing a Development Approval under TPS2.</td>
<td>Yes</td>
</tr>
<tr>
<td>As per TPS2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Preferred Land uses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail; Civic and Community; Entertainment and Leisure; Eating and Drinking Premises; Offices; and Medium Density Residential.</td>
<td>The Showroom is not a preferred land use in this location. Showroom developments work best from a functional perspective when the customer car parking is located either at the front of the Showrooms in the conventional ‘service road’ format, or where a rear parking court is accessed directly from the adjacent major road(s). A Showroom is not considered to be an appropriate land use in this location. The Office is a preferred land use.</td>
<td>Partial Compliance (Office)</td>
</tr>
<tr>
<td><strong>Setbacks</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All buildings shall generally have a contiguous frontage addressing the street within a 0-2m setback; and Nil setback permitted to Minden Lane and all internal boundaries.</td>
<td>Building complies with prescribed setbacks.</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Building and Ceiling Heights</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Structures to be a minimum two storey.</td>
<td>The proposed building achieves an equivalent two-storey height level.</td>
<td>Yes</td>
</tr>
<tr>
<td>Minimum ground floor to first floor height of 3.2m with a ceiling height of 3m.</td>
<td>4m height proposed.</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Built Form and Orientation</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The design shall promote activation of the street; with main entrances and substantial transparent glazing to a minimum height of 3m to achieve active building frontages.</td>
<td>Tenancy entrances are not defined and the major entrance is recessed from the street. Primary access to the building is from the rear carpark. The reception area is located adjacent to the rear entrance. The upper level Offices will be served by the stairwell located to the rear of the central portion. Less than 50% of the ground floor elevation, fronting the street, is transparent.</td>
<td>No</td>
</tr>
<tr>
<td>DAP Requirements</td>
<td>Planning Comments</td>
<td>Compliance</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>Building entries to the internal boundaries are permitted subject to there being an entry from the street as identified on the DAP. The building shall promote surveillance of the street and the rear carpark where possible.</td>
<td>Entries, while not defined, are available from the street. The building offers surveillance of the carpark.</td>
<td>Yes</td>
</tr>
<tr>
<td>The building may be stepped back at right angles from the corner truncations to provide flexibility in design.</td>
<td>Building to provide a constant hard edge to street frontages.</td>
<td>Yes</td>
</tr>
<tr>
<td>Special architectural emphasis should be provided at street and laneway corners with elements such as additional height, distinct roof forms, curved walls and tower elements.</td>
<td>The three-storey element is appropriately located at the point where the building cranks, however, other than increased height, little architectural treatment has been provided to this section of the building.</td>
<td>Partially Compliant (Height)</td>
</tr>
<tr>
<td>Where a building abuts a street cantilevered awnings, with a minimum depth of 2.5m and a minimum height of 3m above pavement level, must be provided for the full length of each façade.</td>
<td>A continuous awning has been provided along the street frontage.</td>
<td>Yes</td>
</tr>
<tr>
<td>Ground level facades of commercial and mixed use buildings fronting the street shall be transparent for at least 60% of its area.</td>
<td>Less than 50% of the ground floor front the street is glazed.</td>
<td>No</td>
</tr>
<tr>
<td>Facades are to be articulated by providing indentations and projections in the floor plan, whilst maintaining a continuous awning at 2.5m depth.</td>
<td>Both 'wings' of the building are proposed to be set hard up against the street boundary with no indentation in the floor plan. This serves to accentuate the repetitiveness of the building. The only indentation in the floor plan occurs at the central portion of the building.</td>
<td>Partially Compliant (Awning)</td>
</tr>
<tr>
<td>Broad facades and blank walls shall be broken up to create variety and interest through architectural design features. Blank walls facing roads are not acceptable.</td>
<td>The ground floor tenancies provide for a mixture of glazed and blank facades. Less that 50% of the facade, however, is proposed to be glazed.</td>
<td>No</td>
</tr>
<tr>
<td>At least one designated pedestrian access corridor, linking the street to the rear carpark and Minden Lane is required, This corridor shall be contiguous and well defined.</td>
<td>One pedestrian access way is proposed. The corridor is contiguous.</td>
<td>Yes</td>
</tr>
<tr>
<td>Larger developments to be broken up through the use of elements which emphasise a vertical proportion.</td>
<td>Both wings remain the same height for their entire length. This serves to accentuate the horizontal scale of the building.</td>
<td>No</td>
</tr>
</tbody>
</table>
**DAP Requirements** | **Planning Comments** | **Compliance**
--- | --- | ---
**Pedestrian Access** | The main public entrances to all buildings shall be located along Nairn Drive or the corner of Nairn Drive and Safety Bay Road or may also be access via the contiguous and well defined corridor identified in the DAP. | Despite the public entries to Nairn Drive and Safety Bay Road, the street pedestrian access is considered to be significantly eroded by the ease of access from the rear carpark directly into the building and showroom. The main public entrance is still considered to be from the rear of the building from the carpark. This is further emphasised by the revised proposal for two new rear door entries to the Showroom to the carpark. | No
| Primary entries to first floor tenancies and secondary entries to ground floor tenancies may be accessed via the suggested contiguous and well defined pedestrian corridors. | Primary entries to the first floor are via a pedestrian corridor. The secondary entry to the ground floor tenancies are also proposed from the pedestrian corridor but two new entries provide direct access via the carpark to the showroom. | Partially Compliant (Central pedestrian corridor)
| Separate and clear pedestrian paths should be provided between the car park and main public entrances to facilitate customer’s safe access to building entries. A central pedestrian corridor linking the main entry to the new carpark is encouraged. | A pedestrian path has been proposed along the rear of the building, however, no paths have been provided within the carpark. As such, safe pedestrian access is not provided. A central pedestrian corridor has been provided. | Partially Compliant (Central pedestrian corridor)

**Materials and Finishes**

Variety and high urban design standards are encouraged in the fit-out, awning treatments, lighting and signage of individual premises. Tilt slab or pre-cast construction will only be approved for visible external walls where the design achieves an adequate level of articulation and detail. | The City’s consultant Urban Designer outlined the following issues with the elevation treatment include:  
- The extensive repetition of the architectural treatment.  
- The ‘flatness’ of the wall and the corresponding lack of shadows to provide visual relief.  
- The limited palette of wall materials and the resulting lack of visual interest.  
- The inability to appropriately incorporate signage into the design of the building.  
- The ‘thinness’ of the canopy and the resulting lack of significance as part of the composition of the street elevations, and the inability to incorporate lighting to improve pedestrian amenity after dark. | No
<table>
<thead>
<tr>
<th>DAP Requirements</th>
<th>Planning Comments</th>
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</tr>
</thead>
<tbody>
<tr>
<td>- The incongruity and irrelevance of the triangular windows.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- The lack of continuity of the awning along the street frontage – there are gaps between the main awnings and the awning associated with the central three-storey element.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- The relentless single parapet height (other than the three storey component).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- The extent of solid (opaque) wall to the street frontage.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- The lack of differentiation between the architectural treatment of the ‘front’ and ‘back’ of the building, which will only serve to reinforce the confusion as to which way tenancies should face.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Durable and low maintenance materials in an earthy colour palette is recommended.</td>
<td>Details on construction materials have not been supplied. The white colour material proposed to be used is not considered to be earthy.</td>
<td>No</td>
</tr>
<tr>
<td>A combination of materials and/or finishes shall be incorporated to add visual interest.</td>
<td>The proposed development is characterised by its lack of variety. Excessive repetition is found in the: Parapet height; Articulation of façade; Façade treatment; Opaque street frontage; and Awning treatment.</td>
<td>No</td>
</tr>
<tr>
<td>Unfinished walls including boundary walls shall not be left exposed where in public view.</td>
<td>Although materials have not been specified, the plans indicate that all walls are proposed to be finished with a rendered material.</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Service and Storage Areas</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery, loading and storage areas are to be screened from public view by an enclosure which is complementary with the style and materials of the primary building.</td>
<td>The service bay is visible from Minden Lane. The bin stores are proposed to be screened.</td>
<td>No</td>
</tr>
<tr>
<td>Minden Lane shall be the primary access for service vehicles and services areas (such as big storage bins).</td>
<td>Minden Lane is proposed to be used for service access to the rear of the building.</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Vehicle Access and Parking Areas</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All vehicle access shall be via the designated access points off Minden Lane and parking generally sleeved at the rear of the premises.</td>
<td>Vehicle access is proposed from Minden Lane. Parking is located to the rear of the building.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
### DAP Requirements

