City of Rockingham

AGENDA

Ordinary Meeting of Council

To be held on Tuesday 25 February 2020 at 6:00pm
City of Rockingham Council Chambers

city of Rockingham
where the coast comes to life

Notice of Meeting

Dear Mayor and Councillors

The next Ordinary Meeting of the Council of the City of Rockingham will be held on Tuesday 25 February 2020 in the Council Chambers, Civic Boulevard, Rockingham. The meeting will commence at 6:00pm.

MICHAEL PARKER
CHIEF EXECUTIVE OFFICER

20 February 2020

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the City. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The City of Rockingham expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the City.

City of Rockingham
Ordinary Council Meeting
6:00pm Tuesday 25 February 2020

1. Declaration of Opening

Acknowledgement of Country

This meeting acknowledges the traditional owners and custodians of the land on which we meet today, the Nyoongar people, and pays respect to their elders both past and present.

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

2.1 Councillors

Cr Barry Sammels (Mayor)	Rockingham/Safety Bay Ward
Cr Deb Hamblin (Deputy Mayor)	Rockingham/Safety Bay Ward
Cr Sally Davies	Baldivis Ward
Cr Hayley Edwards	Baldivis Ward
Cr Matthew Whitfield	Baldivis Ward
Cr Lorna Buchan	Comet Bay Ward
Cr Mark Jones	Comet Bay Ward
Cr Craig Buchanan	Rockingham/Safety Bay Ward
Cr Rae Cottam	Rockingham/Safety Bay Ward
Cr Leigh Liley	Rockingham/Safety Bay Ward
Cr Joy Stewart	Rockingham/Safety Bay Ward

2.2 Executive

Mr Michael Parker	Chief Executive Officer
Mr Bob Jeans	Director Planning and Development Services
Mr Sam Assaad	Director Engineering and Parks Services
Mr John Pearson	Director Corporate Services
Mr Peter Doherty	Director Legal Services and General Counsel
Mr Michael Holland	Director Community Development
Mr Peter Varris	Manager Governance and Councillor Support
Mr Peter Le	Senior Legal and Councillor Liaison Officer
Mr Aiden Boyham	City Media Officer
Ms Sarah Mylotte	Administration Officer – Governance and Councillor Support

2.3 Members of the Gallery:

2.4 Apologies:

2.5 Approved Leave of Absence:

3. Responses to Previous Public Questions Taken on Notice

3.1 Mr James Mumme, Shoalwater - Safety Bay Shoalwater Coastal Management Study

At the Council meeting held on 28 January 2020, Mr Mumme asked the following question/s that were taken on notice and the Chief Executive Officer provided a response in a letter dated 11 February 2020 as follows:

Preamble

I refer to some examples of Community Engagement/Consultation undertaken by the City recently, particularly to the Safety Bay/Shoalwater Foreshore Plan, the Lake Richmond Draft Management Plan, the Sustainability Plan, the Change Maker Festival and the Junior Council program. I also recall public questions by myself over community engagement in Rockingham.

Question

1. What different methods of community engagement has Council used over the past five years?

Response

The City conducts community engagement in line with the principles of the International Association for Public Participation (IAP2). Based on these principles the City follows three main approaches to community engagement: Inform, Consult and Participate. The methods within each of these approaches will always be fit for purpose depending on the issue, and the impact it will have on the relevant members of the community. The methods used are dependent on a number of factors including legislative requirements, intent of the project, plan or strategy. Traditional methods such as newspaper advertisements, letters, mail drops and signage are used to inform the community. Other methods include social media, information sessions, workshops, focus groups, reference groups and advisory committees where the City can consult and community members can engage and participate.

Rock Port, the City's online community portal was launched in February 2017. To date we have over 5800 registered users. Its primary purpose is to improve the City's community consultation. Community members can opt in to various topics of interest including environment, major projects, strategic planning and many more. Items open for consultation are promoted weekly to users through Rock Port. Users are able to submit comments via the portal.

The City's website was reviewed last year. The Share Your Thoughts section, where all engagement items are promoted, was improved. This is available for all community members who choose not to register for Rock Port. They can submit comments or complete surveys through this option.

Question

2. What evaluation has Council conducted of the success of each model and which model has been the most effective in engaging community ongoing?

Response

In the City's annual Customer Satisfaction Survey 2019, the City included a question to measure the participation levels of engagement. The results confirmed that 20% of respondents (1 in 5 members of the community) had shared their thoughts about a community consultation item in the past 12 months.

As each approach to community engagement is fit for purpose, the methods used are determined by the level of complexity of the particular project/strategy or item and the methods used are reviewed as part of the overall outcomes of the project and any lessons learnt are included as part of future engagement planning.

Question

3. What has Council done to ensure representativeness of participants in community consultations (in terms of ward of residence, age, gender, experience and cultural background for instance) and how successful has this been? (or have community consultations been attended or contributed to only by those who bothered to volunteer?)

Response

The City's approach to engagement is designed to be fit for purpose and the City aims to be inclusive in its approach.

For example in the development of the City of Rockingham Strategic Community Plan (2019 – 2029), 10,000 random sample invitations were sent to the community members to attend a selection of workshops. Seven workshops were held at various locations including Baldivis and Secret Harbour. A workshop was also held with the Rockingham business community (in conjunction with Rockingham Kwinana Chamber of Commerce). A representative from each workshop was nominated by the participants to represent them at a Council Engagement session.

Other sections of the community consulted include the Rockingham Youth Advisory Council, Kolbe College, Rockingham High School students, the Disability Access and Inclusion Advisory Committee (DAIAC), members of the community at the Salvation Army in Rockingham and visitors to the City Libraries. An online survey was sent to Rock Port members and a public survey was published on Facebook. The City also established a working group through Rock Port and the members of this group participated in an online forum and a workshop. This group will be contacted to provide feedback for the two year review of the plan.

To inform the Tourist Destination Strategy an advisory group was established to represent the local and state tourism industry stakeholders in addition to wider community consultation. This group will remain involved for the lifetime of this Strategy.

For Planning and Development projects, stakeholders from the immediate area are identified and informed. For skate parks, the City informs those residents in the immediate area that may be impacted and also works with a Skate Park Reference Group.

Another example is the Reconciliation Action Plan (2014 - 2017) where the City established a Reconciliation Action Committee (RAC) to not only develop the Reconciliation Action Plan (RAP) but to take the lead in the walk towards Reconciliation. The composition of the Committee included a mix of Aboriginal and non-Aboriginal community members and professionals.

The City has a number of Advisory Committees such as the Seniors Advisory Committee, Junior Council, Disability Access and Inclusion Committee and the Rockingham Youth Reference Group where participants are representative of the particular issue being addressed.

Community members are encouraged to register for Rock Port and opt in to various topics that they are interested in. In turn they will be kept informed of strategic updates on that item.

Participation in community engagement is not compulsory, therefore community involvement is by those who choose to interact.

Question

4. For the above five programs, what has Council done to secure the ongoing commitment of participants so that they can build on the skills and knowledge they have learnt in future consultations?

Response

Safety Bay Shoalwater Foreshore Master Plan project

The City has a data base of those that contributed to the two consultation processes. Following a decision on which element of the Master Plan is to be implemented, the City will refer to the data base to assist in designing the consultation process and engagement practices.

Draft Lake Richmond Management Plan

Community members and key stakeholders who participated in the development of the draft plan along with Rock Port members who opted in to the Environmental topic will be informed as and when there is a strategic review of the plan.

Junior Council

The City of Rockingham Junior Council engages two year-six students from every local primary school in the City and two students from alternative education settings each year. In 2019 there was a cohort of 67 students who met at the City of Rockingham Council Chambers from March to November. The young people were consulted on City infrastructure projects, policies and strategies. In the last year the Junior Council were involved in the following consultations:

- *Draft Economic Development Plan*
- *Rockingham Youth Space*
- *Shoalwater/Safety Bay Draft Master Plan*
- *City of Rockingham Single-Use Plastics Policy*
- *Draft Tourist Destination Strategy*

The Junior Council program also educates young people on Local Government decision making processes, leadership skills, the role of Federal, State and Local Government and how to advocate for community change. The intention of the program is to equip younger residents with the skills and knowledge to engage in active citizenship for life.

Change Maker Festival

The Change Maker Festival is a community advocacy forum the City hosts in partnership with the Rockingham Youth Reference Group (see below). The City has engaged The Centre for Social Impact to work with the Rockingham Youth Reference Group to co-design the festival and identify issues within the community to discuss with their peers. During the festival, young people from the City's 16 secondary schools are invited to listen to key note speakers in regards to community advocacy (change making) and then develop project ideas to address these community issues. While this program does not invite consultation on City business directly, it is an opportunity for young people to undertake advocacy, learn about community change and build a relationship with the City to get involved with in future consultation.

Rockingham Youth Reference Group

The City has an active Rockingham Youth Reference Group (formally the Rockingham Youth Advisory Council). In addition to co-designing the Change Maker Festival, the group also operates as a representative consultation group and have attended professional development training delivered by the Youth Affairs Council of Western Australia to learn the skills required to facilitate consultation with other young people. The Rockingham Youth Reference group are consulted on programs the City operates for young people and the wider community, infrastructure, community plans and policies. There are currently 11 young people on the reference group aged from 13 – 20 years who represent the diversity among young people across the City.

Question

5. Will Council seriously consider upgrading its community consultation/ engagement processes by researching some model of community engagement that achieves what many other cities have been attempting?

Response

The City conducts community engagement following the principles of the International Association for Public Participation (IAP2) that are mentioned in the examples you provided.

3.2 Mr Tom Mannion, Safety Bay – Credit Card Enquiries

At the Council meeting held on 28 January 2020, Mr Mannion asked the following questions that were taken on notice and the Director Corporate Services provided a response in a letter dated 7 February 2020 as follows:

Question

1. My first question relates to credit card purchases made at service stations during 2019 on credit cards ending in 9485, 1103, 4225 and 7709.

   Can the City provide details on what was purchased and how these purchases comply with government guidelines on the use of credit cards?

Response

The City has previously provided you with copies of statements related to the former CEO and current CEO for the City of Rockingham. As was advised to you in the letter dated 24 December 2019, any further requests for information related to credit card purchases beyond which is publically available may be made via a Freedom of Information application. The City abides by its requirements of making information available for public inspection, pursuant to Section 5. 94 of the Local Government Act. All transactions made on corporate credit cards are performed in accordance with policy.

Question

2. My next question relates to a credit card expense with card number ending 8930 that shows 2 transactions on separate days 8th and 18th February 2019 that are made to Koorabup.

   Can the City provide details on what was purchased and how these purchase comply with government guidelines on the use of credit cards?

Response

Please see response to Question 1 above.

Question

3. Previous minutes show that credit card number ending with 9662 with a line item reference to Fraud Reversal payment. Can the City advise us was this card removed from use after being used fraudulently if not why not?

Response

The original credit card was stolen, it was reported to the police and cancelled immediately. Unlawful transactions were made on the card. The transactions you are referring to are credits which have been applied by the bank to the replacement card.

3.3 Ms Mary-Ann Rath, Waikiki – International Campaign to Abolish Nuclear Weapons

At the Council meeting held on 28 January 2020, Ms Rath asked the following questions that were taken on notice and the Chief Executive Officer provided a response in a letter dated 5 February 2020 as follows:

Question

1. Will the City respond in the affirmative and agree to the ICAN (International Campaign to Abolish Nuclear Weapons)?

Response

At the WALGA South Metropolitan Zone meeting on 26 August 2019 the issue of United Nations Treaty on the Prohibition of Nuclear Weapons was discussed and was considered to be a State and Federal Government issue. The City of Rockingham has no position on this matter as it is outside the scope of local government and is considered to be a State and Federal Government issue.

Question

2. I fully support Cape Peron to become an A Class reserve. Will you help the community to secure this status?

Response

The Council resolved on 28 August 2018 and reaffirmed on 28 January 2020 the following:

> *"That Council SUPPORTS the classification of Cape Peron Reserve 48968 being transferred to Class A, subject to the designated Purposes of the Reserve being clearly defined through the transparent and collaborative consultation process, which will determine the most sustainable long-term future land uses for Cape Peron, as advocated in Council's June 2018 resolution."*

The Council will continue to support the classification of Cape Peron Reserve 48968 being transferred to Class A as per the Council resolutions above.

3.4 Mr Sunny Miller, Safety Bay – Various

At the Council meeting held on 28 January 2020, Mr Miller asked the following questions that were taken on notice and the Director Engineering and Parks provided a response in a letter dated 7 February 2020 as follows:

Question

1. There was an article in the front page of the Sound Telegraph a few weeks back regarding a tree that feel on a fence located in Tarwarri Park, what is the outcome of this?

Response (provided at the meeting)

The Director Engineering and Parks Services, Mr Sam Assaad advised that this matter is now in the hands of the City's insurers.

Response (supplementary)

The information provided at the January 2020 Council Meeting regarding the claim was incorrect. The matter has been resolved by the City's insurer.

Question

2. There are two new bins on the foreshore near the bus stop in the newly revitalised area, the bins do not have markings to identify if they are for recycling or other waste. Why do they not have markings?

Response

All the new bins at the new foreshore redevelopment are classed as general waste bins therefore there is no requirement to mark them separately.

Question

3. Why is there no signage on the foreshore, near corner of Railway Terrace and Rockingham Beach Road to advise the crossing is not a pedestrian crossing and pedestrians need to give way to vehicles?

Response

Pavement markings were installed earlier in the week highlighting that pedestrians must give way to vehicles.

4. Public Question Time

Members of the public are invited to present questions to the Mayor about matters affecting the City of Rockingham and its residents. This is the only opportunity in the meeting for the public to ask questions.

5. Applications for Leave of Absence

6. Confirmation of Minutes of the Previous Meeting

Recommendation:

That Council ***CONFIRMS*** the Minutes of the Ordinary Council Meeting held on 28 January 2020, as a true and accurate record subject to the following clarification:

Public Question Time - Item 4.5 Mr Sunny Miller

1. *There was an article in the front page of the Sound Telegraph a few weeks back regarding a tree that feel on a fence located in Tarwarri Park, what is the outcome of this?*

The Director Engineering and Parks Services, Mr Sam Assaad advised that this matter is now in the hands of the City's insurers.

Clarification

At the January 2020 Council Meeting, the officer provided a response that he believed at the time to be correct. This is not the case, the insurance claim has already been determined and outcome provided by the City's insurers.

7. Matters Arising from the Previous Minutes

8. Announcement by the Presiding Person without Discussion

The Mayor to announce 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 PD-009/20**	**Sustainability Strategy**
	Councillor:	Cr Hayley Edwards
	Type of Interest:	Impartiality
	Nature of Interest:	Cr Edwards declared an Impartiality Interest in item PD-009/20 Sustainability Strategy as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as she submitted a survey on the Sustainability Strategy.
	Extent of Interest:	Not Applicable
9.2	**Item PD-013/20**	**Final Approval of Amendment No.170 - Rezoning from 'Rural' to 'Special Residential'**
	Councillor:	Cr Mark Jones
	Type of Interest:	Impartiality
	Nature of Interest:	Cr Jones declared an Impartiality Interest in item PD-009/20 Sustainability Strategy as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as he has a friendship with the owners of No.4 Maddren Way, Baldivis, directly abutting portion of the area being rezoned.
	Extent of Interest:	Not Applicable

	9.3	**Item CD-002/20**	**Recommendations from the Community Grants Program Advisory Committee Meeting held on 16 January 2020**
		Councillor:	Cr Barry Sammels, Mayor
		Type of Interest:	Impartiality
		Nature of Interest:	Cr Sammels declared an Impartiality Interest in item CD-002/20 Recommendations from the Community Grants Committee meeting as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as his wife is a member of the Rockingham Bowling Club Inc.
		Extent of Interest:	Not Applicable
	9.4	**Item CD-002/20**	**Recommendations from the Community Grants Program Advisory Committee Meeting held on 16 January 2020**
		Councillor:	Cr Barry Sammels, Mayor
		Type of Interest:	Impartiality
		Nature of Interest:	Cr Sammels declared an Impartiality Interest in item CD-002/20 Recommendations from the Community Grants Committee meeting as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as his son plays for the Rockingham Rams – Rockingham Football Sporting and Social Club Inc.
		Extent of Interest:	Not Applicable
	9.5	**Item CD-002/20**	**Recommendations from the Community Grants Program Advisory Committee Meeting held on 16 January 2020**
		Officer:	Mr Michael Holland, Director Community Development
		Type of Interest:	Impartiality
		Nature of Interest:	Mr Michael Holland declared an Impartiality Interest in item CD-002/20 Recommendations from the Community Grants Committee as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 34C of the Local Government (Administration) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as he is the president of the Rockingham Rams Football Sporting and Social Club Inc.
		Extent of Interest:	Not Applicable
	9.6	**Item CD-002/20**	**Recommendations from the Community Grants Program Advisory Committee Meeting held on 16 January 2020**
		Officer:	Mr Scott Jarvis, Manager Economic Development and Tourism
		Type of Interest:	Impartiality
		Nature of Interest:	Mr Scott Jarvis declared an Impartiality Interest in item CD-002/20 Recommendations from the Community Grants Committee Meeting as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 34C of the Local Government (Administration) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as he is a social member of The Cruising Yacht Club Inc.
		Extent of Interest:	Not Applicable

	9.7	**Item CD-002/20**	**Recommendations from the Community Grants Program Advisory Committee Meeting held on 16 January 2020**
		Councillor:	Cr Joy Stewart
		Type of Interest:	Impartiality
		Nature of Interest:	Cr Stewart declared an Impartiality Interest in item CD-002/20 Recommendations from the Community Grants Committee meeting as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as her step daughter is a member of the BMX Club of Rockingham.
		Extent of Interest:	Not Applicable
	9.8	**Item CD-002/20**	**Recommendations from the Community Grants Program Advisory Committee Meeting held on 16 January 2020**
		Councillor:	Cr Lorna Buchan
		Type of Interest:	Indirect Financial
		Nature of Interest:	Cr Buchan declared an Indirect Financial Interest in item CD-002/20 Recommendations from the Community Grants Committee meeting, as per Sections 5.61 and 5.65 of the Local Government Act 1995, as her two sons intend on entering the F18 World Championships at The Cruising Yacht Club in March 2021.
		Extent of Interest:	Not Applicable

10. Petitions/Deputations/Presentations/Submissions

11. Matters for which the Meeting may be Closed

12. Receipt of Minutes of Council Committees

Recommendation:

That Council ***RECEIVES and CONSIDERS*** the minutes of the:

1. Planning and Engineering Services Committee meeting held on 17 February 2020; and
2. Corporate and Community Development Committee meeting held on 18 February 2020

13. Officers Reports and Recommendations of Council Committees

	2. ***DIRECTS*** *the CEO to prepare a report informing Council by May 2020 of a timeline to implement the change to the election by electors method at the 2021 ordinary local government elections and the most cost effective strategy to support the change; and* 3. ***ADVOCATES*** *to the Minister for Local Government to consider the following initiatives in the current review of the Local Government Act 1995 -* a. *The introduction of a cap to the amount that can be spent on election campaigns by candidates for local government elections.* b. *The introduction of a maximum number of consecutive terms that can be held by local government elected members.* c. *Expedite the process to allow for the disqualification of elected members where they have been found to be jeopardising the good governance of the local government."* **20.2 Notice of Motion from Cr Cottam – Acknowledgement of Country** In accordance with Clause 3.9 of the City of Rockingham Standing Orders, Cr Cottam have submitted the following Notice of Motion for consideration at the March 2020 meeting: *"That Council* 1. ***DIRECTS*** *the Chief Executive Officer to include the following statement on City of Rockingham Website Home Page* *Acknowledgement of Country* *The City of Rockingham acknowledges the Traditional Custodians of this land, the Binjareb/Whadjuk People, and their continuing connection to the Land, Waters and Community. We pay our respects to all members of the Aboriginal Communities and their Cultures; and to Elders Past, Present and Emerging.* 2. ***DIRECTS*** *the Chief Executive Officer to prepare a report for Council within 3 months suggesting ways of incorporating additional Nyoongar Culture, Music and Dance into the Citizenship ceremonies held at the City of Rockingham."*
21.	**Questions by Members of which Due Notice has been given**
22.	**Urgent Business Approved by the Person Presiding or by Decision of the Council**
23.	**Matters Behind Closed Doors**
24.	**Date and Time of Next Meeting**
	The next Ordinary Council Meeting for the City of Rockingham will be held on **Tuesday 24 March 2020** at 6:00pm in the Council Chambers, Civic Boulevard, Rockingham.
25.	**Closure**

13.	Officers Reports and Recommendations of Council Committees

Planning and Engineering Services Committee

Planning and Development Services
Strategic Planning and Environment Services

Reference No & Subject:	**PD-008/20 Proposed Amendment to Bayshore Gardens Structure Plan**
File No:	LUP/242-04
Applicant:	Planning Solutions (Aust) Pty Ltd on behalf of Signature Care Land Holdings Pty Ltd
Owner:	Signature Care Land Holdings Pty Ltd
Author:	Mr Robert Casella, Senior Strategic Planning Officer
Other Contributors:	Mr Tristan Fernandes, Coordinator Strategic Planning Mr Brett Ashby, Manager Strategic Planning and Environment
Date of Committee Meeting:	17 February 2020
Previously before Council:	14 September 1993
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	Lot 507 Fitch Street, Singleton
Lot Area:	1.76ha
LA Zoning:	Development
MRS Zoning:	Urban
Attachments:	Schedule of Submissions
Maps/Diagrams:	1. Location Plan 2. Structure Plan Amendment 3. Aerial Photograph 4. Location of Advertising

1. Location Plan

Purpose of Report

To consider a proposed amendment to the Bayshore Gardens Structure Plan over Lot 507 Fitch Street, Singleton, following the completion of public advertising.

A related Development Application has also been lodged for the site; see PD-011/20 – Joint Development Assessment Panel Application for a Nursing Home.

Background

In April 1993, the Council resolved to initiate an amendment to Town Planning Scheme No.1 to rezone the land comprising Bayshore Gardens Estate from 'Rural' to 'Development' zone to facilitate urban development.

In September 1993, Council resolved to grant final approval for the rezoning and requested the Hon. Minister for Planning to endorse the Amendment. At the same Meeting, the Council approved a Comprehensive Development Plan (CDP) (now referred to as a Structure Plan) for the Bayshore Gardens Estate.

Since the approval of the Structure Plan, seven minor modifications to the Structure Plan have been approved. The most recent amendment was approved in 2016 to modify the density of the central ''four-pack' precinct from R25 to R30, including necessary modifications to update the Structure Plan report in accordance with the WAPC *Structure Plan Framework (August 2015).*

Details

2. Proposed Structure Plan

Site Context

The site has been extensively cleared of any remnant vegetation and earthworked to prepare the site for future development. Some low, coastal vegetation has since grown back, stabilising the site.

Lot 507 Fitch Street, the subject of this amendment, is bound by Seaside Link to the north, Foreshore Drive to the west, Fitch Street and an existing Local Centre is located south of the site. East of the subject land there is a child care premises and vacant land zoned ‘Community Purpose - Church’ and ‘Civic & Cultural’).

3. Aerial Photograph

Description of the proposal (as advertised)

The amendment seeks to introduce the following changes to the Structure Plan:

- Change the zoning of Lot 507 Fitch Street, Singleton from 'Residential R40 (Grouped Housing Lifestyle Village over 55's)' to 'Community Purposes – Nursing Home';
- Realigning the structure plan boundary to apply to land zoned 'Development' under the City's Town Planning Scheme No.2;
- Remove reference to the R-Code variations and RMD standards, as this is now addressed under Planning Policy 3.3.22 - *Medium Density Single House Development Standards – Development Zones*; and
- Update the Structure Plan text and map to reflect the format required under the WAPC's *Structure Plan Framework*.

Implications to Consider

a. Consultation with the Community

Advertising Methodology

The proposed Structure Plan was advertised for a period of 28 days, from 9 October 2019 until 6 November 2019. Public advertising was carried out in the following manner:

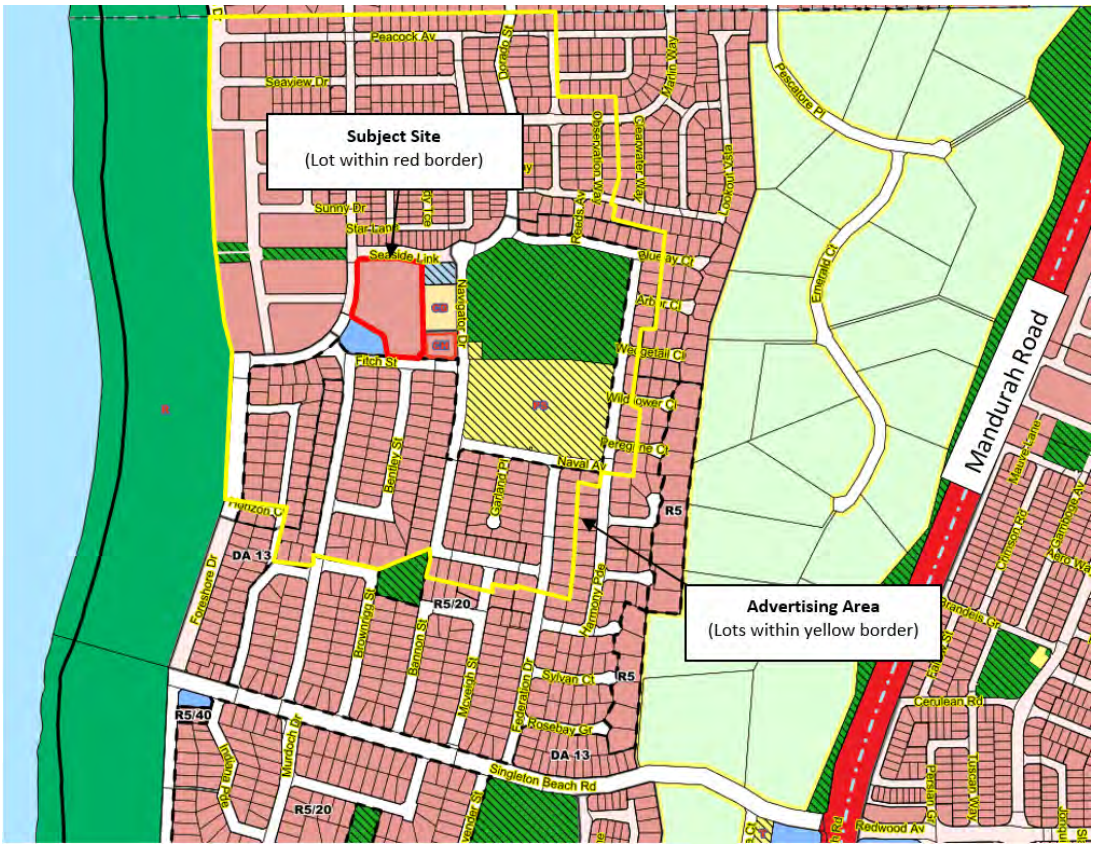
(i) Nearby owners and occupiers (640 referrals) of properties within 500m of the proposal were notified in writing and invited to comment, including specific referral to the Singleton Residents Association.

