

Rockingham

MINUTES

Planning and Engineering Services Committee Meeting

Held on Monday 10 December 2018 at 4:00pm City of Rockingham Boardroom



where the coast comes to life

City of Rockingham Planning and Engineering Services Committee Meeting Minutes Monday 10 December 2018

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	City of Rockingham				
Р	Planning and Engineering Services Committee Meeting Minutes				
Мс	onday	10 December 2018 - 0	Council Boardroom		
1.	Declar	ration of Opening			
			d Engineering Services Committee Meeting open vered the Acknowledgement of Country.		
2.	Recor	d of Attendance/Apologies/	Approved Leave of Absence		
	2.1	Councillors			
		Cr Chris Elliott Cr Deb Hamblin (Deputy Mayor) Cr Katherine Summers Cr Mark Jones	Chairperson		
	2.2	Executive			
		Mr Michael Parker Mr Bob Jeans Mr Peter Doherty Mr Sam Assaad Mr Brett Ashby Mr Mike Ross Ms Erica Scott Mr David Caporn Mr Kelton Hincks Mr Tony Bailey Mr James Henson Mr Stephan Timbrell Mr Peter Le Mr Aiden Boyham Ms Melinda Wellburn	Chief Executive Officer Director Planning and Development Services Director Legal Services and General Counsel Director Engineering and Parks Services Manager Strategic Planning and Environment Manager Statutory Planning Coordinator Health and Building Services Manager Compliance and Emergency Liaison A/Manager Infrastructure Project Delivery A/Manager Asset Services Manager Land and Development Infrastructure A/Manager Parks Services Senior Legal and Councillor Liaison Officer City Media Officer PA to Director Planning and Development Services EA to Director Engineering and Parks Services		
	2.3	Members of the Gallery:	Nil		
	2.4	Apologies:			
		Cr Barry Sammels (Mayor) Cr Andy Burns	(Deputy for Cr Sammels)		
	2.5	Approved Leave of Absence:	Nil		
3.	Respo	onses to Previous Public Qu	estions Taken on Notice		
	Nil				

PRESIDING MEMBER

4.

5.

No.2

-			
Public Question Time			
4:02pm	4:02pm The Chairperson invited members of the Public Gallery to ask questions. There were none.		
Confirm	Confirmation of Minutes of the Previous Meeting		
Moved Cr Jones, seconded Cr Summers:			
That Committee CONFIRMS the Minutes of the Planning and Engineering Services Committee Meeting held on 19 November 2018, as a true and accurate record subject to the following amendment:			
PD-062/18	Proposed Scheme Amendment No.173 -Schedule No's 1 and 2 General Interpretations and Land Use Interpretations of Town Planning Scheme		

Agenda Item PD-062/18 referred to Amendment No.170 throughout the report which should

	have been Amendment No.173, correct Minutes.	have been Amendment No.173, correction was made in the November 2018 Council Minutes.		
		Committee Voting – 4/0		
6.	Matters Arising from the Previou	Matters Arising from the Previous Minutes		
	Nil			
7.	Announcement by the Presiding	Person without Discussion		
	Council are recommendation	o all present that decisions made at Committees of s only and may be adopted in full, amended or onsideration at the next Council meeting.		
8.	Declarations of Members and Of	ficers Interests		
	4:03pm The Chairperson asked if the There were none.	ere were any interests to declare.		
9.	Petitions/Deputations/Presentations/	ons/Submissions		
	Nil			
10.	. Matters for which the Meeting m	ay be Closed		
	Nil			
11.	. Bulletin Items			
	Planning and Development Services In	formation Bulletin – December 2018		
	Health Services			
	1. Health Services Team Overview			
	2. Human Resource Update			
	3. Project Status Reports			
	3.1 FoodSafe			
	3.2 Industrial and Commercial W	aste Monitoring		
	3.3 Mosquito Control Program3.4 Environmental Waters Samp	ling		
	3.5 Food Sampling	ing		
	4. Information Items			
	4.1 Mosquito-Borne Disease Not	ifications		
	· · ·	CAMIX 11-		

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES **MEETING HELD ON MONDAY 14 JANUARY 2019**

	4.2	Food Recalls
	4.3	Food Premises Inspections
	4.4	Public Building Inspections
	4.5	Outdoor Public Event Approvals
	4.6	Permit Approvals
	4.7	After Hours Noise and Smoke Nuisance Complaint Service
	4.8	Complaint - Information
	4.9	Noise Complaints - Detailed Information
	4.10	Animal Exemptions
		Building Plan Assessments ¹
		Septic Tank Applications
		Demolitions
		Swimming Pool and Drinking Water Samples
		Rabbit Processing
		Hairdressing and Skin Penetration Premises ²
		Caravan Park and Camping Ground Inspections
		Health Prosecution Update ³
Build		ervices
1.	-	ing Services Team Overview
2.		an Resource update
3.		ct Status Reports
4.		nation Items
	4.1	Monthly Building Permit Approvals - (All Building Types)
	4.2	Other Permits
	4.3	Monthly Caravan Park Site Approvals
	4.4	Building Services Information Sheets
Com		e and Emergency Liaison
1.		bliance and Emergency Liaison Team Overview
2.	-	an Resource Update
3.		ct Status Reports
•	3.1	Refurbishment of the New Compliance Headquarters
4.	-	nation Items
		Ranger Services Action Reports
	4.2	Private Swimming Pool and Spa Inspection Program
	4.3	Emergency Management and Fire Prevention
	4.4	CRM
	4.5	Emergency Service Exercise/Training
	4.6	Singleton VBFB Station Extension
	4.7	Firebreak Inspections
	4.8	Prohibited Burning Period
	4.0 4.9	SmartWatch Key Result Areas
Strat		Ianning and Environment
1.	-	egic Planning and Environment Team Overview
1. 2.		an Resource Update
2. 3.		ct Status Reports
J.	3.1	Local Planning Strategy (LUP/1352)
	3.1 3.2	
	J.Z	Tamworth Hill Swamp Management Plan

PRESIDING MEMBER

¹ Correction to month

² Correction to month

³ Correction to typographical error

	3.3	Lake Richmond Management Plan Review - Stage 2
	3.4	Coastal Hazard Risk Management and Adaption Plan – Stage 2
	3.5	Bushland Management Plan
4.	Inforn	nation Items
	4.1	New Structure Plan Application – Major Amendment to Golden Bay Structure Plan
Land	d and D	Development Infrastructure
1.	Land	and Development Infrastructure Team Overview
2.	Huma	an Resource Update
3.	Proje	ct Status Reports
4.	Inforn	nation Items
	4.1	Structure Plan Approval Referrals
	4.2	Subdivision Approval Referrals
	4.3	Urban Water Management Referrals
	4.4	Traffic Report Referrals
	4.5	Delegated Land and Development Infrastructure Assets Approvals
	4.6	Subdivision Clearance Requests
	4.7	Handover of Subdivisional Roads
	4.8	Development Application Referrals
	4.9	Delegated Subdivision Engineering and Public Open Space Practical Completions
	4.10	Delegated Authority to Approve the Release of Bonds for Private Subdivisional Works
	4.11	Managed Aquifer Recharge (MAR) - Feasibility Study
State	utory P	Planning
1.	Statu	tory Planning Team Overview
2.	Huma	an Resource Update
3.	Proje	ct Status Reports
	3.1	Heritage Strategy
	3.2	Pedestrian Access Way Strategy Review
4.	Inforn	nation Items
	4.1	Land Use - Planning Enforcement
	4.2	Subdivision/Development Approval and Refusals by the WAPC
	4.3	Notifications and Gazettals
	4.4	Subdivision Clearances
	4.5	Subdivision Survey Approvals
	4.6	Subdivision Lot Production
	4.7	Delegated Development Approvals
	4.8	Delegated Development Refusals
	4.9	Delegated Building Envelope Variations
		Subdivision/Amalgamation Approved
	4.11	Strata Plans
		Subdivision/Amalgamation Refused
Plan	ning a	nd Development Directorate
1.	Plann	ning and Development Directorate Team Overview
2.	Huma	an Resource Update
3.	Proje	ct Status Reports
	3.1	Rockingham Primary Centre, Centre Plan Implementation (LUP/137-08)
	3.2	Northern Smart Village Sector - Masterplan, Development Policy Plan and Proposed Amendment No's 161 and 162 to Town Planning Scheme No.2
	3.3	Leeuwin Sector – Masterplan, Development Policy Plan and Amendment to Town Planning Scheme No.2

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 JANUARY 2019

	3.4	Northern Gateway Sector - Masterplan, Development Policy Plan and
		Amendment to Town Planning Scheme No.2
	3.5	Improvements to City Square and Civic Plaza (LUP/1933)
	3.6	Design Review Panel (LUP/2094)
	3.7	Safety Bay/Shoalwater Foreshore Revitalisation Master Plan
4	. Inforr	nation Items

Advisory Committee Minutes

Committee Recommendation

Moved Cr Hamblin, seconded Cr Jones:

That Councillors acknowledge having read the Planning Services Information Bulletin – December 2018 and the content be accepted.