<table>
<thead>
<tr>
<th>Planning Comments</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>The development must meet the maximum and minimum car parking requirements as set out in Table 3 and Clause 4.15.1.1 of TPS2.</td>
<td>It is noted that the design of the carpark fails to comply with the relevant Australian Standards. The City is concerned that, should the development be modified to comply with the standards, the number of car parking bays will be reduced to an unacceptable level.</td>
</tr>
</tbody>
</table>

- **Undercroft parking is encouraged.**
  - None proposed.
  - N/A

### Signage

<table>
<thead>
<tr>
<th>Planning Comments</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pylon Signage is not permitted.</td>
<td>N/A</td>
</tr>
<tr>
<td>Signage additional to the corporate branding must be consistent in colour, size and font.</td>
<td>Indicative signage has been displayed on the elevation plans. A sign strategy could be conditioned, however, it is considered that the building design does not make appropriate provision for the incorporation of signage.</td>
</tr>
</tbody>
</table>

- **All buildings must include a sign strategy in accordance with PP3.3.1.**
  - A sign strategy could be conditioned should the application be approved.
  - Yes

### Fencing

<table>
<thead>
<tr>
<th>Planning Comments</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perimeter Fencing is discouraged and should be limited to residential land uses and alfresco dining.</td>
<td>None proposed.</td>
</tr>
<tr>
<td>Commercial fencing maximum height of 700mm.</td>
<td>None proposed.</td>
</tr>
<tr>
<td>Fencing shall be constructed in masonry to complement the style and materials of the primary building.</td>
<td>None proposed.</td>
</tr>
</tbody>
</table>

### Landscaping

<table>
<thead>
<tr>
<th>Planning Comments</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscaping of the verges must be installed by the purchaser.</td>
<td>Landscaping could be conditioned should the application be approved.</td>
</tr>
</tbody>
</table>
  - Yes

### Carparking

#### TPS Requirement

Pursuant to Clause 4.6.3 of TPS2, car parking is to be provided in accordance with Clause 4.15.1.1 of TPS2 and Table 3 of TPS2.

<table>
<thead>
<tr>
<th>Carparking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use</td>
</tr>
<tr>
<td>Office (1,972.9m²)</td>
</tr>
<tr>
<td>Showroom (528.8m²)</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

**Notes:**
For the Baldivis Town Centre, parking rates are provided as a minimum and maximum range, with the maximum parking allowable provided in brackets.
Under the parking provision of TPS2, the proposed development requires the provision of a minimum 40 and a maximum of 59 parking spaces.

**Parking Provision**

The proposed development has provided for a total of 42 parking spaces. This is compliant with the requirements of TPS2. The amount of parking, however, shown on the plans will be reduced for the following reasons:

- Under AS/NZS2890.1 the development is assigned User Class 3, being ‘Short-term town centre parking’. For car parking bays at 90° the following is required:
  - A parking bay width of 2.6m must be provided. The proposal provides for bays widths of 2.5m. No bays comply with this width; and
  - An aisle width of 5.8m is required. The development does not achieve this minimum width in the North Western corner of the lot. Furthermore, in order to provide the required bay widths of 2.6, the aisle widths will have to be reduced below the required 5.8m. The development cannot provide the required bay width and aisle with without modifying the building design.

  **Note:** The City asserts that AS/NZS 2890.1 “User Class 3” is appropriate for this carpark. The Showroom land use fits the description of “short term town centre parking”. The City considers that an Office, located in a District Town Centre, also fits this category. The Office will undoubtedly involve the calling in of customers/clients etc. Customers/clients calling to an Office will generally be for a short amount of time (i.e ½ hour - 1 hour) compared to a sports facility / entertainment centre / etc. where people will spend 3+ hours.

**Parking for People with Disability**

The City’s Planning Procedure 1.16 - Carparking and Access Considerations for People with Disability, outlines that the City shall, amongst other matters, take into consideration the provisions made for people with a disability based upon compliance with the Building Code of Australia (BCA) and the Australian Standards in relation to carparking, pathways, ramps, steps, signs and lighting.

Parking provision for people with disability is based on the Building Code of Australia Requirements. The requirements for provision are outlined below:

<table>
<thead>
<tr>
<th>Building Class</th>
<th>Requirement</th>
<th>Rate</th>
<th>Calculations</th>
<th>Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class 5 (Office)</td>
<td>1 space/100 carparking spaces (or part thereof)</td>
<td>33</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Class 6 (Showroom)</td>
<td>1 space/50 carparking spaces (or part thereof)</td>
<td>7</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>

The National Construction Code 2014 Guide to the BCA Volume One states that:

“If a carpark serves a multi-classified building, the number of accessible carparking spaces required should be calculated by determining the number of spaces serving each classification.”

The development provides for a total of two (2) accessible spaces. This is compliant with the requirements of the BCA.

**Servicing / Waste Disposal**

The application proposes for service vehicles to access the site from Minden Lane, this is consistent with the DAP.
In the revised proposal the application has relocated the proposed Showroom to south eastern side of the lot. This has isolated the dedicated service entry for the Showroom tenancy. This is considered to be impractical and will limit the functionality of the building.

Two bin storage areas are proposed with the capacity for a total of 17,240L bins. One bin store is conveniently located in the north western corner adjacent to the proposed service bay. This bin store is considered appropriate for the proposed Office land use. The second bin store is located in the centre of the site isolated from the building. It has not been demonstrated that this can serve the remainder of the development in a functional manner. It is also noted that there is no safe path of travel from the Showroom building through to this bin store in the central area.

As such, the City is not satisfied that the development can function appropriately from a servicing and waste disposal perspective. The City is especially concerned with the long term functionality of the development.

**Incursion into Minden Lane**

The amended proposal includes a parking aisle that extends into the Minden Lane road reserve. Should the application be approved, all works in the road reserve must be to the satisfaction of the City’s Engineering Services.

**Conclusion**

The proposal for the Showroom and Office development is permissible in the District Town Centre zone. As outlined throughout this report, however, the proposal fails to provide for an appropriate design, form and activation. The proposed building is of an architectural appearance that lacks the urban or civic character associated with a town centre.

Furthermore, the development fails to provide adequate provision for the parking and manoeuvring of vehicles. The development will also not have the ability to be serviced adequately. For these reasons it is recommended that the proposal be refused.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **ADOPTS** the Responsible Authority Report for the proposed Mixed Use Development (Showroom and Office) Lot 159 Minden Lane, Baldivis contained as Attachment 1 as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel (SWJDAP) pursuant to Regulation 17 of the **Planning and Development (Development Assessment Panels) Regulation 2011**, which recommends:

That the Metro South-West Joint Development Assessment Panel resolves to:

1. **Accept** the DAP Application reference DAP/14/00631 as detailed on the DAP Form 2 dated 17 November 2017 is appropriate for consideration in accordance with regulation 17 of the **Planning and Development (Development Assessment Panels) Regulations 2011**;

2. **Refuse** the DAP Application reference DAP/14/00631 as detailed on the DAP Form 2 date 17 November 2017 and accompanying plans:
   - Site and Ground Floor Plan, Drawing No.SK.12 Rev N, dated 13.11.17;
   - First Floor Plan, Drawing No.SK.13 Rev N, dated 13.11.17;
   - Second Floor Plan, Drawing No.SK.14 Rev M, dated 11.12.15; and
   - Elevation and Section Plans, Drawing No.SK.15 Rev K, dated 13.11.15

in accordance with Clause 68 of the **Planning and Development (Local Planning Schemes) Regulations 2015** and the provisions of the Clause 6.2 of the City of Rockingham Town Planning Scheme No.2, for the proposed minor amendment to the approved mixed commercial development (Offices and Showroom) at Lot 159 Minden Lane, Baldivis, for the following reasons:
Reasons

(a) The proposed development fails to provide an adequately designed car park, as it does not comply with the parking requirements of AS/NZS 2890.1:2004 Parking facilities - Off-street car parking.

(b) The proposed development is not considered to be compatible with its setting, as required by clause 67 (m) of the Planning and Development (Local Planning Schemes) Regulations 2015 (Schedule 2 - Deemed Provisions).

(c) Adequate provision has not been made for the loading and unloading of service vehicles, as required by Clause 67(s) of the Planning and Development (Local Planning Schemes) Regulations 2015 (Schedule 2 - Deemed Provisions).

(d) The proposed development does not provide sufficient variety and articulation of street front building facades as required by clause 7.4.3 (iv) of the City’s Local Planning Policy 3.2.4 – Baldivis Town Centre.