(ii) The Applicant erected two signs on the property in a prominent location, being on Fitch Street, across from Bentley Street and Seaside Link.

(iii) The Applicant placed a notice in the Sound Telegraph newspaper on the 9th October 2019.

(iv) Copies of the proposed Structure Plan and relevant documents were made available for inspection during the advertising period at the City's Administrative Offices and on the City's website.

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



4. Location of Advertising

Public Submissions: At the close of the advertising period, the City had received 56 submissions from landowners and occupiers. Submissions were received from throughout the City and Mandurah, as follows:

- 50 submissions were received from within the notification area shown in Figure 3;
- 6 submissions were received from the surrounding residents within the Singleton, Golden Bay and Lakelands localities, outside of the notification area;

Of the 56 submissions received:

- 32 submissions supported the proposal;
- 19 submissions objected to the proposal; and
- 5 submissions did not favour or object to the proposal.

A full copy of the submissions received during the advertising period are set out in the Schedule of Submissions (see Attachment 2). The issues raised in these submissions are summarised and addressed as follows:

Amenity
Submission: **A nursing home will adversely impact the amenity of the locality and provide for poor streetscape outcomes.**
Applicant's Response: The home has been designed to a high standard and will contribute to the street scape, currently there are no aged care homes in the local area therefore amenity for local residents will be improved. The streetscape will only be improved with this facility.

Amenity (cont…)
City's Comment: The Nursing Home will provide for permanent accommodation with assisted care, making it a compatible land use with the adjacent residential zone. The proposed Structure Plan relates to the intended use of the land, and does not deal with built form outcomes which are addressed through Development Application process. Refer to Item PD-011/20 relating to assessment of the Development Application for further details.
Submission: **Lacks value to the community and thought as there are no hospitals, doctors or other emergency facilities close by.**
Applicant's Response: Doctors are at Juniper Health Singleton, Juniper Health Lakelands & Golden Bay Medical Centre are within a couple of kilometres from the development. Hospitals and emergency departments are not a necessity to be close to an aged care home; residents are transferred if required. A better outcome for residents is when they either continue to live in their local community or close by family and friends. Currently in Singleton /Golden Bay/Secret Harbour there are no aged care services to provide care. The federal Department of Health has also realised this by the granting of the aged care places to the site/location.
City's Comment: A Nursing Home use is of benefit to the community by providing appropriate local accommodation for elderly people requiring care, enabling residents to remain within their community as they age. Residents at Nursing Homes are provided with medical care on-site or transported to facilities, as required.
Submission: **The change will result in a negative impact to property values.**
Applicant's Response: A quality home will enhance values, this gives residents (in particular retirees) the benefit is a partner requires care they would not have to leave the community making it a more attractive location. This is also applicable for staff whom either work in the home or want to work in the home as most people prefer a reduced commute to employment. A vibrant community will also have local employment which we will provide. Typically property prices are impacted positively when they are close to services, this will be the case here. In all of the developments we have produced we have never seen a property price impact due to the provision of our aged care homes, only positive outcomes.
City's Comment: Property values are not a matter that can be considered in the assessment of a proposed Structure Plan.
Submission: **There is concern over the future impact of this change on shaping the local community.**
Applicant's Response: Providing services to the local community is what we are focused on, while this development will provide additional services and make it more desirable to older members of the community and other members of the community with older relatives whom want to bring relatives closer for care. We would think this is a positive area of the local community which should be encouraged. With no aged care homes in Singleton/Golden Bay/Secret Harbour there would be a positive outcome to the local community.

Amenity (cont…)
City's Comment: A neighbourhood should meet the diverse and changing needs of the community and offer a wide choice of housing, leisure, local employment opportunity and associated community and commercial facilities. *Liveable Neighbourhoods* requires retirement complexes to be located close to town and neighbourhood centres, incorporating multi-storey denser components to achieve sufficient yield on relatively small sites. The introduction of a Nursing Home will provide local job opportunities, as well as local housing opportunities for elderly residents requiring daily care.
Design
Submission: **Any development should be designed to respect its surroundings and not be greater than two storeys in height. There is concern the nursing home will be developed to a scale not consistent with the prevailing character of the area.**
Applicant's Response: The home will not exceed two stories and is designed to fit within the local surroundings. All appropriate setbacks and landscaping have been taken into consideration with a quality design and finish being used on the building. Singleton Aged Care Facility is designed to be respectful to its surrounding context in term of building height, scale, materials and overall design. The building is a maximum two stories with half of the building being only single story. There are numerous two story building in the neighbourhood, this facility is perfectly consistent with the character and the scale of the area. Brickwork and timber are carefully chosen as prominent external materials to be consistent with neighbourhood coastal characteristics.
City's Comment: Building scale, bulk and design are matters assessed at subsequent planning stages, as part of the detailed design. A separate planning assessment will determine the suitability of the development as part of the development application over the site. Refer to Item PD-011/20 relating to assessment of the Development Application for further details.
Land Use Outcomes
Submission: **Lack of information to outline the intended built form outcomes resulting from the proposed change.**
Applicant's Response: The development application contains floor plans, elevations and rendered 3d images of the proposal building. That provides sufficient information in regards to building form, scale, characteristics and the consistency with surrounding neighbourhood. Some of key elements considered in this design are included but not limited to: - Sufficient building setback to allow for landscaping. - Building height to be maximum two stories with some of the building only being single story. - Material choice to be consistent with commonly used material in area (brickwork) and natural material (Timber) to project the nature of coastal environment. - Elegant façade design to create a welcoming entry to the building while accumulating an interesting frontage to the streetscape.

Amenity (cont…)
City's Comment: The Structure Plan application is required to consider the appropriateness of the proposed land use classification. Built form is assessed through the subsequent Development Application process. Refer to Item PD-011/20 relating to assessment of the Development Application for further details.
Submission: **It is preferred that the existing Structure Plan be maintained to provide for a transitional housing supply for various stages of life.**
Applicant's Response: Currently there is no local aged care services, while other housing forms are provided, Singleton/Golden Bay/Secret Harbour does not have any local aged care services. This home will provide for a stage of life which is not currently available in the local community. With a population base in this area of over 20,000 residents (716 in the Census growing to 2,715 in 2032) there is a high local need to meet these residents stage of life with a rapidly ageing population.
City's Comment: The land use is consistent with the objectives and requirements of the State Government's *Liveable Neighbourhoods,* by complying with the guidelines to encourage safe, convenient and attractive neighbourhoods which meet the diverse needs of the community, are adaptable to future change and fit into the existing and planned urban context.
Submission: **The site should be developed for Residential Purposes.**
Applicant's Response: Yes we agree. The site is developed for residential purpose, for the elderly. While the aged care home is not a domestic individual dwelling, it provides residential housing, albeit for the ageing community. Currently there is significant residential development in the area, however, in Singleton/Golden Bay/Secret Harbour there are no residential homes in this form. This will provide a service to enhance the residential homes in the area while also providing localised employment opportunities.
City's Comment: The subject site is considered an appropriate location for a Nursing Home. Liveable Neighbourhoods encourages the provision of greater housing and lifestyle choice. This is achieved by ensuring residential densities and diversity of housing is provided through a wide range of lot sizes and building forms. Subsequently providing diversity in residential accommodation for those wishing to age in place. The site is serviced by public transport on Navigator Drive, which provides connections to the regional movement network.
Submission: **The change to 'Community Use' may permit another type of Community Use such as a Church, Hospital or Special Use possibly without the community being able to have any input.**
Applicant's Response: We are proposing an aged care home and are focussed on the delivery of this outcome. We will not be building a Church, Hospital or other Special Use development. We will however conduct small Church Services for residents within the home for those which desire this service. We are intending to start works on site in March 2020 & Open the facility Mid-2021.

Amenity (cont…)
City's Comment: The proposed Structure Plan amendment proposes to allocate the site specifically for 'Community Purpose - Nursing Home'. The *Planning and Development (Local Planning Schemes) Regulations 2015* requires the City to have due regard for the Structure Plan when determining development proposals over land designated in a Structure Plan. Alternative uses not consistent with the 'Community Purpose - Nursing Home' designation would require a further amendment to the Structure Plan.
Location
Submission: **The location is more suited to providing affordable housing options.**
Applicant's Response: As there are no aged care services in Singleton/Golden Bay/Secret Harbour we would argue this is a better use of the land. The home is designed to providing services for all residents regardless of their financial capacity. We will therefore be providing a significant number of places to "Concessional Residents" which are typically residents which are limited means. We will therefore as part of this development be offering affordable housing options, albeit for residents whom are typically elderly in the community. We have a history of providing this affordable service, typically a lot of our residential homes have historically been in regional communities where this service is required.
City's Comment: The proposal satisfies the requirements of *Liveable Neighbourhoods* by providing for a Nursing Home close to local amenities in the centre of the neighbourhood.
Submission: **The location is better suited for employment and an expanded centre for activity and vibrancy.**
Applicant's Response: The aged care home will be providing employment for circa 167 people (full time equivalent of 144). While our homes are fairly low traffic and quiet residences we will be adding to the service offerings of the local community. As there are no aged care homes in Singleton/Golden Bay/Secret Harbour this central location will be advantageous for providing services to the area. The provision of housing and employment will be a positive outcome for the area and be an advantage to attract resident to the area as the aged care service will provide options in later stages of aging or for aging relatives.
City's Comment: The City's Local Commercial Strategy provides for a local centre within Singleton, adjacent to the subject site, which has yet to be developed to the maximum potential recommended by the Strategy. The provision of centres outlined within the Local Commercial Strategy have been informed by a retail needs assessment and modelling to ensure there is an appropriate hierarchy of centres to serve the retail demand and population based employment requirements. The site is already allocated for residential purposes and there is no planning justification to support its allocation for expansion of the adjacent retail centre. Notwithstanding, a proposed Nursing Home (if developed) would introduce employment opportunities into the locality.
Submission: **The location is too isolated for this Land Use.**
Applicant's Response: Currently there is no local aged care services in Singleton/Golden Bay/Secret Harbour with a population base in this area of over 20,000 residents we believe the area is well behind, as far as aged care services go, by not having an aged care service. It is very rare to have such a high population base without an aged care service. The federal Department of Health has also realised this by the granting of the aged care places to the site/location.

Location (cont…)
City's Comment: The subject site is considered to be an appropriate location for a Nursing Home. Liveable Neighbourhoods encourages the provision of greater housing and lifestyle choice. This is achieved by ensuring residential densities and diversity of housing is provided through a wide range of lot sizes and building forms. Subsequently providing diversity in residential accommodation for those wishing to age in place. The site is serviced by public transport on Navigator Drive, which provides connections to the regional movement network.
Submission: **The change will result in parking and traffic congestion due to proximity to primary school and vehicle movements from the nursing home.**
Applicant's Response: The aged care home will have sufficient off street parking. While there are traffic movements they are dispersed over different times of the day and are not typically aligned to the high intensity of primary school peak times. Traffic Impact: In traffic engineering terms, the level of traffic expected to be generated by the proposed aged care development is considered to be very low.
City's Comment: The proposed Nursing Home is not expected to result in significant increases in traffic, with an additional 60 vehicle trips anticipated daily. The allocation of suitable carparking for the Nursing Home is a detailed matter for consideration as part of a Development Application. Refer to Item PD-011/20 relating to assessment of the Development Application for further details.
Submission: **Insufficient public transport services to support the proposed land use for staff and visitors.**
Applicant's Response: Within meters of the rear of the property is Navigator Drive which has the 558 & 551 Bus - this has direct link to the Rockingham Station & Mandurah Stations.
City's Comment: Public Transport services are located in proximity to the site, with stops located near the intersection of Navigator Drive and Fitch Street, east of the site.
Submission: **Roads are insufficient in widths to cater for future traffic due to proximity to primary school and public transport.**
Applicant's Response: The site has the advantage that it has three road frontages, two differing entry/exit points will provide the disbursement of traffic. While the primary school provides significant traffic loads the timing of these loads is outside the typically movements of an aged care home. An aged care home also has the advantage of having a fairly dispersed distribution of traffic movements. The peak-hour is expected to see 30 vehicle movements, including both arrival & departure trips, which is equivalent to an average of 1 vehicle movement per two-minutes across the hour. This level of traffic generation is considered low & is not expected to have a discernible effect on the operation of Seaside Link, Foreshore Drive, Fitch street and the surrounding road network.

Location (cont…)
City's Comment: The proposed Nursing Home is not expected to result in significant increases in traffic, with an additional 60 vehicle trips anticipated daily. The surrounding road network is considered to have sufficient capacity to accommodate a Nursing Home use. Notwithstanding, traffic generation is considered in more detail at the Development Application stage, where greater detail is provided with respect to the scale and anticipated traffic generation of the proposal. Refer to PD-011/20 for assessment relevant to the Development Application.
Submission: **The site is currently used for overflow parking for school pickup periods. There is concern that without changes to provide additional parking there will be adverse traffic impacts.**
Applicant's Response: The area used for the overflow of parking for the Primary School is on Navigator Drive, this does not form part of the proposed development. The subject property does not have any direct access to Navigator Drive. Therefore there will be no impact to the schools overflow parking. A basic outline of the subject property is below: 
City's Comment: The subject site cannot be required to address any parking requirements of the Primary School or other surrounding uses. The provision of suitable carparking for any development of the site will be considered through the Development Application process. Refer to PD-011/20 for assessment relevant to the Development Application.

b. Consultation with Government Agencies

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

- ATCO Gas
- Department of Education
- Department of Fire and Emergency Services
- Department of Planning, Lands and Heritage

- Water Corporation
- Western Power

Following the close of the advertising period, the City had received 5 submissions from State Agencies. A full copy of all submissions received during the advertising period is set out in the Schedule of Submissions (Attachment 1 to this Report).

The submission that raised matters for consideration is outlined as follows:

Department of Fire and Emergency Services

Submission:

The submitted BMP does not adequately address the policy requirements of SPP 3.7 and the Guidelines.

DFES has assessed the structure plan and accompanying BMP and has identified issues that need to be addressed prior to support of the proposal (refer to the tables above).

1. Policy Measure 6.3 a) (ii) Preparation of a BAL Contour Map

Issue	Assessment	Action
Future Development proposed in BAL40/FZ	The BAL Contour Map shows future development in BAL40/FZ in the proposed lots along the northern and southern boundary of the LSP. The decision maker should be confident that the surrounding road network will have managed verges which will be maintained to low threat (as per the annotation on the BAL Contour Map). No lots in the future subdivision should be subject to a BAL rating greater than BAL-29.	Comment. Modification required at subsequent planning stages.

City's Comment:

Noted.

The proposed Bushfire Management Plan and Emergency Evacuation Plan is adequate to support the proposal.

Whilst it is noted that a BMP has not been prepared for remaining portions of the Bayshore Gardens Estate, it is not reasonable to require the owner of the subject site to prepare Bushfire Management Plans for surrounding areas outside of its control.

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 Strategic Community Plan 2019-2029:

Aspiration 3: *Plan for future generations*

Strategic Objective: *Responsive planning and control of land use: plan and control the use of land to meet the needs of the growing population, with consideration of future generations.*

d. Policy

Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon ('Directions 2031')

Policy Implications

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.

Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon ('Directions 2031') (cont…)

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

City Comment:

The proposed Structure Plan was originally approved in September 1993 and provides a dwelling yield of 14.4 per gross urban zoned hectare of land. The introduction of this land use will technically reduce the Structure Plan's dwelling yield, however, it would accommodate a similar number of residents and provide for alternative accommodation options in the area.

The Summary Table of the Structure Plan Report should be updated to accurately reflect the implications of the proposed structure plan against the relevant framework.

Recommendation 1:

Update the figures and references of the Summary Table of Part One of the Structure Plan Report to reflect the changes proposed to the dwelling yield.

South Metropolitan and Peel Sub-Regional Planning Framework (2018)

Policy Implications

Perth & Peel @ 3.5million (PP@3.5) is a high level 'spatial framework' and strategic plan that manages the growth of the metropolitan region and provides a framework to guide the planning and delivery of essential housing infrastructure and services.

The overarching PP@3.5 provides the basis for the four *Sub-Regional Planning Framework* and articulates the following key outcomes:

- A more consolidated urban form with development that balances greenfield and infill;
- A strengthened key activity centres and employment nodes;
- The provision of key regional community and social infrastructure requirements;
- A future regional transport network and the provision of service infrastructure;
- The protection of areas with regional conservation and landscape values along with essential basic raw materials;
- The protection of public drinking water source areas and diversity of water supply options; and
- The retention of land for rural purposes.

More specifically, the South Metropolitan Peel Sub-regional Planning Framework provides greater detail regarding the implementation of PP@3.5 at a sub-regional level which includes:

- Expected population growth;
- Servicing and infrastructure;
- Housing demands; and
- Development opportunities.

PP@3.5 states that in 2015, around 13% of people in Perth and Peel were aged over 65, which is expected to rise to 22% by 2051. It requires planning to respond to the composition of the population changes by anticipating the evolving needs and making provision for different types of housing in terms of size, type and location of homes.

City Comment:

The proposed Structure Plan amendment seeks to address the demand for facilities by the aging population through the provision of a nursing home/residential aged care facility in the Singleton area. The development will improve accessibility to such services and allow aging in place for those requiring alternative means of accommodation.

Liveable Neighbourhoods

Policy Implications

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

LN contains eight 'elements' under which structure plans and subdivisions are assessed, as follows:

Element 1 - Community Design

Element 2 - Movement Network

Element 3 - Lot Layout

Element 4 - Public Parkland

Element 5 - Urban Water Management

Element 6 - Utilities

Element 7 - Activity Centres and Employment

Element 8 - Schools

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

City Assessment

The City has assessed the proposal in accordance with the 'Objectives' and 'Requirements' of LN. The assessment outcomes are summarised as follows:

Element 1 - Community Design

The Objectives and Requirements of Element 1 are for most part, no longer applicable as part of this assessment, as much of the neighbourhood design has been established and planned for.

Requirement 4 encourages the town structure to be designed to have a range of housing types where residential densities increase towards the centre, ensuring the town can, over time, support sufficient population to foster good local self-containment. The proposed “Community Purpose – Nursing Home’ land use is surrounded by other local community services or activity within the centre of the Singleton locale, appropriate to the context of the town. This satisfies LN by ensuring neighbourhoods provide a range of housing types and higher density towards the centre of the neighbourhood.

Element 1 suggests that retirement complexes should be located close to town and neighbourhood centres and to incorporate multi-storey denser complexes to achieve sufficient yield on relatively small sites, but should not be gated in a manner which disrupts the overall walkable urban structure.

Element 2 - Movement Network

The proposed Structure Plan amendment does not propose any changes to the existing or planned road network. The subject site adequately serviced by transport infrastructure.

Traffic impacts from the proposed development will be determined at the subsequent planning stage.

Element 3 - Lot Layout

The proposed Structure Plan amendment does not propose any changes to the existing or planned lot layout. The subject lot already exists and is not proposed to be subdivided for the intended purpose of a nursing home / residential aged care facility.

The site is 1.76ha in area which provides sufficient flexibility for the development to be designed and orientated to maximise solar access.

Liveable Neighbourhoods (cont…)

Element 4 - Public Parkland

The proposal to amend the land use classification from Residential R40 to Community Purpose – Nursing Home does not attract any further provision for POS.

Element 5 - Urban Water Management

The proposed structure plan has an Urban Water Management Plan (UWMP) approved over the site from 2013. The UWMP has assumed stormwater runoff generated from the subject site will be discharged into the proposed linear POS, east of Foreshore Drive.

Since the approval of the UWMP, the runoff assumptions identified in the UWMP are now redundant, with the linear POS storage potentially undersized based on the following factors:

- Lot sizes in the Bayshore Gardens Structure Plan area have increased in density.
- The introduction and application of the Residential Medium Density Code, which permits greater building footprint for medium density lots, resulting in less pervious area on private residential lots, increasing discharge volumes;
- The Australian hydrology Standards have been updated with the release of AR&R2016 (Australian Rainfall and Runoff).

Given the proposed application seeks to change the land use and development intended for the subject site, it is recommended that the Structure Plan be updated, requiring any DA be conditioned to demonstrate how stormwater will be managed on site, particularly the 1% AEP event, to confirm any discharge will not exceed the storage capacity of the linear storage reservoir.

Element 6 – Utilities

The subject site has access to services and utilities in the normal manner.

Element 7 - Activity Centres and Employment

The proposed Structure Plan amendment is expected to provide employment opportunities in the local area, both in skilled and unskilled roles. The site is also appropriately located to be co-located with other community and activity facilities within the Singleton area.

Element 8 - Schools

Not applicable.

Recommendation 2

Update section 4.2 of Part 1 of the Structure Plan Report to require a new or updated Urban Water Management Plan to be provided as part of a future development application over Lot 507 Fitch Street, Singleton, addressing the following drainage catchment requirements for the undeveloped portion of the Bayshore Gardens Structure Plan area:

- **change in land use;**
- **increase in densities and building footprints through the RMD Codes; and**
- **updated modelling data/standards provided in ARR2016.**

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

Policy Implications

State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP3.7) applies immediately to all planning applications in designated bushfire prone areas identified on the Fire and Emergency Services Commissioner's Map of Bushfire Prone Areas (FESC Map). It sets out Policy measures applicable to the consideration of development in bushfire prone areas. SPP3.7 provides a general presumption against the introduction or intensification of land use in areas subject to extreme bushfire hazard (including BAL-40 and BAL-FZ) unless it is minor or unavoidable development.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (cont…)
The guidelines recommend that the following issues be addressed for Structure Plans: - *Location of bushfire prone areas within and adjacent to the structure plan area and the need for further assessment of the risk in such areas;* - *Avoidance of land use and development intensification in any areas likely to maintain or generate a hazard level of extreme;* - *Existing firefighting infrastructure such as response or suppression capacity, water tanks, brigades etc;* - *Existing and proposed road network, its' likely effectiveness in a bushfire emergency, and any gaps in the local access network from a bushfire safety perspective;* - *Biodiversity issues and their interrelationships with bushfire prone areas;* - *Means of protection for areas with high conservation values to accommodate biodiversity objectives such as, adequate separation from existing or proposed buffers for wetlands and foreshores;* - *Accommodation of biodiversity objectives such as, adequate separation from existing or proposed buffers for wetlands and foreshores; and* - *Location of any vulnerable or high-risk land uses within identified bushfire prone areas and whether such uses may require management strategies to be prepared.* Section 6.6 of the Policy directly applies to the subject application, which relates to vulnerable or high-risk land uses. The provisions require Development Applications to be supported by an Emergency Evacuation Plan for proposed occupants.
City Comment: The applicant has prepared a Bushfire Management (BMP) and Emergency Evacuation Plan (EEP) in support of the proposed Structure Plan amendment. The site is determined as being exposed to a Bushfire Attack Level rating of BAL-12.5 due to the exposure of the Class G Grassland located on the vacant lot to the west of the subject site. The proposed Bushfire Management Plan and Emergency Evacuation Plan is adequate to support the proposal. Whilst it is noted that a BMP has not been prepared for remaining portions of the Bayshore Gardens Estate, it is not reasonable to require the owner of the subject site to prepare Bushfire Management Plans for surrounding areas outside of its control.

e. Financial

Nil

f. Legal and Statutory

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

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

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

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

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

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

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

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

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

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

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

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

(c) a day agreed by the Commission.

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

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

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

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

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

(e) a recommendation by the local government on whether the proposed structure plan should be approved by the WAPC, including a recommendation on any proposed modifications.

The recommended modifications to the Structure Plan outlined within this Report to address issues raised in submissions are not considered to warrant readvertising of the proposal.

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 proposal to amend the Bayshore Gardens Structure Plan by classifying Lot 507 Fitch Street, Singleton from "Residential R-40 – Lifestyle Village (over 55's)" to "Community Purpose – Nursing Home" is supported by the City. The proposal satisfies the objectives and requirements of Liveable Neighbourhoods by providing a facility which caters for the diverse and changing needs of the community in housing, local employment opportunities and associated community and commercial services.

Conclusion

Following the consideration of the submissions received and the City's assessment of the Structure Plan proposal, it is recommended that the Council advise the WAPC that the Structure Plan amendment be approved subject to the following matters being addressed:

Recommendation 1

Update the figures and references of the Summary Table of Part One of the Structure Plan Report to reflect the changes proposed to the dwelling yield.

Recommendation 2

Update section 4.2 of Part 1 of the Structure Plan Report to require the approved 2013 UWMP v.J5352b be updated as part of a future development application over Lot 507 Fitch Street, Singleton, addressing the following over the applicable catchment and focusing on the undeveloped portion of the Bayshore Gardens Structure Plan:

(i) change in land use;

(ii) increase in densities and building footprints through the RMD Codes; and

(iii) updated modelling data/standards provided in ARR2016.

Voting Requirements

Simply Majority

Officer Recommendation

That Council ***APPROVES*** the following recommendations to the Western Australian Planning Commission, with respect to the proposed Amendment to the Bayshore Gardens Structure Plan prepared over Lot 507 Fitch Street, Singleton:

1. That the proposed Structure Plan be supported subject to the following modifications being addressed:
   (i) Update the figures and references of the Summary Table of Part One of the Structure Plan Report to reflect the changes proposed to the dwelling yield.
   (ii) Update section 4.2 of Part 1 of the Structure Plan Report to require the approved 2013 UWMP v.J5352b be updated as part of a future Development Application over Lot 507 Fitch Street, Singleton, addressing the following over the applicable catchment and focusing on the undeveloped portion of the Bayshore Gardens Structure Plan:
      (a) change in land use;
      (b) increase in densities and building footprints through the RMD Codes; and
      (c) updated modelling data/standards provided in ARR2016.
2. That the advice and recommendations as outlined in the City's Report be considered by the Western Australian Planning Commission in its determination.

Committee Recommendation

That Council ***APPROVES*** the following recommendations to the Western Australian Planning Commission, with respect to the proposed Amendment to the Bayshore Gardens Structure Plan prepared over Lot 507 Fitch Street, Singleton:

1. That the proposed Structure Plan be supported subject to the following modifications being addressed:
   (i) Update the figures and references of the Summary Table of Part One of the Structure Plan Report to reflect the changes proposed to the dwelling yield.
   (ii) Update section 4.2 of Part 1 of the Structure Plan Report to require the approved 2013 UWMP v.J5352b be updated as part of a future Development Application over Lot 507 Fitch Street, Singleton, addressing the following over the applicable catchment and focusing on the undeveloped portion of the Bayshore Gardens Structure Plan:
      (a) change in land use;
      (b) increase in densities and building footprints through the RMD Codes; and
      (c) updated modelling data/standards provided in ARR2016.
2. That the advice and recommendations as outlined in the City's Report be considered by the Western Australian Planning Commission in its determination.

Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Planning and Development Services
Strategic Planning and Environment Services

Reference No & Subject:	**PD-009/20 Sustainability Strategy**
File No:	EVM/185-03
Applicant:	
Owner:	
Author:	Ms Emma Saikovski, Sustainability Officer
Other Contributors:	Ms Natalie Elliott, Coordinator Sustainability and Environment Mr Brett Ashby, Manager Strategic Planning and Environment
Date of Committee Meeting:	17 February 2020
Previously before Council:	26 November 2019 (PD-068/19)
Disclosure of Interest:	Cr Edwards declared an Impartiality Interest in item PD-009/20 Sustainability Strategy as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as she submitted a survey on the Sustainability Strategy.
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
LA Zoning:	
MRS Zoning:	
Attachments:	1. Schedule of Submissions Part 1 - Written Submissions 2. Schedule of Submissions Part 2 - Survey Monkey Responses 3. Sustainability Strategy (February 2020)
Maps/Diagrams:	

Purpose of Report

To consider the adoption of the draft Sustainability Strategy, following community consultation.

Background

The Sustainability Strategy was first earmarked for development in the Strategic Community Plan 2015-2025, originally cited as the Climate Change Mitigation Strategy.

Informed by three years of data collated through the Sustainability Snapshot Report, the City commenced preparation of the renamed Sustainability Strategy in 2018, to provide a framework for working towards a healthy and sustainable City for future generations. Following preparation of the draft Sustainability Strategy, at its Ordinary meeting on 26 November 2019, Council resolved to:

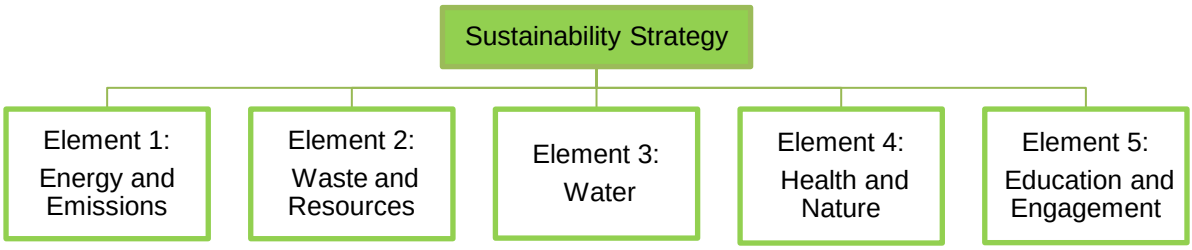
*"**APPROVE** the draft Sustainability Strategy for the purpose of community consultation."*

Details

The strategy outlines how the City will improve its own operations and also how it will lead, engage and collaborate with others along the way. It is driven by five overarching objectives, listed below:

1. Improve the City's environmental performance and practices;
2. Integrate sustainability into the planning and delivery of infrastructure, services, facilities and planning functions;
3. Ensure the City is resilient to the impacts of climate change;
4. Protect and enhance the local natural environment; and
5. Support the community to adopt sustainable practices

The draft Strategy presents key issues and identifies actions according to five overarching elements:



A summary of actions recommended in the draft Strategy for implementation over the next 10 years include:

1. Preparation of an Energy Management Plan to guide future energy upgrades in accordance with best practice emerging technologies and to prioritise allocation of resources.
2. Preparation of an Emissions Reduction Plan to identify a realistic carbon reduction goal and implement measures to achieve this.
3. Delivery of a real-time energy monitoring platform to enable accurate reporting, rapid identification of faults, and prioritisation and measurement of new energy saving initiatives.
4. Preparation of a Sustainable Transport Plan to build upon the State Government's Perth and Peel @ 3.5 million Transport Plan. The Plan would assess demand and identify priority locations for the delivery of infrastructure, to create safe, active transport links between key locations.
5. Prepare a local planning policy on sustainable design, building upon the requirements outlined in the several state planning documents, to ensure that new development demonstrates best practice in environmentally sustainable design, incorporating measures to maximise green cover and minimise energy consumption, water usage, emissions and waste.
6. Develop sustainability procurement criteria for the City's consideration, focused on waste minimisation (i.e. minimal packaging, opportunities for recycling/disposal) in addition to criteria for energy efficiency.
7. Relevant teams to collaborate and prepare an annual calendar of sustainability related events, to ensure improved planning and delivery of community focused initiatives. This will ensure the main objectives and topics identified in the strategy are being addressed.
8. New incentives and initiatives to continue encouraging sustainable behaviours at home, including energy efficiency, water management and waste minimisation. This will include development of a sustainability programs for local schools, and a 'Green Award' for local businesses.

The advertising period for the Sustainability Strategy has now concluded and the document has been updated in response to the feedback received. The matters raised during the public consultation period and the City's response are detailed in the section below.

Implications to Consider

a. Consultation with the Community

Advertising Process

The draft Sustainability Strategy was advertised for a period of 8 weeks, concluding on 21 January 2020. Public advertising was carried out in the following manner:

- A copy of the draft Sustainability Strategy was posted on the City's website and circulated through RockPort.
- Hard copies were made available at each of the City's libraries.
- An online survey questionnaire was available via Survey Monkey.
- An advertisement was published in the Sound Telegraph on 4 December 2019.
- A notification was posted on the City's Facebook page on three separate occasions and a post was made on the City's Instagram page.

Public Submissions

At the conclusion of the public advertising period, a total of 19 submissions were received. Sixteen of these were via the online survey, and three were written submissions. A full copy of each response is included in the Schedule of Submissions attached to this report, which has been separated into Part 1 – Written Submissions and Part 2 - Survey Monkey Responses.

Of the survey respondents:

- 73% were aged 45 or over.
- 44% resided in Rockingham or Baldivis. No responses were received from residents of Golden Bay, Cooloongup, Hillman, Safety Bay, Singleton or Warnbro.
- 80% agreed that the five key focus areas outlined in the draft Sustainability Strategy adequately reflect local sustainability issues.
- 56% considered each of the key focus areas identified in the Strategy to be equally important.
- 100% indicated that they currently practice individual sustainability measures in their daily life, with 86% practicing both water saving and waste reduction measures.
- 57% expressed support for the City becoming carbon neutral, by reducing and offsetting emissions, while 35% of responses were unclear in terms of their stance. One response requested that this action be expanded, aiming towards becoming 'carbon negative' (offsetting more emissions that we produce).

Key Issues

A summary of the key issues raised during consultation and the City's response is provided below.

All submissions and queries will be individually responded to following Council's resolution.

Key Issue: Neighbourhood and Housing Design in New Developments
Community Feedback: Concerns were raised about sustainability principles not being delivered in neighbourhood planning and design. It was suggested that this is impacting negatively on human health, including mental wellbeing. In response, it was suggested that an award be developed as an incentive for developers to deliver better neighbourhood design and developments.
City's comments: The Sustainability Strategy identifies an action to prepare a local planning policy, to ensure that new developments demonstrate best practice in environmentally sustainable design. Acknowledging that many aspects of sustainable design cannot be mandated by the City, incentives for land developers and builders will also be explored.

Key Issue: Neighbourhood and Housing Design in New Developments (cont…)

To support the local planning policy, the City will look to develop a guideline booklet, aimed towards home building sales consultants and residents looking to build or renovate. The guideline will explain some key sustainable design parameters and how these can be easily incorporated, such as solar passive deign and measures to increase energy and water efficiency.

The Strategy outlines the intent to develop a 'Green Award', to encourage local businesses to implement sustainability measures. The City will explore inclusion of an award category to recognise developers and builders which have demonstrated best practice.

Amendments to the Strategy:

Two new actions have been included under Health and Nature - Key Issue 10 to:

- Investigate inclusion of a 'Green Award' category for developers and builders, to incentivise best practice environmentally sustainable design.
- Develop an easy to understand guideline for residents to incorporate environmentally sustainable design parameters when building or renovating.

Key Issue: Clearing of Trees and Native Vegetation

Community Feedback:

A written response expressed the need to retain and increase native vegetation and specifically mature trees. The submission called for:

- Promotion and development of wildlife corridors or 'greenbelts' between reserves and public open space
- More education and opportunities for the public to engage with our natural heritage
- Recognition in the Strategy of the importance of old growth and 'at-risk' trees
- Planning policies to protect and enhance wetlands, native vegetation and conditions for developers and builders
- Collaboration with other local governments on these matters and advocacy to other levels of government to develop strong environmental and climate policies.

City's comments:

The matters raised in this submission are supported and the City is currently drafting an Environmental Protection Strategy which seeks to provide a targeted framework for improved protection and enhancement of environmental values. This will include actions relating to wetlands, native vegetation, significant trees and ecological corridors, together with advocacy and regional collaboration for natural resource management. As such, the Sustainability Strategy does not specifically address these issues.

More broadly, the draft Sustainability Strategy outlines the intent to prepare a local planning policy on environmentally sustainable design, which will look to include minimum requirements for tree retention and provision of green space for new developments.

Amendments to the Strategy:

Development of a targeted Environmental Protection Strategy has been mentioned on Page 14.

Key Issue: Divestment

Community Feedback:

One submission requested that the City consider fossil fuel divestment as a part of the Strategy. The submission referenced a number of other large West Australian local governments who have done the same. It was suggested that this would also act to 'further stigmatise polluting industries'.

Key Issue: Divestment (cont…)
City's comments: The City does not have any shares or investments in stocks, however, Local Governments are indirectly exposed through placement of term deposits with major Australian Banks, which are estimated to have funded $49.5 billion dollars' worth of coal and gas projects across the country (WALGA, Feb 2017). This issue has been referred to the City's Finance Team which administers the investment strategy for consideration.
Amendments to the Strategy: Nil

Key Issue: Adapting to a Drying Climate
Community Feedback: When asked what can be done to help residents adapt to a drying climate and use water more efficiently, 50% of survey respondents suggested that education was paramount. A further three responses suggested an initiative to encourage native gardens. Two responses suggested that Council leadership on this matter was required, while one response suggested incentives be developed, such as rebates for waterwise appliances.
City's comments: The City endorsed its Water Efficiency Action Plan in 2016 and has since been implementing a range of actions. This includes: - Launching the Native Plants Giveaway in 2018, encouraging residents to establish a native waterwise garden at home. The third annual giveaway is due to be held in May 2020, following on from the success and popularity in previous years. Opportunities to increase awareness of the giveaway, as well as developing further incentives, will be explored. - Conducting water efficiency audits in 2019 at the City's top three water using sites. Following the audits, recommendations were given on opportunities for water saving and actions were carried out accordingly. On the basis of this action plan, the City was recognised a Gold Waterwise Council by the Water Corporation and Department of Water. The Strategy proposes to build on this work by recommending a range of actions to increase education and awareness, such as developing an educational program for school children, expanding communication on sustainability matters through the City's online platforms and investigating delivery of a centralised program for sustainability focused events in the community.
Amendments to the Strategy Nil

Key Issue: Initiatives to Encourage Sustainability at Home
Community Feedback: When asked what initiatives the community would like offered by the City to encourage sustainable behaviours at home, survey respondents generally indicated that education was important, with four responses suggesting various education measures. Another three responses suggested incentives, including one for solar panel subsidies and a further two for home composting. One response suggested that artificial turf should be utilised in public areas, to reduce water use.
City's comments: While artificial turf does present water saving opportunities, it is not considered a viable alternative for public open space due to several factors, including maintenance, usability (except in certain sporting applications), storm water infiltration, heat island effect and other environmental impacts.

Key Issue: Initiatives to Encourage Sustainability at Home (cont…)
Education and engagement is one of the major focus areas of the Strategy and includes an action to deliver a home composting initiative as well as exploring further incentives to encourage sustainable behaviours at home. These are addressed under Key Issue 12 and 13.
Amendments to the Strategy: Nil

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Strategic Community Plan 2019-2029:

Aspiration 3: *Plan for Future Generations*

Strategic Objective: *Preservation and management of bushland and coastal reserves - encourage the sustainable management and use of the City's bushland and coastal reserves.*

Climate Change adaptation - Acknowledge and understand the impacts of climate change, and identify actions to mitigate and adapt to those impacts.

Sustainable waste solutions - Incorporate new opportunities that support responsible and sustainable disposal of waste.

Alternative energy applications - Embrace new technology and apply alternative energy solutions to City facilities and services.

Liveable suburbs - Plan for attractive sustainable suburbs that provide housing diversity, quality public open spaces, walkways, amenities and facilities for the community.

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objective: *Leadership in sustainability - provide community education on the management of waste and provide opportunities for community involvement in sustainability programs*

d. Policy

Nil

e. Financial

The cost associated with implementing the new actions outlined in the Strategy will be met through existing funding allocated in the respective Team Plans.

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

High Risk:

Inadequate planning for climate change mitigation could result in social, environmental and financial impacts to the City

Comments

The key issues and actions have been amended where required, to reflect the feedback received during the public consultation period. Overall, none of the feedback opposed the Strategy or its recommended actions. Various other minor queries were raised and will be responded to individually following Council resolution.

When considering the rising need for climate change mitigation, together with Council's commitment to Plan for Future Generations, it is imperative that the City demonstrate commitment and leadership in working towards a more resilient and sustainable City. It is therefore recommended that Council adopt the Sustainability Strategy.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***ADOPTS*** the Sustainability Strategy 2020-2025 (February 2020).

Committee Recommendation

That Council ***ADOPTS*** the Sustainability Strategy 2020-2025 (February 2020).

Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Planning and Development Services
Strategic Planning and Environment Services

Reference No & Subject:	**PD-010/20 Lake Richmond Management Plan**
File No:	EVM/124-03
Applicant:	
Owner:	
Author:	Mr Rory Garven, Environmental Planning Officer
Other Contributors:	Ms Natalie Elliott, Coordinator Sustainability and Environment Mr Brett Ashby, Manager Strategic Planning and Environment
Date of Committee Meeting:	17 February 2020
Previously before Council:	26 November 2019 (PD-069/19)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
LA Zoning:	
MRS Zoning:	
Attachments:	1. Schedule of Submissions 2. Lake Richmond Management Plan (February 2020)
Maps/Diagrams:	Thrombolites at Lake Richmond

Purpose of Report

To consider the Lake Richmond Management Plan for adoption, following completion of public advertising.

Background

The Lake Richmond reserve ('the reserve') forms part of the Rockingham Lakes Regional Park and is nearly 77 ha in size, with the waterbody itself accounting for 40 ha. The reserve is both culturally and ecologically significant, containing registered heritage places and two Threatened Ecological Communities (TECs) listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999,* being *Sedgelands in Holocene Dune Swales* and *Thrombolite (microbial) community of coastal freshwater lakes of the Swan Coastal Plain (Lake Richmond).*

In August 2009, Council endorsed the Lake Richmond Management Plan which identified management actions to address the various threatening processes impacting on the reserve, including invasive species, habitat degradation and unauthorised access.

The City's Community Plan Strategy: Natural Area Conservation (2017) identified the need for the previous Lake Richmond Management Plan (2008) to be reviewed, acknowledging the local and regional environmental significance of the reserve.

The City commenced a review of the Lake Richmond Management Plan in July 2017, appointing environmental consultants Strategen to undertake an assessment of vegetation condition vegetation type, weed coverage, fauna habitat and reserve infrastructure.

The City also engaged microbialite expert Dr Ryan Vogwill to undertake a landmark study from November 2017 - February 2019 into current thrombolite health and activity, the optimal conditions for microbial growth, and thrombolite sensitivity to herbicides in weed control.

Thrombolites at Lake Richmond

Dr Ryan Vogwill and his colleague Mike Whitehead, presented the thrombolite study findings at the Councillor Engagement Session on 8 October 2019.

Following the preparation of the draft Lake Richmond Management Plan, at its Ordinary meeting on 26 November 2019, Council resolved to approve the draft Lake Richmond Management Plan for the purpose of public advertising.

Details

The purpose of the Lake Richmond Management Plan is to provide key directions for the protection and enhancement of conservation and recreation values within the Lake Richmond reserve over next five years (2020-2025). The draft Plan is driven by the following overarching objectives:

- Protect and enhance conservation values through the removal of threatening processes.
- Encourage a range of sustainable recreational experiences through suitably located infrastructure and services.
- Ensure equity and safety for all reserve users.

The Plan addresses both environmental and landscape attributes, recommending management actions which relate to:

- Weed management;
- Supporting microbialite growth;

- Revegetation;
- Fauna habitat;
- Feral animals and domestic cats;
- Restricting unauthorised access;
- Reserve infrastructure; and
- Potential future recreational infrastructure.

The Plan also includes Landscape Concepts prepared by the City's Senior Landscape Architect, illustrating potential future enhancements to improve the recreational amenity of the reserve in a way which is sympathetic to its cultural and environmental significance.

The advertising period for the draft Lake Richmond Management Plan has concluded and the document has now been revised in response to the feedback received. The matters raised during public advertising, and the City's subsequent responses are detailed in the section below.

Implications to Consider

a. Consultation with the Community

The draft Lake Richmond Management Plan was advertised for a period of 8 weeks, commencing on 27 November and concluding on 21 January 2020. Public advertising was carried out in the following manner:

- A copy of the draft Lake Richmond Management Plan was made available on the City's website and circulated through RockPort.
- A notice was published in the Sound Telegraph newspaper on 4 December 2019.
- Residents who expressed interest in the development of the Lake Richmond Management Plan were notified via e-mail and invited to comment.
- A notification was posted on the City's Facebook page on three separate occasions; 28 November 2019, 16 December 2019 and 14 January 2020.
- Hard copies of the draft Lake Richmond Management Plan were made available at the City Administration Building and all of the City's libraries.

At the conclusion of the public advertising period, the City had received 19 submissions from the community.

A full copy of the submissions received during the advertising period is set out in the Schedule of Submissions, attached to this report.

Of the 19 submissions:

- 18 were from City of Rockingham residents and 1 was from a community group (Port Kennedy Land Conservation Group).
- 14 out of the 18 residents who responded live in a suburb immediately adjacent to the reserve (Shoalwater or Rockingham).

The submissions received were predominantly supportive of the document, with some seeking to clarify or recommend new management actions.

A summary of the key issues raised during consultation and the City's response is provided below. A number of submissions noted minor text edits and these changes have been made where applicable.

Each submission will be individually responded to with all queries addressed, following Council's resolution.

Key Issue: Upgrades to Park Infrastructure

Feedback on the proposed upgrades was mixed, with the majority of submissions calling for more upgrades to infrastructure than initially identified in the draft. Conversely, other submissions were not supportive of the proposed upgrades, with the preference being to restrict the provision of man-made infrastructure. Nine submissions were in support of additional infrastructure being provided and two were against the installation of any new facilities, the remaining eight submissions did not raise this issue.

Item	Feedback	City Response
1.	The area should be preserved in its natural way with no construction or amenities.	The Lake Richmond reserve is a public asset that is valued by the community for both its environmental values and the unique opportunities it offers for recreation in a natural setting. This plan seeks to encourage the community to visit the reserve by providing a range of sustainable recreational experiences through suitably located infrastructure.
2.	The walking trail should be upgraded to an all abilities concrete footpath.	To improve access, the Landscape Concepts in Section 6 of the draft Lake Richmond Management Plan identifies upgrading the path between the picnic node and the boardwalk to universal access standard as a priority. The remaining tracks have been identified for future upgrades with bitumen stabilised limestone.
3.	The walking trail should be extended to complete a loop of the lake.	The City's Engineering Services has commenced planning for the construction of pathway between the Richmond Avenue cul-de-sac and the Safety Bay Road intersection with Boundary Road. This will tie in with the existing Lake Richmond walking trail and complete the loop around the lake. More detailed plans for this section will be made available for public comment once they have been finalised.
4.	The existing gates which were installed to restrict access to dirt bikes also restrict access to prams and wheelchairs and this issue needs to be resolved.	Controlling access for unauthorised vehicles is important to prevent damage to the conservation values of the reserve as well as ensuring the safety of other reserve users. Notwithstanding, the Landscape Concepts have identified the potential to construct an all abilities access point in the recreational area between the picnic node and the boardwalk, in order to provide a balance for accessibility. It is hoped that the greater amount of visual surveillance in this location will act as a deterrent to those seeking to bring unauthorised vehicles into the reserve.
5.	Kayak launching facilities should be provided.	The Lake Richmond thrombolites are very sensitive and are easily damaged by trampling. Considering that these thrombolites cover the entire lake bed and perimeter, there is no feasible location for kayak launching facilities.
6.	Fauna underpasses should be provided to allow for animals move across Safety Bay Road into the Bush Forever site in Peron.	An action has been added in the implementation table to investigate opportunities for construction of fauna underpasses, to be informed by the results of the ongoing south-western snake necked turtle monitoring at the reserve.
7.	Increase signage aimed towards keeping dogs on leashes and encouraging owners to clean up after their dogs.	The implementation table has been updated to identify that two new 'dogs must be kept on leash' signs will be installed at key pedestrian points.

Item	Feedback	City Response
8.	The City should provide a mountain and dirt bike riding facility at an alternative location to discourage residents from using unauthorised trails at Lake Richmond.	In 2018, the City undertook an Off-Road Vehicle Area Site Investigation Study which identified one location on Department of Communities owned land as potentially being suitable for off road vehicles. This was further investigated by the Department and the off-road use was not considered feasible to progress. The nearest off-road facility is located on Thomas Road, Kwinana. With respect to mountain bikes, there is no suitable location within the reserve to accommodate off road bicycle trails. The suggestion of providing such a facility at an alternative location will be forwarded to the City's Community Infrastructure Planning team for consideration.
9.	The construction of the SDOOL should be referenced in the 'Threatening Processes' section of the report and management actions should be identified to address this threat.	Whilst the SDOOL project is not referenced specifically in this section, the associated threatening processes are discussed. The City will work together with the Water Corporation throughout the project to ensure the management of any potential impacts to native flora and fauna caused by site works, weeds, run-off and unauthorised access.
10.	Increase educational signage at the reserve.	The Landscape Concepts on page 60 have identified that new educational signs will be installed to inform park visitors on the significance of the thrombolites.

Key Issue: Indigenous Heritage

Item	Feedback	City Response
1.	Lake Richmond should be managed by traditional owners and not Local Government.	There are currently no local Indigenous groups with sufficient resourcing to undertake the commitments outlined in the Management Plan.
2.	Does the statement 'by showing respect to land and water, the City can continue to work towards the sustainability of the environment for future generations' apply to Lake Richmond or all natural areas managed by the City? If this applies to the entire City, to what extent is the City working towards the sustainability of the environment for future generations?	The City's commitments and progress towards environmental sustainability for future generations are captured by the following documents: - Natural Area Conservation Strategy; - Sustainability Strategy; - Sustainability Snapshot Report; - Reconciliation Action Plan. All of these documents are available from the City's website.
3.	Aboriginal Heritage should not be included in the 'Biophysical Environment' section of the report.	Historical practices and land uses ultimately contribute to the biophysical environment. Accordingly, 'Heritage' will remain in this section of the Management Plan.
4.	Are there other locally significant aboriginal heritage sites that were not included in the heritage inventory?	The purpose of this inventory is to list Nyoongar heritage sites that have been listed on government databases, both as registered sites and other heritage places.

Item	Feedback	City Response
4.	Cont…	Sites not listed at a State level will not be included in the inventory. If any unlisted sites are brought to the City's attention, the Aboriginal Affairs branch of the Department of Planning, Lands and Heritage will be notified.

Key Issue: Weed Management

Item	Feedback	City Response
1.	Glyphosate is proven to be toxic and should not be used.	The weed assessment undertaken by Dr Ryan Vogwill and Mike Whitehead determined that the use of glyphosate is the only feasible means of controlling the invasive Saltwater Couch which is growing in close proximity to the Thrombolites. DNA assessment showed that glyphosate was the only herbicide that did not detrimentally impact upon the thrombolites. Steam treatment of salt water couch was trialled for Lake Richmond in 2018 by licensed contractors and was found to be ineffective in removing the weed, with regrowth of the grass being observed within 7 – 10 days. Despite this, the City continues to explore new methods for weed removal as new technologies emerge. Similarly, the City's attempts to control the intrusion of weeds on the Thrombolies through manual removal over the past 5 years has not been effective. Aside from the sheer area to be covered, the roots of the invasive salt water couch can grow through the fragile thrombolite structures, meaning manual removal of these roots could cause further damage. Manual removal is also not appropriate where the salt water couch is growing close to, or over the Thrombolites, as accessing the area can damage the structures and surrounding microbial mat.
2.	The proposed management actions aimed at removing *Casuarina glauca* are insufficient.	The City acknowledges the need to control this species within the reserve. The draft Lake Richmond Management Plan includes a commitment to have an arborist undertake a targeted assessment and map all individual *Casuarina glauca* specimens. The arborist will then be able to provide the City with site-specific advice for its control and progressive removal.
3.	The authors cannot claim that the draft Lake Richmond Management Plan presents a 'robust weed management strategy' if the presence of *Casuarina glauca* was not identified in the field survey.	As noted in the Limitations section of the draft Lake Richmond Management Plan, the presence of *Casuarina glauca* was not recorded during the field survey because it is very difficult to distinguish from its close relative, the WA native, *Casuarina obesa*, based on field surveys alone. For this reason, a targeted assessment by an arborist will be undertaken as mentioned above.

Item	Feedback	City Response
4.	Will the thick carpet of needles dropped by the *Casuarina glauca* trees compound the existing eutrophication problem at Lake Richmond?	The City will seek to manage any impacts caused by *Casuarina glauca* following the targeted assessment.
5.	The presence and spread of *Casuarina glauca* will result in habitat changes for snake-necked turtles and could prevent them from being able to access the lake.	The City will seek to manage any impacts caused by *Casuarina glauca* following the detailed field survey. The existing vegetation at Lake Richmond does not prevent snake-necked turtles from accessing the lake. A recent survey, undertaken by Murdoch University has identified that Lake Richmond is home to a healthy population of these turtles. The results of the Fauna Assessment will be updated to reflect this.
6.	The City should report on the following: a. The presence of *Casuarina glauca* b. The current level of impact on the TECs, particularly the *Sedgelands in Holocene Dune Swales* c. The potential for further degradation; d. A comprehensive recommended treatment method, consistent with the treatment methods proposed for other weeds.	The Implementation Table has identified that the City will survey for the presence of *Casuarina glauca*. Following the survey, all impacts will be managed in accordance with best practice weed control methodologies. Detailed reports on these matters can be made available on request.
7.	Food dye should not be used during weed management as it is known to detrimentally impact upon the thrombolites.	Noted. The draft Lake Richmond Management is not proposing the use of food dye.
8.	The draft Lake Richmond Management Plan should be updated to include an action item for the City to discuss weed management with developers of adjacent landholdings (i.e. the Department of Housing development to the northeast and the Bush Forever Site to the west).	Noted. An additional action will be added to the Implementation Table in order to address this point.
9.	Mediterranean Linseed (*Bartsia trixago*) was not identified by the weed survey. About 30 of these plants appeared during a wet year which indicates that there is likely to be a considerable seed bank which will germinate under favourable conditions.	Noted. If this plant does appear in the reserve, it will be removed in accordance with best practice weed control methods.

