Ordinary Meeting of Council Minutes

Held on Tuesday, 27 March 2012 at 6:00pm
City of Rockingham Council Chambers
# City of Rockingham
## Ordinary Council Meeting
### 6:00pm Tuesday 27 March 2012

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- CIP-004/12 Baldivis Library and Community Centre Project Reference Group Meeting Minutes, 21 February 2012
- CCB-011/12 Rockingham Education and Training Advisory Committee Change to Department of Education Membership
- CCB-012/12 Contract extension for New Years Eve Celebration 2012
- CCB-013/12 City of Rockingham Community and Volunteer Awards Policy (formerly Celebrating Rockingham Awards)
- CCB-014/12 Disability Access and Inclusion Plan 2012-2015
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## Council Minutes

**Tuesday 27 March 2012**

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### City of Rockingham

**Ordinary Meeting of Council Minutes**

**Tuesday 27 March 2012 – Council Chambers**

### 1. Declaration of Opening

The Chairman declared the Council Meeting open at 6:01pm and welcomed all present.

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

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<th>2.1 Councillors</th>
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<tbody>
<tr>
<td>Cr Barry Sammels (Mayor)</td>
<td>Rockingham Ward</td>
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<tr>
<td>Cr Deb Hamblin (Deputy Mayor)</td>
<td>Safety Bay Ward</td>
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<tr>
<td>Cr Lorraine Dunkling</td>
<td>Safety Bay Ward</td>
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<tr>
<td>Cr Leigh Liley</td>
<td>Safety Bay Ward</td>
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<tr>
<td>Cr Ron Pease</td>
<td>Safety Bay Ward</td>
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<tr>
<td>Cr Chris Elliott</td>
<td>Coastal Ward</td>
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<tr>
<td>Cr Richard Smith</td>
<td>Baldivis Ward</td>
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<tr>
<td>Cr Allan Hill</td>
<td>Rockingham Ward</td>
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<tr>
<td>Cr Joy Stewart</td>
<td>Rockingham Ward</td>
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<table>
<thead>
<tr>
<th>2.2 Executive</th>
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<tbody>
<tr>
<td>Mr Andrew Hammond</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Mr Robert Jeans</td>
<td>Director Planning and Development Service</td>
</tr>
<tr>
<td>Ms Gay Thornton</td>
<td>Director Community Development</td>
</tr>
<tr>
<td>Mr Chris Thompson</td>
<td>Director Engineering and Parks Services</td>
</tr>
<tr>
<td>Mr John Pearson</td>
<td>Director Corporate Services</td>
</tr>
<tr>
<td>Mr Peter Varris</td>
<td>Manager Governance and Councillor Support</td>
</tr>
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**Members of the Public:** 15

**Press:** 3

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<th>2.3 Apologies:</th>
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<tbody>
<tr>
<td>Cr Ann Prince</td>
<td>Rockingham Ward</td>
</tr>
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| 2.4 Approved Leave of Absence:    | Nil                  |

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

Nil

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CONFIRMED AT A COUNCIL MEETING

HELD ON TUESDAY, 24 APRIL 2012

______________________________

MAYOR (B W SAMMELS)
4. **Public Question Time**

**6:02pm** The Mayor invited members for the Public Gallery to ask questions.

4.1 **Mr Glen Hutchinson, 21 Lemon Gum Drive, Baldivis – Vice President of the Secret Harbour Districts Teeball Association**

The Mayor invited Mr Hutchinson to present his question to Council. Mr Hutchinson asked the following question:

1. Given the presently large number of registered players with our Club, last year a little over 300 and projected to be well in excess of 350 this coming season will the Council assist our club with sharing the facilities at Lark Hill with one of the existing clubs that have a winter (opposing) playing session?

The Mayor advised that the City will investigate how the Association can be assisted and that the Community Development Officers will contact Mr Hutchinson in the near future to commence this process.

**6:04pm** There being no further questions the Mayor closed Public Question Time.

5. **Applications for Leave of Absence**

Nil

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

 Moved Cr Hill, seconded Cr Stewart

That Council CONFIRM the Minutes of the Ordinary Council Meeting held on 28 February 2012, as a true and accurate record.

Carried – 9/0

7. **Matters Arising from Minutes of Previous Meeting**

Nil

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

**6:05pm** The Chairman 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 Council meeting.

9. **Declarations of Members and Officers Interests**

9.1 **Item CS-008/12 Application for Rating Exemption – 1677 Mandurah Road, Baldivis**

Councillor: Cr Allan Hill

Type of Interest: Impartiality Interest

Nature of Interest: Ex-Serviceman

Extent of Interest (if applicable): Visits the Totally and Partially Disabled Veterans of WA (Inc) Club House as an ex-serviceman
9.2 Item CS-008/12  Application for Rating Exemption – 1677 Mandurah Road, Baldivis

Councillor: Cr Lorraine Dunkling
Type of Interest: Impartiality Interest
Nature of Interest: Member of the RSL
Extent of Interest (if applicable): Visits the Totally and Partially Disabled Veterans of WA (Inc) Club House as a member of the RSL

The Mayor noted the interests declared in Item 9.1 and 9.2 and asked if there were any further interests to declare. There were none.

10. Petitions/Deputations/Presentations/Submissions

10.1 Cr Liley – WA Multicultural Community Service Awards

The City of Rockingham was recognised recently as the winner of the Implementing Multiculturalism Local Award for the PROSPECT Youth Group for African Young People at the recent Department of Local Government, Office of Multicultural Interests Awards night.

Recognising that diversity is one of our strengths as a community the PROSPECT youth group was established by the City to connect local young African people to their community through opportunities involving leadership, the arts and sport. One of their most innovative opportunities was to participate in the 2011 Perth International Arts festival through the ‘Talking Couches’ project. Facilitated by local artist Lewis Horn the young people renovated two couches according to themes they chose. Their stories were then recorded and integrated into the couches for people to hear, with the couches exhibited at the Festival. Today one can be viewed at the Office of the Commissioner for Children and Young People and the other at the City of Rockingham Waste Recycling Centre.

As the winner the City was recognised as a Western Australian local government that had implemented the principles of multiculturalism through innovative planning and community engagement practices. The PROSPECT youth group continues to work on those principles today.

10.2 Cr Liley – Community Arts Network WA Publication

The Minister for the Arts, John Day, launched a publication prepared by Community Arts Network WA (CANWA) called “Growing Communities: Arts and Culture in Local Government.

CANWA chose 10 local governments which had already embarked on the transformation of their communities through arts and culture and it is hoped that through the distribution of the publication other local governments will do likewise. The City of Rockingham was chosen by CANWA as one of the 10 local governments to have its ‘Jarrah, Jetties and Journeys’ project published in the book. Congratulations to Margy Timmermans for leading this initiative and such great outcomes for our community.

11. Matters for which the Meeting may be Closed

Nil
12. **Receipt of Minutes of Committees**

*Moved Cr Hamblin, seconded Cr Smith*

That Council *RECEIVE and CONSIDER* the minutes of the:

1. Community Development Committee meeting held on 12 March 2012;
2. Planning Services Committee meeting held on 19 March 2012; and
3. Corporate and Engineering Services Committee meeting held on 20 March 2012.

Carried – 9/0

13. **Officers Reports and Recommendations of Committees**

**Method of Dealing with Agenda Business**

The Mayor advised the meeting that with the exception of the items identified to be withdrawn for discussion that the remaining reports committee recommendations would be adopted en bloc, ie all together.

**Withdrawn Items**

The following officer report items were withdrawn for discussion:-

- CCB-016/12 Sports Advisory Committee Meeting Minutes held 6 February 2012
- SPE-004/12 Proposed Structure Plan (‘West Karnup’) – Consent to Advertise
- HR-002/12 Appointment of Councillor To Chief Executive Officer Performance Review Committee
Council Resolution – En bloc Resolution
Moved Cr Liley, seconded Cr Dunkling
That the committee recommendations in relation to Agenda Items CIP-003/12 to CCB-015/12 be carried en bloc.

Carried by Absolute Majority - 9/0

Community Development Committee

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<th>CIP-003/12 Community Sport and Recreation Facilities Fund (CSRFF) Winter 2012 Applications</th>
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<td>File No:</td>
<td>GRS/8-03</td>
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<tr>
<td>Proponent/s:</td>
<td>Rockingham Tennis Club</td>
</tr>
<tr>
<td>Author:</td>
<td>Carly Kroczek, Community Infrastructure Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Michael Quirk, Manager Community Infrastructure Planning</td>
</tr>
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<td></td>
<td>Dean Burton, Sport and Recreation Officer – Club Development</td>
</tr>
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<td>Date of Committee Meeting:</td>
<td>12 March 2012</td>
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<td>Previously before Council:</td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Executive Function</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive Function</td>
</tr>
<tr>
<td>Site:</td>
<td>Rockingham Tennis Club, Kent Street, Rockingham</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>Entire Lot Area, 28,358m²</td>
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<td>Attachments:</td>
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1. Rockingham Tennis Club Location Map
1. Purpose of Report

To provide details and seek endorsement for the application received from Rockingham Tennis Club for the Department of Sport and Recreation’s Community Sport and Recreation Facility Fund Small Grants Program.

2. Background

The State Government through the Community Sport and Recreation Facilities Fund (CSRFF) provides $20 million annually towards the development of sport and recreation facilities in Western Australia. The program, which aims to increase participation in sport and recreation through the provision of good quality, well designed and well utilised facilities, is divided into three categories:

**Small Grants ($1.5 million over two rounds)**

Small grants are offered twice per year closing on the last working day in March and August. The total project cost cannot exceed $150,000 and a maximum of $50,000 (1/3 of the total project cost) is available.

**Annual Grants ($3 million)**

Annual grants are available for projects with a total cost of $150,000 - $500,000. Projects must be completed within 12 months of receiving the grant, with a maximum of 1/3 of the project cost able to be funded. Applications close in October each year.

**Forward Planning Grants ($15.5 million)**

Forward Planning Grants are for complex projects which require a planning period of between 1 and 3 years. The total project cost exceeds $500,000 and can be allocated in one or a combination of the years in the next triennium. A maximum of 1/3 of the total project cost, up to $4,000,000 is available. Applications are submitted annually and close in October each year.

The City of Rockingham is required to prioritise all applications for projects within the municipal boundaries prior to the forwarding to the Department of Sport and Recreation, based on the following criteria:

- Well planned and needed by the local government
- Well planned and needed by the applicant
- Needed by the local government, more planning required
- Needed by the applicant, more planning required
- Idea has merit, more preliminary work needed
- Not recommended

3. Details

The City has received one application from Rockingham Tennis Club for the CSRFF Small Grants program. A team of City Officers have assessed the application and a project summary and recommendation is provided below.

**Project Summary**

The Rockingham Tennis Club has submitted an application to resurface 6 hard courts and 2 synthetic courts at their facility located on Kent Street, Rockingham. The project involves the pruning of trees and/or removal of tree roots which have adversely affected the condition of the current courts, the resurfacing of six courts with Rebound Ace SYNPAVE, replacement of two synthetic grass courts with ‘Tiger Turf’ Elite and the replacement of all nets and posts.

The total project cost is $70,150, with the City of Rockingham contributing $30,000 through the Infrastructure Planning and Development Grant Program (approved in November 2011), $23,149 is requested through CSRFF, with the club contributing the remaining $16,851 through in kind and cash contributions.
Assessment Summary

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<td>Financial Viability</td>
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<td>Co-ordination</td>
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<td>Potential to increase Physical Activity</td>
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<td>Sustainability</td>
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Recommendation Summary

Ranking: 1
Rating: Well planned and needed by applicant
Funding request: $23,149

4. Implications to Consider

a. Consultation with the Community

Formal community consultation has not been undertaken for this project. As part of the project planning process, Rockingham Tennis Club has consulted with their membership who has indicated their support for the application. Given the nature of the project, this level of consultation is deemed acceptable.

b. Consultation with Government Agencies

It is a requirement of CSRFF that applicants liaise with a representative from the Department of Sport and Recreation. Rockingham Tennis Club has indicated its compliance with this requirement.

c. Strategic

Community Plan

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

**Aspiration 4:** A healthy community engaging in positive and rewarding lifestyles with access to a range of passive and active recreational and personal development opportunities

d. Policy

The applications have been assessed in accordance with the CSRFF guidelines and the following City of Rockingham Plans and Policies:

- Infrastructure Asset Management and Services Plan
- Community Infrastructure Plan
- Community Grants Policy
- Infrastructure Planning and Development Grant Operating Guidelines

e. Financial

The City has committed $30,000 towards the Rockingham Tennis Club Court Resurfacing Project through the Infrastructure Planning and Development Grant Program (refer to report CCB-027/11). The club will be required to undertake all future maintenance and repair work as per the current arrangement, with no additional costs to be borne by the City.

f. Legal and Statutory

Not applicable
5. Comments

The State Government’s CSRFF program provides the City with an opportunity to upgrade sport and recreation infrastructure which will result in an increase in participation in physical activity. Rockingham Tennis Club has presented a well-planned project which demonstrates the need for the court upgrades. Completion of the project will not only provide additional opportunities for physical activity, it will also improve the safety of the facility for the users. Importantly, the club has demonstrated their ability to meet future maintenance obligations.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council ENDORSE Rockingham Tennis Club’s application to the Department of Sport and Recreation’s Community Sport and Recreation Facilities Fund Small Grants program for the amount of $23,149 to part fund its court resurfacing project.

8. Committee Recommendation

That Council ENDORSE Rockingham Tennis Club’s application to the Department of Sport and Recreation’s Community Sport and Recreation Facilities Fund Small Grants program for the amount of $23,149 to part fund its court resurfacing project. Committee Voting – 4/0

9. The Committee’s Reason for Varying the Officer's Recommendation

Not applicable

10. Implications of the Changes to the Officer’s Recommendation

Not applicable

11. Council Resolution

That Council ENDORSE Rockingham Tennis Club’s application to the Department of Sport and Recreation’s Community Sport and Recreation Facilities Fund Small Grants program for the amount of $23,149 to part fund its court resurfacing project. Carried en bloc

12. The Council's Reason for Varying the Committee’s Recommendation

Not applicable
1. **Receipt of Minutes**

That Council receive the minutes of the Baldivis Library and Community Centre Project Reference Group meeting held on 21 February 2012 for information.

2. **Recommendations to the Community Development Committee**

2.1 **Recommendation 1: Baldivis Library and Community Centre Community Consultation Report**

**Advisory Committee Recommendation:**

That Council *ENDORSE* the Baldivis Library and Community Centre Community Consultation Report to directly inform the project schematic design and design development phases.
Implications to Consider

a. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:
   **Aspiration 5:** Community facilities and services delivered in a timely manner, able to meet expectations and serve new and growing neighbourhoods

b. Policy
   Planning Policy 3.2.4 Baldivis Town Centre is applicable

c. Financial
   Nil

d. Legal and Statutory
   Nil

e. Voting Requirements
   Simple Majority

Officer Comments and Recommendation if Different to Committee Recommendation

Nil

3. Committee Recommendation

That Council:
1. **RECEIVE** the minutes of the Baldivis Library and Community Centre Project Reference Group meeting held on 21 February 2012 for information.
2. **ENDORSE** the Baldivis Library and Community Centre Community Consultation Report to directly inform the project schematic design and design development phases.

   Committee Voting – 4/0

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

Not applicable

5. Implications of the Changes to the Officer’s Recommendation

Not applicable

6. Council Resolution

That Council:
1. **RECEIVE** the minutes of the Baldivis Library and Community Centre Project Reference Group meeting held on 21 February 2012 for information.
2. **ENDORSE** the Baldivis Library and Community Centre Community Consultation Report to directly inform the project schematic design and design development phases.

   Carried en bloc

7. The Council’s Reason for Varying the Committee’s Recommendation

Not applicable
Community Development
Community Capacity Building

Reference No & Subject: CCB-011/12 Rockingham Education and Training Advisory Committee Change to Department of Education Membership

File No: CSV/1522
Proponent/s: Kim Byrnes, Community Development Officer
Author: Gay Thornton, Director Community Development
Other Contributors: Gay Thornton, Director Community Development
Date of Committee Meeting: 12 March 2012
Previously before Council:
Disclosure of Interest: Executive Function
Nature of Council’s Role in this Matter: Executive Function

1. Purpose of Report

To seek Council’s endorsement of a new representative from Department of Education attending the Rockingham Education and Training Advisory Committee (RETAC) to take effect at the next meeting of RETAC.

2. Background

On 23 June 2009 Council endorsed the establishment of the RETAC to facilitate collaboration between key stakeholders to best identify and meet the lifelong educational needs of the Rockingham community.

The RETAC’s representation comprised a number of identified stakeholders rather than elected general community members with the terms of reference allocating two year terms for membership with the opportunity to extend for a further two years.

At the time of formation, the Department of Education and Training representative was identified as the District Director. As a result of a restructure of the Department, this position no longer exists and had been replaced with the position of Regional Executive Director.

Hence it is necessary for Council to approve a modification to the membership to enable the Department of Education representative to participate in RETAC.
3. Details

The terms of reference for RETAC identified specific positions with stakeholder organisations as its “community members”. On review some of these positions no longer exist, and some members have resigned.

In February, Council endorsed an extension of the current community membership of RETAC until October 2012, including:

- Pro Vice Chancellor – Professor Andrew Taggart
- Chair of Education – Professor Barry Down
- Challenger Institute – Ms Margaret Gannaway
- Challenger Institute – Ms Jill Jamieson
- Principal Tranby College – Ms Jo Bednall
- Bridging the Gap – Mr Colin Kerr
- Kwinana Industries Education Partnership – Ms Lynne Wolfenden

The District Director Department of Education and Training, undertaken by Ms Julie Woodhouse has been replaced with the role of Regional Director, Department of Education, Ms Margaret Collins.

4. Implications to Consider

a. Consultation with the Community

The Department of Education membership has been discussed with the current Chair of the RETAC, Professor Andrew Taggart, who agreed with the proposed recommendations.

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

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

**Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

d. Policy

To change the membership term to comply with the Governance and Meeting Framework Policy, updated on 17 October 2011. The amendment of community membership complies with the ‘Governance’ Policy specifying 10 community members.

e. Financial

Nil

f. Legal and Statutory

Nil

5. Comments

The Rockingham Education and Training Advisory Committee (RETAC) was established to facilitate communication among stakeholders in order to improve outcomes for the community particularly in relation to retention of young people in compulsory and post compulsory education and to establish a culture of learning across the whole life course.

RETAC is currently involved in informing the development of the Learning City Strategy.
Whilst the original terms of reference identified particular stakeholders, the Department of Education position no longer exists and has been replaced by a similar role. Modification of the Department of Education member details would allow the Department to contribute to the development of a Learning City Strategy and the development of education opportunities in the City.

### 6. Voting Requirements

Absolute Majority

### 7. Officer Recommendation

That Council:

1. **APPROVE** the change of title of the community representative from the Department of Education on the Rockingham Education and Training Advisory Committee from District Director Department of Education and Training to be the Regional Executive Director, Department of Education.

2. **APPOINT** Ms Margaret Collins to the Rockingham Education and Training Advisory Committee as community representative from the Department of Education until October 2012.

### 8. Committee Recommendation

That Council:

1. **APPROVE** the change of title of the community representative from the Department of Education on the Rockingham Education and Training Advisory Committee from District Director Department of Education and Training to be the Regional Executive Director, Department of Education.

2. **APPOINT** Ms Margaret Collins to the Rockingham Education and Training Advisory Committee as community representative from the Department of Education until October 2012.

Committee Voting – 4/0

### 9. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable

### 10. Implications of the Changes to the Officer’s Recommendation

Not applicable

### 11. Council Resolution

That Council:

1. **APPROVE** the change of title of the community representative from the Department of Education on the Rockingham Education and Training Advisory Committee from District Director Department of Education and Training to be the Regional Executive Director, Department of Education.

2. **APPOINT** Ms Margaret Collins to the Rockingham Education and Training Advisory Committee as community representative from the Department of Education until October 2012.

Carried en bloc by Absolute Majority

### 12. The Council’s Reason for Varying the Committee’s Recommendation

Not applicable
Community Development
Community Capacity Building

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>CCB-012/12 Contract extension for New Years Eve Celebration 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>RCS/2-10</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Tenille Wightman, Community Development Officer</td>
</tr>
<tr>
<td>Author:</td>
<td>Michael Holland, Manager Community Capacity Building</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
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<tr>
<td>Date of Committee Meeting:</td>
<td>28 July 2009 (CD46/709), 23 March 2010 (CD11/310), 28 June 2011 (CCB-017/11)</td>
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<td>Previously before Council:</td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive Function</td>
</tr>
</tbody>
</table>

1. **Purpose of Report**

To seek Council endorsement for the City to activate the separable portion component of the tender contract C11/12-26, and therefore extend the contract for the management and coordination of the City of Rockingham New Years Eve Celebration for an additional year, being for the 2012 event.

2. **Background**

At the 28 July 2009 meeting, Council resolved that the City:

**“APPOINT Mellen Events as the Event Management Consultant for the Management and Coordination of the Rockingham New Year’s Eve Celebration for a three year period incorporating the 2009/10/11 events”**.

A significant change was the event was to be marketed as alcohol free over this three year period in line with the WA Police’s national campaign of changing the drinking culture. Whilst drinking in a public place is illegal, there was still an evident culture of drinking and partying at the Rockingham event which often resulted in antisocial behaviour and with incidents involving Police. 2009 saw the introduction of the event strongly being promoted and marketed as alcohol free with a zero tolerance approach. Support from the WA Police was demonstrated by the Police committing detailed resources to the event and the City provided a site hut and fencing to provide a Police compound for the event. Advertising and directional signage was introduced to inform the public of the strong message. The alcohol free message initially saw a drop in attendance rates in 2009, however in time this has resumed to full capacity in a short time, with double the attendance in 2010.
(back to 8,000-10,000 people), to similar numbers to before implementation of the alcohol free message seen in 2011 with 15,000-20,000 people in attendance at the event. This has demonstrated that in spite of the initial scepticism from the community regarding the alcohol free message, it is clear that the public has realised that enforcing this message has made the event a safe, family friendly environment for residents to enjoy. This is also indicative with noticeable increases in families with children attending the event in the past three years.

As of 5 May 2011, Mellen Events officially withdrew from the production of the City's 2011 NYE Celebration, citing that it was unable to continue with the current contract. Mellen cited that they were unable to complete the requirements set out within the scope of works of the contract, in particular, not being able to produce the NYE show on the current budget that was committed by the City. Mellen had requested for the budget to be increased from $124,800 plus GST to a minimum of $130,000 plus GST, with the addition of sponsorship to be included in the total budget. The City was unable to meet these requests, leading to Mellen Events breaching and subsequently withdrawing from the contract. The City officially accepted Mellen Events discontinuance of the contract on 23 May 2011.

Due to the time pressures arising from Mellen Events withdrawal, at the Council meeting on 13 June 2011, Council resolved to:

"DELEGATE authority to the Chief Executive Officer to award tender T11/12 -26 for the Management and Coordination of the City of Rockingham's New Year's Eve event 2011."

On 29 June 2011, the City appointed Street Hassle Events as the successful tenderer for the management and coordination of the City's 2011 NYE Celebration. Street Hassle Events successfully coordinated the event for 2011, within the allocated budget and within the scope of works identified within the tender. The tender contract period was for the 2011 event, and detailed that subject to the mutual agreement of both the Principal (the City) and the Contractor, the Contract may be extended for the management and coordination of the NYE event on 31 December 2012 under the guise of a separable portion within the tender documents. Therefore, Officers are requesting Council to consider the separable portion component of the tender document for the 2012 NYE event.

3. Details

The 2011 NYE event was a great success with a significant increase in numbers of people attending. Police and Security detailed the numbers to be in excess of 20,000 people at the event which was a significant increase from previous years. The event commenced at 5pm with a community stage program, with local performers taking the stage. The local acts were followed by The Hit Factory, a Perth band and the national act Mental as Anything, and culminated in an amazing fireworks display at midnight. Rides and amusements were on site, with free children's activities, roving performers, amusements and stallholders providing food and beverages. Once again the City worked with local Police to employ a strong alcohol free message for the event which saw reduced antisocial behaviour and no incidents amongst the patrons that involved the Police during the event, a great success for the event. The owners of the rides and amusements were very pleased with the patrons attitudes at the event for 2011, with both suppliers reporting no incidents during the event, and an increase of over 25% in sales on the night.

The event supports local artists to perform on stage to support a national headline act, and this year, the program featured 11 local performers, and the Kwinana Children's Choir. A great outcome from the event was some of these local performers were booked for future performances as a result of the exposure they received from performing in NYE. The City hopes to grow this stage program to predominantly feature local talent, and use this as an event to provide an opportunity for local talent to support a national act, and also have strong exposure for future bookings.

Marketing and promotion was increased significantly for the 2011 event, with the budget attributed to this doubled from previous years. The biggest change from last year was the presence of eight street banners throughout the City, all advertising the main components of the event, and the sponsors who were supporting the event. These banners were distributed from Central Rockingham to Singleton, and were moved intermittently to promote the event with a wider coverage. On the City evaluation, the most popular way people found out about the event was through these banners
which proved they were an effective addition to the 2011 marketing. More information on the evaluation is detailed under the consultation with community section in this report.

The event was promoted through print media and advertising in local newspapers - Sound Telegraph and Weekend Courier, as well as advertising in the STE magazine in the Sunday Times and The Wire magazine in the West Australian for two weeks leading up to the event. Print promotion also occurred through the City’s existing publications including the Rockalendar, Activity Guide, City Chronicle and Council News Column. The information was also uploaded on the City’s events website that has a high number of hits per week.

Radio advertisements began the month before the event, with this leading up to the evening of the event. Local station 97.3 CoastFM was the provider of this form of advertising. The City’s MC for the event was Ali Hill, the DJ on the breakfast show on CoastFM, which was an opportunity for extra press, with Ali talking about the event on her show. The radio station also hosted a competition for people to sign up to win a chance to meet Mental as Anything and also do the countdown on stage at midnight. This competition proved to be very popular with a large number of people signing up for it on the radio’s website, providing more exposure to the event. Radio was listed as the next popular source of advertising.

During the City’s debrief there were a number of items identified to improve at the 2012 event. Due to the significant increase in numbers of people attending the event in 2011, and the predicted continued growth of these numbers, the main addition was the need for more infrastructures such as toilets and security to cope with such increases. The City would certainly be consistent with the stage program, rides, amusements and stallholders (both community and commercial) that were present at the 2011 event, as these components of the event were identified as being most effective at the event.

The tender documents that outlined the contractual obligations of both the City and Street Hassle Events, and contained a component known as a separable portion, which allows the City to contract Street Hassle Events for a further period of 12 months. The contract (C11/12-26) states ‘Subject to the mutual agreement of both the Principal and the Contractor, and with the absolute discretion of either party to not extend, the Contract may be extended for the management and coordination of the New Years Eve event on 31 December 2012.’ At the NYE debrief for 2011, Malcolm Barbera from Street Hassle Events indicated that he would be in agreement to extend the contract for the management of the 2012 event so he could build on the successes of the 2011 event. This report requests Council’s support of this agreement, for Street Hassle Events to extend their contract with the City to include the 2012 NYE event.