(e) The configuration and use of ground floor buildings will not define an attractive sequence of outdoor spaces which the public will occupy. Consequently the proposal does not comply with the overall urban design objectives for the Town Centre as is required by clause 8.1.3 (i) of the City’s LocalPlanning Policy 3.2.4 – Baldivis Town Centre.

(f) The building is not designed to achieve an appropriate use profile with an active, ground floor street frontage as is required by clause 8.1.3 (iii) of the City’s Local Planning Policy 3.2.4 – Baldivis Town Centre.

(g) The street elevations are not articulated to include defined street front entries which are clearly identifiable from the street as is required by clause 8.1.3 (v) of the City’s Local Planning Policy 3.2.4 – Baldivis Town Centre.

(h) The proposal lacks variety and high design standards as required by clause 8.1.3 (ix) of the City’s Local Planning Policy 3.2.4 – Baldivis Town Centre.

(i) The design does not promote activation of the street as is required by clause 4 (a) of the approved Detailed Area Plan.

(j) The ground level facades fronting the street provides for less than 60% transparency as required by clause 4 (g) of the approved Detailed Area Plan.

(k) Primary entry to ground floor tenancies is accessed via the pedestrian corridors contrary to clause 5 (b) of the approved Detailed Area Plan.

(l) Variety and high urban design standards have not been incorporated into the design contrary to clause 6 (a) of the approved Detailed Area Plan.

(m) Delivery, loading and storage areas are visible from public view contrary to clause 7 (a) of the approved Detailed Area Plan.

(n) A Showroom is not identified as a preferred land use for the Core precinct under the Baldivis Activity Centre Structure Plan.

Committee Recommendation

Moved Cr Sammels, seconded Cr Hamblin:

That Council ADOPTS the Responsible Authority Report for the proposed Mixed Use Development (Showroom and Office) Lot 159 Minden Lane, Baldivis contained as Attachment 1 as the report required to be submitted to the presiding member of the South-West Joint Development Assessment Panel (SWJDAP) pursuant to Regulation 17 of the Planning and Development (Development Assessment Panels) Regulation 2011, which recommends:

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**Reasons**

(a) The proposed development fails to provide an adequately designed car park, as it does not comply with the parking requirements of AS/NZS 2890.1:2004 Parking facilities - Off-street car parking.

(b) The proposed development is not considered to be compatible with its setting, as required by clause 67 (m) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Schedule 2 - Deemed Provisions).

(c) Adequate provision has not been made for the loading and unloading of service vehicles, as required by Clause 67(s) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Schedule 2 - Deemed Provisions).

(d) The proposed development does not provide sufficient variety and articulation of street front building facades as required by clause 7.4.3 (iv) of the City’s Local Planning Policy 3.2.4 – Baldivis Town Centre.

(e) The configuration and use of ground floor buildings will not define an attractive sequence of outdoor spaces which the public will occupy. Consequently the proposal does not comply with the overall urban design objectives for the Town Centre as is required by clause 8.1.3 (i) of the City’s Local Planning Policy 3.2.4 – Baldivis Town Centre.

(f) The building is not designed to achieve an appropriate use profile with an active, ground floor street frontage as is required by clause 8.1.3 (iii) of the City’s Local Planning Policy 3.2.4 – Baldivis Town Centre.

(g) The street elevations are not articulated to include defined street front entries which are clearly identifiable from the street as is required by clause 8.1.3 (v) of the City’s Local Planning Policy 3.2.4 – Baldivis Town Centre.

(h) The proposal lacks variety and high design standards as required by clause 8.1.3 (ix) of the City’s Local Planning Policy 3.2.4 – Baldivis Town Centre.

(i) The design does not promote activation of the street as is required by clause 4 (a) of the approved Detailed Area Plan.

(j) The ground level facades fronting the street provides for less than 60% transparency as required by clause 4 (g) of the approved Detailed Area Plan.

(k) Primary entry to ground floor tenancies is accessed via the pedestrian corridors contrary to clause 5 (b) of the approved Detailed Area Plan.

(l) Variety and high urban design standards have not been incorporated into the design contrary to clause 6 (a) of the approved Detailed Area Plan.

(m) Delivery, loading and storage areas are visible from public view contrary to clause 7 (a) of the approved Detailed Area Plan.

(n) A Showroom is not identified as a preferred land use for the Core precinct under the Baldivis Activity Centre Structure Plan.

Committee Voting – 4/1

(Cr Whitfield voted against)
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Planning and Development Services
Directorate, Planning Services

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<th>Reference No &amp; Subject:</th>
<th>PDS-074/17 Draft Community Plan Strategy – Rockingham Strategic Metropolitan Centre Public Parking</th>
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<td>Author:</td>
<td>Mr Peter Ricci, Manager Major Planning Projects</td>
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Site:
Lot Area:                                   
LA Zoning:                                  
MRS Zoning:                                 
Attachments:                                
1. Schedule of Submissions                  
2. Draft Community Plan Strategy – Rockingham Strategic Metropolitan Centre Public Parking
Maps/Diagrams:                             
1. City Centre Sector Study Area
2. Waterfront Village Sector Study Area

Purpose of Report
To seek Council adoption of Community Plan Strategy - Rockingham Strategic Metropolitan Centre Public Parking (‘draft Parking Strategy’) following public advertising.

Background
The Strategic Community Plan 2015 - 2025 recommends the preparation of a Public Parking Strategy to facilitate ‘planning for increased parking spaces in the City Centre and Waterfront Village’.

The draft Parking Strategy seeks to satisfy this outcome by providing a strategic approach to the management and provision of public parking.

The study area for the draft Parking Strategy comprises the high traffic generating precincts within the Rockingham Strategic Metropolitan Centre being the City Centre Sector and Waterfront Village Sector, as depicted below.
1. City Centre Sector Study Area

2. Waterfront Village Sector Study Area

The draft Parking Strategy addresses public parking only, or that under the City’s jurisdiction (comprising on-street parking and City managed off-street carparks), but recognises that private parking resources satisfy a proportion of parking demand.

To establish the usage patterns of public parking, surveys were undertaken during three timeslots on typically busy days within both Sectors.

The public parking surveys established that, on most occasions, there is availability of public parking within both Sectors. All public parking is within the recognised walkable catchment of most destinations (less than five minutes walk).

The draft Parking Strategy seeks to move away from a ‘predict and provide’ approach where the response to increased parking demand is to simply provide more parking. This approach can be detrimental to achieving other urban design aspirations, discourage the use of alternate transport modes and involve significant expenditure.
Many of the proposed Outcomes/Actions of the draft Parking Strategy are based on a ‘demand management’ approach which requires the regular survey of public parking to ensure that parking supply is maintained at reasonable levels. In this regard, the draft Parking Strategy sets the trigger at 85% occupancy; that is, if the occupancy of the public parking regularly exceeds 85% then the City should institute actions to moderate or meet demand. These actions could include modified time restrictions, parking education campaigns, more enforcement, greater parking supply or paid parking.

Other key Outcomes/Action of the draft Parking Strategy are described below.

(i) Private Parking

Some landowners of consolidated private parking areas have expressed a desire to privately manage access to the parking such that its use is regulated. A proposed Outcome is that this practice be supported in the event that there is a surplus of bays (above the statutory requirement) and it can be demonstrated that the arrangement can be efficiently coordinated and enforced.

(ii) Marina - Wanliss Street

The draft Parking Strategy acknowledges the potential for a proposed marina in proximity to Wanliss Street to be the subject to an application to renew the Planning Approval that lapsed in early 2015. The lapsed Planning Approval involved the majority of parking bays being provided in the adjacent foreshore reserve and road reserves.

Upon reflection, this approach was considered inequitable compared to other commercial proposals at the Waterfront Village and relies on valuable public land to service a private facility. The draft Parking Strategy recommends that the requisite parking demand not be allocated and built in the public domain and that the marina be subject to the same cash-in-lieu requirements as other Waterfront Village proposal with the funds directed to building a proximate decked parking station.

(iii) City Centre Parking Station

The planning framework for the City Centre Sector identifies a Parking Station on land owned by the City, in proximity to the corner of Contest Parade and Chalgrove Avenue, and funds have been included in previous City of Rockingham Business Plans to construct the facility.

As it stands presently, parking supply in the City Centre Sector is adequate and there is no immediate need to progress the parking station. The draft Parking Strategy recommends that construction be deferred until all other demand management measures have been exhausted to meet demand and/or the availability of the City's existing off-street parking resources significantly alters.