Item	Feedback	City Response
10.	Weed management aimed at eradicating the Common Bulrush (Typha) has been noticeably unsuccessful, it is recommended that additional follow-up treatments are undertaken to remove this weed.	This species is no longer recognised as a weed by the State Government and therefore its removal would constitute clearing of native vegetation. Acknowledging its invasive nature, the City has committed to control any further encroachment of the species. This is noted on Page 65 of the Management Plan.
11.	Will a condition be inserted that requires the postponement of glyphosate application when further significant rainfall events are forecast?	Table 11 identifies that glyphosate will not be applied in the near-shore environment if rain is forecast in the next 7 days.
12.	*Rhamnus alternus* is missing from the weed assessment results.	*Rhamnus alternus* was not recorded during the field survey. The City will request that the respondent identify the potential locations of any occurrences of this weed so that control measures can be implemented.

Key Issue: Revegetation

Item	Community Feedback	City Response
1.	The existing turfed area in the north of the reserve should be replanted with native species and restored to its natural condition.	This area forms part of Water Corporation Reserve 42518. The long term objective is for essential regional sewerage infrastructure to be constructed underground in this location. As such, it is important that the turf treatment remains so that this infrastructure can be readily accessed and maintained.
2.	The number of Black Cockatoo habitat trees proposed for planting should be increased.	The number of trees proposed has been maximised relative to site capability and available resources.
3.	The drain that passes through Stan Twight Reserve should be revegetated with native species in order to assist with water quality enhancement and provide habitat to local fauna.	This area is outside of the Lake Richmond reserve and beyond the scope of this Management Plan. The City will provide this feedback to the Water Corporation as the management authority for the drain.
4.	City staff responsible for undertaking the proposed revegetation measures should take care to avoid impacting the Pink Fairy Orchid which is only visible for a few months each year. This orchid is particularly prevalent in the area mapped as R2.	Noted. The Plan will be updated to reflect this.
5.	Will weed management be undertaken prior to revegetation?	Yes, please see Table 13
6.	Has the City been organising seed collection in advance of approval of this plan? If not, for many of these suggested species, it will be too late by the time the plan is approved.	Yes, the City has already commenced collecting seeds to be used at a number of sites, including Lake Richmond.

Item	Feedback	City Response
7.	Is restricting seed collection to only occur within Bush Forever Site 358 reasonable? Bush Forever Site 355 also has many of the same species.	The draft Lake Richmond Management Plan does not state that seeds will only be collected from within Bush Forever site 358. The City usually collects seeds from within a 10km radius of the proposed revegetation location.
8.	There is no sense to the decision to prioritise revegetation in some areas over others. What are the reasons for the strategy as suggested in Table 13?	This is addressed in Section 7.2.1 and Table 12 which provides the rationale behind the selection of the four proposed revegetation areas. Works must be prioritised to deliver maximum benefit relative to limited resources.

Key Issue: Proposed Extension to Garden Island Highway

Item	Community Feedback	City Response
1.	The proposed extension to the Garden Island Highway is not supported and future access to Garden Island has to be contemplated differently.	The Garden Island Highway extension has been identified as a road reservation under the Metropolitan Region Scheme. Scheme Amendments at a regional scale are beyond the scope of this Management Plan, which seeks to prioritise management actions over the next five years.

Key Issue: Domestic Animals

Item	Community Feedback	City Response
1.	In order to protect wildlife at Lake Richmond, the City should impose laws to require cat owners to keep cats within the confines of their property.	While beyond the scope of this Management Plan, the City acknowledges this issue and is working to improve regulations in this space.

Key Issue: Alignment to Cape Peron / Mangles Bay Planning Investigation Area

Item	Community Feedback	City Response
1.	Why is the Lake Richmond Management Plan not aligned with the proposed Cape Peron development? If money and resources are to be allocated and used then let's do the whole lot properly.	The actions outlined in the draft Lake Richmond Management Plan are separate to the proposed Cape Peron study process. This plan details the City's approach to enhancing the conservation and recreational values of the reserve over the next five years.

Key Issue: Rubbish and Waste Management

Item	Community Feedback	City Response
1.	Collection of rubbish and dog poo should be undertaken more frequently than the current two week collection cycle.	This matter is beyond the scope of the Management Plan; the request has been forwarded to the City's Waste Services Team for consideration.

Key Issue: Drainage

Item	Community Feedback	City Response
1.	No further inlet drains should be constructed.	Noted. No additional inlet drains have been proposed and the City is not supportive of their construction.
2.	Why does the draft Lake Richmond Management Plan not include an action to educate residents and road users of the benefits of improving surface water run-off?	The studies undertaken by Dr Vogwill and Mr Whitehead have identified that the biggest impact to the Lake Richmond ecology caused by surface water run-off is the volume of freshwater entering the system. Considering that the drains have been designed to capture rainwater across a large area, measures aimed towards improving the quality of the run-off entering the Lake will not impact upon the volume of freshwater captured. As such, the proposed community engagement measures are not considered to be necessary. Nevertheless, the Implementation Table identifies that annual water quality monitoring will be undertaken. If the results of the monitoring identify that additional measures are required to address water quality, the City will revisit this recommendation.
3.	The proposal to restore the historical hydrological regime will result in homes becoming flooded and is too expensive to realistically achieve.	Section 7.3 lists a number of detailed assessments which would need to be undertaken prior to any engineering works commencing. The City will not undertake the project without absolute certainty that sufficient funding is available and that it is feasible in terms of the overall catchment.
4.	Figure 3 shows two drains entering the Lake. There are actually at least four drains to my knowledge. One is underground from Lake Street and one from Richmond Avenue, and there must be something from Safety Bay Road.	Noted. The Legend on Figure 3 was actually referring to open-cut drains. The Legend shall be updated accordingly. The drain across from Safety Bay Road, just north of the Naragebup Environment Centre is an outlet drain and is marked on the figure.

Key Issue: Community Management and Friendship Groups

Item	Community Feedback	City Response
1.	Management by Naragebup Environment Centre is not working and a new approach is needed.	The City of Rockingham is responsible for the management of the Lake Richmond reserve, not Naragebup.
2.	A Friendship Group of local residents to support reserve management is supported. Why will the current Plan not revive the Friends of Lake Richmond group with support from the City?	The City is supportive of residents coming together to form Friendship Groups for any natural areas within the City.
3.	There should be a management action for increasing community awareness of the conservation values of Lake Richmond.	The Landscape Concepts on page 60 have identified that new educational signs will be installed to inform park visitors on the significance of the reserve. This Management Plan will also become publically available from the City's website.

Key Issue: Tenure

Item	Community Feedback	City Response
1.	The vesting purpose of 'Public Recreation' does not provide sufficient protection to the conservation values of the lake. A Scheme Amendment is recommended in order to provide the appropriate level of protection.	This vesting purpose is as per the original reserve Management Order. Under this arrangement, the City is responsible for managing the reserve and can enforce the appropriate level of protection. A Scheme Amendment will not increase or strengthen the existing protection mechanisms.
2.	Inconsistencies in zoning between the draft Lake Richmond Management Plan and the Rockingham Lakes Regional Park Management Plan.	The draft Lake Richmond Management Plan displays management purpose and the Rockingham Lakes Regional Park Management Plan displays tenure.

Key Issue: Creating a Hydraulic Regime that Favours Microbial Growth

Item	Community Feedback	City Response
1.	Gypsum is a source of sulphate, not sulphide, and cannot be oxidised as stated in the Draft Lake Richmond Management Plan.	Noted. Different microscopic species within the thrombolite community are able to either oxidise or reduce sulphur to suit biological needs. Accordingly, the proposed action will be updated to state that the City will be surveying for sources of sulphur, not sulphide.
2.	Is the draft Lake Richmond Management Plan suggesting that the sulphur deposits are recently formed? If so, how do we explain the presence of microbialites?	No, the City recognises that these deposits have been present at Lake Richmond for many, many years.
5.	The draft Lake Richmond Management states that "the current water quality is likely to be having a detrimental effect on the existing structures". To what extent does the plan take this situation seriously? When will the proposed sets of research be budgeted and commenced?	The City is committed to protection of the thrombolites. Please see Section 7 for further detail on the budgeting and timeframes for all recommended actions.

Key Issue: Field Surveys

Item	Community Feedback	City Response
1.	The timing of the fauna survey was not undertaken at a suitable time for identifying a number of bird species, including wading birds, migratory birds and other birds identified on the Birdlife Australia database.	The field survey was undertaken in Spring in order to maximise the number of species recorded. The Level 1 surveys were undertaken in accordance with guidance material provided by the Environmental Protection Authority. The EPA guidance is recognised to be best practice methodology.
2.	In Table 12, why is the term "potential occurrence" used to record *Callitris preissii*? Surely conscientious field surveying should have been able to determine whether there actually are *Callitris* present?	As stated in the table referenced, this is referring to a potential occurrence of the *Callitris preisii* (or *Melaleuca lanceolata*) forests and woodlands' TEC and not just the *Callitris preisii.* The results of the field assessment conclude that the *Callitris preisii* plant is present within the reserve.

Item	Community Feedback	City Response
	Later in the report, they are admitted to be present so the occurrence is not potential at all. They are a large tree with a distinctive shape and colour and leaf structure.	Potential occurrences of TECs have to be confirmed via assessment by the Department of Biodiversity, Conservation and Attractions.
3.	Did the consultants identify any protected Black Cockatoos or did they only record potential habitat trees?	As documented in the draft plan, only potential breeding trees were recorded. The City does acknowledge that Black Cockatoos frequently visit the reserve, hence the commitment to management actions aimed towards enhancing Black Cockatoo habitat.

Key Issue: Feral Animals

Item	Community Feedback	City Response
1.	Feral animals need persistent action.	Noted. The City will continue to monitor and control feral populations of foxes, cats and rabbits in accordance with the Implementation Table.
2.	There are large schools of invasive fish, including goldfish and other species of carp entering the Lake Richmond Waterbody from the drains. These fish are known to be bottom feeders and could potentially damage the thrombolites if no measure to control them are implemented.	Control of feral fish and yabbies will commence following approval of this Plan. The City will liaise with the Water Corporation to discuss feral fish control within the drains. The Plan will be updated to reflect this.

Key Issue: Views

Item	Community Feedback	City Response
1.	A small amount of clearing around the periphery of the waterbody would be appreciated as it would improve the views for pedestrians.	The vegetation within the reserve is protected and the City will not be undertaking any clearing to enhance views.

Key Issue: Bushfire Management

Item	Community Feedback	City Response
1.	Bushfire risk needs to be taken seriously: e.g. thinning, clearing and firebreaks should be considered.	The Implementation Table contains the following actions aimed towards reducing the risk of bushfires: 1. Engage a consultant to undertake a bushfire risk assessment and recommend actions to reduce the risk rating held by adjacent properties. Recommended actions must not detrimentally impact upon the biodiversity conservation or landscape amenity values of the reserve; and 2. Maintain existing firebreaks.

b. Consultation with Government Agencies

The draft Lake Richmond Management Plan was e-mailed to the following agencies for comment:

- Department of Biodiversity, Conservation and Attractions
- Department of Planning, Lands and Heritage
- Water Corporation

One response was received from the Department of Biodiversity, Conservation and Attractions.

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 Strategic Community Plan 2019-2029:

Aspiration 3: *Plan for Future Generations*

Strategic Objective: *Preservation and Management of bushland and coastal reserves - Encourage the sustainable management and use of the City's bushland and coastal reserves.*

d. Policy

Nil

e. Financial

The costs associated with implementing the actions outlined in the Lake Richmond Management Plan will be met through existing funding allocated in respective Team Plans.

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

High Risk:

Risk of poor reserve management resulting in loss of significant environmental values, including the *Thrombolite (microbial) community of coastal freshwater lakes of the Swan Coastal Plain (Lake Richmond).*

Comments

The key issues and actions have been amended where required to reflect the feedback received during the public consultation period. The majority of changes to the document are either updates to the management actions or minor grammatical corrections. No submissions were opposed to the overarching objectives or purpose of the Management Plan.

As amended, the Lake Richmond Management Plan will provide a strong framework to ensure that the reserve and its significant ecological, heritage and community values are effectively managed over the next five years.

It is therefore recommended that Council adopt the Lake Richmond Management Plan 2020-2025.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***ADOPTS*** the Lake Richmond Management Plan 2020-2025 (February 2020).

Committee Recommendation

That Council ***ADOPTS*** the Lake Richmond Management Plan 2020-2025 (February 2020).

Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Planning and Development Services
Statutory Planning Services

Reference No & Subject:	**PD-011/20 Joint Development Assessment Panel Application for a Nursing Home**
File No:	DD020.2019.00000325.001
Applicant:	Planning Solutions on behalf of Signature Care Land Holdings Pty Ltd
Owner:	Signature Care Land Holdings Pty Ltd
Author:	Mr Greg Delahunty, Senior Projects Officer
Other Contributors:	Mr Mike Ross, Manager Statutory Planning
Date of Committee Meeting:	17 February 2020
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	Lot 507 Fitch Street, Singleton
Lot Area:	1.76ha
LA Zoning:	Development
MRS Zoning:	Urban
Attachments:	1. Responsible Authority Report 2. Schedule of Submissions
Maps/Diagrams:	1. Location Plan 2. Existing Bayshore Gardens Local Structure Plan 3. Aerial Photograph 4. Site Plan 5. Ground Floor Plan 6. First Floor Plan 7. Elevations 8. Perspectives 9. Location of Advertising and Submissioners

1. Location Plan

Purpose of Report

To provide recommendations to the Metro South West Joint Development Assessment Panel (JDAP) on an application for a Nursing Home at Lot 507 Fitch Street, Singleton.

Background

Site Context

The site has been extensively cleared of any remnant vegetation and earth worked to prepare the site for future development, to a relatively flat landscape. Some low, coastal vegetation has since grown back, stabilising the site.

The subject lot is bounded by Seaside Link to the north, Foreshore Drive to the west, Fitch Street and an existing commercial development to the south and a child care premises and vacant land to the east; reserved for a church and civic & cultural purposes. Within the local area there is a mix of double and single storey residential development.

History

In April 1993, the Council resolved to initiate an amendment to former Town Planning Scheme No.1 to rezone the land comprising Bayshore Gardens estate from 'Rural' to 'Development' zone to facilitate the use of the land for Urban use.

In September 1993, the Council then resolved to grant Final Approval to the rezoning and requested that the Hon Minister for Planning grant Final Approval. At the same Meeting, the Council approved a Comprehensive Development Plan (CDP) (now referred to as a Structure Plan) for the Bayshore Gardens Estate.

Following the approval of the original CDP, the Council approved seven modifications to the Structure Plan. The most recent amendment was approved in 2016.

2. Existing Bayshore Gardens Local Structure Plan

3. Aerial Photograph

Proposed Local Structure Plan Amendment

The applicant has concurrently lodged an application with the City to amend the Bayshore Gardens Local Structure Plan (the LSP). The Amendment to the LSP proposes to change the designation of Lot 507 Fitch Street, Singleton from "Residential R40 (Grouped Housing Lifestyle Village over 55s)" to "Community Purposes – Nursing Home".

Other minor modifications are being proposed to update the plan according to the Western Australian Planning Commissions (WAPC's) Structure Plan Framework, by making the following changes:

- Realigned the Structure Plan boundary to apply to land zoned 'Development' under the City's Town Planning Scheme No.2;
- Remove reference to the R-Codes variations and RMD standards, as these are now addressed under Local Planning Policy 3.3.22; and
- Updates to text and map to reflect the format required under the WAPC Structure Plan Framework.

Consequently, this report should be read in conjunction with PD-008/20 - Proposed Amendment to Bayshore Gardens Structure Plan.

Details

A Development Assessment Panel (DAP) application to construct a Nursing Home was lodged with the City on 6 November 2019.

The proposed development includes:

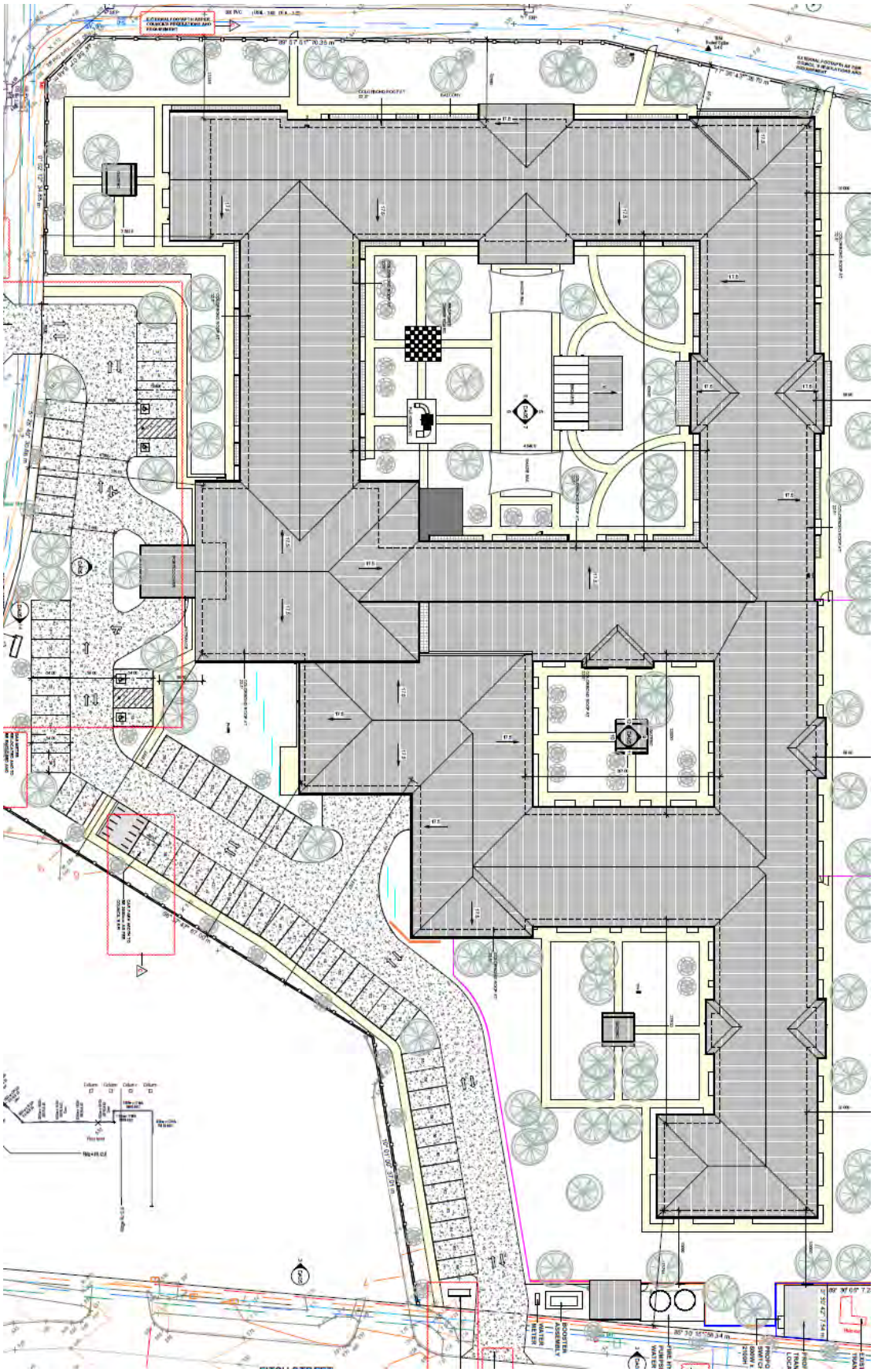
- A two storey building with an overall height of 10.4m; and
- A total floorspace of 9,361m² over two levels, providing for 144 beds.

The Nursing Home will include the following incidental amenities:

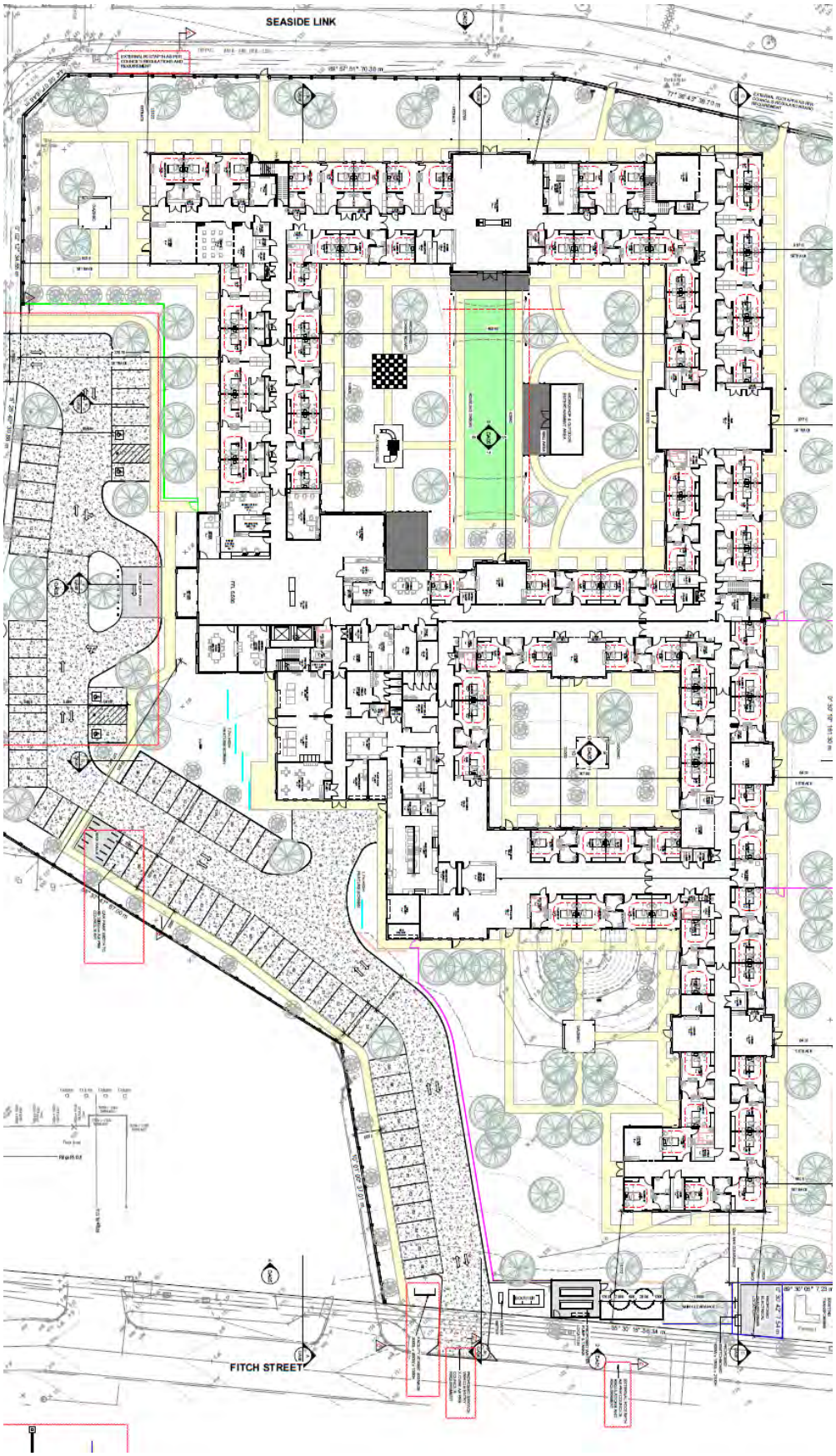
- Lounge, cinema and activity rooms;
- Dining areas;
- Kitchen;
- Doctor / Physio / Nurses' stations;
- Salon / hairdresser;
- Laundry rooms;
- BBQ area;
- Bowling green; and
- Life size chess board.

The following reports accompanied the application:

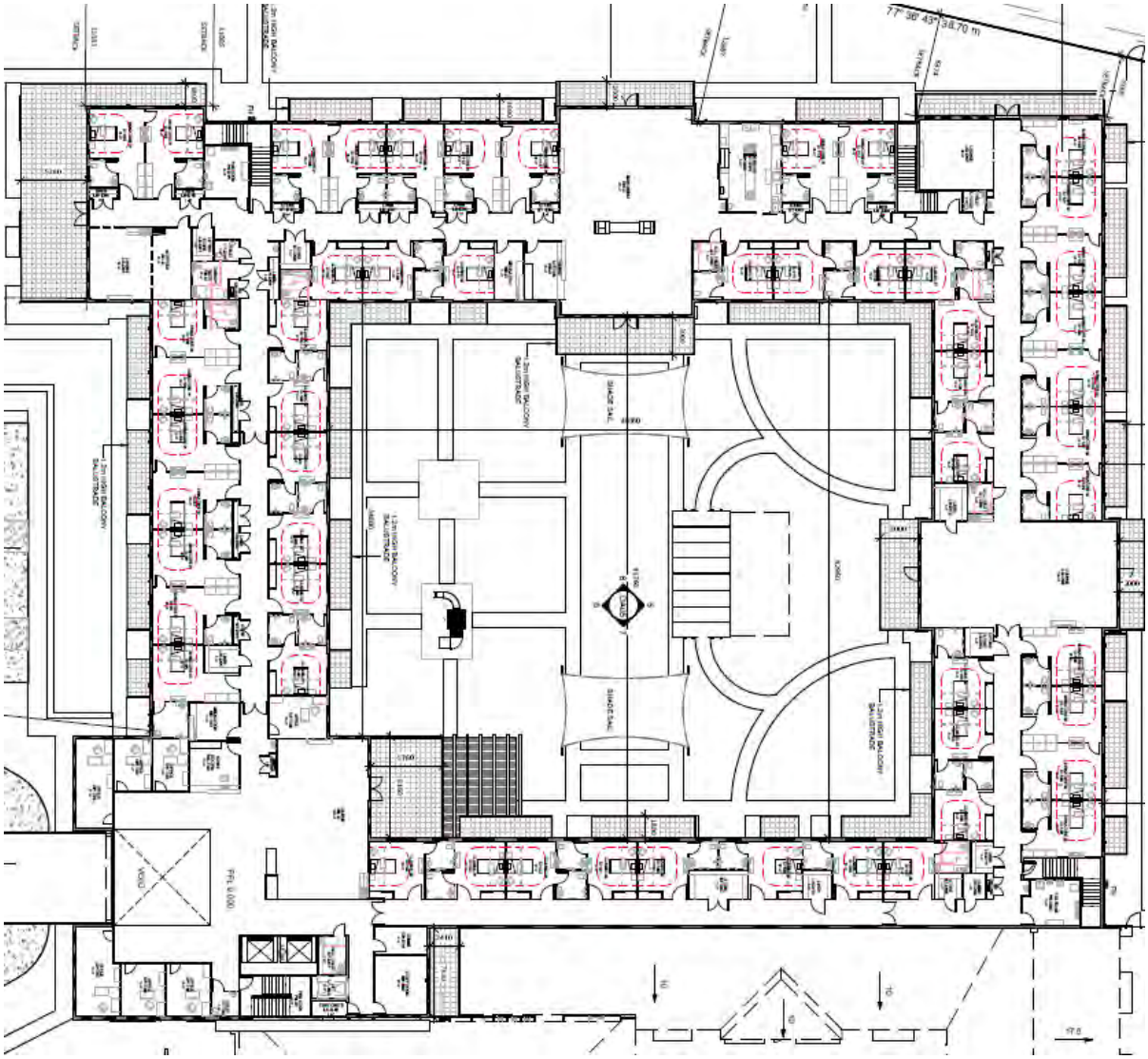
- Planning Report;
- Traffic Impact Assessment;
- Landscape Plan;
- Civil Plans;
- Waste Management Plan; and
- Bushfire Management Plan and Emergency Evacuation Plan.