Committee Voting - 4/0

Engineering and Parks Services Directorate			
1.	Engineering and Parks Services Directorate Team Overview		
2.	Human Resource Update		
3.	Project Status Reports ⁴		
4.	Information Items		
	4.1 Bushfire Risk		
Ass	et Services		
1.	Asset Services Team Overview		
2.	Human Resource Update		
3.	Project Status Reports		
	3.1 Alignment of Asset Classes to A-Spec		
	3.2 Drainage Condition Audit		
	3.3 Asset System Data Audit		
	3.4 Facility Security Plan		
	3.5 Reserve Electrical Asset Mapping		
4.	Information Items		
	4.1 Asset Maintenance Team		
	4.2 Asset Maintenance - Buildings		
	4.3 Asset Maintenance – Reserves		
	4.4 Strategic Asset Management		
Infra	astructure Project Delivery		
1.	Infrastructure Project Delivery Team Overview		
2.	Human Resource Update		
3.	Project Status Reports		
	3.1 Rockingham Beach Foreshore Revitalisation Stage One		
4.	Information Items		
	4.1 Anvils Reserve, Secret Harbour - shade sails		
	4.2 Aqua Jetty monolith sign, Warnbro		
	4.3 Baldivis Road and Safety Bay Road, Baldivis		
	4.4 Centenary Park shelter replacement, Safety Bay		
	4.5 Chelmsford Reserve replacement of aged park furniture, Port Kennedy		
	4.6 Council Administration Building Disability Inclusion Works, Rockinghan		

⁴ Heading omitted

PRESIDING MEMBER

	4.7	Council Depot and Operation Centre security electric fence, Rockingham
	4.8	Golden Bay Coastal Community Centre (wall repairs and painting)
	4.9	Governor Road LED (light emitting diode) park lighting, East Rockingham
		Hymus Reserve shade sails, Rockingham
		Kennedy Bay rubber softfall replacement, Port Kennedy
		Kingaroy Reserve play equipment and surrounds, Baldivis
		Lagoon Reserve landscape upgrade, Secret Harbour
		Lighting replacements
		Longbeach Rise Public Open Space, Port Kennedy
		Martin Road footpath (Livingstone Road to Robinson Road), Rockingham
		Mundijong Road and St Albans Road, Baldivis
		Nairn Drive (Stage 3) Blaxland Terrace to Cottonwood Drive, Baldivis
		Naval Memorial Park (ACROD bays and footpath widening), Rockingham
		Old Abattoir, Hillman
		Palermo Cove carpark lighting upgrade, Secret Harbour
		Rhonda Scarrott Reserve floodlighting, Golden Bay
		Safety Bay Bowling Club fencing and hardstand replacement
		Secret Harbour Community Centre – refurbishment internal and external items
		Secret Harbour Foreshore fitness equipment
		Surf Drive Reserve play equipment and seating, Secret Harbour
		Townsend Reserve Gazebo, Rockingham
		Townsend Road and Belgravia Terrace, Rockingham
Denla		Warnbro Recreation Centre seating and shelter
	s Serv	
1. 2.		s Services Team Overview
2. 3.		an Resource Update
3. 4.	-	ct Status Reports nation Items
4.	4.1	Delegated Public Open Space Handovers
	4.1	- · ·
	4.2 4.3	Herbicide Treatment – Kerb line, Footpath and Hardstand Areas
	4.3 4.4	Feral animal control program
	4.4 4.5	Corella Control
Engi		g Services
1.		neering Services Team Overview
1. 2.	-	an Resource Update
2. 3.		ct Status Reports ⁵
0.	3.1	Rockingham Future Traffic Modelling
	3.2	Integrated Transport Plan 8 Year Review
4.		nation Items
ч.	4.1	Delegated Authority for Temporary Thoroughfare Closure
	4.2	Delegated Authority for approval of Directional Signage
	4.3	Delegated Authority for approval of Heavy Haulage
	4.4	Authorised Traffic Management Plans for Works on City Controlled Roads
	4.4 4.5	Civil Works Program 2018/2019
	4.5 4.6	Civil Maintenance Program 2018/2019
	4.7	Road Rehabilitation Program Main Roads Grant 2018/2019
	4.8	Road Renewal Program Municipal Works 2018/2019
	4.9	Drainage Renewal Program Municipal Works 2018/2019
	49	

PRESIDING MEMBER

⁵ Heading omitted

4.10	Footpath Renewal Program Municipal Works 2018/2019
4.11	Litter and Street Sweeping Program 2018/2019
4.12	Graffiti Program 2018/2019
4.13	Delegated Authority for the payment of crossover subsidies
4.14	Third Party Works within the City
4.15	Asset Inspections
4.16	Verge Treatment Applications
4.17	Verge Issues
4.18	Coastal Infrastructure
4.19	Coastal Management
Advisory C	ommittee Minutes

Committee Recommendation

Moved Cr Hamblin, seconded Cr Jones:

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

Committee Voting - 4/0

PRESIDING MEMBER

12. **Agenda Items**

Planning and Development Services

Planning and Development Services					
Reference No & Subject:	PD-064/18 Proposed Change to Parking Control in Harrison Street, Rockingham				
File No:	LWE/1-99				
Applicant:					
Owner:					
Author:	Mr Amos Dolman, Inquiry and Appeals Officer				
Other Contributors:	Mr David Caporn, Manager Compliance and Emergency Liaison				
Date of Committee Meeting:	10 December 2018				
Previously before Council:					
Disclosure of Interest:					
Nature of Council's Role in this Matter:	Executive				
Site:	Harrison Street, Rockingham				
Lot Area:					
LA Zoning:					
MRS Zoning:					
Attachments:					
Maps/Diagrams:	1. Location Plan - Aerial Photograph				
	2. Aerial Photograph Source IntraMaps dated August 2018				



1. Location Plan - Aerial Photograph - Red Lines Depicting the 30 Minute Parking Stalls located on Harrison Street Rockingham

Purpose of Report

To seek Council approval for a change to a parking control in Harrison Street, Rockingham.

Details

There are 12, 30 minute parking bays in Harrison Street, Rockingham in close proximity to popular amenities. The proposal is to change **one** of these parking bays to a five minute restriction for the purpose of picking-up or dropping-off passengers. This would leave 11 standard parking bays with the 30 minute restriction in place.

Implications to Consider

a. Consultation with the Community

A similar proposal was put before the City's Seniors Advisory Committee on the 10 August 2017. The Committee were at that time supportive of parking bays being provided at key locations for easy pick-up and drop-off points. The provision of this facility is also high on the 'parking user hierarchy' identified on page 19 of the *Rockingham Strategic Metropolitan Centre Parking Strategy 2017* and is in keeping with the *Seniors Strategy 2017-2021*.

A 'Share Your Thoughts' page was created and maintained on the City's website from 9 October 2018 to 24 October 2018.