(iv) Enforcement

An effective ‘demand management’ method is to provide consistent and thorough enforcement of time restrictions and other standards. The creation of the new Compliance and Emergency Liaison team within the City provides an opportunity for enforcement to be more effective.

It is recommended that the City develop a more sophisticated and contemporary parking enforcement regime by investing in new technology, allocating dedicated resources and revisiting its private enforcement contracts.

(v) Additional Parking Locations

Previous planning initiatives have identified locations at the Waterfront Village where additional public parking supply is possible. The two consolidated public carparks south of Kent Street (‘Village Green’ carpark and ‘Museum carpark’) are two such facilities that were identified in planning initiatives and built.

The draft Parking Strategy recommends that the location of additional parking be identified, including the decking of existing carparks, and triggers be established for their construction.

(vi) Overflow Parking

There are circumstances when parking supply can not meet demand, particularly during large community events at Rockingham Beach. To assist in addressing demand on these occasions, the draft Parking Strategy recommends that Guidelines be prepared that enables overflow parking resources to be identified, including remote locations, for the mass parking of vehicles. With remote parking, patrons would likely be transported to and from the event by bus.
The draft Parking Strategy was considered by Council on 22 August 2017 when it was approved for the purpose of public advertising.

**Details**

The draft Parking Strategy has been advertised for public comment. The details of the consultation, the matters raised in the submissions and the City’s response and recommendations is contained in the ‘Consultation with the Community’ section below.

**Implications to Consider**

a. **Consultation with the Community**

   **Initial Consultation**

   Prior to preparing the draft Parking Strategy, several stakeholder groups were invited to workshops, including landowners/commercial traders within the two Sectors and City Officers who deal with parking related issues.

   The workshops were held on 8 March 2017 at the City’s Offices and on 4 April at the Gary Holland Community Centre at the Waterfront Village. Approximately twelve traders and landowners attended the Waterfront Village workshop. The City also met with representatives of Vicinity Centres with respect to parking at the Rockingham Centre.

   In order to assist stakeholders who were unable to attend the workshops, the City also offered those consulted with the opportunity to complete an on-line survey.

   The consultation was designed to elicit opinion on the existing parking challenges and solutions.

   The feedback from the stakeholders is summarised below:

   - Parking is not adequate and more is needed close to foreshore attractions;
   - Visitors will go elsewhere if convenient parking not provided;
   - Special event/overflow parking required;
   - Large private carparks (ie. Rockingham Hotel) are being used as a public parking resource;
   - There is poor directional signage and promotion of off-street public carparks;
   - Parking enforcement is inconsistent; and
   - Free public transport should be provided.

   **Formal Consultation**

   During the month of September 2017, the City invited comment on the draft Parking Strategy. All traders and landowners within the two Sectors, the initial consultation workshop attendees and other stakeholders (including the proponent for the marina in proximity to Wanliss Street) received written notification and were invited to lodge a submission.

   The draft Parking Strategy was also placed on the ‘Share Your Thoughts’ page on the City’s website where interested parties could download relevant information and lodge their submission.

   At the conclusion of the consultation period the City received eight submissions which are contained in the attached Schedule of Submissions.

   A summary of the matters raised in the submissions and the City’s response is provided in the Table below:

   **Submission Issue:**

   `Rockingham Beach Road, between Railway Terrace and Flinders Lane, should be closed to traffic which should be diverted along Kent Street, to the benefit of traders.`
**City Response:**
The draft Parking Strategy works within the framework established by the adopted *Rockingham Beach Foreshore Master Plan (2015)* and is not the forum to revisit its content. Following a thorough consultative process, the *Master Plan* established the strategic vision for public spaces at the Rockingham Beach foreshore which will be progressively implemented.

With respect to Rockingham Beach Road (between Railway Terrace and Wanliss Street), after considering all options, the *Master Plan* proposes that it remain open to traffic but be redesigned as a ‘shared street’ where pedestrians have priority over vehicles which will travel at reduced speeds. It will be closed to traffic, however, during large community events.

There is no timeframe for the implementation of these works.

**Submission Issue:**
The Strategy outcomes are based on a single parking occupancy survey on one day in February which was not representative of a standard busy day. The parking which was vacant on that day in the Waterfront Village Sector is not easily visible and not known about by visitors.

**City Response:**
The parking occupancy survey on 12 February was a typical day at Rockingham Beach with the temperature marginally below the long-term average. The Rotary Market (within the ‘Village Green Carpark’) was also in operation during the survey period which added to parking demand and reduced public parking supply.

The survey outcomes were compared to parking audits carried out on Thursday, 29 January and Sunday, 1 February 2015 as part of the *Master Plan* process. These surveys also established that there is availability in all public carparks with the foreshore carparks nearing capacity at times, however, the consolidated public carparks south of Kent Street (‘Village Green Carpark’ and ‘Museum Carpark’) were generally under-utilised.

The draft Parking Strategy acknowledges that at times, particularly during large community events and on occasional summer weekends, parking supply cannot meet demand. Contemporary approaches to public parking no longer simply increase parking provision to cater for maximum demand given that there will be a significant amount of vacant parking for the majority of the year, it can discourage the use of alternative forms of transport and scarce public funds can be better spent.

Rather, the approach in the draft Parking Strategy recommends that ‘demand management’ measures be introduced such that, when parking occupancy is regularly nearing capacity, actions are triggered to moderate demand. These measures can include different time restrictions, greater enforcement and public education. Should parking supply still not cater for demand after exhausting the demand management options, then additional parking will be contemplated.

Further to the above, the draft Parking Strategy recommends that Guidelines be prepared to address the periods of peak demand (through overflow parking arrangements etc) rather than attempting to cater for these situations through permanent parking provision.

It is agreed that the City needs to promote long-term visitors to park in the consolidated public carparks south of Kent Street and the draft Parking Strategy recommends that a Procedure be prepared and implemented to ensure consistent wayfinding and signage.

**Submission Issue:**
The Wanliss Street carpark expansion, as part of the Stage One Foreshore Revitalisation works, have been postponed which would have included extra parking to compensate for the loss parking in the Railway Terrace precinct. As such, this undermines the basis to the Parking Strategy.
October 2, 2017

City Response:
The decision to not proceed with the additional parking within the foreshore at Wanliss Street was due to the applicant for a marina in this location signalling an intention to seek approval to a proposal similar to that approval previously. The previous approval lapsed in early 2015.

At this stage a valid application for Planning Approval has not been lodged and the proponent is seeking the necessary landowner authorisation for this to occur.

It was considered to be irresponsible to build the Wanliss Street carpark as part of the Stage One Foreshore Revitalisation works for it to be destroyed through the construction of the marina, if approved and built.

When the status of the marina application is known, the City will be in a position to determine where and when the additional public parking will be established in recognition of the intent within the Master Plan.

Submission Issue:
The existing parking in Railway Terrace should be retained given its favourable location and the impact it will have on adjacent businesses with respect to limited parking for customers and the loss of service delivery space.

The loss of parking in Railway Terrace will also inconvenience families and the elderly who need parking in proximity to the foreshore and cause safety concerns for workers who need to walk further to vehicles at night.

City Response:
As mentioned above, the draft Parking Strategy works within the framework established by the adopted Rockingham Beach Foreshore Master Plan (2015) and is not the forum to revisit its content.

One of the elements of the Master Plan is to transform Railway Terrace from a car-dominated road and parking destination to a pedestrian friendly street were alfresco dining and other leisure based activities are promoted. The key change to Railway Terrace is the creation of a quality communal space at the end of Railway Terrace, referred to as the ‘Beach Plaza’, where the carpark currently exists.

The ‘Beach Plaza’ is designed to be a highly activated space that will attract people day-to-day when it is not accommodating regular community events. The view has been expressed that the benefit to traders from being adjacent to this high amenity community asset, and the people it will draw, will likely off-set the loss of a quantity of proximate parking bays.

The detailed design for Railway Terrace, including the ‘Beach Plaza’, was resolved with input from adjacent landowners and traders in late 2016 in preparation for the works to commence in April/May 2018.

The servicing of the restaurants, although not the remit of the draft Parking Strategy, is acknowledged as an issue, and in parallel with the impending Railway Terrace works, the City will liaise with traders to develop a solution.

The need to modify the existing parking restrictions to enable convenient, short-term access close to the foreshore is acknowledged, and the draft Parking Strategy contains an Action for this to occur.

The City also acknowledges that changes to the location of public parking will influence patterns of pedestrian movement which generates a review of public safety. Preliminary discussions have already occurred with WA Police and the City’s Community Support and Safety and an approach to enhance pedestrian safety will be developed.