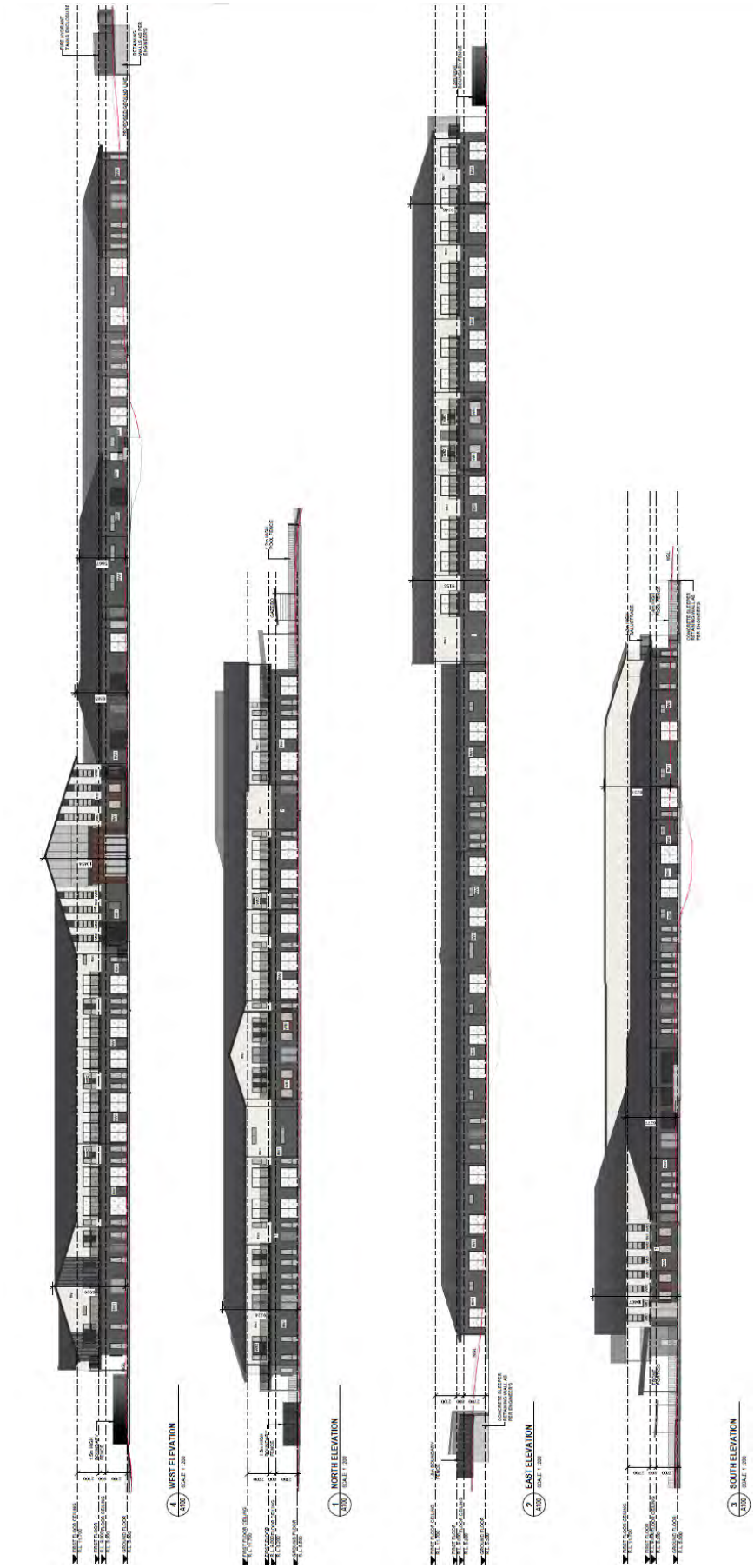
4. Site Plan



5. Ground Floor Plan



6. First Floor Plan



7. Elevations

8. Perspectives

Implications to Consider

a. Consultation with the Community

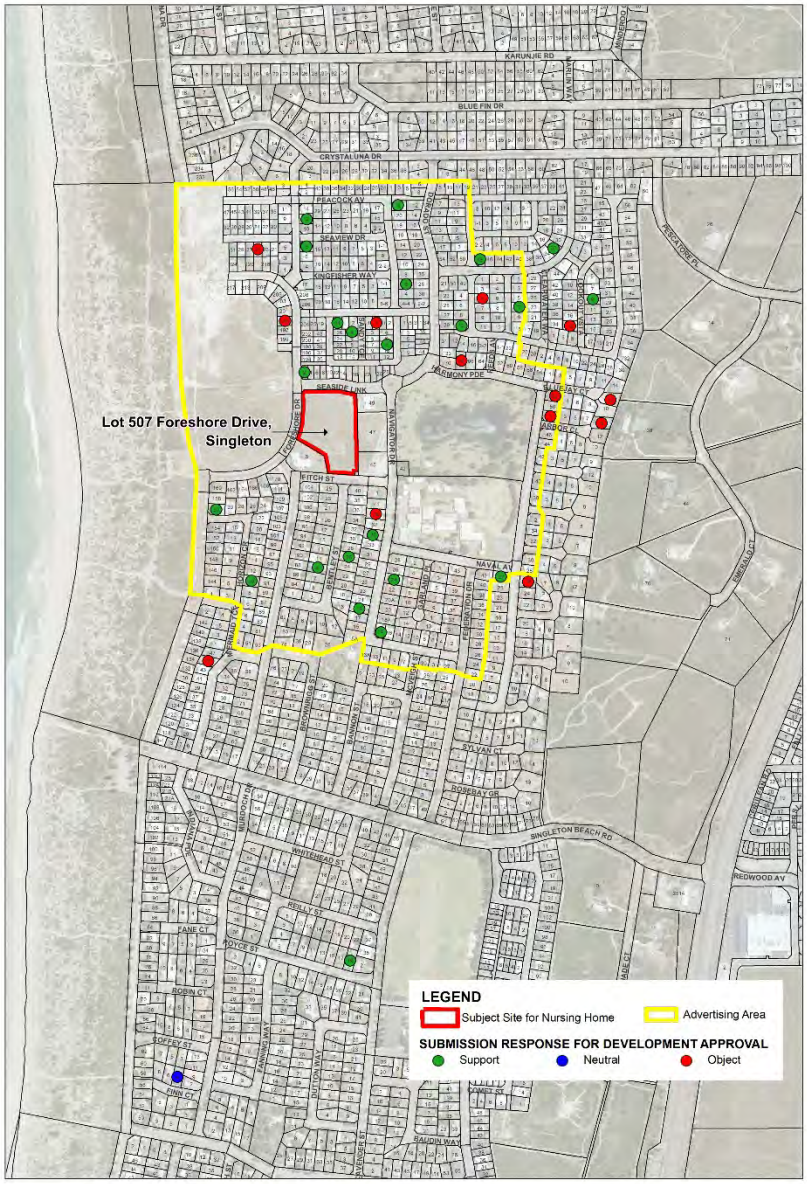
Advertising Methodology

The application was advertised for public comment over a period of 35 days, commencing on 20 December 2019 and concluding on 24 January 2020, as the development is not permissible under the current Local Structure Plan.

Advertising was carried out in the following manner:

- All owners and occupiers of properties within or partially within 500m of the proposal were notified in writing and invited to comment, including specific referral to the Singleton Residents Association; and
- Copies of technical documents and plans of the proposal were made available for public inspection at the City's Administration Offices and placed on the City's website.

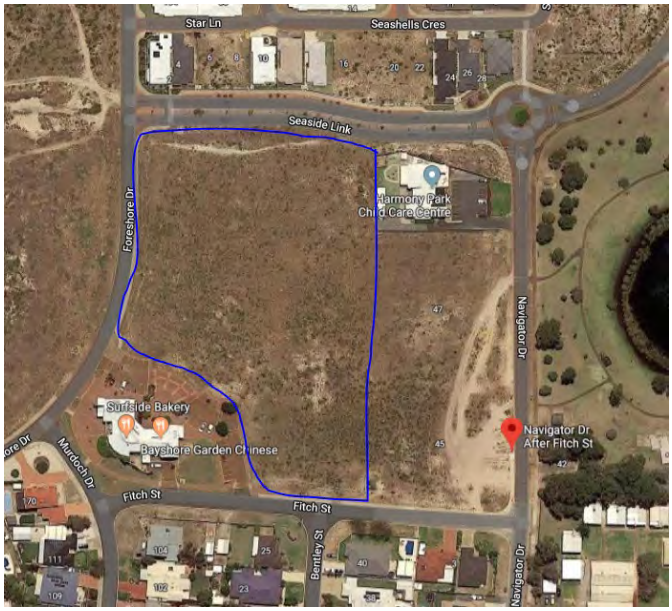
Advertising was undertaken in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).



9. Location of Advertising and Submissioners

At the close of the public consultation period a total of 55 submissions were received, which included 36 letters of support, 16 objections and three (3) neutral.

A full copy of the submissions received during the advertising period is set out in the Schedule of Submissions (Attachment 2 to this Report). The content of the objections raised are summarised and addressed as follows:

Traffic and Parking
Submission: **Substantial increase in local traffic movement especially considering that the site is on the bus route and there is a school in close proximity, which generates extra traffic morning and afternoon.**
Applicant's Response: The subject property does not have any direct access to Navigator Drive. Therefore is not on the bus route. A basic outline of the subject property is below:    This level of traffic generation is considered low & is not expected to have a discernible effect on the operation of Seaside Link, Foreshore Drive, Fitch street and the surrounding road network. This is supported by the Traffic Impact Assessment prepared by Cardno.
City's Comment: The City has assessed the submitted traffic report and considers that the local road network is capable of handling the traffic generated by the development.
Submission: **Conflict with on-street parking during school hours.**
Applicant's Response: The aged care home will have sufficient off street parking. While there are traffic movements, they are dispersed over different times of the day and are not typically aligned to the high intensity of primary school peak times. Traffic Impact: In traffic engineering terms, the level of traffic expected to be generated by the proposed aged care development is considered to be very low.
City's Comment: There is sufficient on-site car parking provided for the demands of the development.
Submission: **Roads are insufficient in widths to cater for future traffic due to proximity to primary school.**

Traffic and Parking (cont…)
Applicant's Response: The site has the advantage that it has three road frontages, two differing entry/exit points will provide the disbursement of traffic. While the primary school provides significant traffic loads the timing of these loads is outside the typically movements of an aged care home. An aged care home also has the advantage of having a fairly dispersed distribution of traffic movements. The peak-hour is expected to see 30 vehicle movements, including both arrival & departure trips, which is equivalent to an average of 1 vehicle movement per two-minutes across the hour. This level of traffic generation is considered low & is not expected to have a discernible effect on the operation of Seaside Link, Foreshore Drive, Fitch street and the surrounding road network.
City's Comment: The City has assessed the submitted traffic report and considers that the local road network is capable of handling the traffic generated by the development.
Submission: **Insufficient on-site parking is provided for staff and visitors.**
Applicant's Response: Traffic Impact: In traffic engineering terms, the level of traffic expected to be generated by the proposed aged care development is considered to be very low. We have designed more additional car parking than what is required by Australian standards, for a 144 bed facility.
City's Comment: There is sufficient on-site car parking provided for the demands of the development.
Submission: **Access to Fitch Street should be removed due to conflict with on-street parking during school hours. Suggested that this be relocated to Seaside Link.**
Applicant's Response: The site has the advantage that it has three road frontages, two differing entry/exit points will provide the disbursement of traffic. While the primary school provides significant traffic loads the timing of these loads is outside the typically movements of an aged care home. An aged care home also has the advantage of having a fairly dispersed distribution of traffic movements. The peak-hour is expected to see 30 vehicle movements, including both arrival & departure trips, which is equivalent to an average of 1 vehicle movement per two-minutes across the hour. This level of traffic generation is considered low & is not expected to have a discernible effect on the operation of Seaside Link, Foreshore Drive, Fitch street and the surrounding road network. There are restrictions on access, to our site from Seaside link.
City's Comment: Two access points have been provided ensuring that vehicle movements will be dispersed onto the local road network, which is capable of handling the traffic generated by the development.
Submission: **Should the access point on Fitch Street be approved it should be widened.**
Applicant's Response: This level of traffic generation is considered low & is not expected to have a discernible effect on the operation of Seaside Link, Foreshore Drive, Fitch street and the surrounding road network.

Traffic and Parking (cont…)
The home has been designed to a high standard and will contribute to the street scape, currently there are no aged care homes in the local area therefore amenity for local residents will be improved. The streetscape will only be improved with this facility.
City's Comment: The access to Fitch Street will be required to be designed in accordance with the City's crossover specifications.
Miscellaneous
Submission: **Negative impact to property values.**
Applicant's Response: This not a valid planning consideration. However, a quality home will enhance values, this gives residents (in particular retirees) the benefits if a partner requires care, they would not have to leave the community making it a more attractive location. This is also applicable for staff whom either work in the home or want to work in the home as most people prefer a reduced commute to employment. A vibrant community will also have local employment which we will provide. Typically property prices are impacted positively when they are close to services, this will be the case here. In all of the developments we have produced we have never seen a property price impact due to the provision of our aged care homes, only positive outcomes.
City's Comment: This is not a relevant planning consideration.
Submission: **Noise impacts**
Applicant's Response: Minimal noise impact from this facility. There are no adjoining residential dwellings. We are striving to provide a secure and peaceful environment for our residents & neighbours. The acoustic report will facilitate any noise requirements.
City's Comment: The development is sufficiently separated from existing and proposed residential development. As such, the Nursing Home, which is largely residential in nature, is considered to have minimal noise impacts. An advice note has been recommended advising of the requirement to comply with the *Environmental Protection (Noise) Regulations 1997*.
Design
Submission: **Two Storeys will be an eyesore and is not in keeping with the character of the area.**
Applicant's Response: The home will not exceed two storeys and is designed to fit within the local surroundings. All appropriate setbacks and landscaping have been taken into consideration with a quality design and finish being used on the building. Singleton Aged Care Facility is designed to be respectful to its surrounding context in term of building height, scale, materials and overall design. The building is a maximum two storeys with half of the building being only single storey. There are numerous two storey building in the neighbourhood, this facility is perfectly consistent with the character and the scale of the area. Brickwork and timber are carefully chosen as prominent external materials to be consistent with neighbourhood coastal characteristics.

Design (cont…)
City's Comment: The building is a mix of single and double storey forms which is reflective of the prevailing residential character of the area.
Submission: **Too many single rooms, not enough allowance for dependent couples to stay together.**
Applicant's Response: Selections of rooms are configured with interconnecting doors. This allows for a room configuration of either 2 bedrooms or 1 double bedroom and adjoining private lounge. This provides couples with the best possible configuration, which they can choose depending upon their personnel preferences.
City's Comment: Although this is not a relevant planning consideration, a number of rooms are provided with adjoining doors in order to allow for ageing couples to reside together.
Submission: **Bulk and scale of the building is not consistent with the character of the area**
Applicant's Response: The development application contains floor plans, elevations and rendered 3d images of the proposal building. That provides sufficient information in regards to building form, scale, characteristics and the consistency with surrounding neighbourhood. Some of the key elements considered in this design are included but not limited to: • Sufficient building setback to allow for landscaping • Building height to be maximum two stories with some of the building only being single storey • Material choice to be consistent with commonly used material in area (brickwork) and natural material (Timber) to project the nature of coastal environment • Elegant façade design to create a welcoming entry to the building while accumulating an interesting frontage to the streetscape
City's Comment: The building is a mix of single and double storey forms which is reflective of the prevailing residential character of the area.
Location
Submission: **The location is better suited for employment and an expanded centre for activity and vibrancy.**
Applicant's Response: The aged care home will be providing employment for circa 167 people (full time equivalent of 144). While our homes are fairly low traffic and quiet residences we will be adding to the service offerings of the local community. As there are no aged care homes in Singleton/Golden Bay/Secret Harbour this central location will be advantageous for providing services to the area. The provision of housing and employment will be a positive outcome for the area and be an advantage to attract residents to the area as the aged care service will provide options in later stages of aging or for aging relatives.
City's Comment: The lot is currently designated as Residential on the adopted Local Structure Plan with a proposal to change it to Community Purposes. As such, the proposed Nursing Home is considered to be an appropriate land use for the location provided the designation changes as intended.

Location (cont…)
Submission: **Too close to the school. Concern that patients may come into conflict with nearby school children.**
Applicant's Response: The School is not adjacent to the aged care facility. There is a block & road separation to the local school. The residents of the aged care are typically the elderly & frail members of the community, who have reduced mobility. We provide a secure environment so as residents with memory issues are no exposed to an environment where they may become dis-orientated. While the school will provide higher levels of noise and traffic movements, it will not impact on resident's typical sleeping pattern. The typical residents are Parent, grand parent or great grandparents of members of the community.
City's Comment: The proposed operator is an experience care provider, there is no evidence to suggest that patients will come into contact with children within the public realm.
Submission: **The location is too isolated for this land use. It should be near hospitals.**
Applicant's Response: Currently there is no local aged care services in Singleton/Golden Bay/Secret Harbour with a population base in this area of over 20,000 residents we believe the area is well behind, as far as aged care services go, by not having an aged care service. It is very rare to have such a high population base without an aged care service. The federal Department of Health has also realised this by the granting of the aged care places to the site/location. Doctors are at Juniper Health Singleton, Juniper Health Lakelands & Golden Bay Medical Centre are within a couple of kilometres from the development. Hospitals and emergency departments are not a necessity to be close to an aged care home; residents are transferred if required. A better outcome for residents is when they either continue to live in their local community or close by family and friends. Currently in Singleton /Golden Bay/Secret Harbour there are no aged care services to provide care. The Federal Department of Health has also realised this by the granting of the aged care places to the site/location.
City's Comment: The Structure Plan's intended designation for the site as Community Purposes - Nursing Home clearly indicates that the site is suitable for this land use.
Submission: **Will have a detrimental impact on the amenity of the location.**
Applicant's Response: The home has been designed to a high standard and will contribute to the streetscape, currently there are no aged care homes in the local area therefore amenity for local residents will be improved.
City's Comment: The land use and built form are considered to be appropriate for this location. As such, it is unlikely to have negative impact on the amenity of the area.
Submission: **The proposal is incompatible with existing residential land use pattern.**

Location
Applicant's Response: The aged care design is first class, inside the facility and outside. This facility will be the diamond in the crown for the community and has been sympathetically designed in consideration of the existing character of the locality. It will be a beautiful development that all members of the community will be proud of and will be proud to send their own parents to when the time comes.
City's Comment: The Structure Plan's intended designation for the site as Community Purposes - Nursing Home clearly indicates that the site is suitable for this land use.

b. Consultation with Government Agencies

Given that the proposal is on land designated as bushfire prone under the State's bushfire prone mapping and that it involves a vulnerable land use identified under *State Planning Policy 3.7 - Planning in Bushfire Prone Areas* (SPP3.7), the Bushfire Management Plan (BMP) was required to be referred to the Department of Fire and Emergency Services (DFES).

DFES Submission:

Given that the proposed development application has the potential to increase the threat of bushfire to people, property and infrastructure, the decision maker should ensure that the bushfire risk and bushfire protection measures are established and understood before making a determination.

Consequently, the decision maker should require that the BMP addresses the policy requirements of SPP 3.7 and the Guidelines to inform decision making.

Issue	Assessment	Action
Vegetation classification	Evidence to support the exclusion of areas within Plot 3 as managed to low threat in accordance with AS3959 is required. The POS to the east of the proposed development (Harmony Park) is crown land and appears to be actively managed by the City of Rockingham. An area within Plot 2 has also been excluded based on the management of this POS (Lot 47 Navigator Drive is greater than 4,047 sqm which is not excludable under the firebreak notice). An enforceable mechanism is required to provide certainty that the proposed management measures can be achieved in perpetuity and that they are enforceable.	Insufficient information. The decision maker to be satisfied with the vegetation exclusions and vegetation management proposed. If unsubstantiated, the vegetation classification should be revised to apply the worst-case scenario as per AS 3959, or the resultant BAL ratings may be inaccurate.
Location	A1.1 – insufficient information The BAL ratings cannot be validated as the vegetation classification inputs require clarification as per the above table.	The decision maker to be satisfied that compliance with Element 1 and Element 2 can be achieved.

DFES Submission: (cont…)		
Issue	**Assessment**	**Action**
Bushfire Emergency Evacuation Plan (EEP)	The referral has included a 'Bushfire Evacuation (Response) Plan' for the purposes of addressing the policy requirements. Consideration should be given to the Guidelines Section 5.5.2 'Developing a Bushfire Emergency Evacuation Plan'. This contains detail regarding what an EEP should include and will ensure the appropriate content is detailed when finalising the EEP to the satisfaction of the decision maker.	Comment.
City's Comment: Based on the DFES submission, the applicant has updated the BMP to clearly delineate plots that are excluded in accordance with AS3959. As such, the City is satisfied with the vegetation exclusions and vegetation management proposed.		

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 Strategic Community Plan 2019-2029:

Aspiration 3: *Plan for future generations*

Strategic Objective: *Responsive planning and control of land use: plan and control the use of land to meet the needs of the growing population, with consideration of future generations.*

d. Policy

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

SPP3.7 applies to all planning applications in designated bushfire prone areas identified on the Fire and Emergency Services Commissioner's map of bushfire prone areas (FESC Map). It sets out Policy measures applicable to the consideration of development in bushfire prone areas. SPP3.7 provides a general presumption against the introduction or intensification of land use in areas subject to extreme bushfire hazard (including BAL-40 and BAL-FZ) unless it is minor or unavoidable development.

Section 6.6 of the Policy directly applies to the subject application, which relates to vulnerable or high-risk land uses. The provisions require development applications to be supported by an emergency evacuation plan for proposed occupants.

The submitted Bushfire Management Plan (BMP) and Emergency Evacuation Plan (EEP) demonstrate compliance with SPP3.7 and the associated Guidelines for Planning in Bushfire Prone Areas. Should the development be approved a condition of approval requiring the implementation of the BMP is recommended to be applied.

State Planning Policy 7.0 - Design of the Built Environment (SPP7.0)

SPP7.0 provides the broad framework for the design of the built environment across Western Australia, and applies to all levels of the planning hierarchy, including the assessment of Development Applications.

The below provides an assessment of the proposal against the 10 principles of SPP7.0:

Principle	Requirement	Proposal	Compliance
Context and character	Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.	The development draws upon the residential nature of the location by providing form, materials and finishes that are reflective of the local area.	Yes
Landscape quality	Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.	39% of the site has been set aside for the landscaping. Although a landscaping plan has been submitted in support of the proposal, the City has identified that further detail is required. As such, the City can work with the applicant to ensure that a suitable landscape outcome is realised for this location.	Yes
Built form and scale	Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.	Although taller than any of the buildings within the vicinity, the development utilises a mixture of single and double storey forms that is generally residential in scale and reflective of the location. Although the footprint of the building seems large, this is only a symptom of the large site area. The fact that the building is located on its own site, separate from any other residential land uses by road reserves, helps to place it comfortably within the landscape without having an undue impact on existing or future residential development.	Yes

Principle	Requirement	Proposal	Compliance
Functionality and build quality	Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.	The intended operator is an experienced care provider, as such the design responds positively to the specific needs of the land use.	Yes
Amenity	Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.	An abundance of communal and community type elements are being provided within the development to offer high levels of amenity to occupants and their visitors. Additionally, given the residential scale of the building, and the fact that it is separated from other residential development, the development will not impact on the amenity of existing or future residents within the area.	Yes
Legibility	Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.	The building itself is set out in a logical pattern which will aid internal legibility for occupants, staff and visitors. From an external perspective, the two storey building will be clearly identifiable within this predominantly single storey environment. The concentration of building height at the front entry point of the building further assists with the legibility of the building.	Yes

Principle	Requirement	Proposal	Compliance
Safety	Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.	As per the applicant's submission: *"Signature Care uses Dementia friendly guide in the design of their buildings to create safe engaging spaces."*	Yes
Community	Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.	The provision of this land use is a reflection of an ageing demographic within the City. It will provide people with the opportunity to age in their local areas, assisting with the maintenance of an established community.	Yes
Aesthetics	Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.	The combination of a residential scale building with substantial landscaped areas will provide a development that is reflective of, and comfortable within, its location. A pallet of quality materials and finishes will ensure that an attractive, suitable building is delivered in this location.	Yes

Planning Policy 3.3.14 Bicycle Parking and End-of-Trip Facilities

The City supports the use of sustainable transport and acknowledges the need to provide supportive environments including bicycle parking and end-of-trip facilities. The aim of the policy is to facilitate the appropriate provision of secure, well designed and effective on site bicycle parking and end-of-trip facilities to encourage the use of bicycles as a means of transport and access to and within the City.

The below table provides an assessment against the requirements of PP3.3.14:

Item	Requirement	Proposal	Compliance
Number of Bicycle Bays Required	1 Short Term for visitors and 5 long term for Staff	20 provided	Yes

Item	Requirement	Proposal	Compliance
Design of Bicycle Parking Facilities	• Bicycle parking facilities shall be located in a convenient and safe location and not require access via steps; • Bicycle parking facilities shall be located as close as possible to the main entrance of the premises • Designed in accordance with AS 2890.3 - Bicycle Parking Facilities and Austroads Part 14 - Bicycles.	Located within the front setback area with a view to the front door. Should the development be approved a condition requiring design in accordance with AS 2890.3 is recommended.	Yes
End of Trip Facilities	One shower following the first five (5) long-term parking spaces and one change room or direct access to a communal change room per shower. Clothing lockers to be provided	Two Showers provided with two change rooms including lockers provided.	Yes

Planning Policy 3.3.1 Control of Advertisements

The purpose of this Planning Policy is to consolidate the various advertising controls to enable an 'advertiser' to determine the specific requirements and objectives for each form of advertisement.