4. Implications to Consider

a. Consultation with the Community

Feedback from the Leisure Tourism Traders at the event was on the whole positive. The two main traders reported increases in sales, one trader reported an increase of up to 25% on the previous year’s sales, and that there were people lined up for the rides from 5.30pm. The feedback from these traders regarding the patrons was that people were very well behaved at the event and there was a decrease in antisocial behaviour. In contrary to this feedback, one trader reported a decrease in sales, and this has been taken into account in planning for the 2012 event.

At the 2011 Celebration, the City implemented evaluation forms to gain feedback from community members who were participating in the event. 270 evaluation forms were completed at the event, giving the City detailed information on the components of the existing event for improvement, and direction for the future. Forms were advertised on stage via the MC and there were signs around the park which let people know of the opportunity to participate in giving the City feedback. The information gathered from this evaluation is detailed below.

- The breakdown of the 270 people who completed the evaluation forms at the event was as follows; 30% Baldvis, 18% Secret Harbour, 15% Mandurah, 13% Port Kennedy and Warnbro, 11% Rockingham, 8% Kwinana and 5% Munster/Coogee. 257 were female and 13 were male. While the majority of the people who completed the forms were female, there was a good range of ages represented with 15% being
under 20, 19% aged 20-30, 23% aged 30-40, 31% aged 40-55 and 12% aged over 55. The majority of people came with either family or friends, and 12% had children with them. 8% of people came by themselves.

- 81% of people said they used a car to get to the event, only 14% walked and 5% used the bus. This shows that there is a need to be sure of the traffic management plan, as more and more people seem to be using their car to attend the event as the numbers are increasing.

- Only 58% of people could identify who funded the event every year, meaning the City has room for improvement in increasing the knowledge of people attending that it is a City of Rockingham event.

- The top three ways people heard about the event were the street banners (27%), radio (25%) and newspapers (20%), giving the City a good indication of where to spend funds on marketing in 2012.

- The entertainment was by far the most popular part of the event, with 26% of people indicating that this was their favourite part of the event. Fireworks and children’s activities were the next favourites. People were asked about their preference for fireworks at the event. 13% of people preferring fireworks at 9pm only, 30% said 12am only and 52% of people would prefer fireworks at both times. There was a good mix of people suggesting that we need to keep the national act, and that the local acts are really important as well. This proves the City is working towards a good stage program that facilitates exposing local talent to the community, as well as a big name drawcard to get the numbers down to the event each year.

- 71% of people said that the event was a meaningful and valuable use of City funds, and 68% of people indicated that the event was either very important or important to them to be held each year. 50% of people said that the event did contribute to the City’s aspiration regarding a vibrant community where people can enjoy a wide range of education, artistic and cultural activities.

- When asked about future venues for the event, Churchill Park was the preferred venue for 80% of the participants, indicating that the event was still most popular in its current venue.

- 86% of people completing the forms felt safe during the event which showed that the event has really grown into a safe, family friendly event, and the partnership between the City and WA Police is essential for this event to continue its safe atmosphere.

- Another important piece was information was the economic investment on the foreshore by the patrons at the event. 71% of the people completing the forms spent money on the foreshore during the event, with the average cost being $36.24 per person. This shows that the event also has an economic impact on Rockingham, so the longevity of the event needs to consider this. Discussions with the local business owners and managers on Rockingham Beach Road and Railway Terrace provided insight into the thriving economic boost the event brings to the local businesses each year.

b. **Consultation with Government Agencies**

The City has liaised with the City of Mandurah regarding its experience in holding fireworks at 9pm at its NYE event, based on the ongoing requests from Rockingham residents for the City to have fireworks at 9pm for young children and families, in addition to the midnight fireworks. City of Mandurah indicated they lose a large number of people after the 9pm fireworks have finished, and this, as well as the impact on future budget is something the City will consider for the 2012 event.
c. Strategic

Community Plan

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

**Aspiration 3:** A vibrant community, enjoying access to a wide range of educational, cultural and artistic activities and a wide range of other social opportunities

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

d. Policy

In accordance with the City’s Purchasing Policy the City must endeavour to deliver a best practice approach and procedures for internal purchasing for the City, and to ensure that integrity over the whole purchasing process is maintained and that the calling of tenders is a transparent process demonstrating fairness and equity. The extension of this contract is in accordance with this policy.

e. Financial

The total budget for the 2011 NYE Event Celebration was $124,800 plus GST. This included sponsorship of $9,500 plus GST from CSBP, Landcorp, Rockingham Holden and Street Hassle Events, as well as in kind support from the local media. Lotterywest withdrew as a major sponsor for the event in 2011, after they indicated they were no longer funding NYE events. In spite of this set back, the City was then able to secure this funding for Australia Day instead, and gain sponsorship from local businesses in the area at short notice. This has indicated the potential partnerships for sponsorship within the local community for this event in the future. A strong sponsorship plan will be implemented in 2012 to increase the sponsorship in an attempt to decrease the City's overall financial contribution to the event.

As the event is now back to capacity of up to 20,000 people, additional infrastructure such as security and toilets will need to be employed to grow with these numbers, adding to the overall cost of the event. This event has been included in the Community Capacity Building Team Plan for 2012/13 and will be included in the 2012/13 budget considerations.

f. Legal and Statutory

The Local Government Act 1995, Section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11 (1) details that tenders are to be publicly invited according to the requirements of this Division before a Local Government enters into a contract for another person to supply goods or services if the consideration under the contract is or is expected to be, more, or worth more than $100,000 unless sub regulation (2) states otherwise. A separable portion element can be included to extend the contract between the Principal and the Contractor, upon recommendation by the Principal.

5. Comments

The City of Rockingham New Year’s Eve event has successfully regained its standing as an iconic event for the community. Since the implementation of a strong alcohol free message, the event has regained its attendance rates, with significant increases in the number of young families who attend the event over the past three years. There has also been a significant decrease in antisocial behaviour at the event, and the City’s partnership with the WA Police has strengthened to the collaborative approach.

On 29 June 2011, the City appointed Street Hassle Events as the successful tenderer for the management and coordination of the City’s NYE event for 2011. Street Hassle Events successfully coordinated the event for 2011, within the allocated budget and within the scope of works identified within the tender. The tender contract period was for the 2011 event, with the separable portion that detail that subject to the mutual agreement of the Principal and the Contractor, the Contract may be extended for the management and coordination of the NYE event on 31 December 2012. At the
NYE debrief for 2011, Malcolm Barbera from Street Hassle Events indicated that he would be in agreement to extend the contract for the management of the 2012 event so he could build on the successes of the 2011 event. The alternative would be to begin the tender process again for the 2012 event. With the 2011 event being a great success, it seems to be a sound decision to extend the contract with Street Hassle Events. Therefore this report requests that Council enacts the separable portion component of the contract and approve the extension of the contract for Street Hassle Events to manage and coordinate the City's 2012 New Years Eve event.

6. Voting Requirements
Simple Majority

7. Officer Recommendation
That Council APPROVE the extension of the contract C11/12-26 between the City of Rockingham and Street Hassle Events for the management and coordination of the 2012 New Year’s Eve Celebration.

8. Committee Recommendation
That Council APPROVE the extension of the contract C11/12-26 between the City of Rockingham and Street Hassle Events for the management and coordination of the 2012 New Year’s Eve Celebration.
Committee Voting – 4/0

9. The Committee’s Reason for Varying the Officer’s Recommendation
Not applicable

10. Implications of the Changes to the Officer’s Recommendation
Not applicable

11. Council Resolution
That Council APPROVE the extension of the contract C11/12-26 between the City of Rockingham and Street Hassle Events for the management and coordination of the 2012 New Year’s Eve Celebration.
Carried en bloc

12. The Council’s Reason for Varying the Committee’s Recommendation
Not applicable
Community Development
Community Capacity Building

Reference No & Subject: CCB-013/12 City of Rockingham Community and Volunteer Awards Policy (formerly Celebrating Rockingham Awards)

File No: CSV/1032

Proponent/s: Narelle Edmonds, Community Development Officer
Gay Thornton, Director Community Development
Jillian Obiri-Boateng, Coordinator Community Capacity Building
Michael Holland, Manager Community Capacity Building

Author: Narelle Edmonds, Community Development Officer

Other Contributors: Gay Thornton, Director Community Development
Jillian Obiri-Boateng, Coordinator Community Capacity Building
Michael Holland, Manager Community Capacity Building

Date of Committee Meeting: 12 March 2012

Previously before Council: 26 August 2008 (CD101/8/08)

Disclosure of Interest: Nil

Nature of Council’s Role in this Matter: Executive Function

Site:
Lot Area:
Attachments: 1. Community and Volunteer Awards Policy
Maps/Diagrams:

1. Purpose of Report

To request Council endorse a revised City of Rockingham Community and Volunteer Awards Policy to replace the Celebrating Rockingham Awards Policy and Procedures.

2. Background

The City of Rockingham established the Celebrating Rockingham Awards in 2009 to recognise and acknowledge community members, groups and grass roots organisations who are building a stronger and happier community through community development initiatives. These awards are presented annually as the Celebrating Rockingham Awards.

The Awards program provided the opportunity for the City to acknowledge outstanding achievements in the five focus areas identified in the Community Development Plan:

1. Personal development and wellbeing
2. Community Infrastructure development
3. Community participation
4. Place Activation
5. Relationship building and connections

External sponsors are sought each year to assist in providing prize money for both the Individual and Community Group awards as well as plaques for the category winners, catering and entertainment. The retention of these sponsors has been positive with the majority agreeing that the awards are an important community initiative and will continue to be supportive of the awards.

Categories open for nominations include:

**Individual Categories**
- Inspirational Adult Volunteer Award
- Inspirational Young Person Volunteer Award
- Inspirational City of Rockingham Volunteer Award
- Inspirational Indigenous Leadership Award
- Inspirational Neighbour Award

**Groups and Organisations**
- Schools Project Award
- Community Inclusion Award
- Strengthening Community Award

A cash prize of $500 is awarded to individual category winners of which $250 is awarded to a local community group of the winner’s choice. Within the Community Group categories a cash prize of $1,000 is awarded with the money having to be spent on a new or existing community project.

The total number of nominations received in 2009 was 49, 2010 had 47 nominations with a sharp decline in 2011 of 26 nominations.

Traditionally a cocktail style event was conducted at the awards ceremony with a buffet sit down dinner introduced in 2011 which was highly successful for those who attended including award winners, Councillors, sponsors and politicians.

An evaluation is undertaken after each awards ceremony to assist with identifying and addressing any concerns or issues arising from the awards process and ceremony as well as ways to engage the community for the future.

The evaluation of the 2011 event and the program overall and changes to the current policy and procedures are recommended.

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3. Details

Feedback from community groups, individuals and organisations during the 2011 nomination process indicated that the nomination booklet and procedure was difficult to understand, was not ‘user friendly’ and complicated to engage with.

In response city officers have undertaken further community consultation into reasons for the potential decline in nominations and have identified the following areas of concern:

i. Nomination booklet was too corporate looking.
ii. The title of the awards was not specific enough.
iii. The Rockingham Volunteer Resource Centre had ceased operation during the preceding 12 months to the awards being held in 2011.
iv. Advertising not effective enough and a more direct approach needed to be taken.
v. Survey participants had a positive reaction to the words ‘community’ and ‘volunteer’ and felt that these words had more meaning than ‘Celebrating Rockingham’.

Given these highlighted areas officers have reviewed in detail the entire process of the awards system and have refreshed and simplified the nomination form and criteria and will be addressing a more specific advertising campaign with community groups to assist in attracting more nominations for 2012.
Specifically, it was confirmed a change of names was essential to improving the community’s understanding of what the Awards are about. Hence it is recommended that the title be changed to the “Community and Volunteer Awards”.

A revised policy outlining the abovementioned changes as well as a defined set of guidelines will enable officers to amend, update and modify components of the awards program as necessary on an annual basis.

The set of guidelines will enable these changes as required to be made annually and provide a simplified administration process for officers to implement.

Finding point iv. above has led officers to try alternative methods of engaging with the community such as modifying the nomination application package to be more visually appealing, direct contact with individuals and community groups to discuss nominating and in 2011, a workshop was held to assist people write a nomination.

The new policy “City of Rockingham Community and Volunteer Awards” had been prepared (Attachment 1) and the operating guidelines have been updated to reflect the above findings.

### 4. Implications to Consider

a. **Consultation with the Community**
   
   Informal discussions with the City officers, community groups as well as a public survey were conducted at Murdoch and Safety Bay public libraries.

b. **Consultation with Government Agencies**
   
   Nil

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

   **Aspiration 16:** A Council which engages with all elements of the community in order to make decision that respect Rockingham’s unique sense of place whilst positively contributing to its future prosperity.

d. **Policy**
   
   Endorsement of this recommendation will mean the Celebrating Rockingham Awards Policy 2009 will be replaced by the Community and Volunteer Awards. As it is proposed (under a review of Council policies) that an overarching policy will be developed to encompass all civic and community awards and recognitions, then this new policy will ultimately be incorporated into this process.

e. **Financial**
   
   Nil

f. **Legal and Statutory**
   
   Nil

### 5. Comments

The outcomes from both community feedback during the 2011 nomination period and the consultation in 2012 has led the City to recognise the need to modify the name and processes of the awards. Additionally the need to build in the ability to update and modify the format, criteria and nomination documentation annually in order to increase clarity and accessibility for the community.

The positive response from the community to words such as ‘community’ and ‘volunteer’ has led to the identification of the new awards title which encompasses all community groups, organisations and individuals and provides an inclusive awards and recognition process.
6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council:
1. **RESCIND** the Celebrating Rockingham Awards Policy 2009.
2. **ADOPT** the City of Rockingham Community and Volunteer Awards Policy dated 27 February 2012.

8. Committee Recommendation

That Council:
1. **RESCIND** the Celebrating Rockingham Awards Policy 2009.
2. **ADOPT** the City of Rockingham Community and Volunteer Awards Policy dated 27 February 2012.

Committee Voting – 4/0

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

Not applicable

10. Implications of the Changes to the Officer’s Recommendation

Not applicable

11. Council Resolution

That Council:
1. **RESCIND** the Celebrating Rockingham Awards Policy 2009.
2. **ADOPT** the City of Rockingham Community and Volunteer Awards Policy dated 27 February 2012.

Carried en bloc

12. The Council's Reason for Varying the Committee's Recommendation

Not applicable
## Purpose of Report

The purpose of this report is to seek Council’s endorsement of the City’s Disability Access and Inclusion Plan (DAIP) 2012-2015.

## Background

The draft DAIP was presented to Council at the Council meeting held on 13 December 2011. At this meeting Council resolved to ‘ACCEPT the draft Disability Access Inclusion Plan 2012-2015’. The plan has now been advertised for public comment and is now ready to be fully endorsed by Council.

## Details

The draft DAIP was subject to a four week public comment period. Advertising of the public comment period was implemented through local media, on the City’s website, and through existing disability networks through the City’s Community Capacity Building Department. The draft DAIP was also given to the City’s Disability Access Reference Group for additional comment, as well as people in the sector who had been originally involved in the community engagement component on the DAIP development. Final comments from Disability Services Commission on the City’s draft DAIP were received during the public comment period. Below is a table which identifies the comments that were made, and whether the new draft supports those comments.
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<thead>
<tr>
<th>Comment</th>
<th>Who</th>
<th>Supported/Unsupported</th>
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<td>Language changes to reflect the language in the legislation:</td>
<td>Disability Services Commission</td>
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<td>Some of the items in the actions are quite specific, can make this</td>
<td>Disability Services Commission</td>
<td>Not supported, it is the intention of this DAIP to have specific actions that are able</td>
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<td>make this broader</td>
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<td>Can possibly take out the section of understanding the current</td>
<td>Disability Services Commission</td>
<td>Not supported. This information is in line with the City’s templates.</td>
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<td>situation. The relevance of this section was questioned.</td>
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<td>To change the wording from the community plan from special needs to</td>
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<td>Not supported. While this is not appropriate language, this is the language used in</td>
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<td>people with disability</td>
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<td>the City’s community plan and must be used in this DAIP.</td>
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<td>Use the Equal Opportunity definition for disability rather than the</td>
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<td>ABS determination</td>
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<td>Change the Fantasy Park picture to be before the discussion on the</td>
<td>Disability Access Reference Group</td>
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<td>liberty swing</td>
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<td>Delete the front end which contains the history behind the development</td>
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<td>Not supported. This is the requirement for the City’s strategic plan template.</td>
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<td>of the DAIP.</td>
<td></td>
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<tr>
<td>Add Murdoch University under the sector consultation section in the</td>
<td></td>
<td>Supported. This was missed out and should have been added in the list of providers</td>
</tr>
<tr>
<td>DAIP.</td>
<td></td>
<td>consulted through this process.</td>
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</table>

### 4. Implications to Consider

**a. Consultation with the Community**

Extensive consultation was undertaken with members from the Rockingham community, including carers, family members, and People with Disability, as outlined in previous reports. This included a public comment period once the draft DAIP was endorsed in principle by Council in December 2011.

**b. Consultation with Government Agencies**

Consultation was undertaken with a wide range of agencies within the disability sector in Rockingham. Consultation with Disability Services Commission Local Area Coordinators, and Department of Transport were Government agencies that were consulted on the development of this plan. Final consultation with Disability Services Commission on the DAIP draft, and ensuring its compliance with current legislation was implemented in January 2012.

**c. Strategic**

- **Community Plan**
  
  This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-
Aspiration 1: An involved and engaged community enjoying a lifestyle that caters for all residents including those with specific or special needs.

Aspiration 7: Community facilities and services that are well utilised, accessible and cost effective, and where appropriate, multi-functional.”

d. Policy

e. Financial
   If the DAIP is endorsed by Council there are action items associated with the implementation of the DAIP. An amount has been included in the 2012/13 team plan and will be included in the 2012/13 budget for considerations.

f. Legal and Statutory
   The Disability Services Act 1993 requires public authorities to develop and implement Disability Access and Inclusion Plans (DAIPs). Section 29B of the Act states “a public authority that has a Disability Access and Inclusion Plan must take all practicable measures to ensure that the plan is implemented by the public authority and its officers, employees, agents or contractors”.

5. Comments
   Now that comprehensive stakeholder and community consultation and engagement has been undertaken to ensure all issues for the community have been considered, together with public comment, Council can be confident that this plan provides well targeted direction and actions. Therefore it is requested that this plan be endorsed by Council for the implementation phase can begin.

6. Voting Requirements
   Simple Majority

7. Officer Recommendation
   That Council ENDORSE the City of Rockingham’s Disability Access Inclusion Plan 2012-2015.

8. Committee Recommendation
   That Council ENDORSE the City of Rockingham’s Disability Access Inclusion Plan 2012-2015.
   Committee Voting – 4/0

9. The Committee’s Reason for Varying the Officer’s Recommendation
   Not applicable

10. Implications of the Changes to the Officer’s Recommendation
    Not applicable

11. Council Resolution
    That Council ENDORSE the City of Rockingham’s Disability Access Inclusion Plan 2012-2015.
    Carried en bloc

12. The Council’s Reason for Varying the Committee’s Recommendation
    Not applicable
## Purpose of Report

To request Council to endorse a revised Youth Encouragement Awards Policy.

## Background

Each year the City of Rockingham Youth Encouragement Awards (YEA) recognises and rewards local young people aged 12 - 24 years who are in need of encouragement, confidence, self-esteem and resilience building, and who can demonstrate their interest and ability to participate in a reputable program of their choice.

The Award can be utilised to contribute a maximum of $500 for each participant to attend a reputable program of their choice that will increase the ability of the young person to connect to the local community.

Participants are eligible for only one Youth Encouragement Award in each financial year.

Community Development Officers, as a result of feedback from the community, have recognised the need to modify the processes of the awards and build in the ability to update and modify the format, criteria and nomination documentation annually in order to increase clarity and accessibility for the community.

Upon reviewing the previous document against the City’s Community Plan, and Youth Strategy, it was found that important elements of the previous policy did not meet the needs and aspirations of local young people and the community they live in. The new document aims to address and rectify these anomalies.
3. **Details**

The previous policy did not define how the YEA would be of benefit to the City of Rockingham. The new policy aims to promote that Young People should be aware of the community around them, and how they can contribute. This brings the policy further in line with the City’s Community Plan.

The previous policy was only open to young people aged between 13 and 20 years, when the Young People are defined as 12 – 24. The revised policy reflects this, allowing the program to be more accessible.

The previous policy allowed up to $750 available to each young person. The new policy approach will allow thorough operational guidelines up to $500 to be granted to each applicant, ensuring that more young people can be rewarded and up skilled whilst remaining within the budget.

The previous policy referred to the Coordinator of Youth Services, however, upon the restructure, the Award sits in the Community Capacity Building Team, and the revised operational guidelines reflects this.

Finally, the previous policy limited the number of awards to 7 in a financial year. The revised policy allows the operational guidelines to not limit the number of young people who can be assisted by this program, so long as the program remains within the set budget.

Additionally all Council Policies are currently being reviewed and it is anticipated that an overarching policy will be developed to encompass all civic and community awards and recognitions, which will include this one at that time.

4. **Implications to Consider**

a. **Consultation with the Community**

   Informal discussions with the community, including young people, parents and local service providers as well as discussions with Youth Advisory Council Members.

b. **Consultation with Government Agencies**

   Nil

c. **Strategic**

   **Community Plan**

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

   **Aspiration 3:** A vibrant community, enjoying access to a wide range of educational, cultural and artistic activities and a wide range of other social opportunities.

   **Aspiration 16:** A Council which engages with all elements of the community in order to make decision that respect Rockingham’s unique sense of place whilst positively contributing to its future prosperity.

   **Youth Strategy**

   This item addresses the Community’s Vision for the future and specifically the following Elements contained in the Youth Strategy 2011 - 2015:-

   **Personal Development and Well Being:**

   **Community Participation**

   **Place Activation**

   **Relationship Building and Connections**

d. **Policy**

   As it is proposed (under a review of Council policies) that an overarching policy will be developed to encompass all civic and community awards and recognitions, then this new policy will ultimately be incorporated into this process.
5. **Comments**

The City of Rockingham Youth Strategy 2011-2015 aims to:-

"connect young people to services, facilities and experiences that enhance their physical, social and overall health" and

"encourage and facilitate the involvement of young people through consultation, improved access and recognition of achievements".

The Youth Encouragement Award has traditionally provided young people with experiences they would not normally have access to, due to their financial circumstances or situation, but has been seen as difficult to apply for with limited experiences accepted within the policy.

The new policy through the operating guidelines will broaden the ability of young people to access meaningful experiences to build self-confidence and resilience and is in a more accessible format.

6. **Voting Requirements**

Simple Majority

7. **Officer Recommendation**

That Council:

1. **RESCIND** the Youth Encouragement Award Policy dated November 2003.
2. **ADOPT** the Youth Encouragement Awards Policy dated 27 February 2012.

8. **Committee Recommendation**

That Council:

1. **RESCIND** the Youth Encouragement Award Policy dated November 2003.
2. **ADOPT** the Youth Encouragement Awards Policy dated 27 February 2012.

Committee Voting – 4/0

9. **The Committee's Reason for Varying the Officer's Recommendation**

Not applicable

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

Not applicable

11. **Council Resolution**

That Council:

1. **RESCIND** the Youth Encouragement Award Policy dated November 2003.
2. **ADOPT** the Youth Encouragement Awards Policy dated 27 February 2012.

Carried en bloc

12. **The Council's Reason for Varying the Committee’s Recommendation**

Not applicable
1. Receipt of Minutes

That Council receive the minutes of Sports Advisory Committee meeting held on 6 February 2012 for information.

2. Recommendations to the Community Development Committee

2.1 Recommendation 1: Sportstar Awards

Advisory Committee Recommendation:

That Council:

1. SUPPORT the recommendation to update the focus of the Sportstar Awards to include the recognition of elite high achievers in sport, along with the acknowledgment for those who strive to do their best consistently, however may not reach the highest level. The committee recommends that the names of all nominees are announced at the awards ceremony and all are to receive a certificate of recognition of achievements.

2. SUPPORT the recommendation to relocate the Sportstar Awards to the Gary Holland Community Centre for the 2012 function.
3. **SUPPORT** the recommendation to change the nomination categories to include:
   - Junior Sportsperson of the Year
   - Senior Sportsperson of the Year
   - Team / Squad of the Year
   - Club of the Year
   - Club Umpire/Coach/Official/ Administrator Award
   - John Brown Memorial award

### Implications to Consider

#### a. Strategic
**Community Plan**

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

**Aspiration 4:** A healthy community engaging in positive and rewarding lifestyles with access to a range of passive and active recreational and personal development opportunities

#### b. Policy

Sportstar of the Year award nomination forms contain category guidelines that describe 5 categories, which will be amended.

#### c. Financial

The City committed $15,000 to the Annual Sportstar Awards in 2011/12.

The move to the Gary Holland Community Centre (GHCC) will have no financial implications on the event. Hosting the event at the Civic Reception room at the Council Administration building incurs additional infrastructure costs including the hire of staging, chairs and tables. These are already provided at GHCC so these savings will be utilised to fund the additional catering costs required for finalists of the additional categories.

The awards attracted in kind community sponsorship to the value of $9,868 in 2011 including; promotion, sound production and prizes for award categories. It is intended to seek additional sponsors to support the new categories in 2012 to provide prizes.

#### d. Legal and Statutory

Nil

#### e. Voting Requirements

Simple Majority

### Officer Comments & Recommendation if Different to Committee Recommendation

The Rockingham Sportstar of the Year Awards is an annual event, celebrating achievements, participation and milestones of the Rockingham sporting community. The Sportstar Awards are an invitation only event, attracting 120 attendees annually and currently meeting the seating capacity of the City of Rockingham reception room which inhibits the opportunity to improve the staging of the event.

However, there is also a view that the Sportstar of the Year Awards event is a civic reception and therefore should be hosted in the Council reception room.

Regarding the most suitable nomination categories, the Director Community Development supports the reinstatement of the ‘sports’ Volunteers into this Award and categories, as the volunteers need to be recognised by the industry at the same time as players, teams and others and so as they may altogether celebrate their achievements.
The concept of recognising all nominees with a certificate provides recognition of the endeavour of all participants and this would be sent to them in the mail.

The Committee recommendation has been modified to reflect more appropriate wording for a Council Resolution, and thus has not changed the intent of the recommendations, plus recommendation 3 was modified to include volunteers.

**Officer Recommendation**

That Council:

1. **RECEIVE** the minutes of Sports Advisory Committee meeting held on 6 February 2012 for information.
2. **AMEND** the focus of the Sportstar Awards including the recognition of elite high achievers in sport, along with the acknowledgment for those who strive to do their best consistently, however may not reach the highest level and that recognition is given to all nominees at the awards ceremony and with a certificate of recognition of achievements.
3. **RELOCATE** the Sportstar Awards to the Gary Holland Community Centre for the 2012 function.
4. **AMEND** the nomination categories to include:
   - Junior Sportsperson of the Year
   - Senior Sportsperson of the Year
   - Team / Squad of the Year
   - Club of the Year
   - Club Umpire / Coach / Official / Administrator / Volunteer Award
   - John Brown Memorial Award

**3. Committee Recommendation**

That Council:

1. **RECEIVE** the minutes of Sports Advisory Committee meeting held on 6 February 2012 for information.
2. **AMEND** the focus of the Sportstar Awards including the recognition of elite high achievers in sport, along with the acknowledgment for those who strive to do their best consistently, however may not reach the highest level and that recognition is given to all nominees at the awards ceremony and with a certificate of recognition of achievements.
3. **RELOCATE** the Sportstar Awards to the Gary Holland Community Centre for the 2012 function.
4. **AMEND** the nomination categories to include:
   - Junior Sportsperson of the Year
   - Senior Sportsperson of the Year
   - Team / Squad of the Year
   - Club of the Year
   - Club Umpire / Coach / Official / Administrator / Volunteer Award
   - John Brown Memorial Award

Committee Voting – 3/1

Councillors having voted for the motion: Cr Liley
Cr Dunkling
Cr Elliott

Councillor having voted against the motion: Cr Stewart
4. **The Committee's Reason for Varying the Officer's Recommendation**

Not applicable

5. **Implications of the Changes to the Officer's Recommendation**

Not applicable

**Alternate Motion**

That Council:

1. **RECEIVE** the minutes of Sports Advisory Committee meeting held on 6 February 2012 for information.