Submission Issue:
The potential for The Cruising Yacht Club carpark, corner Val and Harrison Streets, to accommodate additional parking, as proposed in the Draft Parking Strategy, is limited by tenure. This parking is required immediately to address the loss of bays in Railway Terrace.
The draft Parking Strategy established that, on most occasions, there is available parking within convenient walking distance (three or four minutes) of the foreshore and the key destinations. The draft Parking Strategy has been prepared on this premise.

The Cruising Yacht Club carpark was identified as one of seven options for future parking provision. The City is aware of the tenure arrangements (privately owned) and the need to work with the landowner to realise the outcome of additional public parking at the site.

There is no intention to build the Cruising Yacht Club parking, or other additional public parking, until it is established that typical parking demand cannot be met through existing supply and that the introduction of demand management measures have not moderated demand.

**Submission Issue:**
Directional signage to the consolidated public carparks is inadequate, and the Museum and Village Green carparks could be duplicated.

**City Response:**
It is agreed that the City needs to promote parking within the consolidated public carparks south of Kent Street and the draft Parking Strategy recommends that a Procedure be prepared and implemented to ensure consistent wayfinding and signage.

The timing of deck structures over the ‘Museum Carpark’ and ‘Village Green Carpark’ will be influenced by the occupancy patterns of existing public parking, the success of introducing demand management measures and the availability of funds.

**Submission Issue:**
Parking limits should be provided on the large consolidated private carparks and vehicles diverted to the large public carparks south of Kent Street.

**City Response:**
A draft Parking Strategy recommends the review of existing parking restrictions so as to support the City’s strategic objectives.

One of the strategic objectives is to promote long-term parking within the consolidate public carparks south of Kent Street and the parking restrictions will be reviewed to promote this outcome.

**Submission Issue:**
Paid parking should be avoided as it will impact retail trade.

**City Response:**
There is no commitment in the draft Parking Strategy to introduce paid parking in the foreseeable future.

The draft Parking Strategy recognises that paid parking is one of a number of approaches that can be introduced to control and regulate parking demand.

The draft Parking Strategy recommends that a parking demand management regime be prepared which triggers actions when public parking capacity is regularly reached. Paid parking will be included in this discussion along with other measures such as time restrictions, education/signage and enforcement.

**Submission Issue:**
Parking surveys should be conducted every 3 – 6 months during school holidays and peak period times.
**City Response:**
It is agreed that regular surveys are required and the draft Parking Strategy recommends the acquisition of appropriate technology to enable this to occur. The frequency of the surveys will be determined, however, they are likely to be focussed on the traditional busy periods through the warmer months.

**Submission Issue:**
Agree with the overflow parking guidelines and request that it be adequately communicated to the public prior to the event.

**City Response:**
The Overflow Parking Guidelines, being a recommendation from the draft Parking Strategy, will contain communication requirements.

**Submission Issue:**
The proposed marina in proximity to Wanliss Street is reliant on publicly accessible parking in close proximity otherwise the project will not be viable.

**City Response:**
The viability of the project is a matter to which the City is unable to respond. The approach within the draft Parking Strategy, however, will ensure that the parking provision generated by the marina is contained within a consolidated parking structure, funded by the cash-in-lieu contribution, within walking distance of the site. This parking will supplement the other public parking in the vicinity.

**Submission Issue:**
The proposed marina is predominantly located outside the Town Planning Scheme Area and is not subject to the Scheme requirements pertaining to cash-in-lieu for parking.

**City Response:**
This fact is known to the City and the draft Parking Strategy is not seeking to impose regulation but establish a strategic position to be pursued through the statutory planning processes. It is also noted that the application for Planning Approval will not be determined by the City but a Development Assessment Panel.

In the event that the proposed marina is approved and built, the Scheme boundary will be adjusted to include site of the marina, following which, it will be brought into the prevailing planning framework that applies to the Waterfront Village. The draft Parking Strategy is pre-empting this outcome and seeking to impose an approach to parking consistent with other commercial proposals within the Waterfront Village.

**Submission Issue:**
There is no transparency in how the City would calculate the required number of parking bays for the marina and the resultant cash-in-lieu amount.

**City Response:**
In the same way that the parking requirement was calculated for the lapsed Planning Approval, the parking requirement will be calculated as per the Town Planning Scheme. In the absence of Scheme requirements, the relevant Australian Standard (ie. AS 3962-2001) would be applied.

The City would be pleased to provide preliminary advice in this regard.

It had been the City’s experience that the method of calculating the cash-in-lieu payment, in accordance with the Town Planning Scheme requirements, has been open to interpretation. As such, the City recently initiated a Scheme Amendment, and complementary modification to its Planning Policy, to provide certainty through defining what constitutes a ‘decked parking structure’ and linking its cost to the indexed Rawlinsons Australian Construction Handbook.
Submission Issue:
The marina proposes to expand parking consistent with what is shown in the Rockingham Beach Foreshore Master Plan. The developer will construct approximately 600 public parking bays at no cost to the City and be available for all motorists visiting the locality.

City Response:
The City notes the content of the Master Plan with respect to the duplication of the Wanliss Street carpark.

As mentioned above, the proposed carpark was originally intended to be part of the Stage One Foreshore Revitalisation works, however, it was decided not to proceed with this component when it came to light that the application for the marina was being prepared.

It is also noted that the Master Plan does not make the correlation between the construction of the carpark and the progression of the marina.

Should a valid application for Planning Approval be lodged, the City will assess the proposed approach to parking against the content of the Parking Strategy and the Town Planning Scheme, for the consideration of the Development Assessment Panel.

Submission Issue:
The draft Strategy does not establish an equitable and transparent approach to the collection and expenditure of cash-in-lieu funds for public parking consistent with the principles within State Planning Policy No. 3.6 – Development Contributions for Infrastructure.

City Response:
SPP3.6 provides a framework for guiding the contributions that can be derived from developers towards community infrastructure and has no direct relevance to the matter at hand.

Notwithstanding, and as detailed above, the approach within the draft Parking Strategy has equity at its core.

There is no compelling reason why the marina should be subject to requirements that vary from other commercial proposals within the Waterfront Village.

Consistent with the way that the required parking allocation for the lapsed Planning Approval was determined through applying the relevant Town Planning Scheme provisions, the other statutory requirements from the Scheme and prevailing Planning Policies have applicability. To apply a different approach to the marina proposal would be unfair and inequitable to other proponents.

The Town Planning Scheme is transparent in the sense that it requires cash-in-lieu payments to be used for the provision of public facilities within the Waterfront Village ‘in reasonable proximity’ to the subject land that generates the payment. The City anticipates that the location and timing of the parking structure to be built through the cash-in-lieu payment would be subject to agreement between the parties.

b. Consultation with Government Agencies
Consultation with Government Agencies is not required.

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, aborting 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 and analysis.
d. Policy
Nil

e. Financial
The implementation of various Actions within the draft CPS will require the allocation of funding which will be progressed through the normal Annual Budget processes.

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

Various matters raised during the consultation period, such as changes to timed parking, an overflow parking regime and improved wayfinding, will be addressed through implementing Actions contained in the draft Parking Strategy.

Some submissions sought to reverse outcomes that were established through the adopted Rockingham Beach Foreshore Master Plan (2015). The draft Parking Strategy works within the parameters established by the Master Plan, a process that was highly visible and consultative, and draft Parking Strategy is not the avenue to revisit the Master Plan content.

The draft Parking Strategy contains a logical approach to public parking management and provision which will assist in realising the broader objectives for the Waterfront Village and City Centre precincts.

It is recommended that the Parking Strategy be adopted.

Voting Requirements
Simple Majority

Officer Recommendation
That Council ADOPTS the Community Plan Strategy - Rockingham Strategic Metropolitan Centre Public Parking, dated June 2017, as advertised.

Committee Recommendation
Moved Cr Whitfield, seconded Cr Sammels:
That Council ADOPTS the Community Plan Strategy - Rockingham Strategic Metropolitan Centre Public Parking, dated June 2017, as advertised.

Committee Voting – 5/0

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

Implications of the Changes to the Officer’s Recommendation
Not Applicable
## Planning and Engineering Services Committee Minutes
Monday 11 December 2017
PDS-075/17

### Planning and Development Services
Directorate, Planning Services

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**Site:**

Foreshore Reserve between Boundary Road, Shoalwater and Warnbro Beach Road, Waikiki

**Lot Area:**

Parks and Recreation

**LA Zoning:**

Parks and Recreation

**MRS Zoning:**

Parks and Recreation

**Attachments:**

1. Study Area
2. Town Planning Scheme Extract

### Purpose of Report

To seek Council's endorsement to prepare the Safety Bay/Shoalwater Foreshore Revitalisation Master Plan and approve expenditure in the 2017/18 Annual Budget.