The development proposes two identical pylon signs. The following is an assessment of the signs against PP3.3.1:

Item	Requirement	Proposal	Compliance
Location	• Must not be located within 1.8m of a boundary • Must not be situated within 6.0m of any other sign of the same lot • Must not project over a street, walkway or any other public area by more than 1.0m	• 1.83m from the boundary • Not within 6m of other sign • Not projecting over street	Yes
Height	Must not have a height exceeding 6.0m,	1.5m high	Yes

Item	Requirement	Proposal	Compliance
Underside clearance from ground	Must not have any part of the sign less than 2.7m from the ground level, unless the sign is designed such that the underside of the face area is located at ground level;	0.5 clearance from ground	No, however, given that it is a small sign there is sufficient space to maintain the area around and under the sign.
Face Area	• Must not have a face area exceeding more than 3.5m width or height; • Must not have a face area of more than 4m² on each side (single tenancy) or 13m² on each side (multiple tenancy).	• 3m wide and 1m high • Face area 3m²	Yes

e. Financial

Nil

f. Legal and Statutory

Planning and Development (Local Planning Schemes) Regulations (2015) (The Regulations)

As per Clause 27 of the Regulations, a decision-maker for an application for development approval or subdivision approval in an area that is covered by a Structure Plan that has been approved by the Western Australian Planning Commission is to have due regard to, but is not bound by, the Structure Plan when deciding the application.

The land is subject to the Bayshore Gardens Local Structure Plan (The LSP) as such due regard must be given to the provisions of the LSP in determining the application. As noted, there is currently an application with the City to amend the LSP's designation for the subject site from "Residential" to "Community Purposes – Nursing Home". The assessment of this application has therefore been undertaken against the existing and proposed LSP.

City of Rockingham Town Planning Scheme No.2 (TPS2)

Residential Zone

Given that the land is currently designated as Residential under the LSP it is appropriate to assess the proposal against the provisions of the Residential Zone under TPS2.

Item	Requirement	Proposal	Compliance
Land Use	Permitted (P), Discretionary (D) or Discretionary with advertising (A)	Not Permitted (X)	No. A Nursing Home cannot be approved within the Residential Zone. It should, however, be noted that the land is zoned Development with a Residential designation under the LSP.

Item	Requirement	Proposal	Compliance
			As such, the decision maker is not bound by the requirements of the LSP but must have due regard to it.
Objective of Residential Zone	To promote a high quality residential environment by maintaining and enhancing the quality of existing residential areas and providing for a range of residential densities and housing types throughout the Scheme Area	No residential development proposed	N/A

Given the above assessment it was necessary to amend the site's designation under the LSP in order to facilitate a development of this nature.

Community Purpose Zone

Given that the land is proposed to be designated as Community Purposes – Nursing Home under the LSP, it is considered worthy to assess the proposal against the provisions of the Community Purpose Zone under TPS2.

Item	Requirement	Proposal	Compliance
Land Use	Permitted (P), Discretionary (D) or Discretionary with advertising (A)	D	Yes, provided the decision maker applies its discretion and grants Development Approval.
Objective of Community Purposes Zone	To provide for the development of religious, educational, health and social care facilities, accommodation for the aged and infirm, and other services by organisations involved in activities for community benefit, in convenient locations within the Scheme Area.	An Aged Care Facility is being proposed.	Yes
Form of Development	Site planning, scale, built-form, elevations and landscaping of the development are to positively contribute to the streetscape, appearance and amenity of the locality	Although taller than any of the buildings within the vicinity, the development utilises a mixture of single and double storey forms that is generally residential in scale and reflective of the characteristics of the location.	Yes

Item	Requirement	Proposal	Compliance
		Additionally, 39% of the site has been set aside for landscaping ensuring that the development can respond positively to the streetscape.	
Parking	The City is to determine the minimum number of car parking bays required for the development having regard to: (i) the nature of the proposed development; (ii) the number of employees likely to be employed on the site; (iii) the anticipated demand for parking; and (iv) the orderly and proper planning of the locality.	Given that there is no TPS2 parking requirement, the applicant has undertaken a parking needs assessment based upon the *Roads and Traffic Authority Guide to Traffic Generating Developments* for a development of this nature and scale. This assessment concludes that 39 bays are required. 64 on-site parking bays (including four accessible bays) are proposed as part of this development application. This includes staff and visitor bays.	Yes
Setbacks	The Local Government taking into account the principles outlined in clause 4.14.2 and the requirements of the Building Code of Australia.	The development is generously set back from the street boundaries by a combination of parking and landscaping. The inclusion of landscaping at every boundary will soften impacts of the development on the streetscape.	Yes
Landscaping	10% of the total site area to be provided as landscaping in the form approved by the City	39% of the site has been set aside for landscaping. Should the development be approved an updated landscaping plan is requested as a condition of approval. This will ensure that a positive landscape outcome is realised.	Yes

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 subject lot is zoned Development under TPS2. As such, a Structure Plan is required prior to the development of land. The Bayshore Gardens Local Structure Plan applies to the subject land and designates it as Residential (R40) with a Lifestyle Village Over 55's annotation. Consequently, one is directed to the "Residential" zone and the "Residential" use classes within the Zoning Table of TPS2 in order to determine the appropriateness of a land use on the subject site.

It is noted that the applicant has applied to amend the LSP's land use designation of the subject site from "Residential" to "Community Purposes". As such, the application has been assessed on the basis of both the current LSP and the proposed LSP.

As noted in the Legal and Statutory section of this report, the JDAP must give due regard to but is not bound by a LSP. Therefore the option of approving the development application exists. The City, however, considers that it would be against the principles of orderly and proper planning to circumvent the current strategic planning process in progress. It is therefore recommended that JDAP approval be applied following the modification of the LSP.

Conclusion

Subject to the WAPC approval of the proposed LSP modification, the development is considered to be consistent with the intent and changes proposed to the planning framework. As such, it is recommended for conditional approval.

Voting Requirements

Simply Majority

Officer Recommendation

That Council ***ADOPTS*** the Responsible Authority Report for the application for the proposed Nursing Home at Lot 507 Foreshore Drive, contained as Attachment 1 as the report is required to be submitted to the presiding member of the South-West Joint Development Assessment Panel (MSWJDAP) pursuant to Regulation 12 of the Planning and Development (Development Assessment Panels) Regulation 2011.

Committee Recommendation

That Council ***ADOPTS*** the Responsible Authority Report for the application for the proposed Nursing Home at Lot 507 Foreshore Drive, contained as Attachment 1 as the report is required to be submitted to the presiding member of the South-West Joint Development Assessment Panel (MSWJDAP) pursuant to Regulation 12 of the Planning and Development (Development Assessment Panels) Regulation 2011, which recommends:

"That, subject to the Western Australian Planning Commission approving the modified Bayshore Gardens Local Structure Plan to identify Lot 507 Foreshore Drive, Singleton as 'Community Purposes - Nursing Home', the Metro South-West Joint Development Assessment Panel (MSWJDAP) resolves to:

Approve DAP Application reference DAP/19/01694 and accompanying plans:

- Cover Page, Drawing DA00 Revision B, Dated 11 November 2019;
- Site Analysis, Drawing DA01 Revision C, Dated 23 January 2020;
- Site Plan, Drawing DA02 Revision C, Dated 23 January 2020;
- Ground Floor Plan, Drawing DA03 Revision C, Dated 23 January 2020;
- First Floor Plan, Drawing DA04 Revision C, Dated 23 January 2020;

- Elevations, Drawing DA05 Revision B, Dated 11 November 2019;
- Sections, Drawing DA06 Revision B, Dated 11 November 2019;

in accordance with the Metropolitan Region Scheme and Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of 68(2)(b) of the deemed provisions of the City of Rockingham Town Planning Scheme No. 2, subject to the following conditions:

Conditions

1. This decision constitutes development approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. Prior to applying for a Building Permit, a revised Landscaping Plan to the satisfaction of the City of Rockingham must be prepared and must include the following detail:
   (i) the location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
   (ii) any lawns to be established and areas to be mulched;
   (iii) any natural landscape areas to be retained;
   (iv) those areas to be reticulated or irrigated;
   (v) footpaths in the adjoining streets; and
   (vi) proposed upgrading to landscaping, paving and reticulation of the street setback area and all verge areas.

   The landscaping, paving and reticulation must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City of Rockingham for the duration of the development.
3. Prior to applying for a Building Permit, all service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, must be designed to be located away from public view and/or screened, and this design must be provided to, and approved by, the City of Rockingham.
4. Prior to applying for a Building Permit, the Bayshore Beachside Urban Water Management Plan (v.J5352b) must be updated to the satisfaction of the City of Rockingham. The approved plan must be implemented and all works must be maintained for the duration of the development.
5. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures must be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
6. Prior to applying for a Building Permit a Dust Management Plan is required to be submitted to and approved by the City of Rockingham. The requirements of the approved plan must be implemented for the duration of the construction works
7. The carpark must:
   (i) be designed constructed, sealed, kerbed, drained and marked in accordance with User Class 2 in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* unless otherwise specified by this approval, prior to applying for a Building Permit;
   (ii) provide four (4) car parking space dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off-street parking for people with disabilities and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed in accordance with Australian Standard AS 1428.1—2009, Design for access and mobility, Part 1: General Requirements for access—New building work;
   (iii) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter; and

(iv) comply with the above requirements for the duration of the development.

8. Prior to the occupation of the development, any damage to existing City infrastructure within the road reservation including kerb, road pavement, turf, irrigation, bollards and footpaths is to be repaired to the satisfaction of the City of Rockingham at the cost of the applicant.

9. The requirements of the Lot 9001 Foreshore Drive, Singleton - City of Rockingham October 16, 2019 Bushfire Management and Emergency Evacuation Plan prepared by Bushfire Safety Consulting Pty Ltd dated 16 October 2019 are to be implemented for the duration of the development.

10. All illumination must be confined to the land in accordance with the requirements of Australian Standard AS/NZS 4282:2010 - *Control of the obtrusive effects of outdoor lighting* and Australian Standard AS/NZS 1158.3.1:2005 - *Lighting for Roads and Public Spaces*, at all times and, for the duration of development.

11. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities and must be approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development.

The bicycle parking spaces must be retained and maintained in good and safe condition for the duration of the development.

12. The showers, change rooms and clothing lockers must constructed prior to occupancy of the development and maintained in good and safe condition for the duration of the development.

13. The Waste Management Plan prepared by Leigh Design dated 3 December 2019 must be implemented for the duration of the development.

14. The proposed bin storage areas must be screened from view of the street to the satisfaction of the City of Rockingham. The bin storage area must be constructed prior to the occupation of the development and must be retained and maintained in good condition for the duration of the development.

15. Materials, sea containers, goods or bins must not be stored within the car park at any time.

16. Prior to applying for a Building Permit, details of fencing and screening of plant on the Fitch Street frontage is required to be submitted to and approved by the City of Rockingham.

17. Commercial vehicles are permitted to access the site between the hours of 7am-9am and 4pm-6pm.

Advice Notes

1. The development must comply with the *Environmental Protection (Noise) Regulations 1997*; contact the City's Health Services for information on confirming requirements.

2. The development must comply with the Health (Public Building) Regulations 1992; the applicant and owner should liaise with the City's Health Services in this regard.

3. A Certified Building Permit must be obtained prior to construction and thereafter an Occupancy Permit must be obtained; the applicant and owner should liaise with the City's Building Services in this regard.

4. All works in the road reserve, including construction of a crossover or footpath, and any works to the road carriageway must be to the specifications of the City of Rockingham; the applicant should liaise with the City of Rockingham's Engineering Services in this regard.

5. All playground installations must be installed and maintained in accordance with all relevant Australian Standards AS 4685:2014 1-6, 11 and all relevant amendments including additional criteria outlined in the following; AS 4685.0:2017 Playground equipment and surfacing Part 0: Development, installation, inspection, maintenance and operation; and AS/NZS 4422:1996 - Playground Surfacing - Specifications, Requirements & Test Methods; Suitable impact absorbing surfacing, termed soft-fall must be installed, wherever falls from fixed or portable playground equipment is possible.

6. With regard to the Landscaping Plan, please contact the City's Land Development and Infrastructure team for further detail.

7. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant should liaise with the City's Building Services in this regard.

8. Prior to the occupancy of the development approval is required under the Food Act 2008. Please contact the City's Health Service for further information.

9. The crossovers to the development are required to be constructed in accordance with the City's Commercial Crossover Specifications. The applicant is advised to contact the City's Engineering Services Department for specifications and construction advice.

Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

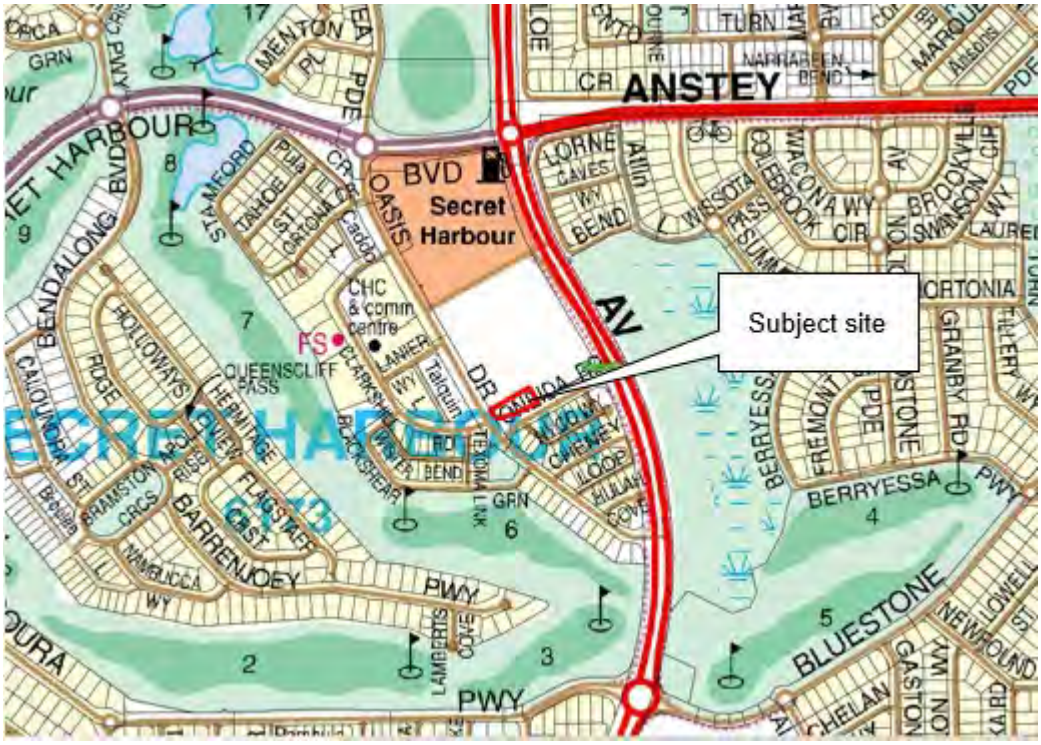
Not Applicable

Planning and Development Services
Statutory Planning Services

Reference No & Subject:	**PD-012/20 Proposed Child Care Premises**
File No:	DD20.2019.00000270.001
Applicant:	Rowe Group Pty Ltd
Owner:	Perpetual Limited
Author:	Mr Chris Parlane, Senior Planning Officer
Other Contributors:	Mr David Waller, Coordinator Statutory Planning Mr Mike Ross, Manager Statutory Planning
Date of Committee Meeting:	17 February 2020
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	Lot 7002 (No.16) Oneida Road, Lot 7001 (No.420) Secret Harbour Boulevard, Secret Harbour
Lot Area:	Lot 7002: 1,381m² Lot 7001: 6.0138ha
LA Zoning:	District Town Centre
MRS Zoning:	Urban
Attachments:	
Maps/Diagrams:	1. Locality Plan 2. Aerial Photograph 3. December 2016 JDAP Approved Site Plan 4. Site Plan 5. Floor Plan 6. Elevation Plans 7. Consultation Plan 8. Site Plan showing Play Area Locations 9. Indicative Development Plan 10. IDP Enlargement

Purpose of Report

To consider an application seeking Development Approval for a Child Care Premises at Lot 7002 (No.16) Oneida Road, Secret Harbour with parking proposed on Lot 7001, the site of the Secret Harbour Shopping Centre.



1. Locality Plan

2. Aerial Photograph

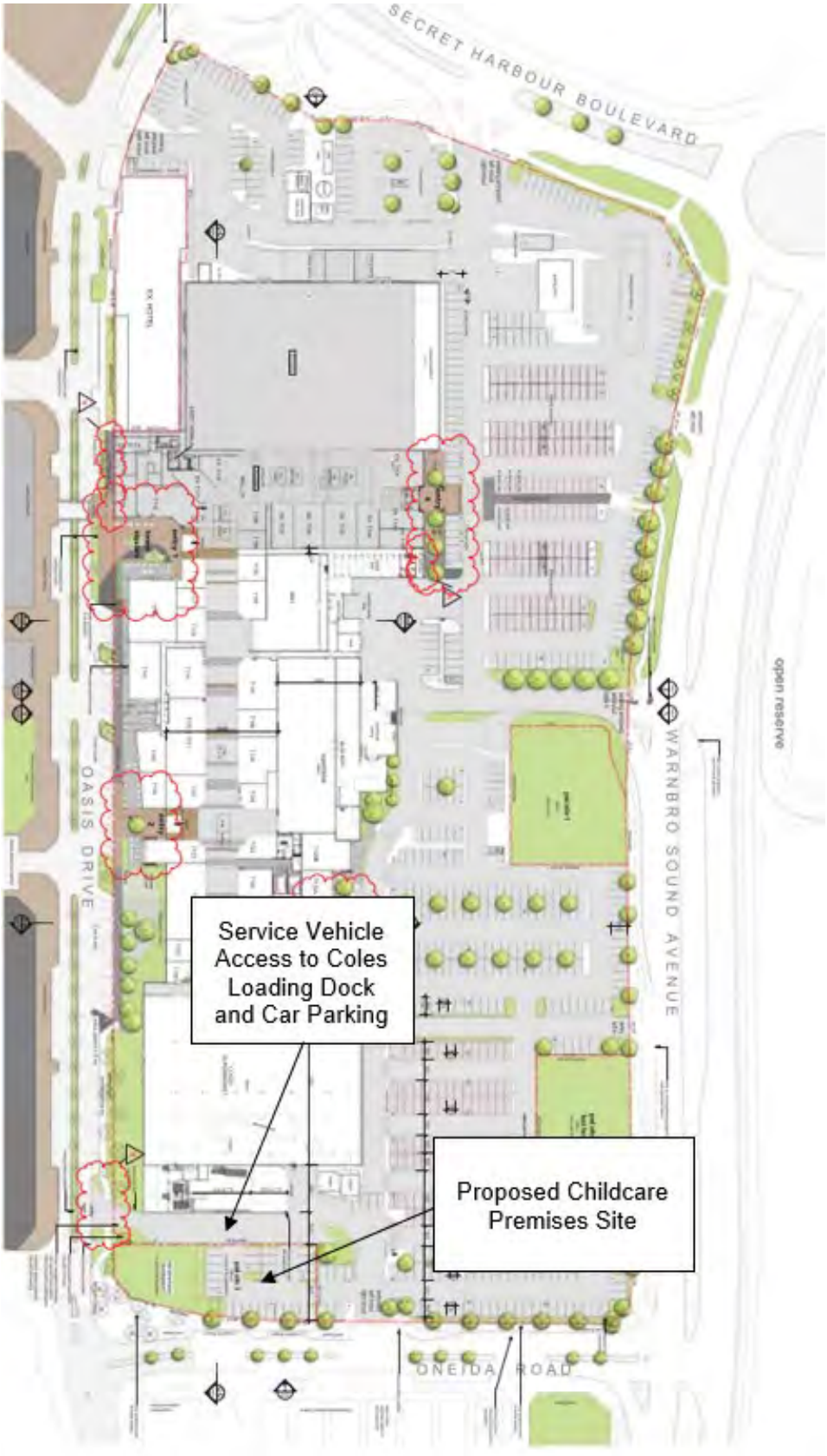
Background

The proposed Child Care Premises (CCP) is situated on the site of the Secret Harbour Shopping Centre, north of Oneida Road and east of Oasis Drive, Secret Harbour.

The Secret Harbour Town Centre has considerable planning history, the more relevant aspects of which include:

- February 2005 - Development Approval issued - Shopping Centre Stage 1;
- February 2009 - Council adopted an Indicative Development Plan for the Secret Harbour Town Centre, which identified the land the subject of the current application as Mixed Use/Residential, being located at the southern end of the core precinct;

- February 2015 - JDAP Development Approval issued - Extension to the Secret Harbour Shopping Centre;
- October 2015 - Modification to JDAP Development Approval issued - Extension to the Secret Harbour Shopping Centre;
- January 2016 - Modification to JDAP Development Approval refused - Extension to the Secret Harbour Shopping Centre;
- January 2016 - an application for review (appeal) was lodged with the State Administrative Tribunal (SAT) in relation to the refusal of the modified proposal, including the proposed modified condition;
- May 2016 - Modification of the JDAP Development Approval issued - Extension to Secret Harbour Shopping Centre (following an invitation to reconsider the JDAP decision from SAT); and
- December 2016 - Amendment to JDAP Development Approval issued - Approval granted for a modified design and three modified conditions for proposed additions and alterations to the Secret Harbour Shopping Centre. The approval included an amendment of car parking to accommodate the manoeuvring of service vehicles into the Coles supermarket loading dock from Oasis Drive. This service accessway includes car parking proposed to be used by the CCP the subject of the current application.



3. December 2016 JDAP Approved Site Plan

Details

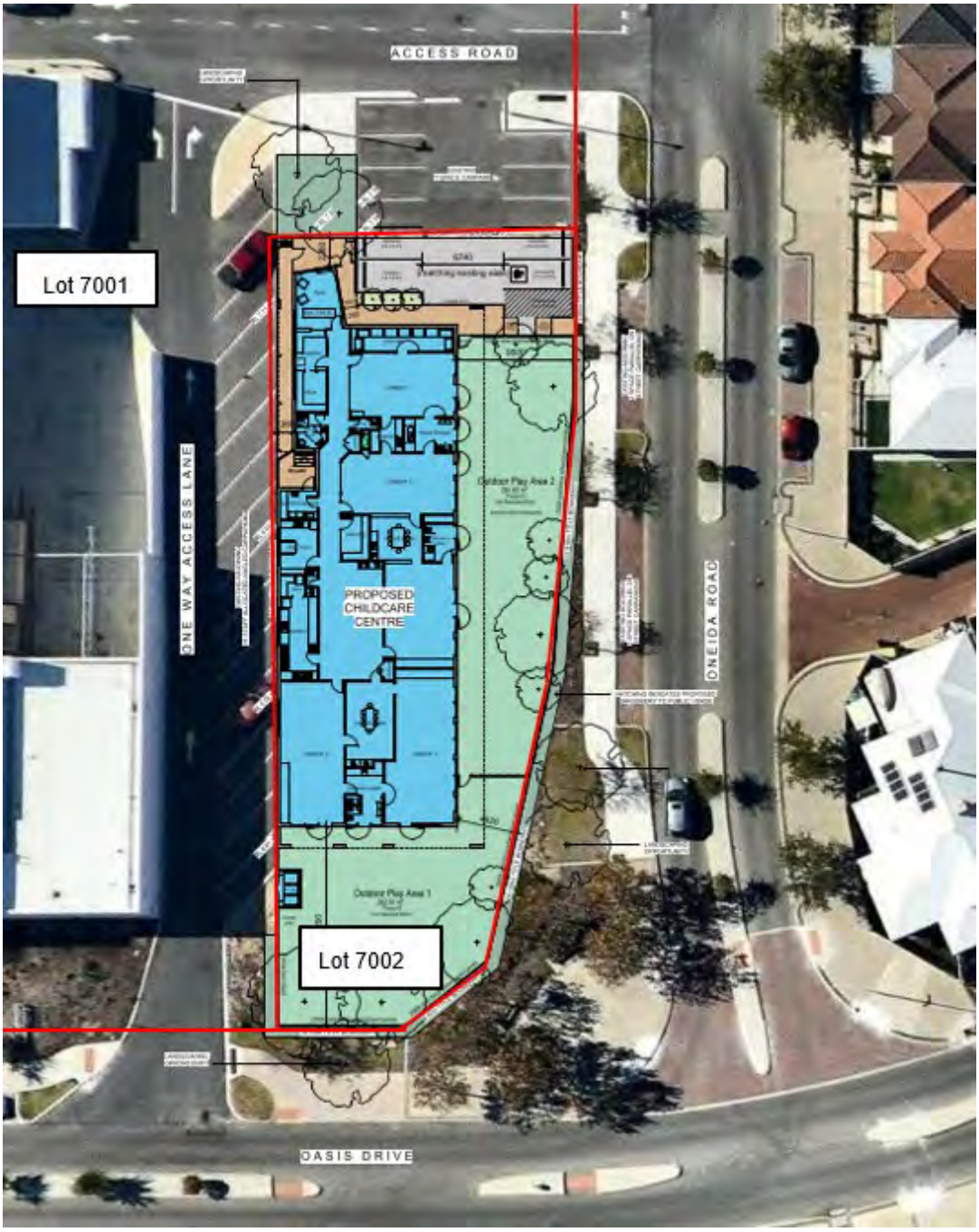
The applicant is seeking Development Approval for a CCP on the subject site. Details of the proposal include:

- Construction of a 598m² single storey building;
- 575m² of landscaped outdoor play areas located between the proposed building and the corner of Oneida Road and Oasis Drive;
- Facilities including an office, 5 group rooms, amenities, bin storage, 2 outdoor play areas and car parking;
- 15 staff;
- 82 children, comprising the following age groups:
  - 0-24 months: 12 places;
  - 24-36 months: 20 places;
  - 36 months +: 50 places;
- Hours of operation are 7am-7pm, Monday to Friday;
- Parking is proposed for 32 cars, utilising:
  - 7 existing car bays on Lot 7001, adjoining the north-eastern boundary of the site;
  - 4 proposed car bays on Lot 7002, constructed as an extension of the 7 existing bays mentioned above;
  - 16 existing angled car bays in the service vehicle access way on Lot 7001 adjoining the northern-western boundary of the subject site;
  - 5 existing on street parking spaces in Oneida Road adjacent the site.