PRESIDING MEMBER

The following table reflects submissions received:

Community Feedback – Via The Share Your Thoughts Page		
1) Submission	Comment: I support the five minutes parking drop-off stall. Parking in the popular foreshore precinct will increasingly become an issue while at the same time we, as a community, may want to consider other means of transport locally. Encouraging and promoting bicycling as a means of transport will benefit the community greatly on many fronts. One thing we could do is to install handy bicycle parking stalls, as well as allowing shop and restaurant owners to place bicycle parking stands on the footpaths. These stands can double as shop- naming signs. Another thing is the section of Rockingham Beach Road between Railway Parade and Wanliss Street, could be declared bicycle priority, clearly marked on the bitumen surface, as has been done on Market Street in Fremantle. Such a measure does not exclude cars, but car traffic is accorded second priority and must give way. It is a great traffic calming initiative.	
1) City's Response	Comment: A member of the City's foreshore re-development team has been forwarded the request for bicycle parking (racks) to be provided at the above mentioned locations.	
2) Comment	Comment: Support the reduction of time for one particular parking bay on Harrison Street from 30 minutes down to 5 minutes. Concerns from the community and at our meeting were lack of temporary accessible parking, during the summer months. Can some bays on Rockingham Road be made available for accessible parking around that area on a temporary basis during the summer months? and/or Could you negotiate with the Cruising Yacht Club to have two accessible parking bays in their allotment for community use?	
2) City's Response	Comment: The City provides ten disability parking stalls in ideally placed areas which include Val Street, Rockingham Beach Road, Flinders Lane and Wanliss Street, additionally to the abovementioned locations a further two are located on private property accessible from Kent Street and open to the public for utilising. The secured parking lot on Val Street is privately owned by The Cruising Yacht Club for their members and functions.	
3) Submission	Comment: My vote is no. There is so little parking around even before the works started, now almost nothing. We avoid the area at all costs which is a shame to the vendors left struggling.2 members of my family including myself are not quite senior and not disabled and not in prams but find a long walk at times very difficult. No one considers that, we just all have to park a mile away. The pub even charges now (and no I won't pay for something that's always been free) After living here for 36 years, I'm happy that we will have more choice at the waterfront, but how about more parking. So I vote no that 30 minutes still gets me a quick coffee.	
3) City's Response	Comment: The change in restriction will only effect one parking stall and there is a need for a pick-up and drop-off point in this area. The City is aware of the request for additional parking in this area, with opportunities currently being explored. The Rockingham Hotel car park is privately owned and operated the City does not have control over this particular car park.	

PRESIDING MEMBER

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

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

Aspiration B: Strong Community

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

d. Policy

Nil

e. Financial

A costing has been obtained through the City's Asset Maintenance Department to be approximately \$117.60 sign, post and labour inclusive of this.

f. Legal and Statutory

Parking and Parking Facilities Local Law 2004 – 1.10 Powers of the Local Government apply together with 3.1 Determination of parking stalls and parking stations.

- "1.10 The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.
- 3.1 The local government may by resolution constitute, determine and vary and also indicate by signs:
 - (a) parking stalls;
 - (b) parking stations;
 - (c) permitted times and conditions of parking in parking stalls and parking stations which may vary with the locality;
 - (d) permitted classes of vehicles which may park in parking stalls and parking stations;
 - (e) permitted classes of persons who may park in specified parking stalls or parking stations; and
 - (f) the manner of parking in the parking stalls and parking stations."

g. Risk

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

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

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

Nil

Comments

Although this is an area of high demand during peak periods, there is currently no drop-off or pickup area. The need for a safe location to drop-off or pick-up passengers can be addressed by changing the restriction on one of the 30 minute parking bays located there.

The parking bay targeted for this change is close to the foreshore precinct and is ideally placed.

PRESIDING MEMBER

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** the installation of a five minute parking restriction to the vehicle parking bay depicted in the following aerial photograph of Harrison Street, Rockingham.



Aerial Photograph Source IntraMaps dated 13 August 2018

Committee Recommendation

Moved Cr Jones, seconded Cr Hamblin:

That Council *APPROVES* the installation of a five minute parking restriction to the vehicle parking bay depicted in the following aerial photograph of Harrison Street, Rockingham.

PRESIDING MEMBER



Aerial Photograph Source IntraMaps dated 13 August 2018

Committee Voting – 4/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES **MEETING HELD ON MONDAY 14 JANUARY 2019**

PRESIDING MEMBER

Planning and Development Services			
Reference No & Subject:	PD-065/18 Proposed Amendment No.164 to Town Planning Scheme No.2 – Schedule No.11 Development Contribution Plan No.2		
File No:	LUP/2013		
Applicant:			
Owner:			
Author:	Mr Brett Ashby, Manager Strategic Planning and Environment		
Other Contributors:	Mrs Isobelle Sellers, Project Officer - Development Contribution Plan		
Date of Committee Meeting:	10 December 2018		
Previously before Council:			
Disclosure of Interest:			
Nature of Council's Role in this Matter:	Legislative		
Site:			
Lot Area:			
LA Zoning:			
MRS Zoning:			
Attachments:			
Maps/Diagrams:			

Purpose of Report

To consider the initiation of an amendment to the City's Town Planning Scheme No.2 (TPS2) to amend Schedule No.11 Development Contribution Plan No.2.

Background

State Planning Policy 3.6 Development Contributions for Infrastructure (SPP3.6) was gazetted on 20 November 2009. The objectives of the SPP3.6 are to:

- promote the efficient and effective provision of public infrastructure and facilities to meet the demands arising from new growth and development;
- ensure that development contributions are necessary and relevant to the development to be permitted and are charged equitably among those benefiting from the infrastructure and facilities to be provided;
- ensure consistency and transparency in the system for apportioning, collecting and spending the development contributions; and
- ensure the social well-being of communities arising from, or affected by, developm

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 JANUARY 2019

development.

SPP3.6 contains draft Model Scheme Text provisions which are to be incorporated in Town Planning Schemes to facilitate the implementation of development contributions for infrastructure.

In June 2010, the Council resolved to initiate Amendment No.101 to TPS2 to introduce provisions pertaining to the implementation of Development Contributions for Infrastructure, as set out in SPP3.6.

Amendment No.101 was adopted by the Council in October 2010 and, following approval by the Minister, gazetted on 12 April 2011.

In May 2011, the Council resolved to adopt (initiate) Amendment No.114 to TPS2 to introduce provisions pertaining to the implementation of Development Contributions for Infrastructure through the introduction of Development Contribution Plan No.2 (DCP2). Amendment No.114 also made a number of modifications to Clause 5.6.

Amendment No.114 was gazetted on 6 March 2013.

In March 2015, the Council initiated Amendment No.156 to amend Town Planning Scheme No.2 as follows:

- (i) clause 5.6.1(a) is amended by deleting ", but does not apply to Development Contribution Area No.1";
- (ii) clause 4(2) of Schedule No.12 is amended by:
 - (a) Inserting the following:
 - (b) the Primary Centre Waterfront Village Zone;
 - (c) the Primary Centre Urban Village Zone;
 - (d) the Primary Centre City Living Zone;
 - (e) the Commercial Zone";
 - (b) deleting "(b) the Waterfront Village Zone;"; and
 - (c) renumbering paragraphs (c), (d), (e), (f), (g) and (h) respectively.

The Amendment was gazetted on 1 April 2016.

Following subsequent modifications to the City's Town Planning Scheme No.2 to accord with the *Planning and Development (Local Planning Schemes) Regulations 2015*, clause 5.6 is now clause 5.5, and Schedule 12 is now Schedule 11.

Details

In October 2018, the Council considered a review of the Community Infrastructure Plan and resolved to adopt the City of Rockingham Community Infrastructure Plan 2018-2028. The revised Community Infrastructure Plan incorporated the following variations from the Community Infrastructure Plan which informed the current Development Contribution Plan:

Aqua Jetty Stage 2

The intended expansion of the Aqua Jetty facilities, to improve amenities and cater to existing and future demand for both wet and dry facilities, no longer aligns fully with the description under DCP2.

Baldivis South High School Outdoor Sport and Recreation Hard Court

This facility will no longer be provided at the Baldivis South High School. A review of Baldivis community needs has identified additional demand for outdoor hardcourts to service the Baldivis North Sub-Area, as well as the existing need identified for the Baldivis South Sub-Area. This need can be met by the provision of a Sub-District facility located in Baldivis North. Changing the location of the facility to the Baldivis North Sub-Area rather than the Baldivis South Sub-Area ensures an equitable geographic spread of facilities as the location of the Baldivis District Sporting Complex, which includes outdoor courts to service the entire municipality has moved from the Baldivis North Sub-Area to the Baldivis South Sub-Area.