2. **AMEND** the focus of the Sportstar Awards including the recognition of elite high achievers in sport, along with the acknowledgment for those who strive to do their best consistently, however may not reach the highest level and that recognition is given to all nominees at the awards ceremony and with a certificate of recognition of achievements.

3. **RELOCATE** the Sportstar Awards to the Gary Holland Community Centre for the 2012 function.

4. **AMEND** the nomination categories to include:
   - Junior Sportsperson of the Year
   - Senior Sportsperson of the Year
   - Team / Squad of the Year
   - Club of the Year
   - Club Umpire / Coach / Official / Administrator / Volunteer Award
   - John Brown Memorial Award
   - Sportsperson (with a disability) of the Year

**Reason for Alternate Motion**

To ensure specific recognition of the achievements of sports people with a disability in the City of Rockingham community.

**Implications of Alternate Motion**

a. **Consultation with the Community**

   **Sports Advisory committee:** The Sports Advisory Committee had a lengthy discussion regarding the amendment of categories for the 2012 Sportstar Awards. Consideration was given to the inclusion of the following new categories

   1. Club of the year
   2. Coach/ Umpire/ Official of the year
      (This is not a new category. It is retitled from the formally listed Volunteer of the Year Award)
   3. Disability award.

   Following interactive discussion it was determined best to encourage people with disability to enter all categories. Important discussion points pertaining to the decision recommending to not include a specific disability award included:

   ◊ People with disabilities anecdotally prefer not to be separated from the general community
People with disabilities are able to nominate for all of the recommended categories. It is intended to amend the eligibility guidelines to each category to ensure that 'inclusion' to everyone is extremely clear and inviting.

The judging process does not look at the individual compared to another individual. The process considers the highest possible level an individual can achieve in the chosen sporting discipline eg: wheel chair basketball/ Basketball and merit is given on the application content. The physical make up of an individual does not give them an advantage or disadvantage to another nominee.

The need to keep the numbers of Awards to 6 (within budget and length of function) together with the need to add a category to recognise the work of sporting clubs who produce, strategic plans, promote inclusion, give back to the community etc was considered a priority to recognise clubs working on sustainability and a reduced reliance on the city for assistance. There is no current category that this could be recognised within.

Under the current budget provision and venue capacity, the Annual Sportstar Awards are only able to cater to 125 guests. As per Officer Recommendation 3, to relocate the Awards ceremony to the Gary Holland Community Centre, thus enabling space for future growth. To include a disability award, would require two additional categories eg: Junior and Senior. This would therefore require us to reduce and limit the invitation to the number of finalists and guests in each category to approx 3. It was discussed that this takes away from focus of the night being, recognising local sporting achievements.

Disability Action Reference Group - Within the consultation for the Disability and Inclusion plan, consultation showed the priority being for people to be included in mainstream sports and increasing sport and recreation opportunities, over general recognition opportunities.

b. Consultation with Government agencies

Western Australia Sports Federation (WASF) is the independent peak industry body for sport and active recreation in WA. WASF conducts annual sport awards sponsored by ANZ, celebrating sporting achievements across Western Australia under following categories:

1. Junior Sportsperson of the year
2. Emerging Regional Junior Sportsperson of the year
3. Coach of the year
4. Team of the Year
5. Official of the year
6. Service to sport

WASF does not believe in segregating specific sporting user groups and encourages complete inclusion across all categories. Judging is conducted with consideration of the sporting discipline and the highest possible level that is achievable. Wheel Chair Sports and WA Disabled Sports (Peak body for participation) are partners with WASF on the awards program and support the inclusion approach to the categories.

c. Strategic Community Plan

This item addressed the Community's vision for the future and specifically the following Aspiration/s contained in the community plan 2011:-

Aspiration 4: A healthy community engaging in positive and rewarding lifestyles with access to a range of passive and active recreational and personal development opportunities
CONFIRMED AT A COUNCIL MEETING
HELD ON TUESDAY, 24 APRIL 2012

PAGE 38

d. Policy

DAIP- the disability access and inclusion plan highlights the importance for the City to consider inclusion for all city initiatives. An inclusive approach is preferred to providing specific disability programs where appropriate. There are no specific actions directed toward the Annual Sportstar awards in the inclusion plan to date, however sport and recreation has been considered under the following action:

◊ Form partnerships with local service providers in order to deliver targeted sport and recreation programs for people with disability

e. Financial

The City has committed $15,000 to the Annual Sportstar Awards for 2011/2012. These funds cover the operation elements of the event.

The introduction of additional categories to the awards has potential financial implications including:

- Catering $50.00 per invitee, includes 3 course meal and beverages
- Trophy $60.00 per die cast cup on wooden base
- Perpetual Trophy $100.00 Shield- fully dressed with title plate
- Finalist Trophies $34.50 each per die cast cup on wooden base
- Finalist Prizes $50.00 voucher per finalist (sponsored prize)
- Winner Prize $250.00 voucher per winner (sponsored prize)

Each category currently has a varied number of finalists invited to the awards. The amount of finalists in each category will be decided upon at the next Sports Advisory committee meeting in May.

The proposed Team Plan 2012/13 has allocation for $16,224 for Annual Sportstar Awards. To allow for additional categories the budgeted amount will need to be increased.

The financial awards (vouchers) for finalists and winners is reliant upon external sponsorship. There are currently no ongoing arrangements for sponsorships and negotiations occur on an annual basis.

f. Legal and Statutory

Nil

OFFICER COMMENT:

The Western Australian Disability Sports Association (WADSA) conducts an annual award program in partnership with local government to encourage more participation. The City has commenced discussions with WADSA to implement this partnership into the future. It is anticipated that this partnership will provide a more sustainable option to celebrating achievements of disabled sportspersons within the community and also integrate their achievements outside the disabled community via the City of Rockingham Annual Sportstar awards.

The City of Rockingham is aiming to be an inclusive local government, priding itself in not excluding any minority groups within the community. The introduction of a disability category to the Sportstar awards will be a side step to achieving the goal of inclusion. The guide lines for each category will be amended to indicate inclusion is incorporated within every award category.

OFFICER RECOMMENDATION:

1. RECEIVE the minutes of Sports Advisory Committee meeting held on 6 February 2012 for information.

2. AMEND the focus of the Sportstar Awards including the recognition of elite high achievers in sport, along with the acknowledgment for those who strive to do their best consistently, however may not reach the highest level and that recognition is given to all nominees at the awards ceremony and with a certificate of recognition of achievements.

3. RELOCATE the Sportstar Awards to the Gary Holland Community Centre for the 2012 function.
4. **AMEND** the nomination categories to include:
   - Junior Sportsperson of the Year
   - Senior Sportsperson of the Year
   - Team/ Squad of the Year
   - Club of the Year
   - Club/ Umpire/ Coach/ Official/ Administrator/ Volunteer Award
   - John Brown Memorial Award

6. **Council Resolution**

**Moved Cr Stewart, seconded Cr Dunkling**

That Council:

1. **RECEIVE** the minutes of Sports Advisory Committee meeting held on 6 February 2012 for information.

2. **AMEND** the focus of the Sportstar Awards including the recognition of elite high achievers in sport, along with the acknowledgment for those who strive to do their best consistently, however may not reach the highest level and that recognition is given to all nominees at the awards ceremony and with a certificate of recognition of achievements.

3. **RELOCATE** the Sportstar Awards to the Gary Holland Community Centre for the 2012 function.

4. **AMEND** the nomination categories to include:
   - Junior Sportsperson of the Year
   - Senior Sportsperson of the Year
   - Team/ Squad of the Year
   - Club of the Year
   - Club Umpire/ Coach/ Official/ Administrator/ Volunteer Award
   - John Brown Memorial Award
   - Sportsperson (with a disability) of the Year

Carried - 7/2

**Councillors having voted for the motion:**

Cr Stewart  
Cr Dunkling  
Cr Elliott  
Cr Pease  
Cr Hill  
Cr Smith  
Cr Sammels

**Councillor having voted against the motion:**

Cr Liley  
Cr Hamblin
Council Resolution – En bloc Resolution
Moved Cr Liley, seconded Cr Dunkling
That the committee recommendations in relation to Agenda Items CSA-002/12 to CLF-006/12 be carried en bloc.
Carried - 9/0

Community Development Advisory and Occasional Committee Minutes Community Safety Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>CSA-002/12 City Safe Advisory Committee Meeting Minutes, 9 February 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>COM/55</td>
</tr>
<tr>
<td>Author:</td>
<td>Jo Harriman, Events and Administration Officer</td>
</tr>
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<td>Other Contributors:</td>
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<tr>
<td>Date of Committee Meeting:</td>
<td>12 March 2012</td>
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<tr>
<td>Terms of Reference:</td>
<td>To provide a consultative forum that can effectively advise Council on community safety matters that arise in the City of Rockingham.</td>
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<tr>
<td>Composition:</td>
<td>3 Councillors, 9 Community Members</td>
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<td>Executive Support – Community Development</td>
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<td>Community Safety Team</td>
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<td>Nature of Council’s Role in this Matter:</td>
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<tr>
<td>Attachments:</td>
<td>Minutes of the City Safe Advisory Committee Meeting held on 9 February 2012</td>
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<tr>
<td>Maps/Diagrams:</td>
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1. Receipt of Minutes
That Council receive the minutes of the City Safe Advisory Committee meeting held on 9 February, 2012, for information.

2. Recommendations to the Community Development Committee
There are no recommendations arising from the City Safe Advisory Committee meeting.

3. Committee Recommendation
That Council RECEIVE the minutes of the City Safe Advisory Committee meeting held on 9 February, 2012, for information.
Committee Voting – 4/0
### 4. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable

### 5. Implications of the Changes to the Officer’s Recommendation

Not applicable

### 6. Council Resolution

That Council **RECEIVE** the minutes of the City Safe Advisory Committee meeting held on 9 February, 2012, for information.

*Carried en bloc*

### 7. The Council’s Reason for Varying the Committee’s Recommendation

Not applicable
Community Development Advisory and Occasional Committee Minutes
Community and Leisure Facilities

Reference No & Subject: CLF-006/12 Autumn Centre Strategic Development Committee Meeting Minutes, 9 February 2012

File No: CSV/575
Author: Nick Brown, Manager Community and Leisure Facilities

Other Contributors: 12 March 2012

Date of Committee Meeting: 12 March 2012

Terms of Reference:
1. To promote the usage of the Autumn Centre by the wider community.
2. To provide a channel for feedback and communication between the Autumn Centre users and Council.
3. To provide a vision into future delivery trends focusing on alignment with external best practice.
4. To provide feedback on customer service and to assist in provision of customer service surveys.
5. To identify marketing opportunities to improve the broader community’s awareness of the Autumn Centre.

Composition:
2 Councillors
6 Autumn Centre Members
2 Community Members
Executive Support – Corporate Services Community and Leisure Facilities

Disclosure of Interest:
Nature of Council’s Role in this Matter: Executive Function

Attachments:
1. Minutes of Autumn Centre Strategic Development Committee Meeting held 9 February 2012
2. Copy of Autumn Centre Strategic Development Committee Action Plan

Maps/Diagrams:

1. Receipt of Minutes
That Council receive the minutes of Autumn Centre Strategic Development Committee meeting held on 9 February 2012 for information.

2. Recommendations to the Community Development Committee
There are no recommendations arising from the Autumn Centre Strategic Development Committee meeting.
3. **Committee Recommendation**

That Council *RECEIVE* the minutes of the of Autumn Centre Strategic Development Committee meeting held on 9 February 2012 for information.

Committee Voting – 4/0

4. **The Committee's Reason for Varying the Officer's Recommendation**

Not applicable

5. **Implications of the Changes to the Officer's Recommendation**

Not applicable

6. **Council Resolution**

That Council *RECEIVE* the minutes of the of Autumn Centre Strategic Development Committee meeting held on 9 February 2012 for information.

Carried en bloc

7. **The Council's Reason for Varying the Committee's Recommendation**

Not applicable
Council Resolution – En bloc Resolution
Moved Cr Smith, seconded Cr Hill
That the committee recommendations in relation to Agenda Items HS-001/12 to SPE-003/12 be carried en bloc.

Carried - 9/0

Planning Services Committee

NOT FOR PUBLIC ACCESS
(Section 5.95 Local Government Act 1995)

Planning Services
Health Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>HS-001/12 Legal Advice – Section 95 under the Liquor Control Act 1988 - Zeldas and Vibe Nightclub</th>
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<tbody>
<tr>
<td>File No:</td>
<td>LWE/9-04</td>
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<tr>
<td>Proponent/s:</td>
<td>Ms Erica Scott, Coordinator Health Services</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Rod Fielding, Manager Health Services</td>
</tr>
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<td>Date of Committee Meeting:</td>
<td>19th March 2012</td>
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<tr>
<td>Previously before Council:</td>
<td>November 2009 (PD/132/11/09), February 2010 (PD/2/2/10), September 2010 (PD/86/9/10)</td>
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<td>Maps/Diagrams:</td>
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1. Voting Requirements
Simple Majority

2. Officer Recommendation
That Council **Pursue** an Appeal to the Supreme Court against the dismissal of the Section 95 complaint under the Liquor Control Act 1988 against Zeldas/Vibe Nightclub in the Liquor Commission.
### 3. Committee Recommendation

That Council **Pursue** an Appeal to the Supreme Court against the dismissal of the Section 95 complaint under the Liquor Control Act 1988 against Zeldas/Vibe Nightclub in the Liquor Commission.

Committee Voting – 4/0

### 4. The Committee's Reason for Varying the Officer's Recommendation

Not applicable

### 5. Implications of the Changes to the Officer’s Recommendation

Not applicable

### 6. Council Resolution

That Council **Pursue** an Appeal to the Supreme Court against the dismissal of the Section 95 complaint under the Liquor Control Act 1988 against Zeldas/Vibe Nightclub in the Liquor Commission.

Carried en bloc

### 7. The Council's Reason for Varying the Committee's Recommendation

Not applicable
### Planning Services

**Strategic Planning and Environment Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SPE-003/12 Proposed Structure Plan – Consent to Advertise</th>
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<tbody>
<tr>
<td>File No:</td>
<td>LUP/1412</td>
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<tr>
<td>Proponent/s:</td>
<td>Allerding &amp; Associates on behalf of the Estate of GDR Lilburne</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr John-Paul MacDonagh, Planning Officer</td>
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<tr>
<td>Other Contributors:</td>
<td>Mr Jeff Bradbury, Coordinator Strategic Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
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<td>Development</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Urban and Other Regional Road</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Proposed Structure Plan</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Baldivis North District Structure Plan</td>
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</tbody>
</table>

This Item was withdrawn at the applicant’s request.
## Planning Services
### Strategic Planning and Environment Services

<table>
<thead>
<tr>
<th><strong>Reference No &amp; Subject:</strong></th>
<th><strong>SPE-004/12</strong> Proposed Structure Plan ('West Karnup') - Consent to Advertise</th>
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<tr>
<td><strong>File No:</strong></td>
<td>LUP/1593-03</td>
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<tr>
<td><strong>Proponent/s:</strong></td>
<td>Development Planning Strategies on behalf of Gold Right Pty Ltd</td>
</tr>
<tr>
<td><strong>Author:</strong></td>
<td>Mr Tristan Fernandes, Senior Strategic Planning Officer</td>
</tr>
<tr>
<td><strong>Other Contributors:</strong></td>
<td>Mr Jeff Bradbury, Coordinator Strategic Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td><strong>Date of Committee Meeting:</strong></td>
<td>19th March 2012</td>
</tr>
<tr>
<td><strong>Previously before Council:</strong></td>
<td>March 2009 (PD43/3/09)</td>
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<td><strong>Disclosure of Interest:</strong></td>
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<tr>
<td><strong>Nature of Council’s Role in this Matter:</strong></td>
<td>Legislative (Proposed Structure Plan)</td>
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<td>Executive Function (Modification to Planning Policy 6.3 - Local Commercial Strategy)</td>
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<tr>
<th><strong>Site:</strong></th>
<th>Lots 3, 805 and 806 Mandurah Road, Karnup</th>
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<td><strong>Lot Area:</strong></td>
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<td><strong>MRS Zoning:</strong></td>
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</tbody>
</table>

| **Attachments:** | 1. Proposed Structure Plan   |
|                 | 2. Public Open Space Plan    |
|                 | 3. Preferred Bus Route Plan  |
|                 | 4. Indicative Path Network   |
|                 | 5. Staging Plan              |

| **Maps/Diagrams:** | 1. Location Plan   |
|                   | 2. Proposed Location of Karnup Train Station |
|                   | 3. Town Planning Scheme No.2 Zoning          |
1. **Purpose of Report**

To consider a proposed Structure Plan over Lots 3 and 806 Mandurah Road, Karnup (‘West Karnup’) and to consider a proposed Concept Plan over Lot 805 Mandurah Road, Karnup to determine whether the proposal is suitable for the purposes of advertising.

2. **Background**

**Amendments under the Metropolitan Region Scheme**

In 1993, Amendment No.937/33 to the Metropolitan Region Scheme (MRS) was initiated over Lots 3, 805 and 806, Mandurah Road. The Amendment reflected the broader planning outcomes outlined in the adopted 1993 South Metropolitan Sub-Regional Structure Plan. Lots 3 and 806 were recognised as land suitable for urban development which is currently constrained, but which may become available for urban development in the longer term.

The Environmental Protection Authority formally assessed a number of specific proposals associated with the broader MRS amendment. The following matters were assessed and are applicable to the subject land:

- Creation of a rapid transport reserve (now the Perth to Mandurah Rail line);
- Deletion of System Six Areas; and
- Widening of Safety Bay Road, Ennis Avenue and Mandurah Road.

Following the gazettal of MRS Amendment No.937/33 the entirety of Lot 3 and Lot 806 was zoned ‘Urban Deferred’ and Lot 805 was zoned ‘Parks and Recreation’ under the MRS.

The Amendment also resulted in the reservation of the land containing Paganoni Swamp for ‘Parks and Recreation’ located east of the subject landholding, which now forms part of the Rockingham Lakes Regional Park.
Through a 'Negotiated Planning Solution' between the former landowner of the site (Cemex, formally CSR Readymix) and the Western Australian Planning Commission (WAPC), a land swap agreement was reached to rezone Lot 805 from 'Parks and Recreation' to 'Urban Deferred' in exchange for the land immediately south of the subject site (Lot 807) being reserved as 'Parks and Recreation' under the MRS.

In 2003, MRS Amendment 1082/33 was initiated for the implementation of Bush Forever. Proposal 71 of the Amendment referred the rezoning of Lot 805 from 'Parks and Recreation' to 'Urban Deferred' and Lot 807 (land located immediately south of the site) being zoned 'Parks and Recreation'. Lot 805 was assessed to have limited conservation value and could be made available for uses other than conservation.

The proposal was referred to the EPA in 2003, where it concluded that the overall environmental impacts would not be severe enough to warrant formal assessment pursuant to the Environmental Protection Act.

In October 2010, Amendment 1082/33 was adopted and published in the Government Gazette.

**Agreement to Reserve Land for Conservation on Lot 806**

In 2007, the previous landowner (Cemex), applied for a clearing permit under the Environmental Protection Act 1986, in order to clear vegetation for the purposes of expanding the Extractive Industry (Limestone Mining) operation being undertaken on Lot 806. A condition was imposed on the Clearing Permit under the provisions of the Soil and Land Conservation Act which prohibited any clearing on 18.5ha of the southern portion of Lot 806, except where required pursuant to the Bush Fires Act 1954.

This condition was registered as a memorial on the Certificate of Title to protect the native vegetation in perpetuity. It is intended this remnant bushland will form part of the Rockingham Lakes Regional Park.

**Extractive Industry Operation on Lot 806**

The subject site has been used for a Limestone Quarry since 1985. Since the commencement of the Extractive Industry numerous applications have been made to the City and WAPC to extend the life of the operation. The most recent request was in March 2009, seeking to continue operation until 2011. The Proponent did not seek to continue the Extractive Industry beyond this timeframe.

The site contractor ceased the operations at the end of 2011.

**Request for Lifting of Urban Deferment**

In June 2011, the Proponent made a request to the WAPC to lift the urban deferment under the MRS for Lots 3, 805 and 806 Mandurah Road, Karnup.

July 2011, the City provided a response to the WAPC stating it did not support the proposal as it was considered to be inconsistent with the Western Australian Planning Commission's Guidelines for the Lifting of Urban Deferment (Guidelines), in that planning is not sufficiently advanced. In this regard, the Indicative Development Outline submitted with the application was not sufficiently detailed to depict an acceptable overall design to guide future development.

**Note:** The City requested the submission and assessment of a Structure Plan, as required by Section 5 of the Guidelines to ensure planning is sufficiently advanced to support lifting of urban deferment. In response to the City's request, the Proponent subsequently prepared and submitted the Structure Plan the subject of this Report for consideration.

It was also requested that the land between the northern boundary of the subject site and Paganoni Road that is reserved for 'Parks and Recreation' in the MRS be reviewed in the context of any investigations into transit-oriented development associated with the future Karnup Train Station.

In September 2011, the Office of Environmental Protection (OPEA) provided advice with respect to a proposed lifting of urban deferment over the subject landholding where it did not consider environmental factors to have fatal constraints to the lifting of urban deferment on the condition that the environmental factors were managed appropriately.
Lot 3 Mandurah Road
Lot 3 Mandurah Road, Karnup (which is located between Lots 805 and 806) is owned by the City of Rockingham. The City has previously indicated that it supports the inclusion of Lot 3 in the application.

Proposed Karnup Train Station
A future train station is proposed to be located north of where Paganoni Road passes under the Mandurah Railway line (see Figure 2). The station has been identified by the State Government as the next to be built on the Mandurah line, although to date this station has yet to be recognised in the State Budget.

The WAPC has convened a Steering Committee to progress planning for Transit Oriented Development (TOD) at the future Karnup Station. It is noted the Proponent is represented on the Steering Committee. By definition, TOD is essentially a mixed-use area developed in proximity to public transport infrastructure that encourages use of the transit. It typically involves higher residential densities within a walkable catchment to the public transport.

Figure 2 - Proposed location of Karnup Train Station
Since April 2011, there have been ongoing design workshops and investigations with all major stakeholders to progress the design of the TOD and the associated governance issues and delivery.

The City has provided comment to the draft Principles and it is expected that they will be finalised in the coming months. The Department of Planning will then commission the preparation of a Concept Plan against the Design Principles following which project methodology and funding arrangements will be progressed.

3. Details
The City has received a proposed Structure Plan over Lots 3, 805 and 806 Mandurah Road, Karnup on behalf of Golden Right Pty Ltd.

For the purposes of assessing the Proposed Structure Plan, Lots 3, 805 and 806 (which represent the extent of land zoned 'Urban Deferred' under the MRS) have been included in the consideration of the proposal within this report.
Lot 805, the northern most landholding, is currently unzoned land under Town Planning Scheme No.2 (TPS2) and therefore cannot be formally considered as part of the Proposed Structure Plan. In this regard, Lot 805 is proposed to be considered 'in concept' as part of this process.

It is also considered appropriate to consider Lot 805 in context with the proposed Karnup Train Station located immediately north of the subject landholding. Given the design for the Karnup Train Station is yet to be finalised, it is deemed prudent that the Structure Plan design can be adapted to respond to the final design decisions for land to the north.

This is visually represented on the Proposed Structure Plan in Attachment No.1.

**Description of the Proposal**

The landholding is approximately 113ha and the proposed Structure Plan incorporates the following elements:

- **Residential Density and Population**
  - The creation of approximately 1,100 lots (approximately 1,200 dwellings);
  - Residential density coding ranges from R25 - R40 (average lots areas from 220m² - 350m²); and
  - An ultimate population of approximately 3,100 people (based on the average occupancy rate of 2.6 persons per household).

- **Neighbourhood Centre**
  - Full sized supermarket: 3,800m² retail floor space; and
  - Speciality Shops: 1,000m² - 1,500m² retail floor space.

A Retail Report justifying the retail floor space requirement has been lodged as part of the Proposed Structure Plan.

- **Community Facilities**
  - A Primary School site of 3.5ha co-located with a proposed 4.5ha Public Open Space reserve.

- **Public Open Space**
  - A total of 9.42ha of Public Open Space provided in seven parcels, ranging in area from 0.33ha to 4.50ha.
  - 18.50ha of Regional Open Space to form part of the Rockingham Lakes Regional Park.

- **Road and Pedestrian Network**
  - The introduction of signalised intersections at Crystaluna Drive and Singleton Beach Road east into the Structure Plan area;
  - A central Neighbourhood Connector road which is designed to accommodate a future feeder bus route from the proposed Karnup Station;
  - A proposed Neighbourhood Connector road connection north into the proposed Karnup Train Station precinct has been accommodated by the design but the connection is, however, dependent on the final design outcomes of the Karnup TOD design process;
  - A left in/left out southern access arrangement proposed on Mandurah Road abutting the proposed Neighbourhood Centre;
  - A permeable grid local street layout; and
  - A footpath and shared path network provided in accordance with Liveable Neighbourhoods.

A Traffic Report has been lodged as part of the Proposed Structure Plan.
Planning Context

Statutory Planning Framework

The site is zoned 'Urban Deferred' under the MRS and Lots 3 and 806 are zoned 'Development' under TPS2. Lot 805 is unzoned land under TPS2 which was the result of the approval of MRS Amendment 1082/33 in October 2010 as shown in Figure 3 below. In this regard, the City has an obligation to amend TPS2 to rezone Lot 805 to 'Development' zone to be consistent with the MRS.

Figure 3 - Town Planning Scheme No.2 zoning

Clause 4.2.4 of TPS2 requires land zoned 'Development' to be contained within a Development Area. In December 2011, the Council granted Final Approval to Amendment No.111, which provides for a 'Development Area' over Lots 3 and 806.

Determination cannot be made on the Structure Plan as it pertains to Lots 3 and 806 until such time as the Minister for Planning has granted Final Approval to Amendment No.111. As stated earlier, the plan as it applies to Lot 805 will be considered by the Council as a 'concept' only.

The Proponent is also seeking to lift urban deferment over the landholding. In this regard, the Proponent has provided the full set of Structure Plan documentation and a Bushfire Hazard Assessment to the City. At the time of writing this report, the Bush Fire Hazard Assessment was being assessed by City Officers to determine if the request for lifting of urban deferment could be supported.

Should the Bushfire Hazard Assessment be deemed appropriate, the Proponent will have demonstrated that Planning is sufficiently advanced in accordance with Section 5 of the Lifting of Urban Deferment Guidelines. In light of lack of zoning over Lot 805 under TPS2, the City will only make consideration for lifting of Urban Deferment over Lot 3 and 806.