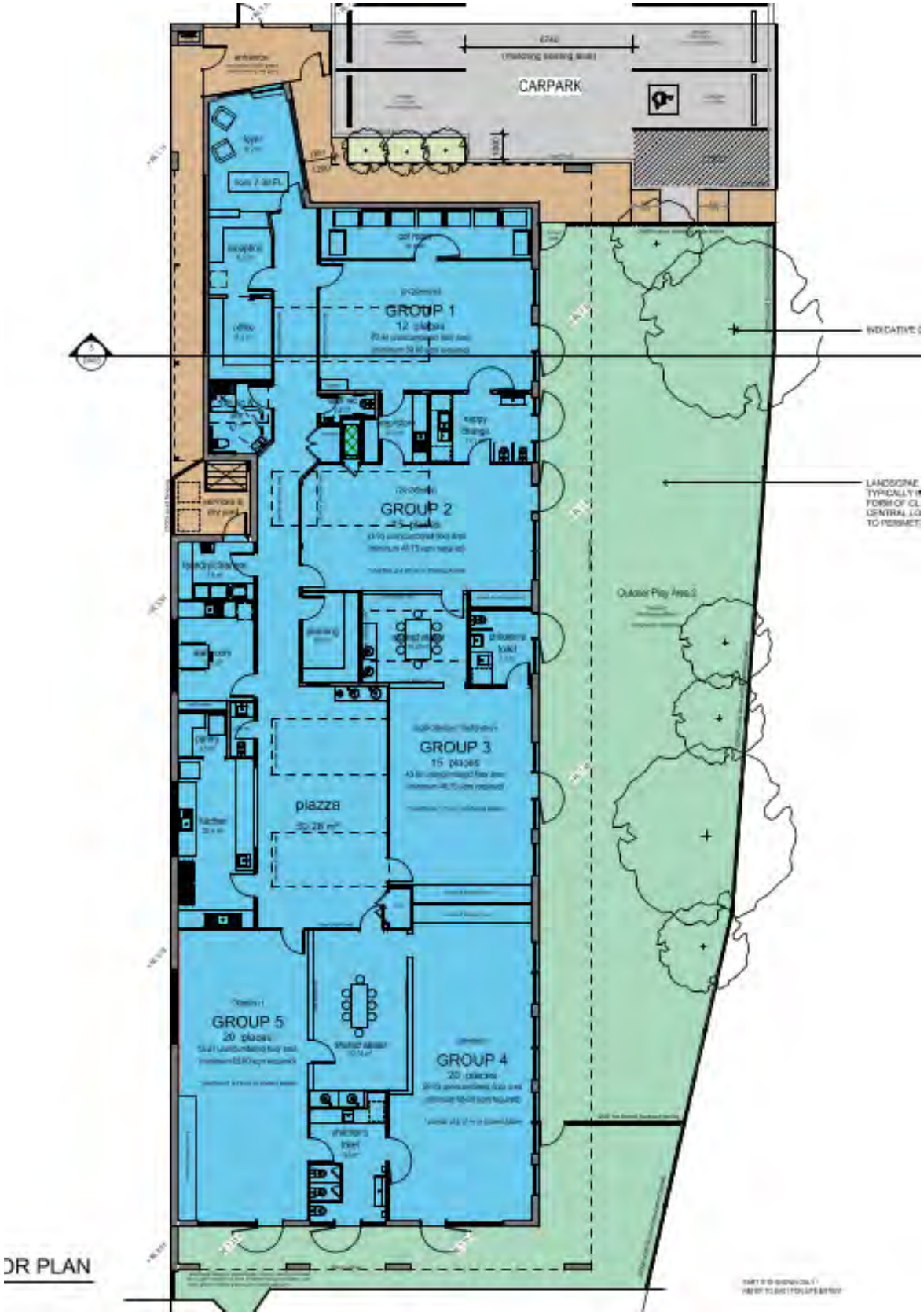
The applicant provided the following documents in support of the application:

- Covering letter/Planning Report;
- Development Plans;
- Environmental Noise Assessment; and
- Transport Impact Statement.

The development plans are shown below:


ACCESS ROAD
Lot 7001
ONE WAY ACCESS LANE
PROPOSED CHILDCARE CENTRE
ONEIDA ROAD
Lot 7002
OASIS DRIVE

4. Site Plan


CARPARK
GROUP 1
12 places
GROUP 2
15 places
GROUP 3
15 places
plazza
GROUP 5
20 places
GROUP 4
20 places
Outdoor Play Area 2
OR PLAN

5. Floor Plan

6. Elevation Plans

Implications to Consider

a. Consultation with the Community

The application was advertised to 56 adjacent landowners and occupiers for a period of 28 days, concluding 13 January 2020, in accordance with Clause 64 of the deemed provisions of Town Planning Scheme No.2 (TPS2). The application was also made available to the public on the City's website.

At the close of the advertising period, 12 submissions were received including:

- 7 submissions objecting;
- 2 submissions in support;
- 3 neutral or unspecified submissions.

The locations from where submissions were received are shown in Figure 7 below.

Five submissions were received from locations beyond the extent of the map in Figure 7, which include 4 objections and 1 unspecified submission identifying issues.

7. Consultation Plan

The submissions received objecting to the application are summarised as follows:

Noise
Submission: **Concerns that noise from vehicles and children will impact on residential amenity.**
Applicant's Comment: Noise emissions from outdoor areas were assessed and a cumulative noise assessment was carried out to predict the levels at nearest noise sensitive receivers. The Acoustic Report prepared by Wood and Grieve Engineers (Rev. 002, dated 4 December 2019) predicted noise emissions from the outdoor play areas were predicted to comply with the relevant *Environmental Protection (Noise) Regulations 1997* criteria at the nearest noise sensitive receivers.

Noise (cont…)

City Response:

The nearest residential dwellings are located at approximately 25m south of the subject site, across Oneida Road. Residential dwellings are considered to be noise sensitive land uses.

An acoustic report has been submitted with the application, which has been considered acceptable by the City, upon review. The acoustic report modelled the cumulative noise impacts of the following scenarios which involve limiting the number of children using the outdoor play areas at any one time to achieve compliance with the *Environmental Protection (Noise) Regulations 1997*:

Scenario 1:

- outdoor play area 2 (0-2 years) - a maximum of 12 children;
- outdoor play area 2 (2-3 years) - a maximum of 20 children;

Scenario 2:

- outdoor play area 1 (over 3 years) - a maximum of 25 children;

The report recommends installing an acoustic barrier, which is proposed in the form of a 2m high perspex fence around the boundaries of the site between the proposed building and residential land uses.

8. Site Plan showing Play Area Locations

City's Recommendation:

Should Council grant Development Approval, conditions are recommended that require:

- All recommendations detailed in the Wood and Grieve Acoustic Report reference 44295 revision 2 (December 2019) must be complied with for the duration of the development; and
- The installation of a 2m high acoustic barrier as per Figure 4 from the Wood & Grieve Engineers Acoustic Report ref 44295 dated 4 December 2019.

Parking

Submission:

More cars will be parking in Hyco Way and Oneida Road which are already used as overflow parking from the shopping centre.

The use of the car bays along the access road to the Coles loading area will cause traffic conflict between the childcare centre traffic and trucks.

Parking (cont…)

Applicant's Comment:

There is no evidence to suggest visitors to the Secret Harbour Shopping Centre are parking in Hyco Way, which appears to be a rear laneway which is designed to provide access to the garages of houses on Oneida Road, Oasis Drive and Cheney Loop. It should be noted there is no marked parking bays on Hyco Way and therefore it is unlikely there would be any cars parking in this location. The existing car parking bays on Oneida Road are available to the public at large and are available to visitors of the Centre and the surrounding residential area. Notwithstanding this, it should be noted that the proposed child care centre does not rely on the use of the on-street parking bays on Oneida Road, with sufficient parking provided at the Centre.

The parking bays to the west of the development within the service access will not be used by visitors to the child care centre. These bays have been approved by the City for staff use only as part of the major expansion of the Secret Harbour Shopping Centre. Visitors will be required to park to the north of the development or use existing on-street parking. Therefore, there will be no conflict between the child care centre traffic and trucks using the service area.

It is expected visitors to the child care centre will utilise the available on-site parking bays located to the north of the development rather than on-street parking bays. The increase of existing traffic will be isolated to certain times of the day where cars would be parked for shorter periods for pick up and drop off of children. Furthermore, additional parking will be provided as part of this development.

It should also be noted there will be a higher level of reciprocity between the proposed child care centre and the existing Shopping Centre with parents taking the opportunity to do shopping after dropping off or picking up children from the child care centre.

City Response:

There is on-street car parking on both sides of Oneida Road which is available for public use at any time. It is reasonable to expect the on-street bays adjacent to Lot 7002 (the subject site) will be used at peak times by visitors to the CCP; the shopping centre and nearby residential properties. Hyco Way is a 6m wide laneway and is only accessible from Oneida Road and is designed to service rear loaded houses fronting Oneida Road, Oasis Drive and Cheney Loop.

There is adequate off-street parking available to comply with Scheme requirements, without relying on the on-street parking in Oneida Drive. It is considered unlikely that informal parking will occur on Hyco Way from customers of the CPP, given observations that parking is generally underutilised in the south-eastern corner of the shopping centre site.

The City is currently considering 3 hour time limited parking proposed Oasis and Lanier Way and further restrictions to other streets could be considered in future, should issues arise.

The angled car bays located in the access road adjoining the site to the north-west, near to the Coles loading dock, were approved previously as part of the shopping centre expansion. Traffic safety implications were considered at the time, resulting in the provision of 4 'small car bays' to allow for the swept path movement of service vehicles entering the access way from Oasis Drive.

Traffic Safety

Submission:

Not a safe place for a childcare centre opposite the Coles loading dock.

The roads surrounding the Secret Harbour Shopping Centre are already busy and the child care centre will make this area even busier.

More people will make use of the existing footpath along Oasis Drive which will have a negative impact on pedestrian safety.

Traffic Safety (cont…)

Applicant's Comment:

The proposed child care centre does not rely on the use of the Coles loading dock area, the service access from Oasis Drive or the angled car parking located in the service area for the purpose of customer access or parking. Bin collection vehicles will park in the car parking bays immediately to the west of the development. As a result there will be no safety concerns associated with this development and the Coles loading dock area.

In addition, the proposed building has been designed and orientated towards the street, rather than the Coles loading dock. The proposed building faces Oneida Road, with play space to the south and east of the building. The entrance to the building is provided on the northern side of the building, away from the service area. As a result, the proposal provides for the safest possible access arrangements for parents and children.

In relation to traffic generation, the Secret Harbour Shopping Centre Expansion Traffic Impact Assessment (Rev. D, dated 27 November 2014) ('TIA'), the subject site is identified as Pad Site 3 and assumed to attract 120 vehicle trips in the peak hour with no reciprocity applied and 90 vehicle trips in the peak hour with 25% reciprocity with other land uses within the Shopping Centre. The TIA was approved as part of the Secret Harbour Shopping Centre Expansion. The proposed child care centre will attract similar vehicular trips per day and therefore the surrounding network will successfully absorb the generated traffic, with little change from what was previously anticipated for this site. It should also be noted there will be a higher level of reciprocity between the proposed child care centre and the existing Shopping Centre with parents taking the opportunity to do shopping after dropping off or picking up children from the child care centre.

The proposed development will likely increase the pedestrian traffic in and around the subject site which will result in a greater street level activity, a positive outcome for the Centre, the City and the community in general.

City Response:

The existing angle bays in the access way to the Coles loading dock are not proposed for use by parents and children visiting the CCP. Eleven (11) car bays are available for visitors at the north-eastern end of the building on Lots 7001 and 7002, as indicated on the site plan.

The City has reviewed the TIA submitted with the application, and considers the surrounding street and footpath networks have capacity to absorb the increased vehicle and pedestrian traffic resulting from this proposal in this District Town Centre location.

City's Recommendation

Should Council grant Development Approval, a condition is recommended that requires the angled car parking bays adjoining the north-western boundary of the CCP adjacent the Coles loading dock, are to be restricted for use by staff only.

Lot Size

A centre of this size need a licence and it appears as if the lot is too small to accommodate the number of children applied for.

Applicant's Comment:

The proposed child care centre is required to be appropriately licenced under the relevant Child Care Centre Regulations. The proposal is fully compliant with the Child Care Centre Regulations with regard to outdoor and indoor play spaces and children to staff ratios.

City Response:

This matter is discussed in the Local Policies section of this report, where it is concluded that the lot size is compliant.

Property Values
The proposal will adversely impact on surrounding property values
Applicant's Comment: There is no evidence to suggest the proposed development will impact the value of surrounding properties. In fact, it could reasonably be assumed the proposal may assist property values given the demographic structure of Secret Harbour which consists of, generally, young families of whom will benefit from the provision of a child care centre service in the suburb. The most recent Census data (2016) indicates there is a higher proportion of children aged 0-9 than the rest of Western Australia, with 18.1% of the population of Secret Harbour being aged between 0-9 years compared to 13.1% for Western Australia. This indicates Secret Harbour is occupied by a higher proportion of young families. Property values may improve as a result of this development as the level of community services provided in the suburb will increase.
City Response: Impact on property values is not a relevant planning consideration.

b. Consultation with Government Agencies/Others

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 2019-2029:

Aspiration 3: *Plan for Future Generations:*

Strategic Objective: *Responsive planning and control of land use: Plan and control the use of land to meet the needs of the growing population, with consideration of future generations.*

d. Policy

State Government Policies

Nil

Local Policies

Planning Policy No.3.3.5 - Child Care Premises (PP3.3.5)

The application has been assessed against the 12 requirements of PP3.3.5 as follows:

Requirement	Provided	Compliance
1. Location		
(a) Distributed strategically to provide the maximum benefit to the community it serves;	(a) The site is located adjoining an area that is an existing residential locality.	Yes
(b) Within easy walking distance or part of appropriate commercial, recreation or community nodes and education facilities;	(b) The site adjoins the Secret Harbour town centre.	Yes
(c) Located in areas where adjoining uses are compatible with a Child Care Premises (includes considering all permissible uses under the zoning of adjoining properties);	(c) A residential area is located to the south, and shopping centre and associated car parking area to the north of the subject site.	Yes
(d) Serviced by public transport (where available);	(d) A public transport bus route is provided along Warnbro Sound Ave (100m);	Yes

1. Location (cont…)		
(e) Considered suitable from a traffic engineering/safety point of view;	(e) Traffic Impacts are discussed further below, where they are considered to be acceptable	Yes
(f) Of sufficient size and dimension to accommodate development without affecting amenity of the area.	(f) The lot is 1,381m^2 in area, which is sufficient to accommodate a Child Care Centre of this scale without affecting the amenity of the area.	Yes
2. Site Characteristics		
As a general rule, sites in a residential area should be of regular shape and greater than 1,000m² in size. A maximum site coverage of 50% will apply to any proposal to prevent the over-development of any lot.	The site is fairly regular in shape and relatively flat. The site area of 1,381 is larger than the 1,000m^2 required by PP3.3.5. Proposed site coverage does not exceed 50% (approximately 43%.	Yes
3. Carparking		
Parking to be provided in accordance with TPS2 as discussed above	Discussed in the Legal and Statutory section of this report. Sufficient car parking has been provided based on the Traffic Impact Statement (TIS).	Yes
4. Traffic Impacts		
A traffic impact statement /assessment will be required where, in the opinion of the Manager, Statutory Planning, a proposed Child Care Premises has the potential to impact on the functionality and amenity of an area and may create or exacerbate unsafe conditions for children and families using the premises, or for pedestrians or road users.	A TIS has been provided by the applicant, which the City considers to be generally acceptable. However the swept path analysis provided for a waste vehicle servicing the CCP is considered to be impractical, as this requires more than 4 staff bays in the service lane north-west of the site to be clear in order to complete the vehicle movement. To address this concern, a condition is recommended in the event approval is granted, requiring a Waste Management Plan to be provided to the satisfaction of the City demonstrating adequate measures for the collection of waste from the site.	Yes, subject to a condition requiring a waste management plan
5. Noise Impacts		
A noise impact assessment may be required for the development of a Child Care Premises. The objectives should be to limit the noise impact of the Child Care Premises on adjacent properties, and also limit any noise impact from external sources on the Child Care Premises.	An Acoustic Report has been provided. The report advises certain measures that need to be implemented to address noise related to outdoor child play, including limiting the number of children playing in the outdoor play space at one time, and installing an acoustic barrier.	Yes – however, it is noted that noise prevention measures will be required to mitigate the potential noise generated by the development.

5. Noise Impacts (cont…)		
This may be achieved either by physical separation, design and layout of the premises or by implementing noise mitigation measures, such as acoustic treatments to buildings. Although each application will need to be assessed on its individual merits, the following basic principles apply:		Conditions of approval are recommended in this respect.
(a) Where a Child Care Premises is located adjacent to a noise sensitive use, such as houses, retirement villages and nursing homes, the noise-generating activities of the Child Care Premises, such as the outdoor play areas, parking areas and any plant equipment, are to be located away from the noise sensitive use;	To activate the property frontages and provide amenity for children using the outdoor play spaces, the external play areas are located to the south and west of the main building facing residential properties across Oneida Road, which does not comply with this Policy requirement.	No, however, satisfactory noise attenuation measures are proposed to minimise noise impacts (refer to 6 below).
(b) Where, due to design limitations or safety considerations, noise-generating activities such as outdoor play areas are located close to noise-sensitive uses, appropriate noise mitigation is to be undertaken; and	Refer above.	Yes
(c) The design and construction of buildings may include noise-mitigation measures to reduce impact from external sources and to achieve accepted indoor noise limits.	There is no objection to this option provided the Perspex or similar material is transparent to allow for street surveillance whilst attenuating noise.	Yes
6. Design Considerations		
The appearance of a Child Care Premises must be consistent with the scale and character of the locality. In this regard, where the development is located in a residential area, the built-form should lend itself to domestic (residential) architecture.	The building has been designed as a single storey commercial building with a skillion roof design. The parapet height of the development is 4.5m and the maximum roof pitch height is 5.13m, but is not domestic architecture.	No, however, the building design reflects the District Town Centre zoning, which is considered appropriate.
Setbacks to side and rear boundaries and the orientation of openings to indoor play areas should minimise any impact on adjoining properties.	The development is setback from residential development to the south by at least 25m, which is considered adequate given the acoustic controls proposed.	Yes
Outdoor play areas are to be located so as to limit their impact on the amenity of adjoining properties, whilst taking advantage of a passive solar orientation wherever possible.	The landscaped outdoor play areas are to be located to the south and west of the main building, adequately separated and acoustically screened from residential lots to the south.	No, however refer to 5 (a) above.

6. Design Considerations (cont…)		
Measures should be taken to ensure that play areas are large enough and of such dimensions to be useful as play areas, and side setback and leftover building areas are not desirable for the purpose.	Play areas are in one area and are partly covered to provide weather protection during various weather conditions.	Yes
Where a play area is located in the front setback area, fencing of the area should be of predominantly open construction to provide a safe playing area without closing the site in, casting shadows on the play area, or adversely affecting the residential streetscape.	The fencing comprises of colourbond posts and 1m high Perspex infills above 1m high solid EPS core acoustic panels (or similar) to attenuate noise impacts and avoid overshadowing the play areas.	Yes
Landscaping will be required along the frontage of the development to a standard equal to that required or provided for on adjacent properties. Landscaping should not include potentially hazardous heights and potentially toxic plants.	Landscaping will be provided and managed via a condition in the event Development Approval is granted.	Yes
7. Hours of Operation		
For Child Care Premises in Residential areas, hours of operation will be restricted to 7.00am to 7.00pm, unless otherwise agreed to by the Council.	Proposed hours of operation are 7:00am - 7:00pm	Yes
8. Advertising Signs		
Any proposed advertising sign must accord with the provisions of clause 5.3 of Town Planning Scheme No 2. Furthermore, a Sign Permit application is required to be submitted to the Building Department, pursuant to the Council's Signs, Hoardings and Bill Posting Local-Law.	Three indicative wall panel advertising signs are depicted on the plans. Should the application be approved, a condition requiring the submission of a final Signage Strategy is recommended.	Yes. A condition of Development Approval may include the preparation of a Signage Strategy to the satisfaction of the City.
9. Need for Child Care Premises		
Where, in the opinion of the Manager, Statutory Planning, a proposed Child Care Premises may have an adverse impact on the level of service to the community by similar existing or approved facilities. The proponent will be required to provide further information in regard to the level existing services in the locality, proximity to other Child Care Premises, population catchments for the proposed Child Care Premises and the number of primary schools and kindergartens in the locality, in relation to the development of the proposed new facility.	The City does not consider it appropriate to restrict further child care premises within the District Town Centre location.	Yes

10. Building Approval		
Where a Child Care Premises requires the construction of a new building or modifications to an existing building, a Building Permit will be required from the Council (in addition to a Development Approval).	An advice note will stipulate this.	Yes
11. Health Approval		
Where a Child Care Premises requires the construction of a new building or modifications to an existing building, a Form 2 - Maximum Accommodation Certificate will be required from the Council (in addition to a Development Approval).	An advice note will stipulate this.	Yes
In addition, an Application for a Certificate of Registration of a Food Premises must also be submitted. The food preparation area is required to comply with the Food Act 2008 and Chapter 3 of the Australia New Zealand Food Standards Code.	An advice note will stipulate this.	Yes
12. Consultation		
All applications for Development Approval for the establishment of Child Care Premises in the Residential and Development zones will be the subject of a process of community consultation in accordance with clause 6.3.3 of Town Planning Scheme No.2 and Planning Procedure No.1.3 – Community Consultation.	The application was advertised for 28 days to the surrounding community – 12 submissions were received as discussed in the Consultation section of this report.	Noted

Secret Harbour Town Centre (PP3.2.3):

PP3.2.3 provides guidance on development of land within the Secret Harbour Town Centre.

Clause 3 - Policy Objectives

The objectives of PP3.2.3 are:

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

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

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

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

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

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

The proposed development is considered to be compliant with the objectives of the PP3.2.3.

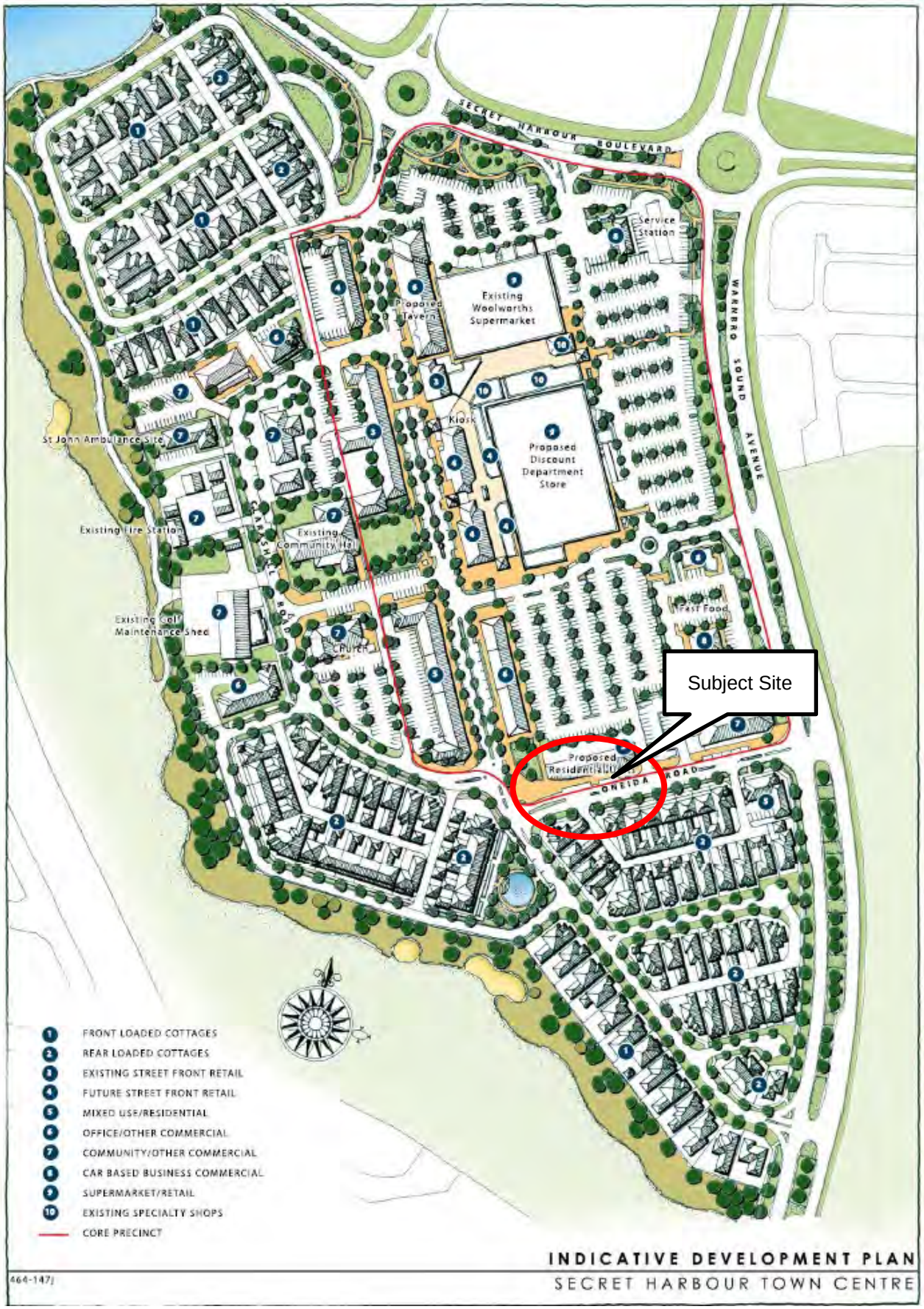
Clause 5 - Indicative Development Plan (IDP)

Clause 5 of PP3.2.3 requires the Council to have regard to the IDP in applying PP3.2.3. The IDP is shown within Figures 9 and 10.

The subject site is shown on the IDP as a 'mixed use/residential' site, with nil building setback to Oneida Road and car parking to the rear.

The proposed CCP provides a built form typology that is generally consistent with the IDP. While the land use proposed is commercial in nature (not residential), it is considered to be acceptable in this District Town Centre location.

The IDP is an indicative plan rather than a prescriptive building typology.



9. Indicative Development Plan (IDP)

10. IDP Enlargement

Clause 6 - General Requirements

PP3.2.3 includes general requirements as well as specific precinct requirements applying to development. These are outlined below, along with comments on compliance with these requirements.