### Details

**Study Area**

The Safety Bay and Shoalwater Foreshore (‘Foreshore Precinct’) is a popular segment of the City’s coast.

The Foreshore Precinct contains a number of natural and built assets that contribute to it being a popular destination for the general community and special interest groups such as wind and kite-surfing enthusiasts, the boating public and Penguin Island tourists.

At present there is no consolidated City position that guides how the foreshore will evolve and the measures that should be taken to allow its potential to be realised.
The Foreshore Precinct extends from Boundary Road to Warnbro Beach Road, as shown in Figure 1 below. It can be divided into the Shoalwater and Safety Bay Sectors; north and east of Mersey Point.

The Foreshore Precinct is 5.3km in length with a total area of approximately 45ha. It contains predominantly south and west facing beaches with views of Warnbro Sound and the Shoalwater Islands. The foreshore is a linear dimension comprising a range of natural and developed portions.

1. Study Area

A central element of the Safety Bay Sector is Tern Island and ‘The Pond’. Tern Island (or ‘Tern Bank’) is a naturally occurring sand spit, aligned parallel to the foreshore, which is accreting by up to 10,000m³ per year. The waterbody between Tern Island and the foreshore is referred to as ‘The Pond’ which is a popular wind and kite-surfing destination.

The Safety Bay Sector is characterised by a row of mature Norfolk Island Pines, various recreational nodes and a continuous dual use path. The more significant infrastructure includes the Safety Bay Yacht Club, three boat ramps, two toilets/change room facilities and a buried granite seawall at Waikiki Beach.

A key feature of the Shoalwater Sector is the outlook over a series of limestone based islands, most notably Penguin Island, Seal Island and Shag Rock. A small commercial node exists at Mersey Point from which a ferry service departs to the popular tourist destination of Penguin Island.

The Shoalwater Sector predominately comprises native dunal vegetation, divided by pedestrian access paths to the beach, with two foreshore parks and appurtenant parking facilities. Apart from the Mersey Point commercial node, the other significant built assets are toilet/change room facility, located adjacent to the intersection of Arcadia Drive and Gloucester Avenue, and the Mersey Point jetty (currently under construction).

Safety Bay Road and Arcadia Drive, which abut the Foreshore Reserve, is a continuous, two-lane local distributor road with a maximum traffic volume of 13,000vpd (through the Safety Bay Road portion).

Planning and Regulatory Framework

Town Planning Scheme/Metropolitan Region Scheme

The majority of the foreshore is reserved as ‘Parks and Recreation’ under the City of Rockingham Town Planning Scheme No.2 and the Metropolitan Region Scheme, with Safety Bay Road and Arcadia Drive reserved as a ‘Local Road’, as depicted in Figure 2.
2. Extract from TPS2

For all but a 3.8ha section between Boundary and Coventry Roads in Shoalwater and a 1.8ha section opposite the site of the former Waikiki Hotel, the foreshore is an ‘A’ Class Reserve, with a ‘Recreation’ purpose and the management responsibilities assigned to the City of Rockingham. The excluded sections are ‘C’ Class Reserves, however, the purpose and management responsibilities are the same.

The City has ‘power to lease/licence’ over approximately 80% of the Foreshore Reserve, being the Shoalwater Sector and the western portion of the Safety Bay Sector.

Shoalwater Islands Marine Park

The marine environment abutting the Foreshore Reserve is part of the Shoalwater Islands Marine Park as prescribed under the Conservation and Land Management Act 1984. Under the Act there are specific limitations on activities within the Marine Park which are designed to manage and retain its ecological and social integrity.

The Marine Park is vested in the Conservation and Parks Commission and the management responsibilities are delegated to the Department of Biodiversity, Conservation and Attractions.


City of Rockingham Foreshore Management Plan

The Foreshore Management Plan (2016) provides direction for the ongoing use and management of the City’s foreshore over a five year period. It divides the foreshore into five sectors of which the Foreshore Precinct is contained in Sector Two.

The recommendations for the Foreshore Precinct include the enhancement of the recreational nodes at ‘The Pond’, improvement to beach access and rehabilitation of the coastal vegetation.
The Foreshore Management Plan includes a ‘concept plan’ for ‘The Pond’/Tern Island precinct which proposes measures such as better facilities for wind and kite-surfers, improved pedestrian access and lookout opportunities.

City of Rockingham Coastal Hazard Risk Management Adaptation Plan

A contractor has been engaged to prepare a CHRMAP for the City’s 37km coastline. The project will build on the work conducted by the City’s regional coastal partnerships (PNP and CSA) by forecasting the impacts on the coast from sea level rise and storm events. An adaptation response will then be developed to manage the predicted impacts on the coast. The infrastructure adjacent to the coast, and the value attached to the different sectors of the coast by the community, will assist in informing the adaptation response.

The erosion and inundation modelling is likely to be available early in 2018 and the draft adaptation responses are expected to be released for comment in the second half of 2018.

Existing User Groups/Stakeholders

The Foreshore Precinct has a range of user groups, including the following:

(i) Those informally recreating within the foreshore parks and at the beach;
(ii) Commercial entities that trade within the foreshore under a Traders Permit issued by the City; linked predominantly to fitness and wind and kite-surfing;
(iii) Tourists that access the Shoalwater Islands, most notably Penguin Island, from Mersey Point;
(iv) Boating enthusiasts that commute to Warnbro Sound from the existing boat ramps; and
(v) Wind and kite-surfers who use the foreshore to rig equipment and access ‘The Pond’ and other locations to undertake the activity.

Other stakeholders that will be involved in the preparation of the Master Plan include the Department of Biodiversity, Conservation and Attractions, Department of Planning, Lands and Heritage, Department of Transport, relevant City Advisory Groups and Councillors.

Master Plan

The ability for the Foreshore Precinct to realise its potential will be aided through the preparation of a strategic document that establishes a consolidated, long-term vision. In this regard, a Master Plan has been identified as the means to achieve this outcome.

The Master Plan would be a design-based, conceptual response to deliver the ‘Project Purpose’ (see below) following a thorough and inclusive investigation process in a similar vein to the Rockingham Beach Foreshore Master Plan prepared by the City in 2015.

It would itemise and cost the various elements of the Master Plan, prioritise their delivery and identify potential external funding sources.

The Master Plan would be prepared in concert with the City’s economic and tourism destination marketing strategies and guide the evolution of the Foreshore Precinct over the next 20+ years.

The following ‘Project Purpose’ has been prepared for a Master Plan:

“To develop a strategic vision for the Safety Bay Foreshore Precinct that gives direction to:
- Realising its tourism potential with a focus on the emerging wind and kite-surfing industry;
- Coordinating the existing and future commercial activity within the foreshore; and
- Enhancing the existing recreational experiences and the protection of key environmental and built assets.”

The Master Plan would essentially be a Landscape Architecture/Urban Design led commission with possible input from the Coastal Engineering, Environment and Traffic Engineering disciplines.

The focus of the Master Plan would be on landscaping and aesthetics with selected, but limited, built form elements. It would also provide a template to deliver new assets and asset renewal.

The Master Plan would also address traffic/parking, prioritise improvement works and be the basis to seek and allocate funding for implementation.
It is anticipated that the City will engage a Consultant Team to lead the design and consultation component of the project and the following phases are expected:

<table>
<thead>
<tr>
<th>1. Engage Consultant</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Initial Consultation (with major stakeholders to establish key ‘design drivers’)</td>
</tr>
<tr>
<td>3. Draft Master Plan Preparation</td>
</tr>
<tr>
<td>4. Consultation – Draft Master Plan</td>
</tr>
<tr>
<td>5. Master Plan Adoption by Council</td>
</tr>
</tbody>
</table>

Following the allocation of funding, it is anticipated that the process would take 12 - 15 months to complete.

**Implications to Consider**

a. **Consultation with the Community**
   - The preparation of the Master Plan will be in consultation with stakeholders and the local community. It is anticipated that an initial, targeted consultation will be carried out with stakeholders to establish the drivers that will influence the design process.
   - When a draft Master Plan has been prepared, it will be released for public comment through the City’s various platforms. It is likely that the City will host an information session during the consultation period.

b. **Consultation with Government Agencies**
   - Consultation with relevant Government Agencies will occur during the process.