CONFIRMED AT A COUNCIL MEETING
HELD ON TUESDAY, 24 APRIL 2012

MAYOR (B W SAMMELS)
Site Analysis

Topography

The natural topography of the subject site ranges from a maximum height of 29 metres AHD in the western portion to a minimum of 5 metres AHD in the eastern portion of the site. Lengthy historic limestone quarrying undertaken by the previous landowner has resulted in significant modification to the natural landform.

An existing earthen bund is located along the western extent of the site abutting Mandurah Road. The bund is between 3-5 metres in height, which has acted as a visual barrier to the historic quarrying activity. The site to the western side sits generally lower or at grade to Mandurah Road.

The eastern boundary of the site abuts the Perth to Mandurah railway reserve which also varies in height and grade. As the rail reserve is grade separated over Paganoni Road, the railway line sits higher than the adjacent land within the Structure Plan area.

Hydrology

According to the Perth Groundwater atlas, the groundwater modelling indicates that groundwater flows to the west towards the coast. Groundwater levels are expected to occur at approximately 1m AHD. The site is well elevated from the groundwater table, siting between 6m and 17m above the height known level.

Vegetation

The site has been identified to contain two main vegetation complexes:

(i) The Cottesloe (central and south complex) which occurs western side of the subject land and is described as mosaic woodland, tuart and open forest of jarrah and marri with close heath of limestone outcrops; and

(ii) Yoongarillup complex which occurs on the eastern side of the subject land and is a woodland.

The vegetation condition ranges across the site from 'completely degraded' to 'very good'. The substantial portion of vegetation defined as 'very good' is proposed to be contained within the area to be retained and amalgamated within the Rockingham Lakes Regional Park located in the southern portion of the site.

Significant vegetation is also proposed to be retained in the northern proposed open space reserves.

A site survey has confirmed there are no threatened ecological communities within the Structure Plan area.

Fauna

From the fauna study conducted over the site the following species were identified of conservation significance (considered endangered or vulnerable and protect under state and federal legislation). These are as follows:

- Carnaby's Black Cockatoo;
- Forest Red-tailed Black Cockatoo;
- Baudin's Black Cockatoo;
- Peregrine Falcon;
- Southern Brush-tailed Phascogale;
- Rainbow Bee Eater; and
- Fork-tailed Swift.

A Graceful Sun Moth survey was also conducted over the site in accordance with state and federal legislation. In this regard, a habitat was identified and substantial portion is proposed to be protected within the regional open space provided in Lot 806.
Adjacent land uses and buffers

The site is bounded by Mandurah Road to its western side and the Perth to Mandurah Rail line to its eastern boundary. In this regard, the proposal must have due regard to State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning. In light of the potential noise impact to sensitive residential land uses an acoustic consultant report has been prepared. The assessment forecasts the source and extent of noise and recommends that noise barrier walls be built to the boundary of Mandurah Road and the Railway reserve.

4. Implications to Consider

a. Consultation with the Community

Where the Council determines that a Proposed Structure Plan is satisfactory for advertising, clause 4.2.6.5 of TPS2 requires the proposal to be advertised for public inspection by one or more of the methods set out in clause 6.3.3 of TPS2, which include:

(a) Notice of the proposal being served on nearby owners and occupiers who, in the opinion of Council, are likely to be affected by the proposal, and stating that submissions may be made on the proposal by a specified date.

(b) Notice of the proposal being published in a newspaper circulating in TPS2 Area stating that submissions may be made on the proposal by a specified date.

(c) A sign or signs displaying a notice of the proposal is to be erected in a conspicuous position on the land.

The specified date is required to be at least 21 days from the date of the notice and advertisement, however it is the City’s practice to undertake advertising for at least 28 days where the proposal has not been previously advertised.

b. Consultation with Government Agencies

In addition to the above, clause 4.2.6.5(b)(ii) of TPS2 requires that the Council give notice to relevant public authorities.

c. Strategic

Community Plan

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

Aspiration 2: A safe community where residents feel secure, relaxed and comfortable within their home, work and social environments.

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

Aspiration 10: Coastal and bushland reserves that are well utilised and managed in a way that will preserve them for the future generations to enjoy.

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

d. Policy

State Planning Policies

Directions 2031

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

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

To achieve this target, the Policy sets a density target of 15 dwellings per gross urban zoned hectare of land in new development areas.

Assessment of the density proposed in the Structure Plan against Directions 2031 is detailed in the 'Comments' section of this report.

**Liveable Neighbourhoods**

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

*Liveable Neighbourhoods* contains eight 'elements' under which Structure Plans and subdivisions are assessed, as follows:

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

Each Element has two components - 'Objectives' and 'Requirements'. Objectives describe the principal aims of each Element, and Requirements present a range of qualitative and quantitative responses to meeting the Objectives. Requirements include matters that 'should' be considered, where there is a range of design solutions, and matters that 'must' be satisfied.

Assessment of the Structure Plan against *Liveable Neighbourhoods* is detailed in the 'Comments' section of this report.

**Planning for Bushfire Protection Guidelines Edition 2**

The WAPC Planning Bush Fire Protection Guidelines (Edition 2) notes in Section 2.3 – Guidance Statements for Strategic Plans, Planning Strategies, Planning Schemes, Planning Scheme Amendments and Structure Plans – that unless it is clear to the decision-making authority that the land in question is not in an area that has a moderate or extreme bush fire hazard level, any new proposals or proposals which will effect a change of land use or design resulting in the introduction of, or an intensification of development should:

- Include a bush fire hazard assessment based on the fire hazard assessment methodology and classifications set out in Appendix 1 of the Guidelines;
- Identify any bush fire hazard issues arising from that assessment; and
- Address those issues, in accordance with the general principles that underpin these guidelines, in a statement or report which demonstrates that all fire protection requirements can be achieved to the satisfaction of the WAPC.

The site abuts a bushfire hazard predominantly to its southern and eastern boundary, and to a lesser extent to the western boundary abutting the Singleton parabolic dune system. The Proponent has provided a Bush Fire Hazard Assessment (BFHA) and Bush Fire Management Plan. The Fire Management Plan has been prepared in accordance with the Bush Fire Protection Guidelines and addresses site specific concerns.
The BFHA and Fire Management Plan will be subject to a detailed assessment during public advertising of the proposal.

**State Planning Policy No.1.6 - Planning to Support Transit Use and Transit Orientated Development**

This Policy seeks to maximise the benefits providing a mix of compatible land uses near public transport infrastructure. The integration of land uses around transport networks aims to reduce the car dependence.

The policy defines a transit orientated precinct as land located within a 10-15 minute walk (or 800m distance) to a rail station or major bus interchange and within a 5-10 minute walk (400m) distance from a frequent bus route (bus routes with a 15 minute interval or less between services during peak periods). It is recommended that within vicinity of these services that increased residential densities are applied to facilitate public transport use.

Lot 805 is located within the likely 800m catchment of the proposed Karnup Train Station. In this regard, the Proponent has proposed medium density residential development within this catchment area. As stated earlier, Lot 805 is being considered 'in concept' as part of this process and will be subject to further consideration in conjunction with the Karnup TOD at a future time.

Assessment of the density proposed for land in proximity to the proposed Karnup Station is detailed in the 'Comments' section of this report.

**State Planning Policy No.2 - Environment and Natural Resources Policy (2006)**

In recognition of the demands and pressures on the natural environment, this planning policy was introduced to guide co-ordinated decision making to ensure the environment was appropriately considered in planning decisions.

The objectives of this Policy are to:
- Integrate environment and natural resource management with broader land use planning and decision-making;
- Protect, conserve and enhance the natural environment; and
- Promote and assist in the wise and sustainable use and management of natural resources.

The principles of this policy are relevant with respect to the protection of remanent bushland area set to be reserved as part of the Rockingham Lakes Regional Park located in the southern portion of Lot 806.

**State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning**

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

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

The City is assessing the revised Acoustic Consultant report provided to demonstrate compliance with the outcomes of the Policy.
Local Planning Policies

Planning Policy 3.4.1 - Public Open Space

Planning Policy 3.4.1 - Public Open Space provides guidance regarding the location and design of public open space within the City. The objectives of the policy are:

- To ensure that all residential development is complemented by well located areas of public open space that provide for the recreational and social needs of the community.
- To ensure that Public Open Space is designed, developed and maintained to an acceptable standard to enhance local amenity.

Discussion regarding the distribution of public open space and compliance with the City's Policy can be found in the 'Comments' section of this Report.

Planning Policy 6.3 - Local Commercial Strategy

Planning Policy 6.3 - Local Commercial Strategy provides guidance for the distribution and hierarchy of employment centres within the District. The subject land is located within Precinct 3 - South Coastal, which comprises the suburbs of Secret Harbour, Golden Bay a portion of Karnup and Singleton.

Part 2.4.3 of the Local Commercial Strategy identifies one District Centre for the Precinct being the Secret Harbour Town Centre, which is proposed to ultimately accommodate 15,000m² of retail floor space, four Neighbourhood Centres and four local (corner store) scale centres that identify a further 12,990m² retail floor space.

The Proposed Structure Plan makes provision for the identified 'Singleton East' Neighbourhood Centre. The Policy makes provision for 4,240m² retail floor area for the 'Singleton East' centre. The Proponent is seeking to increase this floor space to 5,300m².

An amendment to the City's Planning Policy 6.3 - Local Commercial Strategy is required if it is determined that the Commercial floor space does not impact planning and existing centres in the nearby vicinity.

e. Financial

Nil

f. Legal and Statutory

Proposed Structure Plan

Clause 4.2.6.2 of TPS2 states that the Council is to either:

(a) Determine that the Proposed Structure Plan is satisfactory for advertising;

(b) Determine that the Proposed Structure Plan is not to be advertised until further details have been provided or modifications undertaken; or

(c) Determine that the Proposed Structure Plan is not satisfactory for advertising and give reasons for this to the Proponent.

Modification to Local Commercial Strategy

Under the provisions of Clause 8.9 of Town Planning Scheme No.2, the Council may prepare, modify or revoke a Planning Policy.

If the Council resolves to amend a Planning Policy, it is to publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the TPS2 area, giving details of:

(i) Where the draft Policy may be inspected;

(ii) The subject and nature of the draft Policy; and

(iii) In what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made.
The Council may also publish notice of the proposed Policy in such other manner and carry out such other consultation as it considers appropriate.

After the expiry of the period within which submissions may be made, the Council is to review the proposed Policy in the light of any submissions made and resolve to adopt the Policy with or without modification, or not to proceed with the Policy.

If the Council resolves to adopt the Policy, the Council is to publish notice of the Policy once in a newspaper circulating in the TPS2 area and if, in the opinion of the Council, the Policy affects the interests of the Western Australian Planning Commission (WAPC), forward a copy of the Policy to the WAPC. A Policy has effect on publication of a notice.

5. Comments

Structure Plan Assessment

Community Design

Urban Structure

The Structure Plan area is isolated from the existing urban development within the locality as a result of its location east of Mandurah Road (a designated Primary Regional Road). The site is also bounded by the Perth to Mandurah Railway to its eastern boundary and the Rockingham Lakes Region Park to the south and east of the site.

The location of the subject site provides for an opportunity to integrate development with the proposed Karnup Station TOD Precinct currently being investigated by the Department of Planning, aided by the City and other major stakeholders (including landowner).

The proposal provides for east/west road connections across Mandurah road at proposed signalised four way intersections at Singleton Beach Road and Crystaluna Drive, providing suitable access to the coast from Structure Plan area. A potential connection is provided to link north of the subject land into the proposed Karnup TOD, which appropriately provides for access to the Karnup Station and link to the Kwinana Freeway.

The local street network designed as a modified grid layout providing for a high level of interconnectivity and good external linkages for local vehicle, pedestrian and bike traffic.

Density

The assessment of housing density is guided the provisions of Directions 2031 and Liveable Neighbourhoods.

Directions 2031 sets a minimum residential density target of 15 dwellings per gross urban zoned hectare.

Liveable Neighbourhoods outlines criteria for the consideration of appropriate locations for residential density. Density is calculated per site hectare, which is a calculation based on the land proposed to be zoned for residential purposes and does not include roads, open space or other non-residential land components.

In this regard, Liveable Neighbourhoods recommends, as a guide, the following minimum residential densities be considered. Residential density proposed greater than the minimum range outlined in Liveable Neighbourhoods is considered to exceed the minimum requirement.

(i) A minimum of 12 to 20 dwellings per site hectare for standard lot layouts separated from high frequent public transport and activity centres;

(ii) A minimum of 20 to 30 dwellings per site hectare for areas within 400m of a Neighbourhood Centre and 250m of a main bus route; and

(iii) A minimum of 20 to 30 dwellings per site hectare for areas within 800m of a Train Station.
A summary of the density requirements is provided within Table 1 as follows:

<table>
<thead>
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<th>Table 1 - Proposed Density Summary</th>
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<tr>
<td><strong>Policy</strong></td>
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<tr>
<td><strong>Directions 2031</strong></td>
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<tr>
<td><strong>Liveable Neighbourhoods</strong></td>
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The proposed Structure Plan achieves the minimum density required by Liveable Neighbourhoods. Although the proposal does not achieve the minimum density requirements of Directions 2031, it is considered the design appropriately responds to the context of the locality.

Additional density could be considered with the northern Lot 805, however, as Lot 805 is being considered ‘in concept’ as part of the Structure Plan process, there will be further opportunity to explore an increase in density when the northern portion of the Structure Plan area is considered in context with the Karnup TOD.

In this regard, the density proposed is considered appropriate for the purposes of advertising.

**Bushfire Hazard**

The Structure Plan design provides for road separation between identified bushfire hazards and proposed development areas. The appropriateness of the Structure Plan design response is being assessed as part of consideration of the Bushfire Hazard Assessment.

Due to the proposed staging of the development (see Attachment No.5), it is necessary to provide a temporary controlled fire access into the subject land during the initial stages of any future development. In this regard, the City has received verbal advice from Main Roads, which supports a gated temporary access into the subject land. Through the advertising process, the City will require written confirmation of this advice from Main Roads WA.

**Lot Layout**

The proposed lot layout has been designed generally in accordance with the requirements of Liveable Neighbourhoods, providing for a regular street block pattern that provides for good solar passive design.

**Subdivision Design Abutting Mandurah Road**

The Structure Plan proposes residential lots backing onto Mandurah Road. Liveable Neighbourhoods requires Lots to front arterial roads (via service roads) wherever possible so as to provide for good streetscape amenity, surveillance, and to facilitate business and home-based business development. In this regard, it is the City’s preference that a service road configuration abuts Mandurah Road as required by Liveable Neighbourhoods.

The Proponent has provided a rationale for the design proposal as follows:

(i) Noise attenuation (acoustic) measures: - pursuant to the draft noise impact report prepared by Lloyd George Acoustics, the entire western boundary of the LSP area (i.e. where lots abut Mandurah Road) will require acoustic measures, including fencing and/or bunding to a height of ~2.5m. In this case, no dwellings will directly interface with Mandurah Road.

(ii) The proposed road design, off-set from the western boundary, assists with the spacing and orientation of residential cells, particularly in the northern portion of the development where the parent lot width is narrower; and
(iii) The proposed road design provides for a more superior design in terms of achieving a greater lot yield; this being a primary objective of the City and developer.

The proposed design as shown on the Structure Plan is considered suitable for the purposes of advertising, however, it is recommended the interface arrangement be further investigated during the advertising process to determine if the objectives of Liveable Neighbourhoods can be achieved.

**Interface of Development Abutting Open Space**

The City's Planning Policy 3.4.1 - Public Open Space requires the design of a subdivision and development surrounding open space to promote visual surveillance and minimise personal safety and security problems. The Policy recommends public open space be bounded by streets on all frontages such that adjacent lots overlook the street and public open space. The City may consider lots with direct frontage to public open space where development is elevated at least 0.5m above to provide an appropriate interface and surveillance.

The City has concerns regarding the proposed interface to public open spaces 'D' and 'G' as the proposed lot orientation requires a frontage to the public open space and to the street (see Attachment No.2). The Proponent has indicated a Detailed Area Plan could be implemented to ensure residential development addressed both streets.

It is recommended the interface be investigated in further detail, given the City's Policy position is to only consider a direct frontage where an appropriate interface and surveillance can be achieved.

**Detailed Area Plans**

To ensure appropriate built form outcomes for residential and commercial development, Detailed Area Plans will be required through the subdivision process for:

- Rear laneway lots;
- Lots with frontage to public open space;
- Lots with a boundary within 100m of a Bushfire Risk Management area;
- Lots identified through the Acoustic Consultant Report to be impacted by a likely noise impact; and
- Land zoned for 'Commercial' purposes.

**Movement Network**

The Proponent has submitted a Traffic Impact Report to demonstrate compliance with the requirements of Liveable Neighbourhoods. The Traffic Impact Report generally addresses these requirements, however, it will be subject to a more detailed assessment during public advertising of the proposal.

The road network is based on Liveable Neighbourhoods objectives, with the primary aim of achieving a safe, efficient and attractive street network. A comprehensive network of shared paths and footpaths has also been provided as part of the proposed Structure Plan (see Attachment No.4) to encourage and facilitate non-motorised travel.

The Structure Plan proposes access points onto Mandurah Road (a Primary Regional Road). In this regard, formal advice is required from Main Roads WA regarding the provision of two signalised four way intersections proposed at Crystaluna Drive and Singleton Beach Road, and a proposed left in/left out access point onto Mandurah Road (south bound) south of the proposed Neighbourhood Centre. Main Roads WA will be advertised to for comment as part of the advertising process.

**Activity Centres and Employment**

The proposed Structure Plan makes provision for the identified 'Singleton East' Neighbourhood Centre pursuant to the requirement outlined City's Planning Policy 6.3 - Local Commercial Strategy.

In this regard, the Policy makes provision for 4,240m² retail floor area for this centre. The Proponent has provided a Retail Assessment Report is seeking to increase this floor space to 5,300m².
The City supports the proposed location of the Neighbourhood Centre, however, the City has engaged a Retail Consultant to peer review the submitted Retail Report to determine if there is suitable justification for the proposed increase in retail floor space.

Support for additional floor space would represent a modification to the Local Commercial Strategy. In this regard, it is recommended that the modification to the Local Commercial Strategy be advertised concurrently with the Proposed Structure Plan. As such, the City will need advice from its Retail Consultant prior to advertising the Structure Plan.

**Liveable Neighbourhoods Assessment**

The Centre is located at intersection along the proposed extension of Singleton Beach Road abutting Mandurah Road. Access to the centre is not proposed directly off Mandurah Road. The Neighbourhood Centre suitably located in accordance with Liveable Neighbourhoods and is strategically positioned to benefit from good exposure to Mandurah Road, can service local needs of both local and Singleton residents, and is proposed to abut a future public transport route.

**Linear Commercial Strip**

A linear commercial strip is proposed abutting Mandurah Road and is adjacent to the remnant bushland reserve. It is proposed that fast food outlets will likely occupy this space. The City has concerns regarding the configuration of the linear commercial strip and its potential impact to the function and operation of Mandurah Road.

It is the City's preference that the linear commercial strip be integrated into the larger centre, where potential fast food outlets could be configured in a manner similar to Warnbro District Shopping Centre, which provides fast food outlets still benefiting from the exposure of Mandurah Road and setting back the main portion of the Neighbourhood Centre further away from Mandurah Road.

Prior to making a determination on the configuration of the centre, comment is required from Main Roads WA to determine if it sees a potential impact to the function of Mandurah Road.

**Public Open Space**

The Proposed Structure Plan provides for 9.42ha of public open space and 18.50ha of regional open space to form part of the Rockingham Lakes Regional Park. The key elements of the public open space distribution are as follows:

- The open space is evenly distributed across the site and is within acceptable distance to all proposed residential lots;
- The plan proposes approximately 11% public open space contribution; and
- The proposed open space reserves provide for an appropriate cater for active, passive and conservation uses.

**Drainage in Open Space**

The City also guides the development and location of Public Open Space within Planning Policy 3.4.1 - Public Open Space.

Clause 4.7.3 of the Policy permits a maximum of 25% of any parcel of POS for the purposes of drainage up to and including a 1 in 10 year frequency event. This requirement is to ensure that Public Open Space is useable by the community and open space reserves are not developed solely for the purpose of accommodating drainage.

In light of the above the following parcels of public open space provide above the 25% maximum:

- POS A1 (34%)
- POS C (26%)
- D (31%)
- E (26%)

Notwithstanding the non-compliance with the City's Policy, the Proponent has demonstrated the usability of the open space reserves (see Attachment No.2). It is also noted that there is a marginal oversupply of open space and the Structure Plan area abuts a Regional Reserve, which suggest
there is an appropriate amount of open space to meet the recreational requirements of future residents.

Schools

*Liveable Neighbourhoods* requires the provision of a Primary School at an average ratio of one school per 1200-1500 lots.

The projected lot yield is anticipated to be approximately 1200 dwellings, which achieves the minimum lot yield for the provision of a school site. The school site also has the ability to service any potential development as part of the Karnup Train Station precinct and relieve student capacity pressure at Singleton Primary School.

The primary school is proposed to be located abutting the eastern boundary of the site abutting the Perth to Mandurah Railway. The Proponent has achieved the requirements of *Liveable Neighbourhoods* with respect to location, street network and design.

The school is also proposed to be co-located with a 4ha district public open space, which provides opportunity to co-locate community facilitates with the school site.

Urban Water Management

A Local Water Management Strategy (LWMS) has been provided with the Proposed Structure Plan. Due to initial changes to the Structure Plan requested by the City, the LWMS has needed to be updated to accommodate changes to the proposed drainage catchments.

Utilities

The Proponent has demonstrated the site can be serviced with all appropriate utilities.

The proposed connection to sewer is proposed to ultimately be serviced by the unconstructed East Rockingham Wastewater Treatment Plan, which is due to be constructed by the end of 2015.

The Proponent has received advice from the Water Corporation that the site can be temporarily serviced by the Gordon Road Waste Water Treatment Plant. The Water Corporation has provided a preliminary figure outlining approximately 500 lots can be serviced in the short term (land supply for the first 3-4 years indicated by the Proponent).

In light of the above, the application will be referred to the Water Corporation for comment to confirm the servicing arrangements.

Implementation

The Proponent has prepared a staging plan which outlines development will be staged from the southern portion of the site starting next to the proposed Neighbourhood Centre, and proceed north over time.

An anticipated timeframe for development has not been provided.

Conclusion

In light of the above comments, the Proposed Structure Plan is considered generally acceptable for the purposes of advertising subject to the City receiving advice from its Retail Consultant that the proposed increase in commercial floor space over and above that outlined by Planning Policy 6.3 - Local Commercial Strategy is acceptable.

It is also noted that the following matters will be considered in further detail during the advertising period:

(i) Subdivision design of lots backing onto Mandurah Road;

(ii) The proposed lot interface for public open space reserves ‘D’ and ‘G’; and

(iii) Configuration of the linear commercial strip abutting Mandurah Road.

6. Voting Requirements

Simple Majority
7. **Officer Recommendation**

That Council:

1. **APPROVE** advertising of the Proposed Structure Plan for Lots 3 and 806 Mandurah Road, Karnup and the associated concept plan over Lot 805 Mandurah Road, Karnup, subject to the City receiving advice from its Retail Consultant that the proposed increase in commercial floor space over and above that outlined by Planning Policy 6.3 - *Local Commercial Strategy* is acceptable.

2. **ENDORSE** the publishing of a notice that it has prepared an amendment to Planning Policy No.6.3 - *Local Commercial Strategy* to modify the maximum retail floor area for the designated ‘Singleton East’ Neighbourhood Centre from 4,240m² to 5,300m², subject to the matter set out in Point 1 above being resolved to the satisfaction of the City.

8. **Committee Recommendation**

That Council:

1. **APPROVE** advertising of the Proposed Structure Plan for Lots 3 and 806 Mandurah Road, Karnup and the associated concept plan over Lot 805 Mandurah Road, Karnup, subject to the City receiving advice from its Retail Consultant that the proposed increase in commercial floor space over and above that outlined by Planning Policy 6.3 - *Local Commercial Strategy* is acceptable.

2. **ENDORSE** the publishing of a notice that it has prepared an amendment to Planning Policy No.6.3 - *Local Commercial Strategy* to modify the maximum retail floor area for the designated ‘Singleton East’ Neighbourhood Centre from 4,240m² to 5,300m², subject to the matter set out in Point 1 above being resolved to the satisfaction of the City.


Committee Voting – 3/1

(Cr Elliott voted against)

9. **The Committee's Reason for Varying the Officer's Recommendation**

Not applicable

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

Not applicable

**Alternate Motion**

That Council **REFUSE** advertising of the Proposed Structure Plan for Lots 3 and 806 Mandurah Road, Karnup and the associated concept plan over Lot 805 Mandurah Road, Karnup, until such time as Lot 805 is zoned ‘Development’ in Town Planning Scheme No.2 and the planning for the Transport Oriented Developments to the south and west of the future Karnup Station have been finalised.

**Reason for Alternate Motion**

- Lot 805, which comprises about ¼ of the area of Karnup West, “is currently unzoned land under the Town Planning Scheme No. 2 (TPS2) and therefore cannot be formally considered as part of the Proposed Structure Plan” (Report p. 44).

- Given that Karnup West is a compact area bounded by Mandurah Road to the west and the railway to the east, the planning for the area needs to be considered as a whole and not in a bit-by-bit fashion. The Proposed Structure Plan should not be finalised until Lot 805 is appropriately zoned and can be formally considered as part of the Proposed Structure Plan.
Given its proximity to the future Karnup Station and, “It is considered appropriate to consider Lot 805 in context with the proposed Karnup Train Station located immediately north of the subject land holding” (Report p. 44) the entire Proposed Structure Plan should be planned in that context.

According to Plan 1 in the attachment considered at the Planning Services Committee Meeting for this Item, Lot 805 is "Preliminary and subject to ... agreed TOD design” abutting the Karnup Station. On the "in concept” (only) plan for Lot 805 the most dense development is R40.

The planning for the TOD around the Karnup Station needs to be considered holistically because of the planning difficulties it presents, especially for development west of Mandurah Road.

The planning for this area has been worked on for several months and has been presenting difficulties given the high traffic density of Mandurah Road creating the problem of how a large number of people will move across Mandurah Road to the station.

The planning for the land west of Mandurah Road is further complicated by the Visual Landscape Evaluation (VLE) adopted by Council at its February meeting. There is a demonstrated need to protect the views to that quite heavily treed area and the view to the significant hills behind it (Golden Bay Hill is the highest point in the City of Rockingham).

Given the planning challenges that are presented for the TOD west of Mandurah Road, especially the need for the Council to implement the findings of the VLE and the need to protect the view to that land, as much flexibility as possible should be sought. This might mean that the best solution is density far greater than R40 for Lot 805.

Denser development of Lot 805 would not present particular problems as, “Lot 805 was assessed to have limited conservation value” (Report p. 43).

Given the compact nature of Karnup West and that Lot 805 comprises an estimated ¼ of the area, quite dense development on Lot 805 could significantly impact on development in the remainder of Karnup West; Lot 3 and Lot 806. The Proposed Structure Plan should therefore not be advertised without appropriate zoning in TPS2 and until the density for Lot 805 as part of the TOD is known and can be taken into account.