An update of the Community Infrastructure Plan reflecting this amendment will also be presented to the December Ordinary Council meeting.

PRESIDING MEMBER

Baldivis District Sporting Complex

DCP2 identifies the location of this district level project in the Baldivis North Sub-Area. The infrastructure item is being delivered in the Baldivis South Sub-Area following the acquisition of land at Eighty Road.

Baldivis Indoor Recreation Centre

As above, DCP2 identifies the location of this district level project in the Baldivis North Sub-Area. The infrastructure item is being delivered in the Baldivis South Sub-Area following the acquisition of land at Eighty Road.

Rockingham Youth Recreation Space Redevelopment

A new space will be developed within same sub-area, in lieu of redeveloping the existing facility (located at Rockingham Waterfront).

Lark Hill Sportsplex Stage 2

The intended development of additional facilities no longer aligns fully with the description under DCP2.

Port Kennedy Sport and Recreation Outdoor Hard Courts

The Port Kennedy Sport and Recreation Outdoor Hard Courts has been removed.

Additionally, the updated Community Infrastructure Plan proposed the following new infrastructure item to seek funding from the Development Contribution Scheme:

East Baldivis Recreation Reserve

The Baldivis South Active POS development is no longer listed as an infrastructure item, and has been replaced by the East Baldivis Recreation Reserve. The City's intention is that by adding the East Baldivis Recreation Reserve it will satisfy the same demand as the Baldivis South Active POS Development.

The CIP has changed the terminology for a number of infrastructure items such as "Baldivis South Multipurpose Community Centre" to "Baldivis South Community Centre". It has been decided to not pursue changes to the names of infrastructure in the DCP to match, as they do not have any effect on the operation of the Scheme and are considered to present unnecessary risk.

Similarly, minor changes have been identified for some items, such as adding specific reference to outdoor recreation space instead of recreation space within the description. Again, it has been decided to not pursue these changes given the intent for the items are already met by the existing broader descriptions.

The following Schedule No.11 amendments are recommended in order to align with the current CIP:

Proposal 1

Amend Schedule No.11, part 5 as follows:

- (i) The definition of "Aqua Jetty Stage 2" is amended by deleting the words "group fitness rooms, basketball courts, offices, consulting rooms, spectator seating, first aid room, change rooms, crèche, outdoor cafe, play area and swimming club room" and replacing with "additional sporting, recreational and community facilities".
- (ii) The definition of "Baldivis South Active POS Development" is deleted and replaced with "East Baldivis Recreation Reserve" means the development of an active and passive open space reserve to be located in the Baldivis North Sub-Area.
- (iii) The definition of "Baldivis District Sporting Complex" is amended by deleting the words "Baldivis North Sub-Area" and replacing with the words "Baldivis South Sub-Area".
- (iv) The definition of "Baldivis Indoor Recreation Centre" is amended by deleting the words "Baldivis North Sub-Area" and replacing with the words "Baldivis South Sub-Area".
- (v) The definition of "Lark Hill Sportsplex Stage 2" is amended by deleting the words "playing fields, clubroom, indoor sports court facility, outdoor sports courts, flood lighting and car parking" and replacing with "additional sporting and recreational facilities".
- (vi) The definition of "Port Kennedy Outdoor Sport and Recreation Hardcourts" is deleted.

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- The definition of "Rockingham Youth Recreation Space Redevelopment" is deleted and (vii) replaced with "Rockingham Youth Recreation Space" means the development of a recreation space for youth to be located in the Rockingham Sub-Area.
- (viii) The definition of "Baldivis South HS Outdoor Sport and Recreation Hardcourts" is deleted and replaced with "Baldivis Outdoor Courts" means the development of sporting and recreational hardcourts to be located in the Baldivis North Sub-Area.

Proposal 2

Amend the Table under Schedule 11, part 7, as follows:

Delete the following row: (i)

(20) Baldivis South Active POS Development	Baldivis South Sub-Area	
and replace it, under the SUB DISTRICT heading, with:		

(16) East Baldivis Recreation Reserve	Baldivis North Sub-Area and Baldivis South Sub-Area
---------------------------------------	---

(ii) Delete the following row:

(18) Port Kennedy Outdoor Sport and	Port Kennedy Sub-Area
Recreation Hardcourts	

(iii) Delete the following row:

(3)	Rockingham Youth Recreation Space Redevelopment	All of the Sub-Areas
and replace it under the DISTRICT heading with		

and replace it under the DISTRICT heading with:

(3)	Rockingham Youth Recreation Space	All of the Sub-Areas	

(iv) Delete the following row:

(22) Baldivis South HS Outdoor Sport and Recreation Hardcourts	Baldivis South Sub-Area	
And replace it, under the SUB DISTRICT heading, with:		

And replace it, under the SUB DISTRICT heading, with:

(17) Baldivis Outdoo	r Courts	Baldivis North Sub-Area and Baldivis South Sub-Area
----------------------	----------	---

Implications to Consider

Consultation with the Community a.

If the Scheme Amendment is initiated by Council, and approval to advertise is granted by the WAPC, it is required to be advertised in accordance with the Regulations for a minimum period of 60 days from the date of publication, with an advertisement being placed in a newspaper circulating the area.

Consultation with Government Agencies b.

Consultation with relevant Government Agencies will occur if the Scheme Amendment is initiated by the Council.

Strategic c.

Community Plan

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

Aspiration D:

Sustainable Environment

PRESIDING MEMBER

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

d. Policy

State Planning Policy 3.6 – Development Contributions for Infrastructure

State Planning Policy 3.6 - Development Contributions for Infrastructure (SPP 3.6), as adopted by the Western Australian Planning Commission under Section 26 of the Planning and Development Act 2005 ('the Act'), provides the statutory framework for the preparation of Development Contribution Plans. Section 77 of the Act requires a local government to have due regard to any State Planning Policy in preparing or amending a local planning scheme.

A new draft State Planning Policy was released for public comment in 2016, but has not progressed to finalisation. The status and timing of the draft Policy is not known at this time.

e. Financial

Contributions from anticipated subdivision and development within the Anstey Park area have been included in Development Contribution Plan Report for Development Contribution Plan No.2, and the City's Business Plan.

It is conceivable that the deletion of the Port Kennedy Sport and Recreation Outdoor Hard Courts may generate a request from owners for the return of contributions made for that particular item, given the item is no longer required.

f. Legal and Statutory

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

The procedures for dealing with proposals to amend TPS2, as per the Act, are set out in the Regulations. Regulation 35(1) enables the Local Government to prepare or adopt an amendment to TPS2, in a form approved by the WAPC. The resolution must specify whether, in the opinion of the local government, the amendment is a complex amendment, a standard amendment or a basic amendment, and include an explanation for the reason for the local government forming that option.

The proposed Scheme Amendment is a 'complex amendment' as it seeks to amend a development contribution plan.

As a 'complex amendment', the WAPC is required to determine whether the amendment is suitable for advertising and may require changes to the amendment, prior to advertising commencing.

Schedule No.11 – Development Contribution Plan No.2

Clause 17 of DCP2 requires the Council to carry out a review of the operation of the Development Contribution Plan every five years from the Operative Date, and in the course of that review the Council is to consider and have regard to:

- (a) the extent to which development has occurred in Development Contribution Area No.2 since the Operative Date or the date of the last review under this clause, whichever is the later;
- (b) the potential for further development in Development Contribution Area No.2; and
- (c) any other matters that appear to the Council to be relevant to the operation of this Plan.

The review of the CIP has satisfied the above requirements.

g. Risk

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

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

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

This matter has been assessed as a Medium financial risk.

PRESIDING MEMBER

A decision by the WAPC/Minister for Planning to not approve modifications to the City's DCP2 to enable contributions to be applied to modified infrastructure items would have a major impact level on the City's finances.