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:

<table>
<thead>
<tr>
<th>Aspiration C:</th>
<th>Quality Leadership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic Objective:</td>
<td>Infrastructure - Civic buildings, aborting 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 and analysis.</td>
</tr>
</tbody>
</table>

d. **Policy**
   - Nil

e. **Financial**
   - It is estimated that the cost of commissioning the multi-disciplinary Consultant Team to assist in delivering the Master Plan will be in the range of $125,000 - $150,000. The project will occur over two financial years. As such a budget allocation will be required for the 2017/2018 financial year of $50,000. The remainder will be applied in the 2018/2019 financial year.
   - No funds are currently allocated to the project in the current Annual Budget or the City Business Plan.

f. **Legal and Statutory**
   - Section 6.81 (1)(b) states that a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by resolution.
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 Safety Bay and Shoalwater foreshores offer an experience that is different to other destinations along the City’s coast which contributes to its popularity. There is potential for it to deliver even greater benefit to the local community and attract more visitors to its unique attributes.

In order to assist in realising this potential, there is a need for a coordinated approach to the manner in which it evolves and a Master Plan is the appropriate vehicle for this to occur. It has been demonstrated through the Rockingham Beach Foreshore Master Plan that a community-led, strategic vision offers a compelling case for funding providers to assist in realising improvements.

It is therefore recommended that Council endorse the Safety Bay/Shoalwater Foreshore Revitalisation Master Plan project subject to the allocation of funding through the normal budget processes.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council:

1. APPROVES the Safety Bay/Shoalwater Foreshore Revitalisation Master Plan project.
2. ALLOCATES $50,000 in the 2017/2018 Annual Budget

Committee Recommendation

Moved Cr Hamblin, seconded Cr Whitfield:
That Council:

1. APPROVES the Safety Bay/Shoalwater Foreshore Revitalisation Master Plan project.
2. ALLOCATES $50,000 in the 2017/2018 Annual Budget

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable

4:30pm - Cr Andrew Burns arrived at the Planning and Engineering Services Committee meeting.
### Purpose of Report

To provide Council with details of the tenders received for Tender T17/18-24 – Standing offer for the application of herbicide and pesticide services (T17/18-24), document the results of the tender assessment and make recommendations regarding award of the tender.

### Background

Tender T17/18-24 was advertised in the West Australian on Saturday, 14 October 2017. The tender closed at 2:00pm, Wednesday, 1 November 2017 and was publicly opened immediately after the closing time.

### Details

The scope of works is for the supply and application of herbicides and pesticides to the City’s public open space and road reserves. Works to be undertaken under the contract shall include:

- supply and apply herbicide to sports fields and passive reserves for control of turf weeds

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<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-025/17 Tender T17/18-24 – Standing offer for the application of herbicide and pesticide services</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>T17/18-24</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Adam Johnston, Manager Parks Services</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Adam Johnston, Manager Parks Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>11 December 2017</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>Executive</td>
</tr>
<tr>
<td>Site:</td>
<td>Various</td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td></td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td>Schedule of Rates for T17/18-24</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
</tr>
</tbody>
</table>
- supply and apply herbicide to conservation reserves for firebreaks and general weed control
- supply and apply herbicide to garden areas for general weed control
- supply and apply pesticide to turf and gardens for ant and beetle control
- supply and apply herbicide to reserve fence lines for grass control
- supply and apply herbicide to kerb lines, footpaths and hardstand areas for general weed control

The period of the contract shall be from the date of award for a period of 60 months.

A panel comprising Mr Adam Johnston, Manager Parks Services, Mr Cyril Sharrock, Coordinator Maintenance and Mr Steve Timbrell, Coordinator Contracts and Projects undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Level of Service</th>
<th>Understanding of Tender Requirements</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turf Master Pty Ltd The Trustee for Turfmaster Unit Trust trading as Turf Master Facility Management</td>
<td>33.0</td>
<td>30.0</td>
<td>30.0</td>
<td>93.0</td>
</tr>
<tr>
<td>Website Weed &amp; Pest (WA) Pty Ltd trading as Website Weed and Pest Control</td>
<td>27.0</td>
<td>27.0</td>
<td>23.3</td>
<td>77.3</td>
</tr>
</tbody>
</table>

The Contract rates will be subject to a price variation every twelve (12) months from the date of award. Such a price variation will be calculated in accordance with the variation in the Consumer Price Index (CPI) for Perth Western Australia for all groups for the 12 months preceding the last completed CPI quarter as at the date the price variation is due.

### Implications to Consider

a. Consultation with the Community
   - Not Applicable

b. Consultation with Government Agencies
   - Not Applicable

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

   **Aspiration A:** Tourism Lifestyle
   **Strategic Objective:** Safety, Appearance and Cleanliness - Attractive, appealing and welcoming foreshores, beaches and public spaces that are clean, safe and litter free.

   **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.

   **Aspiration D:** Sustainable Environment
   **Strategic Objective:** Coastal and Bushland Reserves - Coastal and bushland reserves that are well used and sustainably managed preserving them for future generations to enjoy.
d. Policy

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

e. Financial

Expenditure will be in accordance with the Engineering and Parks Services maintenance budgets as allocated in the 2017/18 operational budget and future operational budgets. Based on historical expenses the annual expenditure is anticipated to be $155,000 per annum with variations dependent on seasonal requirements and increased scope through new developments.

f. Legal and Statutory


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

g. Risk

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

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

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

Nil

Comments

Following consideration of the submissions in accordance with the tender assessment criteria, both tenderers demonstrated a capacity to undertake the works. They are experienced in the works required and demonstrated their understanding of the contract requirements: however, the submission received from Turf Master Pty Ltd the Trustee for Turfmaster Unit Trust trading as Turf Master Facility Management is considered the best value to the City and therefore recommended as the preferred tenderer.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ACCEPTS the tender submitted from Turfmaster Pty Ltd as Trustee for Turfmaster Unit Trust trading as Turf Master for Tender T17/18-24 - Standing offer for the application of herbicide and pesticide services, in accordance with the tender documentation for the contract period being from date of award for a period of 60 months.

Committee Recommendation

Moved Cr Sammels, seconded Cr Whitfield:

That Council ACCEPTS the tender submitted from Turfmaster Pty Ltd as Trustee for Turfmaster Unit Trust trading as Turf Master for Tender T17/18-24 - Standing offer for the application of herbicide and pesticide services, in accordance with the tender documentation for the contract period being from date of award for a period of 60 months.

Committee Voting – 5/0
The Committee's Reason for Varying the Officer's Recommendation
Not Applicable

Implications of the Changes to the Officer's Recommendation
Not Applicable
Engineering and Parks Services
Engineering Services

Reference No & Subject: EP-026/17 Tender T17/18-27 – Standing offer for the supply, fit and repair of tyres to heavy plant and equipment

File No: T17/18-27

Proponent/s: Mr Jerome King, Acting Manager Engineering Services

Author: Mr Allan Moles, Manager Waste Services

Other Contributors: Mr Glen Zilko, Supervisor Fleet Management

Date of Committee Meeting: 11 December 2017

Previously before Council:

Disclosure of Interest:

Nature of Council’s Role in this Matter: Executive

Site:

Lot Area:

LA Zoning:

MRS Zoning:

Attachments: Schedule of Rates for T17/18-27

Maps/Diagrams:

Purpose of Report

To provide Council with details of the tenders received for Tender T17/18-27 (T17/18-27) – Standing offer for the supply, fit and repair of tyres to heavy plant and equipment, document the results of the tender assessment and make recommendations regarding award of the tender.

Background

Tender T17/18-27 was advertised in the West Australian on Saturday, 30 September 2017 and in the Sound Telegraph newspaper on Wednesday, 4 October 2017. The tender closed at 2:00pm, Wednesday, 18 October 2017 and was publicly opened immediately after the closing time.

Details

Tender Summary:

The work includes the supply, fitting, repair and disposal of tyres at the contractors workshop and/or on-site at various locations within the City of Rockingham, for trucks, heavy plant and various items of general plant.