### Implications of Alternate Motion

a. **Consultation with the Community**

   Should the Council resolve to not advertise the Proposed Structure Plan as it applies to Lot 3 and Lot 806 Mandurah Road, Karnup, the Proponent can request the WAPC determine if the Proposed Structure Plan is satisfactory for advertising.

   If it is deemed satisfactory for advertising by the WAPC, the City is required to advertise the Proposed Structure Plan pursuant to the provisions of the Scheme.

   If it is not deemed satisfactory for advertising by the WAPC, the Proponent has a right of appeal before the State Administrative Tribunal.

b. **Consultation with Government agencies**

   Should the Council resolve to not advertise the Proposed Structure Plan as it applies to Lot 3 and Lot 806 Mandurah Road, Karnup, the Proponent can request the WAPC to determine if the Proposed Structure Plan is satisfactory for advertising.

   If it is deemed satisfactory for advertising by the WAPC, the City is required to advertise the Proposed Structure Plan pursuant to the provisions of the Scheme.

   If it is not deemed satisfactory for advertising by the WAPC, the Proponent has a right of appeal before the State Administrative Tribunal.
c. **Strategic**

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

**Aspiration 2:** A safe community where residents feel secure, relaxed and comfortable within their home, work and social environments.

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

**Aspiration 10:** Coastal and bushland reserves that are well utilised and managed in a way that will preserve them for the future generations to enjoy.

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

d. **Policy**

**Liveable Neighbourhoods**
Element 1 - Community Design of Liveable Neighbourhoods outlines the objectives and requirements that a Proposed Structure Plan is required to demonstrate with respect how the proposed layout responds to the site's context, both within the subject land and to land immediately adjacent of the site.

e. **Financial**

Nil

f. **Legal and Statutory**

Lots 3 and 806 are zoned 'Development' under TPS2 and pursuant to the provisions of the Scheme, a Structure Plan may be prepared by a Proponent and submitted for approval following the process outlined within Clause 4.2.6. It is noted there are no provisions within TPS2 that can prohibit the consideration of a Structure Plan on land appropriately zoned 'Development'.

The Council has 60 days from the receipt of a Proposed Structure Plan to either:

(a) Determine that the Proposed Structure Plan is satisfactory for advertising;

(b) Determine that the Proposed Structure Plan is not to be advertised until further details have been provided or modifications undertaken; or

(c) Determine that the Proposed Structure Plan is not satisfactory for advertising and give reasons for this to the Proponent.

Should the Council resolve to not advertise the Proposed Structure Plan as it applies to Lot 3 and Lot 806 Mandurah Road, Karnup, clause 4.2.6.4 permits the Proponent to take the following action:-

(a) Where the Proponent is aggrieved by a determination of the Council under clause 4.2.6.2(b) or (c) or clause 4.2.6.3, the Proponent may request the Council by notice in writing to forward the Proposed Structure Plan to the Commission.

(b) Within 21 days of receiving a notice from the Proponent under clause 4.2.6.4(a), the Council is to forward to the Commission:

(i) a copy of the Proposed Structure Plan;

(ii) details of the Council’s determination including any modifications to the Proposed Structure Plan required by the Council; and

(iii) any other information the Council considers may be relevant to the Commission's consideration of approval of the Proposed Structure Plan for advertising.
(c) Upon receiving a Proposed Structure Plan in accordance with clause 4.2.6.4(b), the Commission is to make one of the determinations referred to in clause 4.2.6.2 and advise the Council and the Proponent accordingly.

(d) If the Commission requires modifications to the Proposed Structure Plan, the Commission is to consult with the Council prior to making its determination under clause 4.2.6.4(c).

(e) If within 60 days of receiving a Proposed Structure Plan under clause 4.2.6.4(b), or such longer period as may be agreed in writing between the Proponent and the Commission, the Commission has not made one of the determinations referred to in clause 4.2.6.2, the Commission is deemed to have determined that the Proposed Structure Plan is not satisfactory for advertising.

OFFICER COMMENT:

It is considered unreasonable to refuse to advertise a Structure Plan on the basis that planning has yet to be completed within proximity to a Proponent's landholding. Lots 3 and 806 are zoned 'Development' under TPS2 and pursuant to the provisions of the Scheme, a Structure Plan may be prepared by a Proponent and submitted for approval following the process outlined within Clause 4.2.6.

Lot 805 is currently unzoned under TPS2 and zoned 'Urban Deferred' under the Metropolitan Region Scheme. Being mindful that the proposed development needs to respond to the surrounding context, particularly within the walkable catchment of the proposed Karnup Train Station, the inclusion of a 'concept plan' was required by the City to demonstrate how development can be appropriately achieved. A concept plan also provides flexibility to respond to the design outcomes of the Karnup TOD proposal.

The treatment of Lot 805 as a 'concept plan' does not prejudice the Council's consideration of the Karnup TOD precinct and ensures all the relevant issues associated with the Karnup Station are appropriately addressed within its own process.

In response to Councillor Elliott's reasons for the Alternative Motion, the following comments are provided:

<table>
<thead>
<tr>
<th>Reason for Alternate Motion</th>
<th>Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 805, which comprises about ¼ of the area of Karnup West, &quot;is currently unzoned land under the Town Planning Scheme No. 2 (TPS2) and therefore cannot be formally considered as part of the Proposed Structure Plan&quot; (Report p. 44).</td>
<td>The Officer's Report outlines the Proposed Structure Plan is being considered on Lots 3 and 806 only and that Lot 805 is being considered 'in concept' as part of this process. In this regard, it was also considered appropriate to consider Lot 805 (the northern most landholding) in context with the proposed Karnup Train Station located immediately north of the subject landholding. Given the design for the Karnup Train Station is yet to be finalised, it is deemed prudent that the Structure Plan design can be adapted to respond to the final design decisions for land to the north.</td>
</tr>
<tr>
<td>Given that Karnup West is a compact area bounded by Mandurah Road to the west and the railway to the east, the planning for the area needs to be considered as a whole and not in a bit-by-bit fashion. The Proposed Structure Plan should not be finalized until Lot 805 is appropriately zoned and can be formally considered as part of the Proposed Structure Plan.</td>
<td>As stated in the Officer Report, for the purposes of assessing the Structure Plan, the City is considering Lot 805 as if it were part of the Structure Plan. It is considered unreasonable to refuse to advertise a Structure Plan on the basis that planning has yet to be completed within proximity to a Proponent's landholding. Lots 3 and 806 are zoned 'Development' under TPS2 and pursuant to the provisions of the Scheme, a Structure Plan may be prepared by a Proponent and submitted for approval following the process outlined within Clause 4.2.6.</td>
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<td>Lot 805 is currently unzoned</td>
<td>Lot 805 is currently unzoned under TPS2 and zoned 'Urban Deferred' under the Metropolitan Region Scheme. Being mindful that the proposed development needs to respond to the surrounding context, particularly within the walkable catchment of the proposed Karnup Train Station, the inclusion of a 'concept plan' was required by the City to demonstrate how development can be appropriately achieved. A concept plan also provides flexibility to respond to the design outcomes of the Karnup TOD proposal. The consideration of the design of Lot 805 'in concept' still provides the Council the ability advertise a new Structure Plan for Lot 805 to the community and address the integration of the development with the proposed Karnup Train Station and associated Transit Orientated Development when the land is appropriately zoned under TPS2.</td>
</tr>
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<td>Given its proximity to the future Karnup Station and, &quot;It is considered appropriate to consider Lot 805 in context with the proposed Karnup Train Station located immediately north of the subject land holding&quot; (Report p. 44) the entire Proposed Structure Plan should be planned in that context.</td>
<td>Lots 3 and 806 are located outside the walkable catchment of the proposed Train Station. The Structure Plan over Lots 3 and 806 appropriately responds to the broad objectives of Liveable Neighbourhoods in this regard.</td>
</tr>
<tr>
<td>According to Plan 1 in the attachment considered at the Planning Services Committee Meeting for this Item, Lot 805 is &quot;Preliminary and subject to … agreed TOD design&quot; abutting the Karnup Station. On the &quot;in concept&quot; (only) plan for Lot 805 the most dense development is R40.</td>
<td>The density proposed on the concept plan for Lot 805 satisfies the minimum density requirements of Liveable Neighbourhoods and was therefore considered satisfactory for the purposes of advertising. Further consideration of density over Lot 805 can occur as part of the formal consideration of a Structure Plan, following the completion of planning for the Karnup TOD.</td>
</tr>
<tr>
<td>The planning for the TOD around the Karnup Station needs to be considered holistically because of the planning difficulties it presents, especially for development west of Mandurah Road.</td>
<td>The planning associated with the Karnup TOD and land west of Mandurah Road has no relationship to the subject land.</td>
</tr>
<tr>
<td>The planning for this area has been worked on for several months and has been presenting difficulties given the high traffic density of Mandurah Road creating the problem of how a large number of people will move across Mandurah Road to the station.</td>
<td>Consideration of traffic crossing Mandurah Road to access a future Train Station is not relevant to the consideration of the proposed Structure Plan. The Concept Plan for Lot 805 proposes a strong road connection to the future Train Station, which satisfies the requirements of Liveable Neighbourhoods to address how the Proposed Structure Plan will connect into future urban development.</td>
</tr>
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<td>The planning for the land west of Mandurah Road is further complicated by the Visual Landscape Evaluation (VLE) adopted by Council at its February meeting. There is a demonstrated need to protect the views to that quite heavily treed area and the view to the significant hills behind it (Golden Bay Hill is the highest point in the City of Rockingham).</td>
<td>The subject land for the Proposed Structure Plan does not form part of the Visual Landscape Evaluation study area and had no relationship with land west of Mandurah Road.</td>
</tr>
<tr>
<td>Given the planning challenges that are presented for the TOD west of Mandurah Road, especially the need for the Council to implement the findings of the VLE and the need to protect the view to that land, as much flexibility as possible should be sought. This might mean that the best solution is density far greater than R40 for Lot 805.</td>
<td>The findings of the Visual Landscape Evaluation have no bearing to the consideration of the Proposed Structure Plan. Considering Lot 805 'in concept' provides an appropriate level of flexibility to consider appropriate residential densities and movement network to the proposed Karnup Train Station in the future. Consideration of the issues associated with the Karnup TOD are subject to a separate Planning exercise which will take into account the findings of the Visual Landscape Evaluation as part of that process.</td>
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<td>Denser development of Lot 805 would not present particular problems as, &quot;Lot 805 was assessed to have limited conservation value&quot; (Report p. 43).</td>
<td>The density proposed on the concept plan for Lot 805 satisfies the minimum density requirements of Liveable Neighbourhoods and was therefore considered satisfactory for the purposes of advertising. Further consideration of density can occur during the consideration of a future Structure Plan for Lot 805.</td>
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<td>Given the compact nature of Karnup West and that Lot 805 comprises an estimated ¼ of the area, quite dense development on Lot 805 could significantly impact on development in the remainder of Karnup West; Lot 3 and Lot 806. The Proposed Structure Plan should therefore not be advertised without appropriate zoning in TPS2 and until the density for Lot 805 as part of the TOD is known and can be taken into account.</td>
<td>Lots 3 and 806 are appropriately zoned 'Development' under TPS2 to permit the consideration of a Proposed Structure Plan. The lack of a 'Development' zone over Lot 805 does not prevent the Council from considering a concept plan over land. An endorsed Concept Plan acts as a position of the Council. The land is zoned 'Urban Deferred' under the Metropolitan Region Scheme and there is every expectation it will be developed for this purpose.</td>
</tr>
</tbody>
</table>

**OFFICER RECOMMENDATION:**

That Council:

1. **APPROVE** advertising of the Proposed Structure Plan for Lots 3 and 806 Mandurah Road, Karnup and the associated concept plan over Lot 805 Mandurah Road, Karnup, subject to the City receiving advice from its Retail Consultant that the proposed increase in commercial floor space over and above that outlined by Planning Policy 6.3 - Local Commercial Strategy is acceptable.
2. **ENDORSE** the publishing of a notice that it has prepared an amendment to Planning Policy No.6.3 - *Local Commercial Strategy* to modify the maximum retail floor area for the designated 'Singleton East' Neighbourhood Centre from 4,240m² to 5,300m², subject to the matter set out in Point 1 above being resolved to the satisfaction of the City.

### 11. Council Resolution

**Moved Cr Elliott, seconded Cr Pease**

That Council **REFUSE** advertising of the Proposed Structure Plan for Lots 3 and 806 Mandurah Road, Karnup and the associated concept plan over Lot 805 Mandurah Road, Karnup, until such time as Lot 805 is zoned 'Development' in Town Planning Scheme No.2 and the planning for the Transport Oriented Developments to the south and west of the future Karnup Station have been finalised.

**Motion Lost – 3/6**

Councillors having voted for the motion:  
Cr Elliott  
Cr Pease  
Cr Stewart

Councillor having voted against the motion:  
Cr Liley  
Cr Hamblin  
Cr Dunkling  
Cr Hill  
Cr Smith  
Cr Sammels

**Moved Cr Smith, seconded Cr Hill**

That Council: -

1. **APPROVE** advertising of the Proposed Structure Plan for Lots 3 and 806 Mandurah Road, Karnup and the associated concept plan over Lot 805 Mandurah Road, Karnup, subject to the City receiving advice from its Retail Consultant that the proposed increase in commercial floor space over and above that outlined by Planning Policy 6.3 - *Local Commercial Strategy* is acceptable.

2. **ENDORSE** the publishing of a notice that it has prepared an amendment to Planning Policy No.6.3 - *Local Commercial Strategy* to modify the maximum retail floor area for the designated 'Singleton East' Neighbourhood Centre from 4,240m² to 5,300m², subject to the matter set out in Point 1 above being resolved to the satisfaction of the City.

**Carried – 6/3**

Councillor having voted for the motion:  
Cr Liley  
Cr Hamblin  
Cr Dunkling  
Cr Hill  
Cr Smith  
Cr Sammels

Councillors having voted against the motion:  
Cr Elliott  
Cr Pease  
Cr Stewart
Council Resolution – En bloc Resolution

Moved Cr Smith, seconded Cr Hill

That the committee recommendations in relation to Agenda Items SPE-005/12 to SPE-006/12 be carried en bloc.

Carried - 9/0

Planning Services
Strategic Planning and Environment Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SPE-005/12 Proposed Structure Plan – Consent to Advertise</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/866</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Taylor Burrell Barnett on behalf of Rockingham Park Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Regan Travers, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Jeff Bradbury, Coordinator, Strategic Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19th March 2012</td>
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<tr>
<td>Previously before Council:</td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Legislative</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Legislative</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 1507 Eighty Road, Baldivis</td>
</tr>
<tr>
<td>Lot Area:</td>
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<td>Proposed Structure Plan</td>
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<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
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<td></td>
<td>2. District Structure Plan</td>
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<td>3. Approved Structure Plan</td>
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1. **Purpose of Report**

To consider a proposed Structure Plan over Lot 1507 Eighty Road, Baldivis and determine whether the proposal is suitable for advertising.
2. Background

District Structure Plan

At its ordinary Meeting held on the 26th October 2004, following a process of public advertising, Council resolved to endorse the *Baldivis South District Structure Plan* (‘BSDSP’) for the purpose of guiding Comprehensive Development Plans (subsequently referred to as Structure Plans under Town Planning Scheme No.2) and planning generally for the South Baldivis area, subject to certain modifications being undertaken.

In June 2005, the City advised submitters in writing that the various modifications had been completed, and that the District Structure Plan was endorsed.

![Figure 1: Location Plan](image1.png)

**Figure 1: Location Plan**

- Baldivis Town Centre
- Kwinana Freeway
- Subject Site

![Figure 2: South Baldivis District Structure Plan](image2.png)

**Figure 2: South Baldivis District Structure Plan**
Previous Structure Planning

A Comprehensive Development Plan (CDP) for Lot 1507 was approved by the Western Australian Planning Commission (WAPC) on the 27 November 2002. This CDP is limited to the west of Nairn Drive and provides for conventional residential development across the site. An indicative road network is depicted over the land east of Nairn Drive.

Since the WAPC’s 2002 approval, two minor modifications to the CDP have been approved. The first for Stage 1 on the 2nd December 2010 and the second for Stage 2 on the 21st March 2011.

Subdivision Approvals

Two subdivision approvals have been issued over the subject site. The first relates to Stage 1 and proposed 110 lots, which was approved by the WAPC on the 15th December 2010. The second relates to Stage 2 and proposed 68 lots, which was approved by the WAPC on the 11th April 2011.
3. Details

The subject land is located at the corner of Eighty and Sixty Eight Roads, Baldivis, approximately 10km south east of Rockingham.

The proposed Structure Plan incorporates the following elements:-

- Overall yield of 1600 dwellings consisting of:
  - Low Density Residential ‘R15’ lots;
  - Low Density Residential ‘R20-25’ lots;
  - Medium Density Residential ‘R30’ rear-loaded Cottage lots;
  - 26 Medium Density Residential ‘R30-60’ sites (maximum yield of 477 dwellings);
- 1 Primary School (4ha);
- 1 District Open Space (5.77ha);
- 15 areas of Public Open Space (POS) totalling 11.46ha; and
- 1 Village Centre which is excluded from consideration of this LSP (subject to further Planning as detailed later in this report).

Planning Context

Lot 1507 is predominantly zoned ‘Urban’ under the Metropolitan Region Scheme (MRS). The only exception is the future alignment of Nairn Drive, which divides the site diagonally in half and is identified as an ‘Other Regional Road’ with a 40 metre wide reservation.

Lot 1507 is part of Development Area No.19 in which the Schedule No.9 provision states:-

‘An approved Structure Plan together with all approved amendments and detailed area plans, where applicable, shall apply to the land in order to guide subdivision and development’.

Site Analysis

The land is bound to the east and north by residential subdivisions nearing completion. South of Sixty Eight Road is a number of small ‘Special Rural’ lots and west of Eighty Road is ‘Rural’ land.

The Kwinana Freeway is the primary transport route connecting Baldivis with the Perth CBD to the North and Mandurah to the South. Safety Bay and Karnup Roads constitute the primary east-west aligned transport routes linking Baldivis with Rockingham. Nairn Drive provides a strong secondary north-south route through the centre of the Baldivis Urban area connecting Mundijong Road in the north to Paganoni Road in the south.

Adjacent Land Uses and Buffers

The area to the west of Eighty Road contains parkland cleared land used for grazing, market gardens and lifestyle village purposes.

Outridge Swamp located to the north-west of Lot 1507 is a conservation category Environmental Protection Policy Wetland.

Landscape

There are two main ridges running roughly north-south through Lot 1507. A small ridge with a high point of 19 metres AHD is located just inside the western boundary of the site. The second, with a high point of 33 metres AHD is located in the middle of the site and loosely forms the basis of the future alignment of Nairn Drive.

The land was previously a pine plantation. As such little opportunity for the retention of native vegetation remains, apart from vegetation within and adjacent to the Sixty Eight and Eighty Road reservations.

The geology of the site (S7 – sand) is characterised by a low corrosion potential, low to medium slope stability, high ease of excavation and a low to medium bearing capacity.

Heritage

There are no known or listed Aboriginal Heritage or European Heritage sites within Lot 1507.
4. Implications to Consider

a. Consultation with the Community

Where the Council determines that a Proposed Structure Plan is satisfactory for advertising, clause 4.2.6.5 of TPS2 requires the proposal to be advertised for public inspection by one or more of the methods set out in clause 6.3.3 of TPS2, which include:

(a) notice of the proposal being served on nearby owners and occupiers who, in the opinion of Council, are likely to be affected by the proposal, and stating that submissions may be made on the proposal by a specified date.

(b) notice of the proposal being published in a newspaper circulating in the TPS2 Area stating that submissions may be made on the proposal by a specified date.

(c) a sign or signs displaying a notice of the proposal is to be erected in a conspicuous position on the land.

The specified date is required to be at least 21 days from the date of the notice and advertisement, however it is the City's practice to undertake advertising for at least 28 days where the proposal has not been previously advertised.

b. Consultation with Government Agencies

In addition to the above, clause 4.2.6.5(b)(ii) of TPS2 requires that the Council give notice to relevant public authorities.

c. Strategic Community Plan

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

Aspiration 2: A safe community where residents feel secure, relaxed and comfortable within their home, work and social environments.

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

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

d. Policy

State Planning Policies

Directions 2031

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

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

To achieve this target, the Policy sets a density target of 15 dwellings per gross urban zoned hectare of land in new development areas. This equates to a minimum R25 code (average of 350m² lots) being applied to all greenfield and infill development.

The proposed Structure Plan does not meet the density target of 15 dwellings per hectare, instead having a density of approximately 14.35 dwellings per gross hectare. This shortfall is considered acceptable given that the density of Stages 1 and 2 (already approved) are lower than the remainder of the site, and number of dwellings exceeds the Liveable Neighbourhoods requirements discussed in the Comments section of this report.
Liveable Neighbourhoods

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

Liveable Neighbourhoods contains eight 'elements' under which Structure Plans and subdivisions are assessed, as follows:

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

Each Element has two components - 'Objectives' and 'Requirements'. Objectives describe the principal aims of each Element, and Requirements present a range of qualitative and quantitative responses to meeting the Objectives. Requirements include matters that 'should' be considered, where there is a range of design solutions, and matters that 'must' be satisfied.

Assessment of the Structure Plan against Liveable Neighbourhoods is detailed in the 'Comments' section of this report.

Planning for Bushfire Protection Guidelines Edition 2

The WAPC Planning Bush Fire Protection Guidelines (Edition 2) notes in Section 2.3 – Guidance Statements for Strategic Plans, Planning Strategies, Planning Schemes, Planning Scheme Amendments and Structure Plans – that unless it is clear to the decision-making authority that the land in question is not in an area that has a moderate or extreme bush fire hazard level, any new proposals or proposals which will effect a change of land use or design resulting in the introduction of, or an intensification of development should:

- Include a bush fire hazard assessment based on the fire hazard assessment methodology and classifications set out in Appendix 1 of the Guidelines;
- Identify any bush fire hazard issues arising from that assessment; and
- Address those issues, in accordance with the general principles that underpin these guidelines, in a statement or report which demonstrates that all fire protection requirements can be achieved to the satisfaction of the WAPC.

Fire risk has been raised as a concern due to the proximity of proposed lots to heavily vegetated land to the south. The proponent has provided a Bush Fire Hazard Assessment (BFHA) and Bush Fire Management Plan. The Fire Management Plan has been prepared in accordance with the Bush Fire Protection Guidelines and addresses site specific concerns. The BFHA and Fire Management Plan will be subject to a detailed assessment during public advertising of the proposal.

Local Planning Policies

Planning Policy 3.4.1 - Public Open Space

Planning Policy 3.4.1 - Public Open Space provides guidance regarding the location and design of public open space within the City. The objectives of the policy are:
- To ensure that all residential development is complemented by well located areas of public open space that provide for the recreational and social needs of the community.
- To ensure that Public Open Space is designed, developed and maintained to an acceptable standard to enhance local amenity.

Discussion regarding the distribution of public open space and compliance with the City's Policy can be found in the 'Comments' section of this Report.

**Planning Policy 6.3 - Local Commercial Strategy**

Planning Policy 6.3 - Local Commercial Strategy provides guidance for the distribution and hierarchy of employment centres within the District.

The proponent has indicated a desire to include 700m$^2$ of Commercial zoned land within a ‘Village Centre’ precinct abutting Nairn Drive. This Commercial floor space is not allocated to the site via the Local Commercial Strategy, nor the South Baldivis District Structure Plan (SBDSP).

As the City is currently undertaking a review of Commercial floor space allocations of the Local Commercial Strategy throughout Baldivis, it is believed to be premature to consider this element of the proposal in isolation to the wider review. As such, the ‘Village Centre’ area of the plan has been excluded from consideration of this Structure Plan, and will be subject to a future application.

f. **Financial**

Nil

f. **Legal and Statutory**

Clause 4.2.6.2 of TPS2 states that the Council is to either:
(a) determine that the Proposed Structure Plan is satisfactory for advertising;
(b) determine that the Proposed Structure Plan is not to be advertised until further details have been provided or modifications undertaken; or
(c) determine that the Proposed Structure Plan is not satisfactory for advertising and give reasons for this to the Proponent.

5. **Comments**

**Structure Plan Assessment**

**Community Design**

The Structure Plan design is generally consistent with the intent of the SBDSP, incorporating the District Open Space, Primary School, major road connections, POS and residential dwellings. The SBDSP shows a large area of POS in the south east of the site, this is not reflected in the revised plan, it has instead been broken into smaller parcels which provide a network of POS areas. The Primary School site is shown on the western side of the Nairn Drive reservation on the SBDSP and has been moved to the eastern side on the proposed Structure Plan.

The Structure Plan has been designed to integrate with the surrounding development framework. The movement network is generally permeable and has been designed to accommodate future bus routes, traffic related to the school site and potential urban development to the south of the site.

A range of residential densities are proposed across the Structure Plan. ‘R15’ lots approved within Stage 1 are located along the northern section abutting Eighty Road, providing an interface which assists in the transition between ‘Rural’ lots west of Eighty Road and residential development to the east. ‘R20’ single residential lots comprise the bulk of the Structure Plan Area. ‘R30’ residential lots are predominantly located abutting POS areas, increasing density in close proximity to areas of high amenity as well as providing opportunities for passive surveillance to occur.

Under Liveable Neighbourhoods, the Structure Plan is required to achieve a target density of 12-20 dwellings per site hectare outside the 400 metre radius of a Neighbourhood Centre and 20-30 dwellings per site hectare for areas in 400 metres of Neighbourhood Centres and in 250 metres of main bus routes. With a maximum of 1643 dwellings across 65.3 hectares of residential lots, a density of 25.16 dwellings per site hectare is achieved. This is consistent with Liveable Neighbourhoods.
Subdivision to a density of R60 will not be permissible until Amendment No.111 to TPS2 is gazetted (Note: Amendment No.111 proposes to remove all residential density coding’s from the TPS2 map to provide the Council with greater flexibility to consider a variety of residential densities on Structure Plans). The Council has recommended that the Hon. Minister for Planning grant Final Approval to Amendment No.111 and as such, the R60 coding on the Structure Plan is supported.

Lot Layout

The lot layout focuses on increasing density and interest around features of the site, particularly areas of POS. The majority of lots reflect a modified grid layout with north-south and east-west orientation. The lack of a true grid layout has been influenced by landform features and the Nairn Drive Road Reservation.

Residential lots have been oriented towards Nairn Drive and Sixty Eight Road where possible, avoiding the creation of a poor quality interface by having side boundary fences facing these roads. This increases amenity as well as passive surveillance.

Detailed Area Plans (DAP) will be required for all rear loaded lots, lots abutting Public Access Ways, lots abutting POS and lots with dual frontages. The DAP’s will provide adequate control of development on these unique sites, with DAP provisions achieving an appropriate streetscape to all frontages.

Movement Network

Overall the road layout accommodates a high level of interconnectivity with the surrounding area, with regular connections to Nairn Drive and relatively short and straight street blocks being arranged in a manner that achieves a high degree of legibility, permeability and walkability in accordance with the principles of Liveable Neighbourhoods.

The Structure Plan provides connections to the Ridge Estate to the North and connections to the east through the Avalon Estate.

The Baldivis Road Needs Study (2005) notes a bus route which is reflected in the Structure Plan. The Western Bus Route enters Lot 1507 via Arpenteur Drive and continues through the middle of the site before terminating at Sixty Eight Road. Medium density housing is shown along the bus route.