The City considers there to be a small chance of the WAPC/Minister for Planning not approving suitable modifications to DCP2, as the Amendment is consistent with the State Planning Policy.

Comments

The proposed Scheme Amendment is intended to ensure consistency between the City's recently adopted Community Infrastructure Plan 2018-2028 and the DCP2. The rationale for the specific modifications is as follows:

<u>Proposal 1</u>

The definitions under Schedule 11, part 5, have the effect of describing the nature of the infrastructure item and setting the scope of infrastructure that can be funded through the DCP2.

Definition	Variation	Rationale
Aqua Jetty Stage 2	Deleting the words "group fitness rooms, basketball courts, offices, consulting rooms, spectator seating, first aid room, change rooms, crèche, outdoor cafe, play area and swimming club room" and replacing with "additional recreation and community facilities"	The existing description for the Aqua Jetty Stage 2 development is more specific than other descriptions within DCP2, and does not provide flexibility for the City to adjust the project scope to meet community needs.
Baldivis South Active POS Development	Deleted and replaced with "East Baldivis Recreation Reserve" means the development of an active and passive open space reserve to be located in the Baldivis North Sub-Area.	The Baldivis South Active POS Development was intended to address needs for active POS space in the Baldivis South Sub-Area. The CIP review has identified additional demand for active POS space in the Baldivis North Sub-Area which can best be met by a Sub-District facility that meets the needs of both Sub-Areas.
Baldivis District Sporting Complex	Deleting the words "Baldivis North Sub-Area" and replacing with the words "Baldivis South Sub-Area".	The City has identified an alternative site, and acquired land on Eighty Road, which is better located than the previous location identified east of the Kwinana Freeway. Given the new site is located within the Baldivis South rather than Baldivis North Sub-Area, the DCP2 description is required to be amended. The scope and catchment served by the infrastructure is not proposed to change.

PRESIDING MEMBER

Definition	Variation	Rationale
Baldivis Indoor Recreation Centre	Deleting the words "Baldivis North Sub-Area" and replacing with the words "Baldivis South Sub-Area".	The City has identified an alternative site, and acquired land on Eighty Road, which is better located than the previous location identified east of the Kwinana Freeway. Given the new site is located within the Baldivis South rather than Baldivis North Sub-Area, the DCP2 description is required to be amended. The scope and catchment served by the infrastructure is not proposed to change.
Lark Hill Sportsplex Stage 2	Deleting the words "playing fields, clubroom, indoor sports court facility, outdoor sports courts, flood lighting and car parking" and replacing with "additional sporting and recreational facilities".	The existing description for the Lark Hill Sportsplex Stage 2 development is more specific than other descriptions within DCP2, and does not provide flexibility for the City to adjust the project scope to meet community needs.
Port Kennedy Outdoor Sport and Recreation Hardcourts	Deleted in its entirety.	The CIP has identified that this infrastructure item is no longer required.
Rockingham Youth Recreation Space Redevelopment	Deleted and replaced with "Rockingham Youth Recreation Space" means the development of a recreation space for youth to be located in the Rockingham Sub-Area.	Redevelopment of the existing space is no longer appropriate given uncertainty over land tenure at the existing site. A new facility is intended to be developed in the same Sub- Area, at the Rockingham waterfront, which will meet the same community needs.
Baldivis South HS Outdoor Sport and Recreation Hardcourts	Deleted and replaced with "Baldivis Outdoor Courts" means the development of sporting and recreational hardcourts to be located in the Baldivis North Sub-Area.	The facility is no longer intended to be co-located with the Baldivis South High School and will instead be developed as a sub-district facility in the Baldivis North Sub-Area. In this regard, the CIP review has identified additional demand for active POS space in the Baldivis North Sub-Area which can best be met by a Sub-District facility that meets the needs of both Sub-Areas.

Proposal 2

Item	Variation	Rationale
Baldivis South Active POS Development	Replace with East Baldivis Recreation Reserve under SUB DISTRICT heading, with	The Baldivis South Active POS Development was intended to address needs for active POS space in the Baldivis South Sub-Area.

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Item	Variation	Rationale
		The CIP review has identified additional demand for active POS space in the Baldivis North Sub-Area which can best be met by a Sub-District facility that meets the needs of both Sub-Areas.
Port Kennedy Outdoor Sport and Recreation Hardcourts	Deleted in its entirety.	The CIP has identified that this infrastructure item is no longer required.
Rockingham Youth Recreation Space Redevelopment	Deleting the word "Redevelopment".	Redevelopment of the existing space is no longer appropriate given uncertainty over land tenure at the existing site.
		A new facility is intended to be developed in the same Sub- Area, at the Rockingham waterfront, which will meet the same community needs.
Baldivis South HS Outdoor Sport and Recreation Hardcourts	Delete and replace with "Baldivis Outdoor Courts" serving the Baldivis North Sub-Area and Baldivis South Sub-Area.	The facility is no longer intended to be co-located with the Baldivis South High School and will instead be developed as a sub-district facility in the Baldivis North Sub-Area. In this regard, the CIP review has identified additional demand for active POS space in the Baldivis North Sub-Area which can best be met by a Sub-District facility that meets the needs of both Sub-Areas.

The proposed Amendment will ensure consistency between the CIP and DCP2 and it is therefore recommended that Council adopt (initiate) the Scheme Amendment for the purpose of advertising.

Voting Requirements

Simple majority

Officer Recommendation

That Council:

1. **ADOPTS** (initiate) Amendment No.164 to Town Planning Scheme No.2 for the purposes of amending Town Planning Scheme No.2 as follows:

Proposal 1

Amend Schedule No.11, part 5 as follows:

- (i) The definition of "Aqua Jetty Stage 2" is amended by deleting the words "group fitness rooms, basketball courts, offices, consulting rooms, spectator seating, first aid room, change rooms, crèche, outdoor cafe, play area and swimming club room" and replacing with "additional sporting, recreational and community facilities".
- (ii) The definition of "Baldivis South Active POS Development" is deleted and replaced with "East Baldivis Recreation Reserve" means the development of an active and passive open space reserve to be located in the Baldivis North Sub-Area

PRESIDING MEMBER

- (iii) The definition of "Baldivis District Sporting Complex" is amended deleting the words "Baldivis North Sub-Area" and replacing with the words "Baldivis South Sub-Area".
- (iv) The definition of "Baldivis Indoor Recreation Centre" is amended by deleting the words "Baldivis North Sub-Area" and replacing with the words "Baldivis South Sub-Area".
- (v) The definition of "Lark Hill Sportsplex Stage 2" is amended by deleting the words "playing fields, clubroom, indoor sports court facility, outdoor sports courts, flood lighting and car parking" and replacing with "additional sporting and recreational facilities".
- (vi) The definition of "Port Kennedy Outdoor Sport and Recreation Hardcourts" is deleted.
- (vii) The definition of "Rockingham Youth Recreation Space Redevelopment" is deleted and replaced with "Rockingham Youth Recreation Space" means the development of a recreation space for youth to be located in the Rockingham Sub-Area.
- (viii) The definition of "Baldivis South HS Outdoor Sport and Recreation Hardcourts" is deleted and replaced with "Baldivis Outdoor Courts" means the development of sporting and recreational hardcourts to be located in the Baldivis North Sub-Area.

Proposal 2

Amend the Table under Schedule 11, part 7, as follows:

(i) Delete the following row:

(20) Baldivis South Active POS Development	Baldivis South Sub-Area
---	-------------------------

and replace it, under the SUB DISTRICT heading, with:

(16) East Baldivis Recreation Reserve	Baldivis North Sub-Area and Baldivis South Sub-Area
---------------------------------------	---

(ii) Delete the following row:

(18) Port Kennedy Outdoor Sport and Recreation Hardcourts	Kennedy Sub-Area
--	------------------

(iii) Delete the following row:

(3)	Rockingham Youth Recreation Space Redevelopment	All of the Sub-Areas	
	Redevelopment		

and replace it under the DISTRICT heading with:

(3) Rockingham Youth Recreation Space All of the Sub-Areas
--

(iv) Delete the following row:

(22) Baldivis South HS Outdoor Sport and Recreation Hardcourts	Baldivis South Sub-Area
---	-------------------------

And replace it, under the SUB DISTRICT heading, with:

(17) Baldivis Outdoor Courts	Baldivis North Sub-Area and Baldivis South Sub-Area
	Cab / lieu

2. **CONSIDERS** the proposed scheme amendment is a 'complex amendment' in accordance with Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations* 2015, as it proposes amendments to a development contribution plan.