The period of the contract shall be from the date of award until 31 August 2020.
Tender Submissions were received from the following companies:

A panel comprising Mr Allan Moles, Manager Waste Services, Mr Jerome King, Coordinator Infrastructure and Fleet and Mr Glen Zilko, Fleet Management Supervisor undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Level of Service</th>
<th>Quality of Products</th>
<th>Tendered Price/s</th>
<th>Total Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.A Nunes P.E Nunes &amp; S.J Nunes trading as Rockingham - Medina Tyre Services</td>
<td>22.0</td>
<td>30 Pts</td>
<td>24.0</td>
<td>32.4</td>
<td>78.4</td>
</tr>
<tr>
<td>Platinum Tyre Services Pty Ltd trading as Platinum Tyre Services Rockingham</td>
<td>12.0</td>
<td>30 Pts</td>
<td>15.0</td>
<td>28.3</td>
<td>55.3</td>
</tr>
<tr>
<td>Goodyear &amp; Dunlop Tyres (Aust) Pty Ltd trading as Goodyear &amp; Dunlop Tyres</td>
<td>17.0</td>
<td>30 Pts</td>
<td>13.0</td>
<td>27.7</td>
<td>57.7</td>
</tr>
</tbody>
</table>

The Contract rates will be subject to a price variation every twelve (12) months from the date of award. Such a price variation will be calculated in accordance with the variation in the Consumer Price Index (CPI) for Perth Western Australia for all groups for the 12 months preceding the last completed CPI quarter as at the date the price variation is due.

**Implications to Consider**

a. **Consultation with the Community**  
   Not Applicable

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

c. **Strategic**  
   **Community Plan**

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

   **Aspiration C:** Quality Leadership

   **Strategic Objective:** Governance - Governance systems that enable Council to make informed and considered decisions, effectively supported by an executive informing and implementing those decisions; all within an accountable, legally compliant, transparent and ethical environment.

d. **Policy**

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

e. **Financial**

   **Period Tenders**

   Expenditure will be in accordance with the Engineering and Parks operations plant maintenance budgets.

f. **Legal and Statutory**

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

**g. Risk**

All Council decisions are subject to risk assessment according to the City’s Risk Framework. Implications and comment will only be provided for the following assessed risks.

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

Nil

**Comments**

The estimated expenditure is $255,377 per annum. Goodyear Dunlop Tyres Australia Pty Ltd requested to re-negotiate the terms and conditions of the contract which resulted in a lower score for level of service.

Following consideration of the submissions and in accordance with the tender criteria, all companies demonstrated a capacity to complete the works, however, the submissions received from A A Nunes, P E Nunes and S J Nunes trading as Rockingham Medina Tyre Services are 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 A A Nunes P E Nunes and S J Nunes trading as Rockingham Medina Tyre Service 53 Dixon Road Rockingham WA 6168 for Tender T17/18-27 - Standing offer for the supply, fit and repair of tyres to heavy plant and equipment, in accordance with the tender documentation for the contract period being from date of award to 31 August 2020.

**Committee Recommendation**

Moved Cr Whitfield, seconded Cr Hamblin:

That Council ACCEPTS the tender submitted from A A Nunes P E Nunes and S J Nunes trading as Rockingham Medina Tyre Service 53 Dixon Road Rockingham WA 6168 for Tender T17/18-27 - Standing offer for the supply, fit and repair of tyres to heavy plant and equipment, in accordance with the tender documentation for the contract period being from date of award to 31 August 2020.

Committee Voting – 5/0

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

Not Applicable

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

Not Applicable
## Purpose of Report

To provide Council with details of the tenders received for Tender T17/18-26 (T17/18-26) - Standing offer for the supply, fit and repair of tyres to passenger, light commercial vehicles, trailers and mowers, document the results of the tender assessment and make recommendations regarding award of the tender.

## Background

Tender T17/18-26 was advertised in the West Australian on Saturday, 30 September 2017 and in the Sound Telegraph newspaper on Wednesday, 4 October 2017. The tender closed at 2:00pm, Wednesday, 18 October 2017 and was publicly opened immediately after the closing time.

## Details

### Tender Summary:

The work includes the supply, fitting, repair and disposal of tyres at the contractors workshop and/or on-site at various locations within the City of Rockingham, for passenger, light commercial, ride on mowers and trailers.
The period of the contract shall be from the date of award until 31 August 2020.

A panel comprising Mr Allan Moles, Manager Waste Services, Mr Jerome King, Coordinator Infrastructure and Fleet and Mr Glen Zilko, Fleet Management Supervisor undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Level of Service 30 Pts</th>
<th>Quality Of Products 30 Pts</th>
<th>Tendered Price/s 40 Pts</th>
<th>Total Weighted Scores 100 Pts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bridgestone Australia Ltd t/as Bridgestone</td>
<td>14.0</td>
<td>9.0</td>
<td>26.2</td>
<td></td>
<td>49.2</td>
</tr>
<tr>
<td>AA Nunes PE Nunes and SJ Nunes t/as Rockingham Medina Tyre Services</td>
<td>21.8</td>
<td>23.3</td>
<td>32.7</td>
<td></td>
<td>77.8</td>
</tr>
<tr>
<td>Platinum Tyre Services Rockingham Pty Ltd</td>
<td>12.0</td>
<td>15.0</td>
<td>24.7</td>
<td></td>
<td>51.7</td>
</tr>
<tr>
<td>Goodyear and Dunlop Tyres Australia Pty Ltd</td>
<td>20.0</td>
<td>13.3</td>
<td>28.1</td>
<td></td>
<td>61.4</td>
</tr>
</tbody>
</table>

The Contract rates will be subject to a price variation every twelve (12) months from the date of award. Such a price variation will be calculated in accordance with the variation in the Consumer Price Index (CPI) for Perth Western Australia for all groups for the 12 months preceding the last completed CPI quarter as at the date the price variation is due.

**Implications to Consider**

a. **Consultation with the Community**  
   Not Applicable

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

c. **Strategic**  
   **Community Plan**  
   This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2015-2025:
   
   **Aspiration C:** Quality Leadership  
   **Strategic Objective:** Governance - Governance systems that enable Council to make informed and considered decisions, effectively supported by an executive informing and implementing those decisions; all within an accountable, legally compliant, transparent and ethical environment.

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

e. **Financial**  
   **Period Tenders**  
   Expenditure will be in accordance with the Engineering and Parks operations plant maintenance budgets.

f. **Legal and Statutory**  

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

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

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

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

Nil

Comments

The estimated expenditure is $83,026. Clarification was sort from Goodyear Dunlop Tyres Australia Pty Ltd as it had not included the tyre disposal cost in its pricing schedule. Goodyear Dunlop Tyres Australia Pty Ltd agreed to absorb all tyre disposal costs for Tender T17/18-26.

Goodyear Dunlop Tyres Australia Pty Ltd and Bridgestone Ltd Trading as Bridgestone requested to re-negotiate the terms and conditions of the contract which resulted in a lower score for level of service.

Following consideration of the submissions and in accordance with the tender criteria all companies demonstrated a capacity to complete the works, however, the submissions received from A A Nunes, P E Nunes and S J Nunes trading as Rockingham Medina Tyre Services are 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 A A Nunes, P E Nunes and S J Nunes trading as Rockingham Medina Tyre Service 53 Dixon Road Rockingham WA 6168 for Tender T17/18-26 - Standing offer for the supply, fit and repair of tyres to passenger, light commercial vehicles, trailers and mowers in accordance with the tender documentation for the contract period being from date of award to 31 August 2020.

Committee Recommendation

Moved Cr Whitfield, seconded Cr Hamblin:

That Council ACCEPTS the tender submitted from A A Nunes, P E Nunes and S J Nunes trading as Rockingham Medina Tyre Service 53 Dixon Road Rockingham WA 6168 for Tender T17/18-26 - Standing offer for the supply, fit and repair of tyres to passenger, light commercial vehicles, trailers and mowers in accordance with the tender documentation for the contract period being from date of award to 31 August 2020.

Committee Voting – 5/0

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

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
<table>
<thead>
<tr>
<th></th>
<th>Reports of Councillors</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td>14.</td>
<td>Addendum Agenda</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td>15.</td>
<td>Motions of which Previous Notice has been given</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td>16.</td>
<td>Notices of Motion for Consideration at the Following Meeting</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td>17.</td>
<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td>18.</td>
<td>Matters Behind Closed Doors</td>
</tr>
<tr>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td>19.</td>
<td>Date and Time of Next Meeting</td>
</tr>
<tr>
<td></td>
<td>The next Planning and Engineering Services Committee Meeting will be held on <strong>Monday 15 January 2018</strong> in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
</tr>
<tr>
<td>20.</td>
<td>Closure</td>
</tr>
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<td></td>
<td>There being no further business, the Chairperson thanked those persons present for attending the Planning and Engineering Services Committee meeting, and declared the meeting closed at <strong>4:38pm</strong>.</td>
</tr>
</tbody>
</table>