In accordance with Liveable Neighbourhoods, paths have been provided on one side of all roads and on both sides of roads classified as an Integrator or Neighbourhood Connector. On-street cycle lanes will be included along Nairn Drive

The Structure Plan proposes a network of shared paths located within wider landscaped road verges that link the network of POS areas and include facilities which encourage both passive and active recreational use.

Car parking embayments have been shown indicatively on the Structure Plan in areas around POS, grouped housing sites and the Primary School site.

To accommodate the identified ‘Neighbourhood Connector A’ function of Sixty Eight Road, the Structure Plan shows road widening of Sixty Eight Road to a 25 metre reserve, measuring from the centreline of the existing carriageway.

Activity Centres and Employment

The Structure Plan includes a ‘Village Centre’ area which will be subject to a separate application. The configuration of this area will be dependent on the outcomes of a review of the City’s Local Commercial Strategy for the wider Baldivis area. At such a time, a Structure Plan application for this area will subject to a full assessment, where the appropriateness of a Commercial centre will be investigated and if considered so, will be required to demonstrate consistency with the objectives of Liveable Neighbourhoods and recommendations of the City’s Local Commercial Strategy review.

Public Open Space

There are fifteen (15) areas of POS, including a 5.77ha District Open Space reserve abutting Eighty Road which accommodates a Senior size AFL oval and associated community facilities. The concept plan for the District Open Space is consistent with the City’s Community Infrastructure Plan.
The remaining POS areas range in size from 1,618m2 to 11,639m2 and are strategically located to ensure all lots are within a 400 metre walkable catchment.

It is noted that a number of the smaller POS areas are not regular in shape and do not represent a typical usable open space area. The proponent has advised that these areas are predominantly for passive recreation, being part of the Structure Plan’s “Yellow Brick Road” network, generally featuring a high proportion of tree planting and recreational facilities such as street furniture.

Due to the nature of the site’s previous land use and the earth working requirements to achieve contour capable of facilitating infrastructure provision, there is little opportunity to retain remnant vegetation. The Eighty and Sixty Eight Road reserves provide the only areas for retention of existing vegetation and the Structure Plan notes that trees within this area will be retained where possible. The Structure Plan Report notes that four (4) trees have been identified as potential breeding habitat for black cockatoos. The location of these trees needs to be identified on a plan to demonstrate whether efforts have been made to retain the trees within proposed POS reserves.

The Structure Plan provides 10.69% Open Space which complies with the 10% minimum required by Liveable Neighbourhoods.

The City’s Planning Policy 3.4.1 - Public Open Space (POS Policy) provides guidance regarding the location and design of public open space within the City. This Policy allows a maximum of 25% of a POS area to be dedicated for drainage purposes. Four (4) POS areas propose in excess of 25% drainage, POS ‘C’, ‘M’ and ‘N’ are considered minor variations to the policy and are consistent with the objectives, ensuring that POS is designed, developed and maintained to an acceptable standard to enhance local amenity. POS ‘K’ proposes a significant variation to the maximum 25% drainage, proposing 41%. This is a result of design changes during the City’s assessment to accommodate a shift in the location of the Primary School site further east, away from Nairn Drive. It is also noted that the increase in drainage does not reduce the amount of usable open space due to over-provision of POS across the site, above the 10% minimum required by Liveable Neighbourhoods.

The proponent has provided justification for lots with dual frontage (street and POS) and those located directly abutting POS, as they are not a preferred design as noted in the POS Policy. In these cases lot levels will be raised, a footpath will be constructed to clearly demarcate the boundary between public and private land and DAP’s will be imposed as conditions of subdivision approval in order to ensure that the fencing and building orientation of dwellings resulting in adequate surveillance of the adjoining POS.

Schools

The location of the Primary School site has been modified and is not consistent with the SBDSP. The School site has been moved from the west side of Nairn Drive to the east side. Given that the design of the Structure Plan adequately addresses the servicing needs of the school site, there are no fundamental issues moving the site to the opposite side of Nairn Drive. The School has a buffer to Nairn Drive provided by a residential component of the ‘Village Centre’ area which will be subject to a separate application.

Element 8, R1 of Liveable Neighbourhoods advises that written confirmation of acceptance by the appropriate school provider as to the location and configuration of a school site should be provided when submitting a Structure Plan with the local government. It is recommended that the revised location of the Primary School site be referred to the DET for consideration during public advertising of the proposed Structure Plan.

Urban Water Management

A Local Water Management Strategy (LWMS) has been provided with the Structure Plan. The objective of the LWMS is to ensure that sustainable management of the total water cycle within the estate occurs through water sensitive urban design. This includes water conservation, stormwater and groundwater management. This has been reviewed by the City and is considered acceptable.

An earthworks plan has been provided to address concerns with groundwater separation in the north west of the site. The minimum habitable floor level for this site will be 5.7 metres which is sufficient separation from groundwater.

The LWMS addresses the City’s requirements in accordance with Planning Procedure 1.8 – Water Sensitive Urban Design.
The Structure Plan will be forwarded to the Department of Water for comment during the advertising period.

Utilities
The Proponent has identified that connections to all utilities can be achieved and this matter will be confirmed when servicing authorities provide comment during the advertising period.

Relevant servicing authorities will be notified of the proposal and invited to comment.

Implementation
TPS2 sets out the details that are required to be addressed in a proposed Structure Plan. These requirements are set out in more detail in Planning Procedure 1.6. In this regard, Planning Procedure 1.6 - Preparation and Assessment of Structure Plans – notes in Section 3.1.1 (i) that information such as the timeframe and staging of subdivision and development may be reasonably required to enable the Structure Plan application to be determined.

Development of the site has already commenced, with Stages 1 and 2 in the north-west corner of the landholding currently under construction. The proponent has provided a staging plan for the remainder of the site, noting that Stages 2-4 west of Nairn Drive will proceed, prior to transitioning across to the eastern side. The 'Village Centre' will be developed as one of the final stages.

Conclusion
In light of the above, it is considered that the Proposed Structure Plan is satisfactory for advertising. Prior to the Proposed Structure Plan being considered for adoption, the location of the four (4) trees with potential breeding habitat for black cockatoos are required to be identified on a plan.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council APPROVE advertising of the Proposed Structure Plan for Lot 1507 Eighty Road, Baldivis.

8. Committee Recommendation

That Council APPROVE advertising of the Proposed Structure Plan for Lot 1507 Eighty Road, Baldivis.

Committee Voting – 4/0

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

Not applicable

10. Implications of the Changes to the Officer’s Recommendation

Not applicable

11. Council Resolution

That Council APPROVE advertising of the Proposed Structure Plan for Lot 1507 Eighty Road, Baldivis.

Carried en bloc

12. The Council’s Reason for Varying the Committee’s Recommendation

Not applicable
1. **Purpose of Report**

To consider an application seeking planning approval for the filling of Lot 447 Telephone Lane and Lot 459 (No.21) Baldivis Road, Baldivis.
CONFIRMED AT A COUNCIL MEETING
HELD ON TUESDAY, 24 APRIL 2012

MAYOR (B W SAMMELS)
2. Background

In June 2009, the Western Australian Planning Commission (WAPC) rezoned the site from Rural to Urban Deferred under the Metropolitan Region Scheme (MRS). The City has since been progressing the preparation of a District Structure Plan (DSP) over the area bound by Baldivis Road, Telephone Lane, Kwinana Freeway and Safety Bay Road, which includes the subject site. The DSP is yet to be considered by Council.

In August 2011, the Council considered an application seeking planning approval for the import of 350,000m³ of fill onto Lot 447 Telephone Lane and Lots 459 and 709 (No.19-21) Baldivis Road, Baldivis, to a depth of up to 1.6m to raise the ground level of the site to RL 6.10m AHD. Council resolved to refuse the application for four reasons as detailed in the ‘Comments’ section of this report.

3. Plan of refused application (August 2011)

3. Details

The proponent seeks Planning Approval for the import of approximately 330,000 – 350,000m³ of fill over the site, as identified on the following plan. The fill is to have a maximum depth of 1.6m above the existing ground level, and will raise the site to a height of RL 6.10m AHD. The proposal will result in the clearing of approximately 50% of the remaining remnant vegetation on the site.
The revised application varies from the 2011 fill proposal, in that the extent of fill proposed is reduced, and the purpose of the fill is different. The 2011 fill proposal was intended to “prepare the subject land for future development”, whereas the revised proposal “does not propose a change of use and is only an application seeking Development Approval to fill a portion of the land”. The proponent has argued that given there is no proposal for a change in the use of the land, the current application is not required to address reasons 1, 2 and 3 of Council’s refusal letter dated 24th August 2011, as it was suggested they are not relevant to the current proposal. The revised proposal is also accompanied by the following technical reports:

- ‘Level 2’ Flora, Vegetation and Wetland Assessment (Emerge Associates) – The report concludes that much of the flora and wetland values remaining within the site are located within the mapped ‘resource enhancement’ wetlands and other remnant vegetation associated with the adjacent Tramway Reserve. Notwithstanding, much of the site (54ha of 57 ha) is completed degraded and contains little to no remnant vegetation. The report recommends that remnant vegetation should be considered for retention in park areas where possible, and the declared weed arum lily should be targeted for removal across the site.
5. Location of the Resource Enhancement Wetland (Emerge Associates)

- **Report on Geotechnical & Preliminary Acid Sulphate Soil Investigation** (Douglas Partners) – The report notes that ground conditions beneath the site predominately comprise medium dense sand, with highly-reactive clayey materials in the southeast part of the site. The clayey soils can be improved by the placing of non-reactive material to a depth of at least 0.5m (for Class M), 1.1m (for Class S) or 1.8m (for Class A) over the affected land. Alternatively, the reactive material could be excavated and replaced with non-reactive material. Prior to excavation or fill, all topsoil (present to a depth of 0.35m) should be removed and stockpiled for reuse in landscaping, and the ground compacted – the proponent has confirmed that topsoil will be excavated from the land prior to the import of fill.

On-site stormwater disposal can only be achieved over the clayey materials where suitable clearance (of permeable soil) exists between the base of soak wells or sumps and the clayey soils.

The report notes that a preliminary investigation for acid sulphate soils (ASS) found soils above the criteria for which more detailed investigations need to be undertaken, beneath the site at depths between 0.5m and 3.3m. More detailed investigations are to be undertaken prior to the commencement of excavation activities (which includes the removal of topsoil).

- **Preliminary Site Investigation** (Emerge Associates) – The report was undertaken to determine whether there are any sources of contamination located in the subject site. It notes that the site was historically used for grazing activities since prior to 1953. Groundwater is found at a depth of approximately 0.5m – 1.0m below ground level, and three dams have been excavated to access the groundwater. The investigation concludes that the contamination risk to human and ecological health is very low, and no further investigation is warranted.
A Stormwater Drainage Strategy prepared by David Wills and Associates – The Strategy recommends that to prevent any excess stormwater runoff from the proposed imported fill, a spoon drain approximately 150mm deep and 1m wide will be constructed along the southern and eastern boundaries of the property. All stormwater will be contained on site by infiltration.

The site groundwater levels are controlled on site by three drainage culverts with open drains running through the site, which direct stormwater to the Peel Main Drain and eastwards across Kwinana Freeway. The importation of fill will not change the functionality of these culverts, and the pre-development flows will be maintained. During a rainfall event, the stormwater will infiltrate to the existing channels. The fill reduce the conductivity of the stormwater discharge along these channels but an outflow path will still be provided by these channels which will discharge to the culverts.

4. Implications to Consider

a. Consultation with the Community

The application was referred to the owner of Lot 460 (No.95) Baldivis Road, Baldivis, given the site adjoins Pug Road at the southern boundary of the subject site. The owner of Lot 460 advised that the proposal “is unlikely to have any negative impact on the Cedar Woods landholdings to the south providing the City imposes the usual conditions regarding dust/noise mitigation”.

b. Consultation with Government Agencies

The application was referred to the Department of Environment and Conservation (DEC), Department of Water, Main Roads Western Australia and the Water Corporation for comment on the 13th January 2012, for a period of 30 days. The following comment was received.
Department of Water

The Department of Water recommends the following conditions:

1. Any filling of the subject lots should be carried out in accordance with the approved North East Baldivis District Water Management Strategy.

2. Any drainage systems required shall be designed and constructed consistent with the Stormwater Management Manual for Western Australia.

3. Any fill used on the subject lots should be certified/validated as clean and free from contaminants.

The Department of Water also recommends that best environmental management practices be used for all landfilling activities to avoid contamination of the groundwater. The Department of Water’s Water Quality Protection Note 24 – Landfilling with Inert Materials provides guidance on the practice and management of landfilling to avoid disrupting local hydrology, causing groundwater contamination or producing other adverse effects on the local environment and potential health risks, and it provides 33 recommendations for fill. The proposal demonstrates compliance with the relevant recommendations of Landfilling with Inert Materials. In addition the site is located in the Peel-Harvey catchment and the provisions of the Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992 and State Planning Policy 2.1 – The Peel-Harvey Coastal Plain Catchment shall apply. This is discussed in the ‘Policy’ section below.

The application does not propose any urban development or rezoning, and therefore not all of the recommendations of the North East Baldivis District Water Management Strategy apply at this time to the proposed fill.

The Stormwater Management Manual for Western Australia applies stormwater management principles broadly, and is not well suited to address specific design issues with any particular proposal. The proponent’s Stormwater Drainage Strategy provides specific design outcomes for stormwater management and is better suited to addressing stormwater management as a condition of approval.

Water Corporation

The Water Corporation has no objections to the proposal. It notes that groundwater levels on the subject land are currently controlled by three small pipes under Kwinana Freeway that drain to the Peel Main Drain. The filling of land must make adequate provision to retain runoff on site to pre-development levels.

The proponent proposes a 0.15m deep spoon drain along the southern and eastern boundaries of the property to prevent any excess stormwater runoff from the imported fill and contain all stormwater on-site by infiltration.

Department of Environment and Conservation

The DEC assumes that potential sources of soil contamination are located on adjoining Lot 709, which is not part of the subject application.

The DEC is also concerned with the lack of information provided on the source of the proposed fill. Further information is required on the source of the fill such that laboratory analysis of the material can be undertaken, or a statement provided from the provider of the fill. If the application is approved, a mandatory auditor’s report must be submitted to the DEC to confirm that the fill is not contaminated. It is proposed that the DEC’s requirement be included as a condition of planning approval.

The DEC notes that fill is not proposed within 50m of the resource enhancement wetland. This can be conditioned on any approval.

The DEC notes that a permit to clear land is required under the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. It is recommended that proponent be advised of this requirement.

Main Roads Western Australia

Main Roads did not provide any comment on the application.
c. **Strategic**

**Community Plan**

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

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

d. **Policy**

**Rural Land Strategy**

The City’s Planning Policy 5.2, *Rural Land Strategy* provides guidance in determining applications for development in rural areas. Proposals for development are required to comply with the following:-

- Development proposals are to include a Landscaping Plan detailing a proposed tree planting programme.
- Minimum building level 0.5m above 1:100 year flood level in areas subject to inundation as identified.
- Sand pads or the like shall be graded and landscaped to the Council’s specifications.

There are no requirements in the *Rural Land Strategy* specific to proposals for the filling of land.

The proposal complies with the above requirements, except that revegetation is not proposed. Given the land is identified as a future urban area which will be subject to further development, there is not considered to be any value at this stage in revegetating or rehabilitating the filled land.

**The Peel-Harvey Coastal Plain Catchment**

The subject site is located within the Peel-Harvey Catchment Area.

The *Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992* sets out environmental quality objectives for the Estuary which if achieved will rehabilitate the Estuary and protect it from further degradation, and outline the means by which the environmental quality objectives are to be achieved and maintained. It requires the City to ensure that decisions and actions are compatible with the achievement and maintenance of the environmental quality objectives. This is normally achieved if the proposal is consistent with State Planning Policy 2.1 – *The Peel-Harvey Coastal Plain Catchment*.

State Planning Policy No.2.1 - *The Peel-Harvey Coastal Plain Catchment* encourages the retention and rehabilitation of existing remnant vegetation. There are no provisions specific requirements relating to proposals for the filling of land.

**Guidelines for the Lifting of Urban Deferment**

Although there is no local or state planning policy that explicitly forbids earthworks in advance of a subdivision approval, the planning framework is normally progressed as precursor to this type of development. The framework includes approval of a Local Structure Plan, adoption of a District Structure Plan being adopted and the land being suitably zoned under either the local or regional planning scheme. The WAPC’s *Guidelines for the Lifting of Urban Deferment* states:

"Land zoned urban deferred under a regional planning scheme should generally be zoned rural or, where appropriate provisions restrict development until urban deferment is lifted under the regional planning scheme, urban development in the [local] planning scheme."

This implies that no development for urban purposes should occur until the land has been transferred to the ‘Urban’ zone under the MRS. The proponent notes that the application solely seeks to import fill onto the subject land, and is not related to any particular use of land.
Filling with Inert Materials

The Department of Water’s Water Quality Protection Note 24 - *Landfilling with Inert Materials* provides 33 recommendations for fill comprising stable, non-hazardous materials. The recommendations are either not relevant or are able to be achieved, and therefore compliance with the requirements of *Landfilling with Inert Materials* can be included as a condition of approval.

e. Financial

Not applicable

f. Legal and Statutory

The clearing of vegetation and filling of land constitute ‘development’ and requires planning approval pursuant to clause 6.1.1 of TPS2.

The proponent notes that the application “does not propose a change of use and is only an application seeking Development Approval to fill a portion of the land.” The land use permissibility requirements of Part 3 of TPS2 therefore do not apply to a proposed development where there is no associated land use.

Clause 6.6 of TPS2 identifies matters that the Council shall have due regard, in considering an application for planning approval. Relevant matters include:-

- The objectives and provisions of TPS2. The objective of the ‘Rural’ zone under TPS2 is “to preserve land for farming and foster semi-rural development which is sympathetic to the particular characteristics of the area in which it is located, having due regard to the objectives and principles outlined in the Rural Land Strategy and supported by any other Plan or Policy that the City may adopt from time to time as a guide to future development in the zone.” The proposed filling of land does not prevent the continued use of land for agricultural purposes.

- The preservation of the amenity of the locality. The character of the area is not considered to be significantly altered by the import of fill onto the site.

- The amount of traffic likely to be generated by the proposal, particularly in regard to the capacity of the road system in the locality and the probable effect on traffic flow and safety. The source of the fill, the routes that haulage vehicles are likely to use and the total numbers and frequency of haulage vehicle movements is not known. The surrounding road network, including Baldivis Road, Telephone Lane, Millar Road and Johnson Road are used by haulage vehicles and the proposal is not prejudiced by road capacity. A Traffic Management Plan would be required prior to the commencement of work to ensure that traffic to and from the site is managed safely.

- Any other planning considerations the Council considers relevant, which could include dust, noise and weed infestation. To address the potential impact of dust on adjoining properties and roads, a Dust Management Plan should be prepared in accordance with the Department of Environment and Conservation’s *DRAFT - A guideline for the development and implementation of a dust management program* to the satisfaction of the City, prior to the commencement of any work. Given the scale of filling proposed, it is also recommended that earthworks be limited to winter months (between 30 March and 30 September) to mitigate the local impacts of dust during earthworks.

The impact of noise on sensitive premises (including houses) should be avoided. The proponent indicates that work will only be carried out between 7am and 7pm Monday to Saturday and in accordance with control of noise practices set out in section 6 of AS 2436-1981, *Guide to noise control on construction, maintenance and demolition sites*. As the impact of noise is controlled under the *Environmental Protection (Noise) Regulations 1997* it does not need to be further addressed under TPS2.
The proponent’s ‘Level 2’ Flora, Vegetation and Wetland Assessment identified a declared weed, arum lily, present on the subject site. The proposal involves the removal of vegetation and topsoil, which results in the removal of the weed from the site.

Clause 4.11.2(b) of TPS2 provides that no remnant vegetation shall be removed or cleared unless approved by Council. In this regard, the ‘Level 2’ Flora, Vegetation and Wetland Assessment submitted with the application demonstrates that the majority of the site is in a ‘completed degraded’ condition. Areas of ‘good’ to ‘degraded and completed degraded’ vegetation are excluded from the areas proposed to be filled, and the clearing degraded areas of land subject to the proposed fill is supported.

The responsibility for determining the application under the MRS is delegated to the City by resolution of the WAPC, and the decision of the City in respect of this application is deemed to be a decision under the MRS. There are no provisions of the MRS that apply specifically to the Urban Deferred zone or the filling of land.

5. Comments

The application includes a more thorough assessment of environmental and town planning issues relating to the import of fill onto the subject site than the 2011 fill application. The proposal can be favourably considered if it can be demonstrated that the reasons for the Council’s 2011 refusal can be addressed, as outlined below:

“1. The proposed development is not related to a farming or semi-rural development and is therefore not consistent with the objectives and purpose of the ‘Rural’ zone under TPS2.”

The proposed filling of land does not prejudice the potential continued use of the land for agricultural purposes, and this reason for refusal is therefore satisfied.

“2. The proposed development is not permitted pursuant to subclause 3.2.4(c) of TPS2.”

The proposed development does not propose to change the use of the land, and therefore clause 3.2.4(c) of TPS2 does not apply. This reason for refusal is therefore satisfied.

“3. Planning is not sufficiently advanced for the consideration of development for urban purposes on the land, given:

(a) there has been no investigation to determine whether or not the land is suitable for industrial development pursuant to the Western Australian Planning Commission’s draft Outer Metropolitan Perth and Peel Sub-Regional Strategy;
(b) the land is not zoned ‘Urban’ under the MRS;
(c) the land is not zoned ‘Development’ under TPS2;
(d) a District Structure Plan has not been adopted for the land;
(e) a Structure Plan has not been prepared for the land pursuant to section 4.2 of TPS2; and
(f) the Western Australian Planning Commission has not approved subdivision of the land.”

Given the proposed development does not propose to change the use of the land, it is not reasonably associated with any particular future use of the land, whether it be agricultural, industrial, commercial or residential. The application has therefore been considered on its merits, with respect to the implication of the clearing of land and importation of fill. The proposed clearing and fill can be undertaken in a manner that does not prejudice future use of the land, and to mitigate potential issues it is recommended that a supervising engineer provide a report certifying that the fill has been undertaken in accordance with the Report on Geotechnical & Preliminary Acid Sulphate Soil Investigation. This reason for refusal can be satisfied in this manner.

“4. The proposed development has not addressed relevant planning consideration or the Environmental Protection Authority’s advice and recommendations regarding environmental issues, including:
(a) The geotechnical capability of the land should be addressed prior to works commencing;

(b) Investigation into local site characteristics is needed to establish whether there is a risk of acid sulphate soils;

(c) A preliminary site investigation is required to determine whether there are any contaminated soils on site;

(d) Implications for drainage should be addressed by the preparation of a local water management strategy, prior to the commencement of any work on site;

(e) A flora and vegetation assessment must be undertaken for the site in accordance with the Environmental Protection Authority’s Guidance Statement No.51, Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment for Western Australia; and

(f) It being demonstrated that the 30m buffers to the Resource Enhancement wetlands on the site have been identified using a methodology acceptable to both the Department of Environment and Conservation and the Department of Planning, in accordance with the Western Australian Planning Commission’s draft Guideline for the Determination of Wetland Buffer Requirements. Furthermore, management plans should be prepared for the wetlands.”

The proponent has submitted information on the geotechnical characteristics of the land, acid sulphate soils and preliminary investigations for contaminated soils. While these results confirm that the filled land could be developed where clayey materials in certain areas, it confirms that where these materials are present close to the surface, some may need to be removed from the land to achieve developable sites. For example, a vertical clearance of 1.8m to the clayey materials is required to achieve ‘A’ site classification, which is the normal classification achieved in predominately sandy areas.

In addition, the approved North East Baldivis District Water Management Strategy notes that building footings and foundations typically require vertical separation of 1.2m above the maximum groundwater levels, but the required separation and site levels is generally confirmed by the preparation of an Urban Water Management Plan prior to the commencement of subdivision works. The application for fill does not address these issues, but given no consequential use or development is proposed they do not need to be addressed at this stage. It is recommended that site classification and separation to groundwater be raised as issues in a footnote to the approval.

Drainage issues are addressed in the application by the provision of a spoon drain along the northern and eastern boundaries of the site should ensure that stormwater is contained on site by infiltration. The drainage issues relating to the proposed fill are considered to be satisfactorily addressed.

The proponent’s ‘Level 2’ Flora, Vegetation and Wetland Assessment was prepared in accordance with Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment for Western Australia, and the results of this assessment confirm that the area proposed to be filled will not result in the clearing of any significant remnant vegetation.

The proposal has been modified to provide a buffer of 50m between the wetland and the edge of the fill, as per the recommendation of the draft Guideline for the Determination of Wetland Buffer Requirements. The application does not propose the use of the land, and it is considered inappropriate to require a management plan for a wetland when the adjacent land is not proposed to be used for any purpose.

The reasons for refusal are satisfied, as addressed above.

The revised proposal does not consider the impact of the proposed development of fauna; this was not identified in the reasons for refusal but is nonetheless a relevant consideration. There is black cockatoo foraging habitat located near to the subject site, and the proposal should be assessed further for its potential to impact on this threatened species. This matter is addressed under the Environment Protection and Biodiversity Conservation Act 1999 and under this Act only
Commonwealth and State governments may refer a proposal to the Environment Minister for assessment. It is recommended that this advice be provided to the proponent.

The management of dust, noise, traffic and Acid Sulphate Soils can be addressed via conditions of planning approval.

The revised proposal addresses the town planning requirements, environmental issues and satisfactorily addresses the Council’s 2011 reasons for refusal. It is recommended that the application be approved, subject to conditions that address the management requirements for the fill.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council:

1. **APPROVE** the application seeking planning approval for the filling of part of Lot 447 Telephone Lane and Lot 459 (No.21) Baldivis Road, Baldivis subject to the following conditions and advice notes:
   
   (i) All stormwater runoff must be contained on site by infiltration, in accordance with the “Stormwater Drainage Strategy” prepared by David Wills and Associated dated 12th January, 2102.

   (ii) Detailed site investigation for Acid Sulphate Soils must be undertaken prior to the commencement of excavation works, and the recommendations of the investigations implemented for the duration of works.

   (iii) All fill material must be consolidated, clean course and clay-free sand and must not contain any building rubble or contaminated material.

   (iv) A Mandatory Auditor’s Report must be prepared in accordance with r.32 of the *Contaminated Sites Regulations 2006* within 60 days of the completion of works.

   (v) A Traffic Management Plan must be prepared to ensure that the movement of haulage vehicles on-site and on public roads can be managed in a safe manner prior to the commencement of any works and implemented for the duration of works to the satisfaction of the City.

   (vi) A detailed Dust Management Plan must be prepared in accordance with the Department of Environment and Conservation’s *DRAFT - A guideline for the development and implementation of a dust management program* to the satisfaction of the City, prior to the commencement of any work, and must be implemented for the duration of works.

   (vii) The filling of land, including the movement of vehicles, must maintain a separation of at least 50m to the Resource Enhancement Wetland located near the northern portion of the site.

   (viii) All earthworks including excavation and filling must only be undertaken between 30th March and 30th September in any one year.

   (ix) A Supervising Engineer must certify that the works have been undertaken in accordance with the *Report on Geotechnical & Preliminary Acid Sulphate Soil Investigation* prepared by Douglas Partners dated January 2008 and ‘Stormwater Drainage Strategy’ dated January 2012.