PRESIDING MEMBER

Committee Recommendation

Moved Cr Jones, seconded Cr Summers:

That Council:

1. **ADOPTS** (initiate) Amendment No.164 to Town Planning Scheme No.2 for the purposes of amending Town Planning Scheme No.2 as follows:

Proposal 1

Amend Schedule No.11, part 5 as follows:

- (i) The definition of "Aqua Jetty Stage 2" is amended by deleting the words "group fitness rooms, basketball courts, offices, consulting rooms, spectator seating, first aid room, change rooms, crèche, outdoor cafe, play area and swimming club room" and replacing with "additional sporting, recreational and community facilities".
- (ii) The definition of "Baldivis South Active POS Development" is deleted and replaced with "East Baldivis Recreation Reserve" means the development of an active and passive open space reserve to be located in the Baldivis North Sub-Area.
- (iii) The definition of "Baldivis District Sporting Complex" is amended deleting the words "Baldivis North Sub-Area" and replacing with the words "Baldivis South Sub-Area".
- (iv) The definition of "Baldivis Indoor Recreation Centre" is amended by deleting the words "Baldivis North Sub-Area" and replacing with the words "Baldivis South Sub-Area".
- (v) The definition of "Lark Hill Sportsplex Stage 2" is amended by deleting the words "playing fields, clubroom, indoor sports court facility, outdoor sports courts, flood lighting and car parking" and replacing with "additional sporting and recreational facilities".
- (vi) The definition of "Port Kennedy Outdoor Sport and Recreation Hardcourts" is deleted.
- (vii) The definition of "Rockingham Youth Recreation Space Redevelopment" is deleted and replaced with "Rockingham Youth Recreation Space" means the development of a recreation space for youth to be located in the Rockingham Sub-Area.
- (viii) The definition of "Baldivis South HS Outdoor Sport and Recreation Hardcourts" is deleted and replaced with "Baldivis Outdoor Courts" means the development of sporting and recreational hardcourts to be located in the Baldivis North Sub-Area.

Proposal 2

Amend the Table under Schedule 11, part 7, as follows:

Delete the following row:

(20) Baldivis South Active POS	Baldivis South Sub-Area	
Development		

and replace it, under the SUB DISTRICT heading, with:

(16) I	East Baldivis Recreation Reserve	Baldivis North Sub-Area and Baldivis South Sub-Area
(ii)	Delete the following row:	

```	Port Kennedy Outdoor Sport and Recreation Hardcourts	Port Kennedy Sub-Area
(iii)	Delete the following row:	

(3) Rockingham Youth Recreation Space A

3)	Rockingham Youth Recreation Space	All of the Sub-Areas
	Redevelopment	, , ,

PRESIDING MEMBER

and replace it under the DISTRICT heading with:

(3) Rockingham Youth Recreation Space	All of the Sub-Areas
(iv) Delete the following row:	
(22) Baldivis South HS Outdoor Sport and Recreation Hardcourts	Baldivis South Sub-Area

And replace it, under the SUB DISTRICT heading, with:

2. **CONSIDERS** the proposed scheme amendment is a 'complex amendment' in accordance with Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as it proposes amendments to a development contribution plan.

Committee Voting – 4/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

PRESIDING MEMBER

Planning and Development Services Statutory Planning Services			Ē		
Reference No & Subject:	PD-066/18	Proposed Envelope	Modification	to	Building
File No:	DD024.2018.000	00010.001			
Applicant:	Ashmy Pty Ltd				
Owner:	Mr J A and Mrs E	K Anderson			
Author:	Mr Chris Parlane,	, Senior Planni	ng Officer		
Other Contributors:	Mr Mike Ross, Manager Statutory Planning Mr David Waller, Coordinator Statutory Planning				
Date of Committee Meeting:	10 December 201	18			
Previously before Council:					
Disclosure of Interest:					
Nature of Council's Role in this Matter:	n Tribunal				
Site:	Lot 1 (No.30) Sawley Close, Golden Bay				
Lot Area:	0.2458ha				
LA Zoning:	Special Residential				
MRS Zoning:	Rural				
Attachments:					
Maps/Diagrams:	4. Building Env	ivision with Bu elope Plan to be Removed	iilding Envelope d	S	

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 JANUARY 2019



1. Location Plan



2. Aerial Photo

PRESIDING MEMBER

# Purpose of Report

To consider an application to modify the existing Building Envelope on Lot 1 (No.30) Sawley Close, Golden Bay.

# Background

The site is located west of Mandurah Road, north of Dampier Drive, on the eastern side of Sawley Close opposite the intersection with Lipscombe Close.

The existing Building Envelope for Lot 1 was created as part of the subdivision of Lot 30. In August 2016, the subdivision was granted conditional approval by the Department of Planning.



3. Plan of Subdivision with Building Envelopes

# **Details**

The applicant proposes to modify the approved Building Envelope for the purpose of accommodating a proposed Single House.

A separate application for Development Approval for the proposed Single House is required, but is yet to be received.

The proposed modification will increase the area of the Building Envelope from  $855m^2$  to  $922m^2$ , equating to an increase in area of 7.8%.

The proposed Building Envelope will be set back from the property boundaries as follows:

- 4.8m stepping to 3m from the northern boundary (currently 4.8m-5m);
- 27m from the eastern boundary (currently 21m);
- 9m from the western boundary (currently 15m); and
- 6m from the southern boundary (no change).

The existing and proposed Building Envelope are indicated in Figure 4 below.

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES **MEETING HELD ON MONDAY 14 JANUARY 2019** 

PRESIDING MEMBER





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Two dead Eucalypt trees, located in the north-western corner of the Lot, between the building envelope and the street boundary will be required to be removed. TPS2 allows for the removal of dead, diseased or unsafe trees and therefore the proposed modification results in no additional environmental impact.

Three existing mature trees located within approved Building Envelope will also be required removed. Retaining them is considered unreasonable, given their central location within the approved Building Envelope and the design of a Single House would be compromised in order to comply with bushfire requirements.



5. Dead Trees to be Removed

# Implications to Consider

# a. Consultation with the Community

In accordance with Clause 64 of the deemed provisions of Town Planning Scheme No.2 (TPS2), the application was referred to adjoining property owners and occupiers, as per the consultation plan below.

At the closing of advertising, no submissions were received.



6. Consultation Plan

b. Consultation with Government Agencies Not Applicable

PRESIDING MEMBER

# c. Strategic

# Community Plan

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

# Aspiration D: Sustainable Environment

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

# d. Policy

Planning Policy 3.3.17 - Variations to Building Envelopes (PP3.3.17) applies.

The objective of the policy is "to promote the orderly and proper development of land by identifying in what circumstances a Building Envelope be varied, and the process by which such an application would be considered".

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

Requirement	Provided	Compliance
Compliance with Schedule No.5 of TPS2.	Schedule No.5 of TPS2 provides that the size and location of an approved Building Envelope may be varied with the approval of Council.	Yes
The varied Building Envelope must not result in an adverse environmental impact.	The proposed modification will not result in the removal of any additional trees.	Yes
The varied Building Envelope must not result in an unacceptable level of bushfire risk.	The proposed modification will not result in an increased level of bushfire risk.	Yes
No unacceptable amenity impacts to neighbours.	No objections have been received to the proposed building envelope modification.	Yes
The variation is a minor increase in the size of the approved Building Envelope. An increase up to a maximum of 10% of the area of the original approved Building Envelope will be considered.	The size of the original Building Envelope will be increased from 855m ² to 922m ² , which is an increase of 7.8%, and consistent with the permitted 10% increase.	Yes
Building Envelopes are to be of a regular shape and comprise one single contiguous area.	The shape of the proposed Building Envelope is predominantly regular. The 2m step proposed in the northern boundary, is the minimum necessary in order to retain a large Eucalypt tree outside of the Building Envelope.	Yes. The proposed Building Envelope comprises of one contiguous area, and is sufficiently regular in shape to comply with the intent of the Policy.

PRESIDING MEMBER

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

The subdivision Fire Management Plan approved as part of the original subdivision comprised of BAL Assessments for each Lot within the subdivision area, and as such, the BAL Assessment submitted with this application is not necessary.

The proposal will not increase the risk of bushfire, as the proposed modification moves the Building Envelope away from the classified vegetation (and larger bushfire risk) located to the east at Turtle Swamp.

#### e. Financial

Nil

# f. Legal and Statutory

# Town Planning Scheme No.2 (TPS2)

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

Schedule 5 also contains provisions which restrict the removal of vegetation, including Clause 14, which states:

"No indigenous trees or substantial vegetation shall be removed, including from within a building envelope, without the prior approval of the Local Government, except where:

- (a) The trees are <u>dead</u>, <u>diseased or dangerous;</u>
- (b) The establishment of a fire break as required under regulation or local law;
- (c) Fire protection within a building protection zone as defined in the Western Australian Planning Commission publication "Planning for Bushfire Protection";
- (d) Access to an approved development site is required; and
- (e) Subdivisional works require the removal of vegetation".

#### g. Risk

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

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

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

#### Nil

# Comments

The proposed Building Envelope modification is consistent with the intent TPS2 and PP3.3.17. The modification will facilitate the construction of a future Single House on the site.

Whilst the proposed Building Envelope modification itself will not necessitate the removal of any additional existing trees on the property, as mentioned earlier, two large dead *Eucalyptus* trees will be removed from outside of the Building Envelope.

It is considered that the Building Envelope modification will not result in any additional environmental impact. The proposed relocation of the Building Envelope reduces the bushfire risk to the future occupants by moving it away from the greater bushfire risk located to the east, at Turtle Swamp. It is therefore recommended that the proposed Building Envelope modification be approved.

# Voting Requirements

Simple Majority

# Officer Recommendation

That Council **APPROVES** the application to vary the Building Envelope at Lot 1 (No.30) Sawley Close, Golden Bay as shown on the plan below.

PRESIDING MEMBER



Amended Building Envelope 31 October 2018

PRESIDING MEMBER

# **Committee Recommendation**

# Moved Cr Hamblin, seconded Cr Jones:

That Council *APPROVES* the application to vary the Building Envelope at Lot 1 (No.30) Sawley Close, Golden Bay as shown on the plan below.



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

Not Applicable

# Implications of the Changes to the Officer's Recommendation

Not Applicable

PRESIDING MEMBER

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# **Engineering and Parks Services**

Engineering and Parks Services Infrastructure Project Delivery		
Reference No & Subject:	EP-018/18 Tender T18/19-01 - Construction of a Skate Park at the Veterans Memorial Park, Port Kennedy	
File No:	T18/19-01	
Proponent/s:		
Author:	Mr Ian Daniels, Manager Infrastructure Project Delivery	
Other Contributors:	Mr Gary Rogers, Manager Community Infrastructure Planning Mr Scott Bennett, Project Officer	
Date of Committee Meeting:	10 December 2018	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:	Lot 1478 Endeavour Drive, Port Kennedy	
Lot Area:	28,827m ²	
LA Zoning:		
MRS Zoning:		
Attachments:		
Maps/Diagrams:		

# **Purpose of Report**

Provide Council with details of the tenders received for Tender T18/19-01 - Construction of a Skate Park at the Veterans Memorial Park, Port Kennedy and award the contract to the preferred tenderer.

# Background

Tender T18/19-01 - Construction of a Skate Park at the Veterans Memorial Park, Port Kennedy was advertised in the West Australian on Saturday 15 September 2018. The tender closed at 2.00pm Wednesday 10 October 2018 and was publicly opened immediately after the closing time.

# **Details**

A maintenance audit was conducted in late 2015 and it was determined that the Veterans Memorial Skate Park had reached the end of its useful life, with the infrastructure in poor condition and presenting various safety concerns.

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 JANUARY 2019

The Veterans Memorial Park, Port Kennedy has various activity nodes and is deemed to be a prime venue for skate competitions and other skating events. In consideration of a young demographic, ranging from 5-17 years old, the design architect undertook an engagement process via skate clinics, workshops at local schools, engagement with junior Councillors and meetings with various community groups to determine the elements to be incorporated into the new skate park.

The new skate park will feature a City first full and half depth bowl with additional amenities such as bike racks, water fountains, half basketball court, shade shelters and raised spectating areas.

The tender includes both demolition and construction with a design that will cater for all skill levels from beginner to advance.

The period of the contract shall be 26 weeks from the date the Contractor takes site possession.

Evaluation of the tenders was undertaken by an assessment panel compromising:

- Manager Infrastructure Project Delivery
- Manager Community Infrastructure Planning
- Project Officer

The tender evaluation was undertaken in accordance with the advertised tender assessment criteria, resulting in the following scores:

Assessment Criteria	Lump Sum	Level of Service	Understanding of Tender Requirements	Tendered Price/s	Total Weighted Scores
Max. Points		35 Pts	35 Pts	30 Pts	100 Pts
D.B.Cunningham Pty Ltd (trading as Advanteering Civil Engineers)	\$686,208.40	31.6	31	30.0	92.6
Carving Concrete Skateparks	\$750,843.83	26.25	27	27.4	80.6
Convic Pty Ltd	\$932,839.33	21.7	12	22.1	55.8

# Implications to Consider

# a. Consultation with the Community

Not applicable

#### b. Consultation with Government Agencies

Not Applicable

#### c. Strategic

Community Plan

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