Advice Notes

(a) The fill levels approved as part of this application should not be construed as being the final design levels of the site which will be determined by a future subdivision application.
(b) The development must comply with the Environmental Protection (Clearing of Native Vegetation) Regulations 2004; the proponent should liaise with the Department of Environment and Conservation in this regard.

(c) The site is located nearby to areas identified as black cockatoo foraging habitat; black cockatoos are a threatened species. It is recommended that the proponent undertake investigations to determine whether the proposed vegetation to be cleared is foraging habitat for black cockatoos for the purposes of the Environment Protection and Biodiversity Conservation Act 1999, prior to the commencement of clearing works.

(d) The development must comply with the Environmental Protection (Noise) Regulations 1997; observance with this requires that work shall only be carried out between 7am and 7pm Monday to Saturday (excluding public holidays) and in accordance with control of noise practices set out in section 6 of AS 2436-1981, Guide to noise control on construction, maintenance and demolition sites.

(e) The proponent is advised that any groundwater abstraction in this area for purposes other than domestic and/or stock watering taken from the superficial aquifer is subject to licensing by the Department of Water. The issuing of a groundwater licence is not guaranteed but if issued will contain a number of conditions that are binding upon the licensee. Please note that this area has reached its allocation limit and there is no guarantee that any request for allocation will be approved. The proponent is advised to contact the Department of Water's Licensing section in the Mandurah Region on 9550 4222 to discuss water management options.

8. Committee Recommendation

That Council:

1. APPROVE the application seeking planning approval for the filling of part of Lot 447 Telephone Lane and Lot 459 (No.21) Baldivis Road, Baldivis subject to the following conditions and advice notes:

   (i) All stormwater runoff must be contained on site by infiltration, in accordance with the “Stormwater Drainage Strategy” prepared by David Wills and Associated dated 12th January, 2102.

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Committee Voting – 4/0

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

Not applicable

10. Implications of the Changes to the Officer’s Recommendation

Not applicable

11. Council Resolution

That Council:

1. APPROVE the application seeking planning approval for the filling of part of Lot 447 Telephone Lane and Lot 459 (No.21) Baldivis Road, Baldivis subject to the following conditions and advice notes:

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Carried en bloc

12. The Council’s Reason for Varying the Committee’s Recommendation

Not applicable
Planning Services
Strategic Planning and Environment Services

Reference No & Subject: SPE-006/12 Future Operation of the Point Peron Wastewater Treatment Plant

File No: LUP/1426
Proponent/s: Water Corporation
Author: Ms Fiona Pond, Coordinator, Sustainability and Environment
Other Contributors: Mr Brett Ashby, Manager, Strategic Planning and Environment
Date of Committee Meeting: 19th March 2012
Disclosure of Interest: Advocacy

Site: Lot 2152 Point Peron Road, Peron
Lot Area: 5.54 hectares
LA Zoning: Public Purposes
MRS Zoning: Public Purposes
Attachments: Water Corporation correspondence (dated 2nd March 2012)
Maps/Diagrams:

1. **Purpose of Report**

To consider Water Corporation advice of its intention to continue operations at the Point Peron Wastewater Treatment Plant (PPWWTP) beyond 2015, irrespective of the East Rockingham Wastewater Treatment Plant (ERWWTP) becoming operational.

2. **Background**

The City has had a long standing expectation that the construction of a new Waste Water Treatment Plant at East Rockingham would result in decommissioning of the PPWWTP. During the planning and approvals process for the ERWWTP, the Water Corporation has made various statements concerning the relationship between the ERWWTP and closure of the PPWWTP, including the following:-

CONFIRMED AT A COUNCIL MEETING
HELD ON TUESDAY, 24 APRIL 2012

MAYOR (B W SAMMELS)
Water Corporation’s Submission of the ERWTP proposal to the EPA - March 2011

Project Benefits

Development of the ERWTP within the RIZ will provide substantial social, economic and environmental benefit to the State of WA. These benefits include, but are not limited to:

- Closure of the Point Peron WWTP (PPWWTP) resulting in:
  - Removal of primary (low level of treatment) wastewater from the ocean at Sepia Depression with resultant improvement in wastewater quality discharged to the Sepia Depression from the ERWTP;
  - Availability of a valuable community recreational, ecological and tourism precinct on Cape Peron; and,
  - Meeting community expectations for decommissioning the PPWWTP by approximately 2015.

Site Selection

Planning in the late 1980s identified the need for a new WWTP within the IP14 area in the vicinity of East Rockingham. The new WWTP would replace the Point Peron WWTP and would provide treatment for the industrial area to its north and urban development to its south.

Marine Areas and Biota

In addition, development of the ERWTP within the RIZ will provide substantial social, economic and environmental benefit to the State of WA, particularly with regards to commercial fisheries in the vicinity of the SDOO. These benefits include the closure of the Point Peron WWTP which will result in the removal of primary (low level of treatment) wastewater from the ocean at Sepia Depression.

Annex S - Water Corp’s Communication Plan for the proposed ERWTP & SDOOL

Duplication

Construction of the new East Rockingham WWTP will enable the decommissioning of the Point Peron WWTP by 2015.

The SDOOL at Point Peron will remain open and operational despite the closure of the Point Peron WWTP and provide an ocean discharge facility for Woodman Point, Kwinana and the proposed East Rockingham plants.

The development of the new East Rockingham WWTP will mean that the smaller Point Peron WWTP could be decommissioned by 2015.

(ii) Water Corporation DEWHA Referral Submission Form

As well as increase demand, the current PPWWTP, which currently services some of the ERWTP catchment, is close to capacity. The land upon which PPWWTP is sited is under development pressure from the DPI and City of Rockingham due to proposed Cape Peron recreational and conservation precinct and the Mangles Bay Marina in the area. The recent upgrade to 20 ML/d at the PPWWTP was approved by the DEC/EPA on the grounds that the WWTP will be decommissioned by 2015. Moreover, Point Peron is the only WWTP in WA that treats to a primary standard, hence producing a poor effluent quality. The EPA has a current objective to cease primary effluent discharge to the ocean before 2015. As the TWW quality from the ERWTP will be substantially better than from the PPWWTP (advanced secondary TWW versus primary TWW respectively), once PPWWTP is shut down and the ERWTP is commissioned, the average daily load of nitrogen discharged to the ocean via the SDOO will be reduced, therefore minimising any potential impacts on the marine environment.

The ERWTP would ultimately replace the PPWWTP, which is unsuitable for major upgrade and complement the KWWTP.
(iii) Water Corporation East Rockingham Wastewater Treatment Plant Homepage

The operation of a modern wastewater treatment plant at East Rockingham will **ultimately see the old wastewater treatment plant at Point Peron decommissioned.**

**Community Brochure**

The plant and associated infrastructure will use the latest technology and it will be designed to meet stringent environmental requirements. **Operation of this modern plant will ultimately see the decommissioning of the wastewater treatment plant at Point Peron.**

The Point Peron WWTP is only a primary treatment process, which limits the quality of the treated wastewater. Also, it is located on a small part of the environmentally sensitive Shoalwater Islands Marine Park and there is ongoing community pressure for this facility to be removed so the area can be further developed for tourism and community recreation. **Construction of the East Rockingham WWTP will enable the decommissioning of the Point Peron WWTP by 2015.**

**Social Impact Assessment**

It is anticipated that the ERWWTP will be fully commissioned and operational by 2015. By 2070, the plant will reach an operating capacity of 160 ML/d servicing approximately 700,000 people. Each of the planned expansions (see Table 2.1) will be accommodated within the initial assessment footprint. **As the ERWWTP expands, the Point Peron WWTP, which currently treats wastewater will no longer be required and will be decommissioned.** Further, **as the ERWWTP comes on line the Point Peron WWTP will be decommissioned.**

### 3. Details

On the 2nd March 2012, the City has received correspondence from Water Corporation advising of changes to the scope of the ERWWTP project proposal.

In this regard, due to the deferral of capital funding to allow the second phase of the Southern Seawater Desalination Plant to go ahead in 2011/2012, the Water Corporation has decided to build ERWWTP to a smaller capacity initially, and extend the operation of the Point Peron WWTP beyond 2015 (to at least 2020).

### 4. Implications to Consider

a. Consultation with the Community
   - Nil

b. Consultation with Government Agencies
   - Nil

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

   **Aspiration 10:** Coastal and bushland reserves that are well utilised and managed in a way that will preserve them for future generations to enjoy.

d. Policy
   - Nil

e. Financial
   - Nil

f. Legal and Statutory
   - Nil
5. Comments

Extending the operation of the PPWWTP beyond 2015 has the potential to adversely impact on both the future development of Cape Peron, and its surrounding environments.

The PPWWTP is located within the environmentally sensitive Shoalwater Islands Marine Park. The Marine Park offers a wide range of attractions and opportunities for visitors to the area, which in turn supports a marine nature-based tourism industry. The Marine Park also provides a sanctuary for a diverse range of species giving it high ecological, aesthetic, recreational and educational value. To maintain the values of this area, a high level of water and sediment quality is important. Inputs of nutrients, toxicants and bacteria into the marine park can have ecological impacts, reduce amenity and contaminate seafood. Currently the main pressures on water and sediment quality in the marine park come from point source treated wastewater, such as those discharged from PPWWTP.

The PPWWTP is a primary treatment process facility, meaning the wastewater discharged to the Sepia Depression from PPWWTP is of the lowest quality. As the population in the South-West metropolitan corridor increases, resulting in higher volumes of wastewater, it will be increasingly difficult to operate the existing PPWWTP effectively within the current environmental conditions set out by the Department of Environment and Conservation. Continuing the operations of this Plant beyond 2015 exposes the delicate marine park and Cape Peron area to a sustained and increased level of potentially damaging pollutants.

Once operations at the PPWWTP cease, the Cape Peron area can be further developed as a recreational and conservation precinct benefitting the environment and the community through nature-based tourism and recreation activities.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council:

1. **OPPOSE** the decision of the Water Corporation to build the East Rockingham Wastewater Treatment Plant to a smaller capacity initially and extend the operation of the Point Peron Wastewater Treatment Plant beyond 2015.

2. **DIRECT** the Chief Executive Officer to undertake an extensive lobbying campaign to the State Government and Opposition to seek a reversal of the Water Corporation’s decision.

8. Committee Recommendation

That Council:

1. **OPPOSE** the decision of the Water Corporation to build the East Rockingham Wastewater Treatment Plant to a smaller capacity initially and extend the operation of the Point Peron Wastewater Treatment Plant beyond 2015.

2. **DIRECT** the Chief Executive Officer to undertake an extensive lobbying campaign to the State Government and Opposition to seek a reversal of the Water Corporation’s decision.

Committee Voting – 4/0

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

Not applicable

10. Implications of the Changes to the Officer’s Recommendation

Not applicable
11. Council Resolution

That Council:

1. **OPPOSE** the decision of the Water Corporation to build the East Rockingham Wastewater Treatment Plant to a smaller capacity initially and extend the operation of the Point Peron Wastewater Treatment Plant beyond 2015.

2. **DIRECT** the Chief Executive Officer to undertake an extensive lobbying campaign to the State Government and Opposition to seek a reversal of the Water Corporation’s decision.

Carried en bloc

12. The Council’s Reason for Varying the Committee’s Recommendation

Not applicable
Council Resolution – En bloc Resolution

Moved Cr Dunkling, seconded Cr Hill

That the committee recommendations in relation to Agenda Items CS-007/12 to CS-009/12 be carried en bloc.

Carried by Absolute Majority – 9/0

Corporate and Engineering Services Committee

Corporate and Engineering Services

Corporate Services

Reference No & Subject: CS-007/12 Quarterly Budget Review – February 2012

File No: FLM/17-04

Proponent/s: Mr Allan Moles, Manager Financial Services

Author:

Other Contributors:

Date of Committee Meeting: 20 March 2012

Previously before Council:

Disclosure of Interest: Executive Function

Nature of Council’s Role in this Matter:

Site:

Lot Area:

Attachments: February 2012 Quarterly Budget Review

Maps/Diagrams:

1. Purpose of Report

To present the February Quarterly Budget Review for Council’s consideration and to seek Council’s authorisation of the budget amendments arising from the review.

2. Background

The City of Rockingham undertakes quarterly budget reviews to monitor its financial performance against the annual budget and to review projections to the end of the financial year. Any variations to the annual budget arising from the review process are presented for Council’s consideration and authorisation.
3. Details

The February 2012 Quarterly Budget Review includes details of transactions during the July 2011 – February 2012 period and adjustments required to the annual budget. The document includes the following information:

1. Summary of Budget Position
2. Detailed statement of Operating Revenue and Expenditure by Department
3. Detailed statement of Non-Operating Revenue and Expenditure
4. Detailed statement at Work Order level.

4. 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/s contained in the Community Plan 2011:

   **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

d. Policy
   Nil

e. Financial
   The net result of the Quarterly Budget Review is a small surplus of $70,325 as per the attached report.

f. Legal and Statutory
   Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires local governments to undertake a budget review between 1 January and 31 March in each financial year. Within 30 days of the review being completed it is to be presented to Council. Council is to consider the review submitted and is to determine (by absolute majority) whether or not to adopt the review, any parts of the review or any recommendations made in the review. Within 30 days after Council has made a determination, a copy of the review and documentation is to be provided to the Department of Local Government.

5. Comments

The main amendments proposed in the Budget Review are summarised below.

Operating Income (Increase of $3,056,243): The sources of additional of income include,

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interim Rates</td>
<td>$248,000</td>
</tr>
<tr>
<td>Capital Grants - SES</td>
<td>$453,000</td>
</tr>
<tr>
<td>Capital Grants - Bush Fire Brigades</td>
<td>$427,000</td>
</tr>
<tr>
<td>Sanitation Charges</td>
<td>$240,000</td>
</tr>
<tr>
<td>Road Grants &amp; Contributions</td>
<td>$290,000</td>
</tr>
<tr>
<td>Footpath Inspection Fees</td>
<td>$100,000</td>
</tr>
<tr>
<td>Workers Compensation Claims</td>
<td>$296,000</td>
</tr>
<tr>
<td>Grant - Healthy Communities Initiative</td>
<td>$280,000</td>
</tr>
</tbody>
</table>
Operating Expenditure (Increase of $2,877,357): The major changes in operating expenditure relate to the following areas:

<table>
<thead>
<tr>
<th>Area</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Governance (Building Maintenance)</td>
<td>-$193,000</td>
</tr>
<tr>
<td>Depreciation (Various)</td>
<td>$575,000</td>
</tr>
<tr>
<td>Sanitation &amp; Waste Collection</td>
<td>-$319,000</td>
</tr>
<tr>
<td>Sanitation Other</td>
<td>$242,000</td>
</tr>
<tr>
<td>Landfill</td>
<td>$819,000</td>
</tr>
<tr>
<td>Strategic Planning &amp; Environment</td>
<td>-$130,000</td>
</tr>
<tr>
<td>Statutory Planning</td>
<td>-$110,000</td>
</tr>
<tr>
<td>Street Lighting</td>
<td>$404,000</td>
</tr>
<tr>
<td>Lark Hill</td>
<td>$300,000</td>
</tr>
<tr>
<td>Decorative Street Lighting</td>
<td>$350,000</td>
</tr>
<tr>
<td>Engineering Services</td>
<td>$152,000</td>
</tr>
<tr>
<td>Public Works Overheads</td>
<td>-$120,000</td>
</tr>
<tr>
<td>Asset Management</td>
<td>$144,000</td>
</tr>
<tr>
<td>Major Projects</td>
<td>-$100,000</td>
</tr>
<tr>
<td>Workers Compensation Claims</td>
<td>$346,000</td>
</tr>
<tr>
<td>Healthy Communities Initiative</td>
<td>$280,000</td>
</tr>
</tbody>
</table>

Capital Expenditure (Increase of $1,279,150): The major changes in capital expenditure relate to the following areas:

<table>
<thead>
<tr>
<th>Area</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plant &amp; Equipment – Baldivis Bush Fire Brigade</td>
<td>$367,000</td>
</tr>
<tr>
<td>Plant &amp; Equipment – Rockingham SES</td>
<td>$443,000</td>
</tr>
<tr>
<td>Mobile Garbage Bins</td>
<td>-$240,000</td>
</tr>
<tr>
<td>Building &amp; Fixed Plant – Aqua Jetty</td>
<td>$115,000</td>
</tr>
<tr>
<td>Infrastructure – Foreshores &amp; Beaches</td>
<td>$257,000</td>
</tr>
<tr>
<td>Infrastructure - Roads</td>
<td>-$169,000</td>
</tr>
</tbody>
</table>

The opening surplus position has also been amended to reflect the final position as per the audited Annual Financial Report, with an additional $148,486 compared to the figure included in the previous budget review.

The final surplus / deficit position is reported as a surplus of $70,325 however this is dependent on the amount of incomplete works at the end of the financial year and will be the focus of the next budget review in May 2012.

6. Voting Requirements

Absolute Majority

7. Officer Recommendation

That Council:
1. ADOPT the February 2012 Quarterly Budget Review; and
2. AMEND the budget accordingly.

8. Committee Recommendation

That Council:
1. ADOPT the February 2012 Quarterly Budget Review; and
2. AMEND the budget accordingly.

Committee Voting – 4/0

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

Not applicable

10. Implications of the Changes to the Officer’s Recommendation

Not applicable
11. Council Resolution

That Council:

1. **ADOPT** the February 2012 Quarterly Budget Review; and
2. **AMEND** the budget accordingly.

Carried en bloc by Absolute Majority

12. The Council's Reason for Varying the Committee's Recommendation

Not applicable
Corporate and Engineering Services
Corporate Services

Reference No & Subject: CS-008/12 Application for Rating Exemption – 1677 Mandurah Road, Baldivis

File No: RTV/1-03
Proponent/s: Totally and Partially Disabled Veterans of WA (Inc)
Author: Toni Gumina, Senior Rates Officer
Other Contributors:
Date of Committee Meeting: 20 March 2012
Previously before Council:
Disclosure of Interest:
Cr Hill declared an Impartiality Interest in Item CS-008/12 Application for Rating Exemption – 1677 Mandurah Road, Baldivis, as detailed with Clause 3.3 of Council’s Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, as he is an ex-serviceman and visits the Totally and partially Disabled Veterans of WA (Inc) Club House
Cr Dunkling declared an Impartiality Interest in Item CS-008/12 Application for Rating Exemption – 1677 Mandurah Road, Baldivis, as detailed with Clause 3.3 of Council’s Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, as she is a member of the RSL and visits the Totally and partially Disabled Veterans of WA (Inc) Club House.

Nature of Council’s Role in this Matter: Executive Function

Site: 1677 Mandurah Road, Baldivis
Lot Area:
Attachments:
Maps/Diagrams:

1. Purpose of Report

To seek Council’s approval to grant a rating exemption to Totally and Partially Disabled Veterans of WA (Inc.) (TPDVWA).

2. Background

Correspondence has been received from TPDVWA seeking a rating exemption on a property they lease from the City of Rockingham. The property at 1677 Mandurah Road Baldivis consists of 6 respite units, caretaker residence, short term respite rooms and club headquarters.
The 6 respite units are managed by Access Housing and a rate exemption was granted to Access Housing in May 2009.

TPDVWA are seeking a rate exemption on the caretaker residence, club headquarters and the short term respite rooms. These rooms can only be used by individuals or couples based on a referral from psychologists and psychiatrists.

TPDVWA states that memberships are only available to personnel who have been classified as totally or partially incapacitated under the provisions of the Commonwealth Act through the Commonwealth Department of Veterans Affairs.

3. Details

The TPDVWA has provided a copy of their Constitution and Rules document that confirms the Non-Profit basis of the Association.

4. Implications to Consider

a. Consultation with the Community
   Nil
b. Consultation with Government Agencies
   Nil
c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

   **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.
d. Policy
   Nil
e. Financial
   The total rates levied for the 2011/2012 financial year are $5,203.09. There are also arrears of $6,525.85 outstanding. If the exemption is granted, $11,728.94 will need to be written off.
f. Legal and Statutory
   Under Section 6.26(2)(g) of the Local Government Act 1995, land held exclusively for charitable purposes is not rateable land.

5. Comments

It is considered, based on the information supplied by TPDVWA, that it satisfies the requirements of Section 6.26(2)(g) of the Local Government Act 1995, in that the property is being held exclusively for charitable purposes.

6. Voting Requirements

   Simple Majority

7. Officer Recommendation

   That Council:

   1. **APPROVE** the rating exemption on 1677 Mandurah Road, Baldivis (Assessment No. 946970) leased by Total and Partially Disabled Veterans of WA (Inc.), as it is non rateable land pursuant to Section 6.26(2)(g) of the Local Government Act 1995, effective from 1 July 2009.
2. **APPROVE** the writing off of rates totalling $11,728.94 on Assessment No 946970 as follows,
   a. 2009/2010 $3,123.61
   c. 2011/2012 $5,203.09

8. **Committee Recommendation**

That Council:

1. **APPROVE** the rating exemption on 1677 Mandurah Road, Baldivis (Assessment No. 946970) leased by Total and Partially Disabled Veterans of WA (Inc.), as it is non rateable land pursuant to Section 6.26(2)(g) of the Local Government Act 1995, effective from 1 July 2009.

2. **APPROVE** the writing off of rates totalling $11,728.94 on Assessment No 946970 as follows,
   a. 2009/2010 $3,123.61
   c. 2011/2012 $5,203.09

Committee Voting – 4/0

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

Not applicable

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

Not applicable

11. **Council Resolution**

That Council:

1. **APPROVE** the rating exemption on 1677 Mandurah Road, Baldivis (Assessment No. 946970) leased by Total and Partially Disabled Veterans of WA (Inc.), as it is non rateable land pursuant to Section 6.26(2)(g) of the Local Government Act 1995, effective from 1 July 2009.

2. **APPROVE** the writing off of rates totalling $11,728.94 on Assessment No 946970 as follows,
   a. 2009/2010 $3,123.61
   c. 2011/2012 $5,203.09

Carried en bloc

12. **The Council’s Reason for Varying the Committee’s Recommendation**

Not applicable
### Purpose of Report

To receive the monthly Financial Management Report for January 2012

### Background

Nil

### Details

The monthly Financial Management Report includes the following:

1. Statement of Financial Activity by Program
2. Statement of Net Current Assets
3. Other schedules and charts for management information purposes.

### 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/s contained in the Community Plan 2011:

**Aspiration 15**: Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

d. **Policy**

Nil

e. **Financial**

Major variances (above $250,000) between budget estimates and actual results for the month to which the statement relates are shown in the supporting documentation.

f. **Legal and Statutory**


5. **Comments**

The numerous variances identified will be reviewed within the current budget review.

6. **Voting Requirements**

Simple Majority

7. **Officer Recommendation**


8. **Committee Recommendation**


Committee Voting – 4/0

9. **The Committee's Reason for Varying the Officer's Recommendation**

Not applicable

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

Not applicable

11. **Council Resolution**


Carried en bloc

12. **The Council’s Reason for Varying the Committee’s Recommendation**

Not applicable
Corporat e and Engineering Services
Human Resource Development

Reference No & Subject: HR-002/12
Appointment of Councillor to Chief Executive Officer Performance Review Committee

File No: PSL/1298
Proponent/s: City of Rockingham
Author: Mr Ben Searcy, Manager Human Resource Development

Other Contributors:
Date of Committee Meeting: 20 March 2012
Previously before Council:
Disclosure of Interest: Executive Function
Nature of Council’s Role in this Matter:

Site:
Lot Area:
Attachments:
Maps/Diagrams:

1. Purpose of Report

For Council to appoint a Councillor representative to the Chief Executive Officer’s (CEO) Performance Review Committee for the period ending on the next ordinary local government election day in October 2013.

2. Background

The Chief Executive Officer, Mr Andrew Hammond’s employment contract states the following relating to performance reviews:

PERFORMANCE REVIEWS

The Council shall ensure that a review of the CEO’s performance is conducted annually or more frequently if the Council or the CEO perceives there is a need to do so.

The Council shall give the CEO a minimum of ten (10) working days’ notice in writing that a performance review is to be conducted to enable the CEO sufficient time to prepare.

Where an external facilitator is to be used, both parties shall agree to the nominated facilitator.

The CEO shall prepare and submit to the council and/or facilitator an assessment of his own performance prior to the assessment by the council.
The final report on the performance of the CEO is to be forwarded to the Council for it to consider and decide whether to accept or reject the report.

A Committee to review the performance of the Chief Executive Officer was established in late 2008. This Committee is named the CEO Performance Review Committee and consisted of Cr Barry Sammels, Cr Ann Prince, Cr Allan Hill and Cr Ron Pease as elected at a Council meeting held on Tuesday, 25 October 2011.

3. Details

At the CEO Performance Review training workshop for elected members on Tuesday, 13 March 2012, Cr Ann Prince advised of her resignation from the CEO Performance Review Committee.

4. 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/s contained in the Community Plan 2011:-

   **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative, legally and ethically compliant.

d. Policy
   Not Applicable

e. Financial
   Not Applicable

f. Legal and Statutory
   In accordance with the Local Government Act 1995 – Section 5.38 Annual Review of Certain Employers Performance whereby the performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

5. Comments

The CEO Performance Review Committee, with the assistance of the consultant and Manager Human Resource Development, summarises individual councillor feedback on performance, reviews forthcoming Key Focus Areas, communicates with CEO then has summary recommendation on overall performance, Key Focus Areas and remuneration review (if any) submitted to full Council for endorsement via minutes of the committee.

At a meeting of Council on Tuesday, 28 February 2012 the Terms of Reference of the CEO Performance Review Committee were amended to include a membership criteria, that members must complete performance appraisal training conducted by Talent2, prior to commencing the appraisal process.

It is proposed that the CEO’s Performance Appraisal be undertaken in March/April 2012.

6. Voting Requirements

Absolute Majority
7. **Officer Recommendation**

That Council *APPOINT* Cr __________ to the CEO Performance Review Committee for the period ending on the next ordinary local government election day in October 2013.

8. **Committee Recommendation**

That Council *APPOINT* Cr Hamblin to the CEO Performance Review Committee for the period ending on the next ordinary local government election day in October 2013.

Committee Voting – 4/0

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

Not applicable

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

Not applicable

11. **Council Resolution**

Moved Cr Dunkling, seconded Cr Pease

That Council *APPOINT* Cr Hamblin to the CEO Performance Review Committee for the period ending on the next ordinary local government election day in October 2013.

*Carried by Absolute Majority – 9/0*

12. **The Council’s Reason for Varying the Committee’s Recommendation**

Not applicable
Council Resolution – En bloc Resolution

Moved Cr Dunkling, seconded Cr Smith

That the committee recommendations in relation to Agenda Items ED-004/12 to EP-015/12 be carried en bloc.

Carried – 9/0

Corporate and Engineering Services
Advisory and Occasional Committee Minutes
Economic Development Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>ED-004/12</th>
<th>Global Friendship Committee Minutes held 23 February 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>ECD/74</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Ms Nollaig Baker, Economic Development Officer</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>20 March 2012</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>20 March 2012</td>
<td></td>
</tr>
<tr>
<td>Terms of Reference:</td>
<td>The role of the Committee is to make recommendations to Council on:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Promoting awareness of the social and economic importance of the Global Friendships program to the community;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Planning and arranging visits to and from global affiliates;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Measuring the performance and effectiveness of individual Global Friendships in terms of community and economic development benefit;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• New Global Friendship proposals; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reviewing the performance and effectiveness of each Global Friendship every four years to assess the degree of activity, value to Council and associated benefits for the City of Rockingham.</td>
<td></td>
</tr>
<tr>
<td>Composition:</td>
<td>3 Councillors, 6 Committee members</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive Support – Economic Development Team</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive Function</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td>Minutes of the Global Friendship Committee meeting held on 23 February 2012</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Receipt of Minutes</td>
<td></td>
</tr>
</tbody>
</table>

That Council receive the minutes of Global Friendship Committee meeting held on 23 February 2012 for information.
2. **Recommendations to the Corporate and Engineering Services Committee**

There are no recommendations arising from the Global Friendship Committee meeting.

3. **Committee Recommendation**

That Council *RECEIVE* the minutes of Global Friendship Committee meeting held on 23 February 2012 for information.

Committee Voting – 4/0

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

Not applicable

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

Not applicable

6. **Council Resolution**

That Council *RECEIVE* the minutes of Global Friendship Committee meeting held on 23 February 2012 for information.

Carried en bloc

7. **The Council’s Reason for Varying the Committee’s Recommendation**

Not applicable
Corporate and Engineering Services
Engineering and Parks Services

Reference No & Subject: EP-010/12

Tender T11/12-56 - Period provision of bushland reserve maintenance services for Karnup, Baldivis and Lake Richmond Nature Reserves

File No: T11/12-56

Proponent/s: Mr James Henson, Manager Parks Development

Author: Mr Bruce Foster, Contracts Coordinator

Other Contributors: Mr David Mort, Conservation Coordinator

Date of Committee Meeting: 20 March 2012

Previously before Council: 20 March 2012

Disclosure of Interest: Executive Function

Nature of Council’s Role in this Matter: Executive Function

Site:
Lot Area:

Attachments:
Maps/Diagrams:

1. Purpose of Report

Provide Council with details of the tenders received for Tender T11/12-56 - Period provision of bushland reserve maintenance services for Karnup, Baldivis and Lake Richmond Nature Reserves; document the results of the tender assessment and make recommendations regarding award of the tender.

2. Background

The City recently received a request from the Rockingham Regional Environment Centre (Naregebu) to terminate the current management agreement covering the maintenance of Karnup, Baldivis and Lake Richmond Nature Reserves due to operational and staffing difficulties.

The existing management agreement between the City and the Environment Centre is reviewed annually and was due to expire on the 31 June 2012.

As prescribed in Clause 7 of the agreement, the Environment Centre was required to give 14 days’ notice of intent to terminate and written notification was received on the 6 January 2012.

On the 20 January 2012; the Rockingham Regional Environment Centre was released from the contract.
The tender was advertised in the West Australian on Saturday, 4 February 2012 for T11/12-56 - Period provision of bushland reserve maintenance services for Karnup Town Site, Baldivis Conservation Reserve and Lake Richmond Nature Reserve.

The tender closed at 2pm, Wednesday, 22 February 2012 and was publicly opened immediately after the closing time.

3. Details

Tender submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eco-Hire</td>
</tr>
<tr>
<td>Jim’s Trees – Willetton</td>
</tr>
<tr>
<td>Natural Area Holdings</td>
</tr>
<tr>
<td>LD Total</td>
</tr>
<tr>
<td>Greenskills/Ecojobs</td>
</tr>
<tr>
<td>Greening Australia</td>
</tr>
</tbody>
</table>

A panel comprising Manager Parks Development, Contracts Coordinator and the Conservation Coordinator undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Jim’s Trees – Willetton</th>
<th>Eco Hire</th>
<th>Natural Area Holdings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Service</td>
<td>27%</td>
<td>17%</td>
<td>17%</td>
<td>25%</td>
</tr>
<tr>
<td>Performance and experience of Tenderer</td>
<td>28%</td>
<td>19%</td>
<td>22%</td>
<td>26%</td>
</tr>
<tr>
<td>Beneficial effects of Tender</td>
<td>5%</td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>40%</td>
<td>16%</td>
<td>10%</td>
<td>32%</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100%</td>
<td>56%</td>
<td>53%</td>
<td>87%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Eco Jobs</th>
<th>Greening Australia</th>
<th>LD Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Service</td>
<td>27%</td>
<td>23%</td>
<td>25%</td>
<td>21%</td>
</tr>
<tr>
<td>Performance and experience of Tenderer</td>
<td>28%</td>
<td>25%</td>
<td>27%</td>
<td>24%</td>
</tr>
<tr>
<td>Beneficial effects of Tender</td>
<td>5%</td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>40%</td>
<td>12%</td>
<td>27%</td>
<td>16%</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100%</td>
<td>64%</td>
<td>83%</td>
<td>65%</td>
</tr>
</tbody>
</table>

The period of the contract shall be from 1 April 2012 or the date of award depending which is the later date for a period of 12 months.
Subject to the mutual agreement of both the Principal and the Contractor, and with the absolute discretion of either party not to extend, the Contract may be extended for maximum of up to 12 additional calendar months.

The Assessment Panel considered the full price schedules submitted and the core services required in meeting the specification of the tender, when scoring the overall price.

### 4. 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/s contained in the Community Plan 2011:

**Infrastructure and Services**

**Aspiration 10:** Coastal and bushland reserves that are well utilised and managed in a way that will preserve them for future generations.

**Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

#### d. Policy

Purchasing policy applies. To provide compliance with the Local Government Act 1995; Section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, Regulation 11 (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub-regulation (2) states otherwise.

#### e. Financial

The 2011/12 operational budget allocation for conservation services for Lake Richmond, Baldivis Nature Reserve and Karnup Town Site is $92,408. Accordingly, expenditure for conservation management for the respective reserves will be in accordance with Operational funding allocated for these reserves in 2012/13.

**Work Orders**

- Baldivis Nature Reserve 21014
- Karnup Town Site 20989
- Lake Richmond 20878

#### f. Legal and Statutory

In accordance with Local Government Act 1995 Section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, Regulation 11 (1). Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub-regulation (2) states otherwise.

### 5. Comments

Following consideration of the submissions in accordance with the tender criteria all companies demonstrated the capacity and ability to perform the project, however, the submission received from Natural Area Holdings Pty Ltd is considered to represent the best value to City and are therefore recommended as the preferred tenderer.
6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council ACCEPT the tender submitted from Natural Area Holdings Pty Ltd, 99C Lord Street, Whiteman, for Tender T11/12-56 - Period provision of bushland reserve maintenance services for Karnup, Baldivis and Lake Richmond Nature Reserves in accordance with the tender documentation for the contract period from 1 April 2012 or the date of award depending which is the later date for a period of 12 months, with the option to extend for a maximum of up to 12 additional calendar months.

8. Committee Recommendation

That Council ACCEPT the tender submitted from Natural Area Holdings Pty Ltd, 99C Lord Street, Whiteman, for Tender T11/12-56 - Period provision of bushland reserve maintenance services for Karnup, Baldivis and Lake Richmond Nature Reserves in accordance with the tender documentation for the contract period from 1 April 2012 or the date of award depending which is the later date for a period of 12 months, with the option to extend for a maximum of up to 12 additional calendar months.

Committee Voting – 4/0

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

Not applicable

10. Implications of the Changes to the Officer's Recommendation

Not applicable

11. Council Resolution

That Council ACCEPT the tender submitted from Natural Area Holdings Pty Ltd, 99C Lord Street, Whiteman, for Tender T11/12-56 - Period provision of bushland reserve maintenance services for Karnup, Baldivis and Lake Richmond Nature Reserves in accordance with the tender documentation for the contract period from 1 April 2012 or the date of award depending which is the later date for a period of 12 months, with the option to extend for a maximum of up to 12 additional calendar months.

Carried en bloc

12. The Council's Reason for Varying the Committee's Recommendation

Not applicable
Corporate and Engineering Services
Engineering and Parks Services

Reference No & Subject: EP-011/12 Tender T11/12-58 - Kent Street Arts Building – Landscaping and Irrigation works

File No: T11/12-58

Proponent/s: Mr James Henson, Manager Parks Development

Author: Mr Bruce Foster, Contracts Coordinator

Other Contributors: Mr Craig Beard, Horticultural Technical Officer (Design)

Date of Committee Meeting: 20 March 2012

Previously before Council: 

Disclosure of Interest: 

Nature of Council’s Role in this Matter: Executive Function

Site: 

Lot Area: 

Attachments: 

Maps/Diagrams: 

1. Purpose of Report

Provide Council with details of the tenders received for Tender T11/12-58 - Kent Street Arts Building – Landscaping and Irrigation Works, document the results of the tender assessment and make recommendations regarding award of the tender.

2. Background

The tender was advertised in the West Australian on Saturday, 4 February 2012 for T11/12-58 - Kent Street Arts Building – Landscaping and Irrigation Works; the tender closed at 2pm, Wednesday, 22 February 2012 and was publicly opened immediately after the closing time.

3. Details

Tender submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th>Lump Sum Amount (GST excl)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Industries Pty Ltd</td>
<td>$146,953</td>
</tr>
<tr>
<td>LD Total</td>
<td>$218,144</td>
</tr>
<tr>
<td>DME Contractors</td>
<td>$176,142</td>
</tr>
<tr>
<td>Earthcare Landscapes</td>
<td>$161,544</td>
</tr>
<tr>
<td>Frogmat Environmental</td>
<td>$150,152</td>
</tr>
</tbody>
</table>

CONFIRMED AT A COUNCIL MEETING
HELD ON TUESDAY, 24 APRIL 2012

MAYOR (B W SAMMELS)
A panel comprising Manager Parks Development, Contracts Coordinator and the Horticultural Technical Officer undertook tender evaluations.

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

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Environmental Industries</th>
<th>Frogmat Environmental</th>
<th>Earthcare Landscapes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Service</td>
<td>27%</td>
<td>24%</td>
<td>22%</td>
<td>23%</td>
</tr>
<tr>
<td>Performance and experience of Tenderer</td>
<td>28%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>Beneficial effects of Tender</td>
<td>5%</td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>40%</td>
<td>40%</td>
<td>39%</td>
<td>36%</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100%</td>
<td>93%</td>
<td>90%</td>
<td>88%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>DME Contractors</th>
<th>Landscape Systems</th>
<th>LPM</th>
<th>LD Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Service</td>
<td>27%</td>
<td>24%</td>
<td>23%</td>
<td>22%</td>
<td>23%</td>
</tr>
<tr>
<td>Performance and experience of Tenderer</td>
<td>28%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>Beneficial effects of Tender</td>
<td>5%</td>
<td>4%</td>
<td>4%</td>
<td>5%</td>
<td>4%</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>40%</td>
<td>33%</td>
<td>33%</td>
<td>29%</td>
<td>27%</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100%</td>
<td>86%</td>
<td>85%</td>
<td>81%</td>
<td>79%</td>
</tr>
</tbody>
</table>

4. 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/s contained in the Community Plan 2011:

   Infrastructure and Services

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

   **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

d. Policy
   Purchasing policy applies. To provide compliance with the Local Government Act 1995; Section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, Regulation 11 (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub-regulation (2) states otherwise.
e. **Financial**
   An amount of $1,100,000 has been allocated for the construction of the Kent Street Arts Centre in the 2011/2012 Budget – W20981.

f. **Legal and Statutory**
   In accordance with Local Government Act 1995 Section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, Regulation 11 (1). Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub-regulation (2) states otherwise.

5. **Comments**
   Following consideration of the submissions in accordance with the tender criteria all companies demonstrated the capacity and ability to perform the project, however, the submission received from Environmental Industries is considered to represent the best value to City and are therefore recommended as the preferred tenderer.

6. **Voting Requirements**
   Simple Majority

7. **Officer Recommendation**
   That Council ACCEPT the tender submitted from Environmental Industries, Unit 2, 2-6 Mallaig Way, Canning Vale, for Tender T11/12-58 - Kent Street Arts Building – Landscaping and Irrigation Works for a total cost of $146,952.61 in accordance with the tender documentation.

8. **Committee Recommendation**
   That Council ACCEPT the tender submitted from Environmental Industries, Unit 2, 2-6 Mallaig Way, Canning Vale, for Tender T11/12-58 - Kent Street Arts Building – Landscaping and Irrigation Works for a total cost of $146,952.61 in accordance with the tender documentation.
   Committee Voting – 4/0

9. **The Committee's Reason for Varying the Officer's Recommendation**
   Not applicable

10. **Implications of the Changes to the Officer's Recommendation**
    Not applicable

11. **Council Resolution**
    That Council ACCEPT the tender submitted from Environmental Industries, Unit 2, 2-6 Mallaig Way, Canning Vale, for Tender T11/12-58 - Kent Street Arts Building – Landscaping and Irrigation Works for a total cost of $146,952.61 in accordance with the tender documentation.
    Carried en bloc

12. **The Council's Reason for Varying the Committee's Recommendation**
    Not applicable
Corporate and Engineering Services  
Engineering and Parks Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-012/12</th>
<th>Tender T11/12-59 - Supply and delivery of one new Material Handler with optional service agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>T11/12-59</td>
<td></td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Graham Rose, Manager Waste &amp; Landfill Operations</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Bruce Foster, Contracts Coordinator</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Ken Christie, Landfill Services Coordinator</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>20 March 2012</td>
<td></td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
<td>Executive Function</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Nature of Council’s Role in this Matter:</th>
<th>Executive Function</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site:</td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
</tr>
</tbody>
</table>

1. **Purpose of Report**

Provide Council with details of the tender received for Tender T11/12-59 - Supply and delivery of one new Material Handler with optional service agreement, document the results of the tender assessment and make recommendations regarding award of the tender.

2. **Background**

The tender was advertised in the West Australian on Saturday, 4 February 2012 for Tender T11/12-59 - Supply and delivery of one new Material Handler with optional service agreement, the tender closed at 2pm, Wednesday, 22 February 2012 and was publicly opened immediately after the closing time.

3. **Details**

Only one tender was received. This tender was from Hitachi Construction Machinery Australia for a ZX250W-3 Hitachi Material Handler to the value of $377,700 (GST Exclusive). The optional service agreement was not included in the tender.

A panel comprising Manager Waste & Landfill Operations, Contracts Coordinator and the Landfill Services Coordinator undertook tender evaluations.
Evaluation of the tender, in accordance with the advertised tender assessment criteria, produced the following weighted scores:

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Weighted Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Service</td>
<td>15%</td>
<td>13%</td>
</tr>
<tr>
<td>Performance and experience of Tenderer</td>
<td>40%</td>
<td>30%</td>
</tr>
<tr>
<td>Beneficial effects of Tender</td>
<td>5%</td>
<td>2%</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>40%</td>
<td>40%</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100%</td>
<td>85%</td>
</tr>
</tbody>
</table>

### 4. 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/s contained in the Community Plan 2011:

**Aspiration 12:** Carbon footprint reduction and waste minimisation programs centred upon public awareness and the use of new technologies.

**Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

**d. Policy**

Purchasing policy applies. To provide compliance with the Local Government Act 1995; Section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, Regulation 11 (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub-regulation (2) states otherwise.

**e. Financial**

The 2011/12 budget includes a work order for the purchase of this item at a total estimated cost of $370,000. This work order is located under the General Ledger (GL) Account that deals with all the Millar Road Landfill Capital Plant and Equipment Purchases. This GL Account has a balance of $413,359.

**f. Legal and Statutory**

In accordance with Local Government Act 1995 Section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, Regulation 11 (1). Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub-regulation (2) states otherwise.
5. Comments

City Officers inspected a similar machine by Hitachi to assess the operational and mechanical capabilities of the machine offered. The officers were satisfied that the machine would be suitable to complete the operational requirements at the Landfill.

As the tenderer did not include a service agreement with the tender this equipment will be included in the general servicing of machinery by the City.

Following consideration of the submission and their assessment in accordance with the tender criteria by the Assessment Panel, the submission received from Hitachi Construction Machinery (Australia) was deemed to represent best value to the City.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council ACCEPT the Tender submitted from Hitachi Construction Machinery, 111 McDowell Street, Welshpool, for one ZX250W-3 Hitachi Material Handler machine for Tender T11/12-59 Supply and delivery of one new Material Handler for a total cost of $377,700 GST exclusive.

8. Committee Recommendation

That Council ACCEPT the Tender submitted from Hitachi Construction Machinery, 111 McDowell Street, Welshpool, for one ZX250W-3 Hitachi Material Handler machine for Tender T11/12-59 Supply and delivery of one new Material Handler for a total cost of $377,700 GST exclusive.

Committee Voting – 4/0

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

Not applicable

10. Implications of the Changes to the Officer’s Recommendation

Not applicable

11. Council Resolution

That Council ACCEPT the Tender submitted from Hitachi Construction Machinery, 111 McDowell Street, Welshpool, for one ZX250W-3 Hitachi Material Handler machine for Tender T11/12-59 Supply and delivery of one new Material Handler for a total cost of $377,700 GST exclusive.

Carried en bloc

12. The Council's Reason for Varying the Committee’s Recommendation

Not applicable
Corporate and Engineering Services
Advisory and Occasional Committee Minutes
Engineering & Parks Services

Reference No & Subject: EP-013/12
Marine Infrastructure Advisory Committee Minutes held 23 February 2012

File No: COM/71

Author: Mr Matthew Donaldson, Coastal Engineering Officer

Other Contributors: Mr Gary Rogers, Manager Capital Projects

Date of Committee Meeting: 20 March 2012

Terms of Reference: To advise Council on Marine Infrastructure matters

Composition: 2 Councillors, 13 Community Representatives, State Government Representatives, Executive Support: Engineering & Parks Services Division: Manager Capital Projects and Coastal Engineering Officer.

Disclosure of Interest: Nil

Nature of Council’s Role in this Matter: Executive Function

Attachments: Minutes of Marine Infrastructure Advisory Committee Meeting held on 23 February 2012


1. Receipt of Minutes

That Council receive the minutes of Marine Infrastructure Advisory Committee meeting held on 23 February 2012 for information.

2. Recommendations to the Corporate and Engineering Services Committee

There are no recommendations arising from the Marine Infrastructure Advisory Committee meeting.

3. Committee Recommendation

That Council RECEIVE the minutes of Marine Infrastructure Advisory Committee meeting held on 23 February 2012 for information.

Committee Voting – 4/0

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

Not applicable

5. Implications of the Changes to the Officer’s Recommendation

Not applicable
<table>
<thead>
<tr>
<th>6. <strong>Council Resolution</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>That Council <em>RECEIVE</em> the minutes of Marine Infrastructure Advisory Committee meeting held on 23 February 2012 for information.</td>
</tr>
<tr>
<td><strong>Carried en bloc</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7. <strong>The Council's Reason for Varying the Committee’s Recommendation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Not applicable</td>
</tr>
</tbody>
</table>

## Confirmation

CONFIRMED AT A COUNCIL MEETING HELD ON TUESDAY, 24 APRIL 2012

MAYOR (B W SAMMELS)

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### Corporate and Engineering Services

**Advisory and Occasional Committee Minutes**

**Engineering & Parks Services**

| Reference No & Subject: | EP-014/12  
Rockingham RoadWise Advisory Committee Minutes held 6 February 2012 |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>RDS/15-05</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Scott Lambie, Traffic Services Coordinator</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>20 March 2012</td>
</tr>
<tr>
<td>Terms of Reference:</td>
<td>To provide input and advice into road safety matters with the outcome of having a safe and efficient transport network in the City of Rockingham.</td>
</tr>
</tbody>
</table>
| Composition:            | 1 Councillor, 6 Community Representatives  
Executive Support: Engineering and Parks Division – Traffic Services Team |
| Disclosure of Interest: |                                                               |
| Nature of Council’s Role in this Matter: | Executive Function |
| Attachments:            | Minutes of Rockingham RoadWise Advisory Committee meeting held on 6 February 2012 |
| Maps/Diagrams:         |                                                               |

### 1. Receipt of Minutes

That Council receive the minutes of the RoadWise Advisory Committee meeting held on Monday 6 February 2012 for information.

### 2. Recommendations to the Corporate and Engineering Services Committee

There are no recommendations arising from the RoadWise Advisory Committee meeting.

### 3. Committee Recommendation

That Council **RECEIVE** the minutes of the RoadWise Advisory Committee meeting held on Monday 6 February 2012 for information.

Committee Voting – 4/0

### 4. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable

### 5. Implications of the Changes to the Officer’s Recommendation

Not applicable
6. Council Resolution

That Council RECEIVE the minutes of the RoadWise Advisory Committee meeting held on Monday 6 February 2012 for information.

Carried en bloc

7. The Council's Reason for Varying the Committee's Recommendation

Not applicable
Corporate and Engineering Services
Advisory and Occasional Committee Minutes
Engineering & Parks Services

Reference No & Subject: EP-015/12  Disability Access Reference Group Minutes held 8 February 2012

File No: CSV/761-02

Author: Mr Phillip Yap, Engineering Technical Officer - Transport

Other Contributors: Ms Tenille Wightman, Community Development Officer

Date of Committee Meeting: 20 March 2012

Terms of Reference: To collate Council’s Disability Services Plan for the improvement of accessibility to Council facilities and services for people with disabilities of all kinds.

Composition: 2 Councillors, 13 Community Representatives

Executive Support from Engineering & Parks Services, Traffic Services Team

Disclosure of Interest:

Nature of Council’s Role in this Matter: Executive Function

Attachments: Minutes of Meeting held on 8 February 2012

Maps/Diagrams:

1. **Receipt of Minutes**

   That Council receive the minutes of the Disability Access Reference Group meeting held on 8 February 2012 for information.

2. **Recommendations to the Corporate and Engineering Services Committee**

   There are no recommendations arising from the Disability Access Reference Group meeting.

3. **Committee Recommendation**

   That Council **RECEIVE** the minutes of the Disability Access Reference Group meeting held on 8 February 2012 for information.

   Committee Voting – 4/0

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

   Not applicable

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

   Not applicable
6. Council Resolution

That Council **RECEIVE** the minutes of the Disability Access Reference Group meeting held on 8 February 2012 for information.

Carried en bloc

7. The Council’s Reason for Varying the Committee’s Recommendation

Not applicable
<table>
<thead>
<tr>
<th>14.</th>
<th>Receipt of Information Bulletin</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Moved Cr Dunkling, seconded Cr Smith</strong></td>
</tr>
<tr>
<td></td>
<td>That Council <em>RECEIVE</em> and <em>CONSIDER</em> the Information Bulletin as follows:</td>
</tr>
<tr>
<td></td>
<td>1. Community Development Bulletin – March 2012;</td>
</tr>
<tr>
<td></td>
<td>3. Corporate and General Management Services Bulletin – March 2012; and</td>
</tr>
<tr>
<td></td>
<td><strong>Carried - 9/0</strong></td>
</tr>
</tbody>
</table>
15. **Report of Mayor**

City of Rockingham
Mayor’s Report

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>MR-002/12 Meetings and Functions Attended by the Mayor</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>GOV/3-02</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>City of Rockingham</td>
</tr>
<tr>
<td>Author:</td>
<td>Cr Barry Sammels, Mayor</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive Function</td>
</tr>
</tbody>
</table>

1. **Purpose of Report**

To advise on the meetings and functions attended by the Mayor during the period 2 March 2012 to 27 March 2012.

2. **Background**

Nil

3. **Details**

<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting/Function</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 March 2012</td>
<td>National Sea Change Taskforce Teleconference</td>
</tr>
<tr>
<td></td>
<td>RAC President’s Leadership Lunch</td>
</tr>
<tr>
<td></td>
<td>South West Group meeting with State MPs</td>
</tr>
<tr>
<td>3 March 2012</td>
<td>National Sea Change Taskforce Conference in Hobart</td>
</tr>
<tr>
<td>4 March 2012</td>
<td>National Sea Change Taskforce Conference in Hobart</td>
</tr>
<tr>
<td>5 March 2012</td>
<td>2012 Australian Coastal Councils Conference in Hobart</td>
</tr>
<tr>
<td>6 March 2012</td>
<td>2012 Australian Coastal Councils Conference in Hobart</td>
</tr>
<tr>
<td>7 March 2012</td>
<td>2012 Australian Coastal Councils Conference in Hobart</td>
</tr>
<tr>
<td>12 March 2012</td>
<td>Murdoch University Workshop</td>
</tr>
<tr>
<td>13 March 2012</td>
<td>Private Australian Citizenship Ceremony</td>
</tr>
<tr>
<td></td>
<td>CEO Appraisal Committee Training</td>
</tr>
<tr>
<td>14 March 2012</td>
<td>Fremantle Ports Arts Awards</td>
</tr>
<tr>
<td>15 March 2012</td>
<td>Keralup Vision and Strategy Workshop</td>
</tr>
<tr>
<td></td>
<td>Global Friendship Committee</td>
</tr>
<tr>
<td>19 March 2012</td>
<td>Bridging the Gap Board meeting</td>
</tr>
<tr>
<td></td>
<td>Rockingham Rotary meeting and dinner</td>
</tr>
</tbody>
</table>

CONFIRMED AT A COUNCIL MEETING
HELD ON TUESDAY, 24 APRIL 2012

MAYOR (B W SAMMELS)
4. Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Nil

c. Strategic
   Nil

d. Policy
   Nil

e. Financial
   Nil

f. Legal and Statutory
   Nil

5. Comments

Nil

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council RECEIVE the Mayor’s Report for the period 2 March 2012 to 27 March 2012.

8. Council Resolution

Moved Cr Dunkling, seconded Cr Hamblin

That Council RECEIVE the Mayor’s Report for the period 2 March 2012 to 27 March 2012.

Carried – 9/0

9. The Council’s Reason for Varying the Committee’s Recommendation

Not applicable
16. Reports of Councillors
Nil

17. Reports of Officers
Nil

18. Addendum Agenda
Nil

19. Motions of which Previous Notice has been given
Nil

20. Notices of Motion for Consideration at the Following Meeting

<table>
<thead>
<tr>
<th>Time</th>
<th>Motion Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>6:44pm</td>
<td>The Mayor identified two Notices of Motion for consideration at the April 2012 Council meeting.</td>
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20.1 Cr Elliott – Golden Bay Public Open Space

“That Council DEVELOP a portion of Lot Number 195 Tangadee Road, Golden Bay on the future Golden Bay Primary School site within the next two years for the purposes of a sports playing field prior to the construction of the school in order to alleviate the shortage of active public open space in the surrounding area.”

20.2 Cr Pease – Police and Citizen Youth Centres

“That Council:

1. OPPOSE the removal of Police Officers from Police and Citizen Youth Centres as has been proposed by the Commissioner for Police.

2. DIRECT the Chief Executive Officer to communicate Council’s position to the Minister for Police, Commissioner for Police, Leader of the Opposition and further place the matter before the WA Local Government Association’s Annual General Meeting in August 2012 seeking the support of all Local Governments in Western Australia.”

21. Questions by Members of which Due Notice has been given
Nil

22. Urgent Business Approved by the Person Presiding or by Decision of the Council
Nil

23. Coming Events

Moved Cr Stewart, seconded Cr Dunkling
That Council RECEIVE the Coming Events for information. Carried - 9/0

24. Date and Time of Next Meeting

The next Ordinary Council Meeting for the City of Rockingham will be held on Tuesday, 24 April 2012 at 6:00pm in the Council Chambers, Civic Boulevard, Rockingham.

25. Closure

There being no further business, the Chairman thanked those persons present for attending the Council Meeting, and declared the meeting closed at 6:45pm.