# Aspiration A: Tourism Lifestyle

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

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

**Strategic Objective:** Mobility and Inclusion - Community services, programs and infrastructure that effectively caters for all residents including seniors, youth and vulnerable populations.

PRESIDING MEMBER

Strategic Objective:	Services and Facilities - Community facilities and services that accommodate contemporary community expectation and are justified, well used, cost effective and, where appropriate, multi-functional.
Aspiration C:	Quality Leadership
Strategic Objective:	Community Engagement and Advocacy - An engaged and informed community that participates in local decision making and can rely upon the Council to advocate on its behalf when important issues challenge the best interests of the City and its residents.
Strategic Objective:	Infrastructure - Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis.

# d. Policy

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

# e. Financial

An amount of \$895,000 has been allocated for the contract in the 2018/2019 financial year with expenditure to date of \$55,000, leaving \$840,000.

#### f. Legal and Statutory

In accordance with section 3.57 of the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11(1).

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

# g. Risk

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

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

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

#### Nil

# Comments

Following consideration of the submissions in accordance with the tender assessment criteria, some submissions did not provide enough evidence to demonstrate that they had a complete understanding of the project requirements and construction methodology.

The submission from D.B.Cunningham Pty Ltd (trading as Advanteering Civil Engineers) presented a clear understanding of the tender requirements, addressing the key requirements of the assessment criteria thoroughly and included clear construction methodology which demonstrated a concise understanding of critical elements, as well as an understanding of the City's needs for delivering a quality product. In addition, it has integrated its internal policies and procedures to align with ISO accreditation and presented best value for the City.

D.B.Cunningham Pty Ltd (trading as Advanteering Civil Engineers) submitted a clear and inclusive construction program detailing critical inspection points throughout the construction process. It has over 36 years of engineering experience which includes the construction of skate parks as well as having key personnel with experience in competitive skating further demonstrating their understanding of the project requirements.

The submission from D.B.Cunningham Pty Ltd (trading as Advanteering Civil Engineers) received the highest overall score as it best addressed the assessment criteria and demonstrated a high level of understanding of the project requirements. D.B.Cunningham Pty Ltd (trading as Advanteering Civil Engineers) submission is considered the best value to the City and is recommended as the preferred tenderer.

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 JANUARY 2019

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# **Voting Requirements**

Simple Majority

# **Officer Recommendation**

That Council **ACCEPTS** the tender submitted by D.B.Cunningham Pty Ltd (trading as Advanteering Civil Engineers) for Tender T18/19-01 - Construction of a Skate Park at the Veterans Memorial Park, Port Kennedy for the lump sum of \$686,208.40 (excluding GST).

# **Committee Recommendation**

# Moved Cr Jones, seconded Cr Hamblin:

That Council **ACCEPTS** the tender submitted by D.B.Cunningham Pty Ltd (trading as Advanteering Civil Engineers) for Tender T18/19-01 - Construction of a Skate Park at the Veterans Memorial Park, Port Kennedy for the lump sum of \$686,208.40 (excluding GST).

Committee Voting – 4/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES **MEETING HELD ON MONDAY 14 JANUARY 2019** 

PRESIDING MEMBER

13.	Reports of Councillors
	Nil
14.	Addendum Agenda
	Nil

PRESIDING MEMBER

# 15. Motions of which Previous Notice has been given

# Planning and Development Services

Planning and Development Services Directorate, Planning Services			
Reference No & Subject:	PD-067/18	Notice of Motion - Public Parking	Waterfront Village
File No:			
Proponent/s:	Cr Joy Stewart		
Author:	Mr Peter Ricci, M	anager Major Planning P	rojects
Other Contributors:			
Date of Committee Meeting:	10 December 20 ⁴	8	
Previously before Council:			
Disclosure of Interest:			
Nature of Council's Role in this Matter:	Executive		
Site:			
Lot Area:			
LA Zoning:			
MRS Zoning:			
Attachments:			
Maps/Diagrams:			

# **Purpose of Report**

To provide advice to Cr Stewart's Notice of Motion, as follows:

"That Council **DIRECTS** the Chief Executive Officer to investigate further options at the Rockingham Foreshore to increase parking capacity in the short term, to compensate for the on-street car parking reduced as a consequence of the townscape improvements currently being undertaken."

# **Details**

The reasons for Cr Stewart's current Notice of Motion are provided below:

"The Rockingham Beach Foreshore Master Plan (Master Plan) addressed parking in the light of its intent to rationalise much of the public parking within the foreshore reserve and street parking within Railway Terrace and Rockingham Beach Road.

PRESIDING MEMBER

The specific objectives of this Community Plan Strategy - Rockingham Strategic Metropolitan Centre Public Parking is to:

- 1. Manage the existing supply of public parking relative to current demand.
- 2. Ensure that the provision of additional public parking is sufficient to meet future demand.
- 3. Ensure all public parking provision is consistent with the broader strategic objectives for the City Centre and Waterfront Village.

The Master Plan essentially sought to maintain, as a minimum, the existing supply of public parking such that the removal of any bays was offset by the allocation of additional bays within the precinct. 66 bays were taken from Railway Terrace in the Revitalisation of the Foreshore, and not 'offset by the allocation of additional bays within the precinct'. Surveys commissioned by the City show that the average occupancy for the off-street public carparks was quite high for the parking areas adjacent to Rockingham Beach Road, which included the carparks at the end of Railway Terrace and Flinders Lane. These carparks had an average occupancy of 92% and 68% respectively. The Railway Terrace carpark had the highest peak occupancy, which was 100% in the 3:30pm - 5:30pm time slot. Most other carparks reached their peak occupancy in the 9:30am - 11:30am and 12:30pm - 2:30pm time slots. This occupancy confirms the importance of these parking facilities.

I believe that it is essential to increase parking capacity in the short term, to compensate for those on-street car parking bays reduced as a consequence of townscape improvements currently being undertaken."

# **Implications to Consider**

# a. Consultation with the Community

Nil

# b. Consultation with Government Agencies

Nil

# c. Strategic

Community Plan

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

Aspiration A: Tourism Lifestyle

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

# d. Policy

Nil

# e. Financial

The provision of additional public parking will incur a cost to the City. A preliminary cost estimate will form part of investigation.

# f. Legal and Statutory

Nil

# g. Risk

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

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

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

Nil

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 JANUARY 2019

# Comments

The City's approach to parking at the Waterfront Village has been informed by a number of initiatives over the years including the *Rockingham Beach Carparking Strategy 2004*, the *Rockingham Beach Foreshore Master Plan 2015* ('the *Master Plan'*) and the *Rockingham Strategic Metropolitan Centre Parking Strategy 2017* ('the *Parking Strategy'*).

Of particular relevance to Cr Stewart's Notice of Motion is the *Master Plan* which proposed the removal of some public parking within foreshore and road reserves in favour of pedestrian orientated spaces.

The current 'Rockingham Beach Foreshore Revitalisation' works at Railway Terrace is the first stage of implementing the *Master Plan* which involves the removal of approximately 65 bays in order to accommodate the pedestrian focussed 'Beach Plaza' and new Railway Terrace street environment, with increased alfresco dining capacity.

In adopting the *Master Plan* in June 2015, the Council noted that its parking recommendations are predicated on the basis that there should be no net loss of public parking provision within the precinct throughout the implementation of the *Master Plan*.

In recognition of the above position, the original scope of the 'Rockingham Beach Foreshore Revitalisation' works involved an expansion of the Wanliss Street foreshore carpark to off-set the loss of parking in Railway Terrace with additional bays in the precinct. Prior to the City proceeding to Tender for the construction of the works, the Development Application for the 'Port Rockingham Marina' was lodged which proposed a carpark and other improvements upon the land which the City intended to build the carpark.

As a result, it was decided to not proceed with that element of the 'Rockingham Beach Foreshore Revitalisation' works.

The Notice of Motion has the effect of respecting the position in the *Master Plan* to not decrease the public parking provision within the Waterfront Village and is supported.

The City has already commenced some preliminary investigations which is focussed on providing additional on-street bays within road reserves in proximity to Railway Terrace.

In accordance with the *Parking Strategy*, there is no basis to investigate options to construct decked parking on land managed by the City. In this regard, the parking surveys conducted during the preparation of the *Parking Strategy* revealed that there is public parking availability within the Waterfront Village on almost all occasions, outside of large community events.

The *Parking Strategy* recommends that public parking be regularly surveyed to establish the occupancy rates, and when it is demonstrated that the public parking supply cannot regularly meet demand (i.e. over 85% occupancy), measures will be put in place to manage demand. One of these measures will be additional parking provision and the *Parking Strategy* identifies locations where this can occur (i.e. off-street carparks behind the Gary Holland Community Centre and Rockingham Museum).

Following the completion of the 'Rockingham Beach Foreshore Revitalisation' works, the City will begin regular surveys to establish parking occupancy trends such that any decision on how parking demand is satisfied is based on evidence.

# Voting Requirements

Simple Majority

# Officer Recommendation

That Council **DIRECTS** the Chief Executive Officer to investigate further options at the Rockingham Foreshore to increase parking capacity in the short term, to compensate for the on-street car parking reduced as a consequence of the townscape improvements currently being undertaken.

# Notice of Motion from Cr Stewart

That Council **DIRECTS** the Chief Executive Officer to investigate further options at the Rockingham Foreshore to increase parking capacity in the short term, to compensate for the on street car parking reduced as a consequence of the townscape improvements currently being undertaken.

CONFIRMED AT A PLANNING AND ENGINEERING SERVICES MEETING HELD ON MONDAY 14 JANUARY 2019

# **Committee Recommendation**

# Moved Cr Jones, seconded Cr Hamblin:

That Council **DIRECTS** the Chief Executive Officer to investigate further options at the Rockingham Foreshore to increase parking capacity in the short term, to compensate for the on-street car parking reduced as a consequence of the townscape improvements currently being undertaken.

Committee Voting – 4/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

PRESIDING MEMBER

16.	Notices of Motion for Consideration at the Following Meeting
	Nil
17.	Urgent Business Approved by the Person Presiding or by Decision of the Committee
	Nil
18.	Matters Behind Closed Doors
	Nil
19.	Date and Time of Next Meeting
	The next Planning and Engineering Services Committee Meeting will be held on <b>Monday 14</b> <b>January 2019</b> in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.
20.	Closure
	There being no further business, the Chairperson thanked those persons present for attending the Planning and Engineering Services Committee meeting, and declared the meeting closed at <b>4:23pm</b> .

PRESIDING MEMBER