Table 2: PP3.2.3 General Requirements

Requirement	Comment	Compliance
1. Desired Future Character		
The Town Centre will be the major commercial and social centre of Secret Harbour and its wider district centre catchment.	The proposed CCP will contribute to the desired future character as it is an appropriate use for the zone and provides a social service to the surrounding catchment.	Yes
An integrated, distinctly urban townscape character is envisaged, with a legible network of human scaled streets and public spaces defined by an ordered and generally contiguous framework of active, street front buildings.	The proposed building form is set back from the Oasis Drive boundary, which is consistent with the IDP. Oasis Drive being the Secret Harbour Town Centre 'main street'. The building is also setback from Oneida Road which does not comply with this policy requirement.	No, however the proposed building setback maximises amenity for children playing, compared to providing outdoor play areas which view the rear wall of the Coles loading dock.

Table 2: PP3.2.3 General Requirements		
Requirement	**Comment**	**Compliance**
2. Preferred Uses		
Subject to the provisions of Town Planning Scheme No.2 (Table No.1 - Zoning Table) and the Development Guidelines in Section 6.4, preferred uses within the Town Centre include: • Retail • Office and Commercial • Civic and Community • Arts and Entertainment • Eating and Drinking Places • Residential (Medium Density) • Showrooms • Consulting Rooms	A CCP is a Commercial use, and therefore a preferred use in the town centre.	Yes
3. Development Guidelines		
Generally		
(i) The Town Centre is to be developed as a mixed use area conforming to an urban townscape discipline that incorporates Main Street Design Principles.	Oasis Drive provides for the Main Street design. Located on the corner of Oasis Drive and Oneida Road, the subject land is not depicted on the IDP as a Main Street site.	Yes, the outdoor play area reflect the open space in the IDP
(ii) Buildings must address the public street and major public spaces with generally contiguous frontages which abut the road reserve boundary, subject to minor variations at building entries, ground level colonnades and as generally illustrated on the IDP. Residential buildings outside of the Core Precinct will have generally reduced front setbacks, to be determined on a street by street basis.	The proposed development addresses Oneida Road, being the primary street frontage of the site, however the proposed built form is set back from the street boundary (4.8-9.5m) to provide for outdoor child play areas, which partially complies.	Partially compliant
(iii) Side and rear building setbacks will generally be determined by reference to the IDP, subject to review by the Council of individual land use and siting proposals and compliance with relevant health, building and safety regulations.	The side and rear setbacks are appropriate for the site and development.	Yes

Table 2: PP3.2.3 General Requirements		
Requirement	**Comment**	**Compliance**
(iv) In keeping with the desired urban form and streetscape character, a general height limit of 12 metres above ground level shall apply to all development, unless otherwise determined by Council, taking into account the objectives of this Policy.	The development will have a maximum height of 5.13m which is less than the general height limit of 12m.	Yes
(v) Notwithstanding point (iv) above, all buildings within the Core Precinct, with a direct street frontage are to be a minimum two stories or equivalent parapet height	The proposed parapet height is 4.5m. A condition is recommended should approval be granted, requiring a minimum parapet height of 5.5m to reflect 2 storeys.	Yes, on the basis of the recommended condition.
(vi) Buildings within the Core Precinct that have a street frontage are to provide a continuous pedestrian shelter at street level through a generally continuous street verandah (awning) treatment that is a minimum 2.5m wide. Verandah posts within the road reserve are generally not supported.	A continuous veranda at street level is not considered necessary as the building is setback from the street boundary.	N/A
(vii) Buildings fronting the streets within the Core Precinct shall be designed to achieve an appropriate use profile with an active, ground floor street frontage predominantly incorporating retail, entertainment cafes, restaurants and similar uses.	The proposed CCP does not provide the type of active use profile envisaged fronting the Core Precinct street, which include retail, entertainment cafes, restaurants and similar uses.	No, however the subject site is located on the southern periphery of the Core Precinct. As the development fronts onto Oneida Road, a CCP is considered an acceptable land use in this location.
(viii) Within the Core Precinct, to allow for robust buildings, a minimum ground floor to first floor height of 3.2 metres with a minimum 3.0 metres ceiling height is to be provided.	The development has a 3m floor to ceiling height which is compliant.	Yes

Table 2: PP3.2.3 General Requirements		
Requirement	**Comment**	**Compliance**
(ix) A maximum residential density of R60 will apply to residential development, although any mixed use development which meets the spirit of these guidelines will be judged on its merits. Standard open space, setback and car parking provisions in the Residential Design Codes will not be appropriate to the envisaged urban-scaled townscape of the Town Centre and minimum standards will be established upon considering the respective merits of the proposal.	No residential development proposed.	N/A
(x) All buildings within the Town Centre shall be designed according to accepted CPTED ('Crime Prevention Through Environmental Design') principles. Specifically: - Building frontages along the streets within the Core Precinct shall be designated as 'primary frontages' requiring the highest level of street front activation, and shall incorporate and maintain transparent glazing to the shopfront of more than 60% of the ground floor façade. - Residential buildings elsewhere in the Town Centre shall incorporate and maintain elements of unobscured glazing to ensure that the building address and provide visual surveillance of the streets.	The development satisfies CPTED principles through the provision of significant glazing and visually permeable street front fencing. Given this, and being located on the southern periphery of the Core Precinct opposite residential zoned land, it is considered there is scope for flexibility in considering building setbacks. Transparent glazing extends for 55% of the building' frontage, marginally less than the 60% required. It is recommended in the event approval is granted, that a minimum of 60% of the building facade is provided in the form of transparent glazing.	Yes, subject to a condition regarding glazing

Table 2: PP3.2.3 General Requirements		
Requirement	**Comment**	**Compliance**
(xi) Carparking will not be permitted between the road reserve boundary and building frontages. All carparks must be contained within the blocks defined by generally contiguous street front buildings.	Parking is located behind and at the northern end of the building, in conjunction with the shopping centre carpark.	Yes
(xii) Carparking standards are to be in accordance with Table 3 of Town Planning Scheme No.2 (TPS No.2).	An assessment of parking provision has been provided in the Planning Assessment Section of this report.	Yes
(xiii) In recognition that the Secret Harbour Town Centre is being developed in accordance with Main Street design principles, car parking requirements may be reduced to a minimum of 1 bay per 20m² for retail development, as well as dispensations for reciprocal parking for activities that operate outside core retail trading hours.	N/A	N/A
(xiv) Developers, where it is considered appropriate, will be required to provide landscaped carparking areas, building forecourts etc, to the satisfaction of the Council.	The developer will be required to provide landscaped car park and verge areas.	Yes
(xv) To maximise street front continuity, the number of breaks in the street frontage will be kept to a minimum. Specifically, access driveways to central carparks will be kept to a minimum, consistent with attaining satisfactory access and traffic circulation, generally in accordance with the IDP. Similarly, land uses which include a drive-through mode of operation (other than emergency services facilities) will not be permitted along street frontages within the Town Centre.	Compliant. The site is separated from the shopping centre on Oasis Drive by a service vehicle accessway.	Yes

Table 2: PP3.2.3 General Requirements		
Requirement	**Comment**	**Compliance**
(xvi) Service access, including refuse and bin storage for all commercial buildings, should be from the rear of street front premises.	Service access including bin storage is available from the rear of the proposed building.	Yes
Materials and Finishes		
(i) To complement the rare landscape qualities of Secret Harbour, buildings in the core of the Town Centre should express a massing and articulation of surfaces consistent with the provision of shelter in an exposed coastal environment.	The design is a contemporary building recessed from the street and features a diverse colour palette. A mixture of materials is also proposed in the building's façade and roof form. The setback of the centre is considered suitable to its context, given it is opposite existing residential housing.	Yes
(ii) Buildings shall generally be of masonry construction although alternative materials may be considered, subject to their quality of design and the degree to which they can be demonstrated to fulfil the built form objectives of this Policy.	The materials and finishes of the building have been carefully considered and chosen to integrate with its locality and context.	Yes
(iii) Masonry walls should be constructed with a limestone or similar rendered brick/block external finish. External face brickwork will not be acceptable for commercial, civic and mixed use buildings.	Limestone brick/block is proposed to the rear of the building and a portion of the building facing the car park to the north.	Yes
(iv) A variety in roof types will be encouraged along commercial and residential street frontages.	A variety of roof form is proposed, being an angled skillion roof profile punctuated by roof top windows.	Yes
(v) 'Zincalume' or similar finished metal roof sheeting will not be permitted where a roof surface may be visible from the street or other public places.	The proposed sheet roofing surface is predominantly screened from view from the street.	Yes
(vi) Reflective glass and glass curtain walling of buildings will not be permitted.	The development does not propose this.	Yes

Table 2: PP3.2.3 General Requirements		
Requirement	**Comment**	**Compliance**
(vii) To facilitate street-side dining and cafes, verandahs supported by posts or other structures which would fragment the space of the pedestrian pavement will not be permitted on main street, around the town square or along the central east-west cross street. Developers will be encouraged to incorporate colonnaded arcading and/or appropriate cantilevered awnings to provide shade, shelter and a sense of diversity to street frontages.	N/A	N/A
(viii) Signage and advertising will be controlled to create an appropriate balance between townscape quality and commercial vibrancy.	Discussed below under *Planning Policy 3.3.1 - Control of Advertisements*.	Yes
(ix) External paving, lighting and landscaping will be co-ordinated within a townscape palette approved by the City.	These elements will be approved by the City.	Yes
(x) The standard of privately owned street furniture, planter tubs and wind screening devices, which may be associated with street side dining and cafes, will be required to meet with the approval of the City, as appropriate. In general, plastic tables and chairs and plastic planters will be not comply with the desired streetscape standard.	N/A	N/A

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

The application seeks approval for two wall signs (0.6m x 4m) fronting the internal roads to the north-east and north-west. A signage crest (1.8mx1.8m) is proposed on the north-eastern building elevation as well.

All signs have been integrated into the building design, and generally comply with the relevant policy provisions.

e. Financial

Nil

f. Legal and Statutory

Planning and Development (Local Planning Scheme) Regulations 2015 (Planning Regulations)

Clause 3 of Schedule 2 of the Regulations states that the Council must have regard to each relevant local planning policy in determining an application. The City's assessment of this proposal has given due regard to relevant policies, in the Policy section of this report.

Clause 67 of Schedule 2 of the Regulations outlines the matters to which the Council is to have due regard when considering an application for Development Approval. Where relevant, these matters have been discussed throughout this report.

Town Planning Scheme No.2 (TPS2)

Clause 3.2 – Zoning Table

'Child Care Premises' is a 'D' (discretionary) land use within the District Town Centre Zone under TPS2. Discretionary means that the land use is not permitted unless the Council has exercised its discretion by granting Development Approval.

Clause 4.15.1.3 - Carparking

Pursuant to Clause 4.15.1.3, car parking is to be provided in accordance with Table No.3 of TPS2, as follows:

Parking Required			
Land Use	**TPS2 Requirement**	**No. of Staff and Children**	**Bays Required**
Child Care Premises	1 bay per 8 children	82 children	11
	1 per staff	15 staff	15
Total Car Parking Required	**26**		
Total Bays provided on-site	4		
Total Bays provided on Lot 7001	23		
On street parking bays	**5**		

Whilst only four on-site car parking spaces are proposed, 23 car parking spaces are proposed on the adjoining shopping centre site (Lot 7001) in close proximity to the proposed CCP. Furthermore, there are 5 existing on-street car parking spaces in the northern verge of Oneida Drive adjacent the subject land.

The TIA submitted by the applicant states that 16 angled car parking bays adjoining the northern boundary of the site include 4 'small car' bays approved for shopping centre staff (designed to accommodate service vehicle movements) as part of the shopping centre expansion. The TIA states for safety reasons these bays are not adequate for use by child care visitors, however, can be used by child care staff.

It is considered, on balance, that proposed car parking for CCP staff and visitors is an acceptable arrangement, in that:

- the level of car parking available overall for the proposed child care premises satisfies the minimum required byTPS2;
- there is a reported surplus in the number of car parking bays in the shopping centre car park, which is more than adequate to allow for the use of 23 bays in conjunction with the proposed CCP;
- the location of the proposed car parking on the shopping centre lot is practical and convenient for the operation of the CCP;
- the angled car bays in the access road adjacent the north boundary of the site were previously approved for the shopping centre expansion for use by staff. Staff parking generally involves lower vehicle turnover.

In order to secure and manage the use of the car parking on Lot 7001 for the benefit of the CCP, should the Council grant Development Approval the following conditions are recommended:

- the requirement for a reciprocal parking agreement with the City and the owners of Lots 7001 and 7002, to allow for car parking and vehicle movement on Lot 7001;
- designating by pavement marking the use of 15 car bays adjoining the site to the north-west for staff parking only.

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 development generally complies with the City's TPS2 and relevant planning policies and is considered to be a suitable use/development for the site and the locality.

The objections raised in submissions relating to noise and traffic can be addressed through appropriate conditions.

It is therefore recommended that Council grants conditional Development Approval to the proposed CCP on Lot 7002 (16) Oneida Road, Secret Harbour.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***APPROVES*** the application for a Child Care Premises at Lot 7002 (No.16) Oneida Road, Secret Harbour.

Committee Recommendation

That Council ***APPROVES*** the application for a Child Care Premises at Lot 7002 (No.16) Oneida Road, Secret Harbour, subject to the following conditions:

1. The development must be carried out in accordance with the terms of the application as approved herein and the attached endorsed:
   - Site Context Plan, Drawing No.DA01, dated 3/02/20;
   - Ground Floor Plan, Drawing No.DA02, Revision 4, dated 3/02/20; and
   - Elevation Plan, Drawing No.DA03, dated 3/02/20

   save that, in the event of an inconsistency between the approved plans and a requirement of the conditions set out below, the requirement of the conditions shall prevail.
2. No more than 82 children are to be accommodated by the Child Care Premises at any time, for the duration of the development.
3. The Child Care Premises must only operate between the hours of 7:00am to 7:00pm on Monday to Friday.
4. All stormwater generated by the development must be disposed of on-site to the satisfaction of the City.

   Prior to applying for a Building Permit, plans must be prepared by a suitably qualified engineer showing how stormwater will be contained on-site and those plans must be submitted to the City for its approval.

   The approved plans must be implemented and all works must be maintained for the duration of the development.

5. A Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City, prior to applying for a Building Permit:

   (i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;

   (ii) Any lawns to be established;

   (iii) Any natural landscape areas to be retained;

   (iv) Those areas to be reticulated or irrigated; and

   (v) Verge treatments.

   The landscaping must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City.

6. The street setback area and all verge areas must be landscaped and reticulated, prior to the occupation of the development and must be maintained in good condition at all times.

7. The carpark must:

   (i) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking*, prior to applying for a Building Permit;

   (ii) include one car parking space dedicated to people with disabilities designed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, *Parking facilities, Part 6: Off-street parking for people with disabilities*, linked to the main entrance of the development by a continuous accessible path of travel designed in accordance with Australian Standard AS 1428.1—2009, *Design for access and mobility, Part 1: General Requirements for access—New building work*;

   (iii) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter; and

   (iv) confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282—1997, *Control of the obtrusive effects of outdoor lighting*, at all times.

   The car park must comply with the above requirements for the duration of the development.

8. All recommendations detailed in the Wood and Grieve Acoustic Report reference 44295 Revision 2 (December 2019) must be complied with for the duration of the development.

9. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared and provided to the City which demonstrates to City's satisfaction, that the completed development complies with the Environmental Protection (Noise) Regulations 1997.

   The Final Acoustic Assessment must include the following information:

   (a) noise sources compared with the assigned noise levels as stated in the Environmental Protection (Noise) Regulations 1997, when the noise is received at the nearest "noise sensitive premises" and surrounding residential area;

   (b) tonality, modulation and impulsiveness of noise sources; and

   (c) confirmation of the implementation of noise attenuation measures.

   Any further works must be carried out in accordance with the Acoustic Report and implemented as such for the duration of the development to the satisfaction of the City.

10. Materials, sea containers, goods or bins must not be stored within the carpark at any time.

11. Prior to occupation of the development, a 2m high noise barrier is to be installed as per Figure 4 from the Wood & Grieve Engineers Acoustic Report ref 44295 dated 4 December 2019.

12. Prior to applying for a Building Permit, the applicant must demonstrate to the satisfaction of the City of Rockingham that no less than 60% of the ground floor façade fronting Oneida Road shall be glazed and have a minimum visible light transmission rate of at least 79% and a maximum visible reflectivity rate of 9% in order ensure that a commercial, interactive frontage is available to the development from the street. The glazing must be thereafter be installed and maintained to the satisfaction of the City for the duration of the development.

13. Entries and window frontages facing the street and the open portions of fencing must not be covered, closed or screened off (including by means of dark tinting, shutters, curtains, blinds, roller doors or similar), to ensure that a commercial, interactive frontage is available to the development from Oneida Road and Oasis Drive, for the duration of the development.
14. Prior to the commencement of the development, a reciprocal parking and access agreement is required to allow for access and parking of vehicles on Lot 7001 associated with the proposed child care premises use on Lot 7002, to the satisfaction of the City.
15. Prior to occupation of the development, the fifteen (15) car bays adjoining the site to the north being marked for staff parking only at all times.
16. Prior to the lodgement of a building permit, a Waste Management Plan must be submitted for the approval of the City, and thereafter implemented for the duration of the development.
17. The height of the parapet wall shown on the South-east Elevation Plan shall be increased to 5.5m.
18. A Sign Strategy must be prepared and include the information required by Planning Policy 3.3.1, Control of Advertisements, to the satisfaction of the City, prior to applying for a Building Permit and implemented as such for the duration of the development.

Advice Notes

1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application, a new application for Development Approval must be submitted to the City of Rockingham.
2. A Certified Building Permit must be obtained prior to construction and thereafter an Occupancy Permit must be obtained; the applicant and owner should liaise with the City's Building Services in this regard.
3. The development must comply with the Environmental Protection (Noise) Regulations 1997; contact the City's Health Services for information on confirming requirements.
4. The development must comply with the Food Act 2008, the Food Safety Standards and Chapter 3 of the Australian New Zealand Food Standards Code (Australia Only); the applicant and owner should liaise with the City's Health Services in this regard.
5. The development must comply with the Health (Public Building) Regulations 1992; the applicant and owner should liaise with the City's Health Services in regard to obtaining a Form 2 Maximum Accommodation Certificate.
6. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant should liaise with the City's Building Services in this regard.
7. With respect to the landscaping plan, the applicant and owner should liaise with the City of Rockingham's Land Development and Infrastructure Services to confirm requirements for the landscaping plan, including the requirements for developing and maintaining of the street verges abutting the development site.
8. All works in the road reserve and any works to the road carriageway must be to the specifications of the City of Rockingham. The applicant should liaise with the City of Rockingham's Engineering Services in this regard.
9. The applicant is responsible for protecting any existing City streetscape assets along Oneida Road and Oasis Drive during the course of the project. This includes any existing streetscape lighting, kerbing, footpaths, trees, irrigation etc. If any damage is caused to the existing assets (identified to be retained), they must be rectified to the satisfaction of the Manager Land and Development Infrastructure. It is recommended that a dilapidation report is undertaken by the applicant, to record the current condition of these assets.
10. Existing street trees adjacent to the development site must be protected throughout the course of the project in accordance with Australian Standard AS 4970-2009 protection of trees on Development Sites.

Committee Voting (Carried) - 4/1

(Cr Whitfield voted against)

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

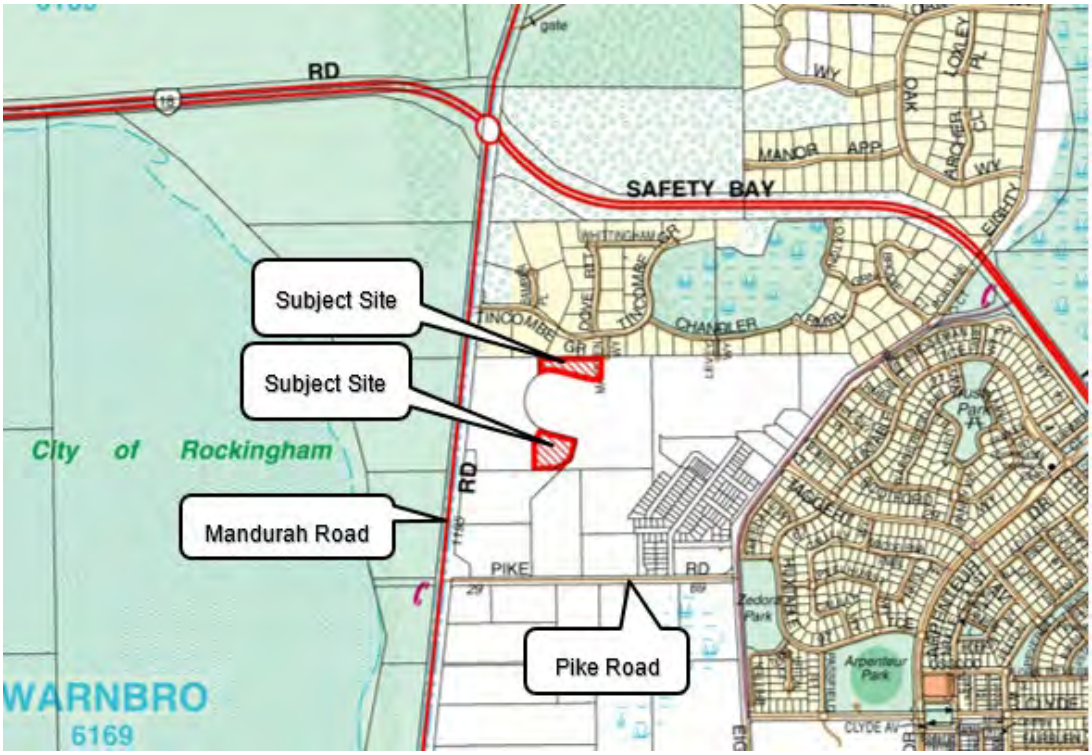
Not Applicable

Planning and Development Services
Statutory Planning Services

Reference No & Subject:	**PD-013/20 Final Approval of Amendment No.170 - Rezoning from 'Rural' to 'Special Residential'**
File No:	LUP/2086
Applicant:	CLE Town Planning & Design on behalf of Frasers Property Australia Ltd
Owner:	Australand Industrial No.63 Pty Ltd
Author:	Mr David Banovic, Senior Planning Officer
Other Contributors:	Mr David Waller, Coordinator Statutory Planning Mr Mike Ross, Manager Statutory Planning
Date of Committee Meeting:	17 February 2020
Previously before Council:	25 June 2019 (PD-042/19)
Disclosure of Interest:	Cr Jones declared an Impartiality Interest in item PD-009/20 Sustainability Strategy as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as he has a friendship with the owners of No.4 Maddren Way, Baldivis, directly abutting portion of the area being rezoned.
Nature of Council's Role in this Matter:	Legislative
Site:	Lots 9500 and 9501 Mandurah Road, Baldivis
Lot Area:	Northern Portion 8.057ha and Southern Portion 8,734m^2
LA Zoning:	Rural
MRS Zoning:	Rural
Attachments:	Schedule of Submissions
Maps/Diagrams:	1. Location Plan 2. Aerial Photo 3. Town Planning Scheme No.2 (Existing Zoning Plan) 4. Town Planning Scheme No.2 (Proposed Zoning Plan) 5. Approved Baldivis Grove Structure Plan 6. Draft Subdivision Guide Plan (Northern Portion) 7. Draft Subdivision Guide Plan (Southern Portion) 8. Consultation Plan 9. Residential 'R5' zoned land under Baldivis Grove Structure Plan 10. Baldivis Grove Subdivision Plan 11. Approved Building Envelope (Lot 68) 12. Emergency Access Location

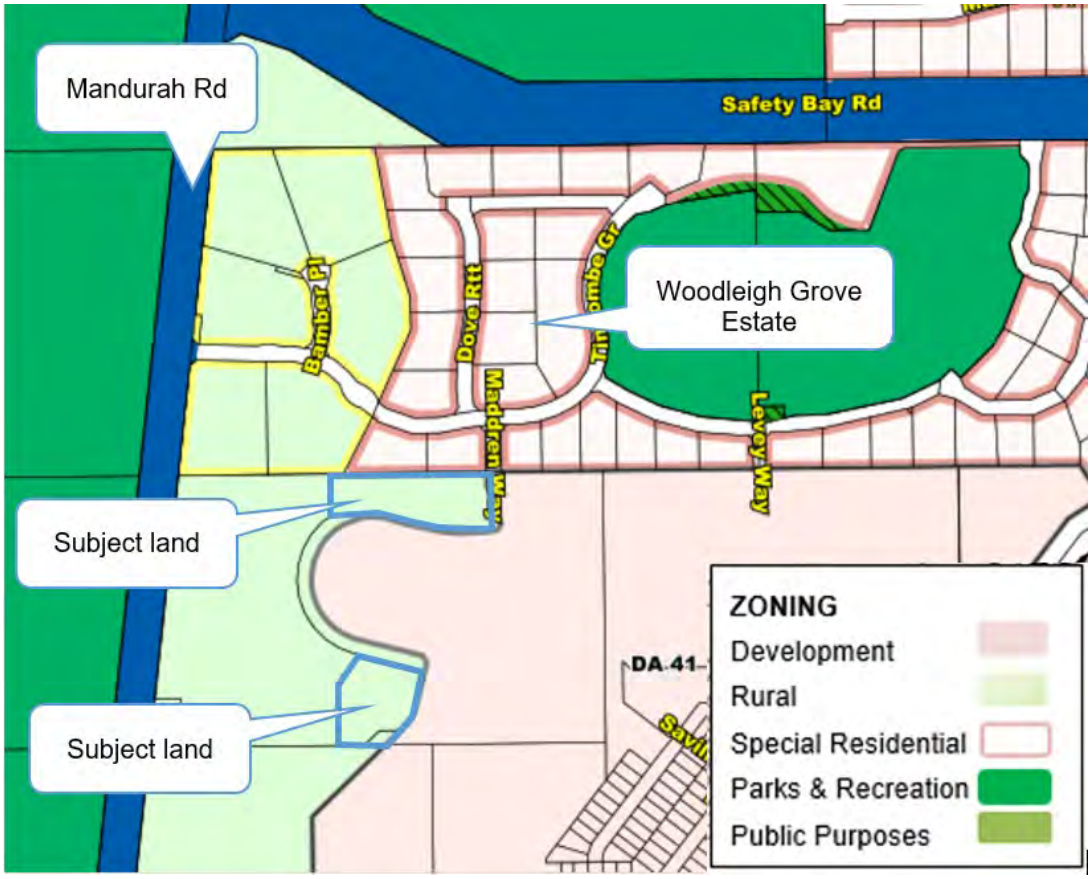
Purpose of Report

To consider the Final Approval of Amendment No.170 to Town Planning Scheme No.2 (TPS2), to rezone two portions of Lots 9500 and 9501 Mandurah Road, Baldivis from "Rural" to "Special Residential" following public advertising.

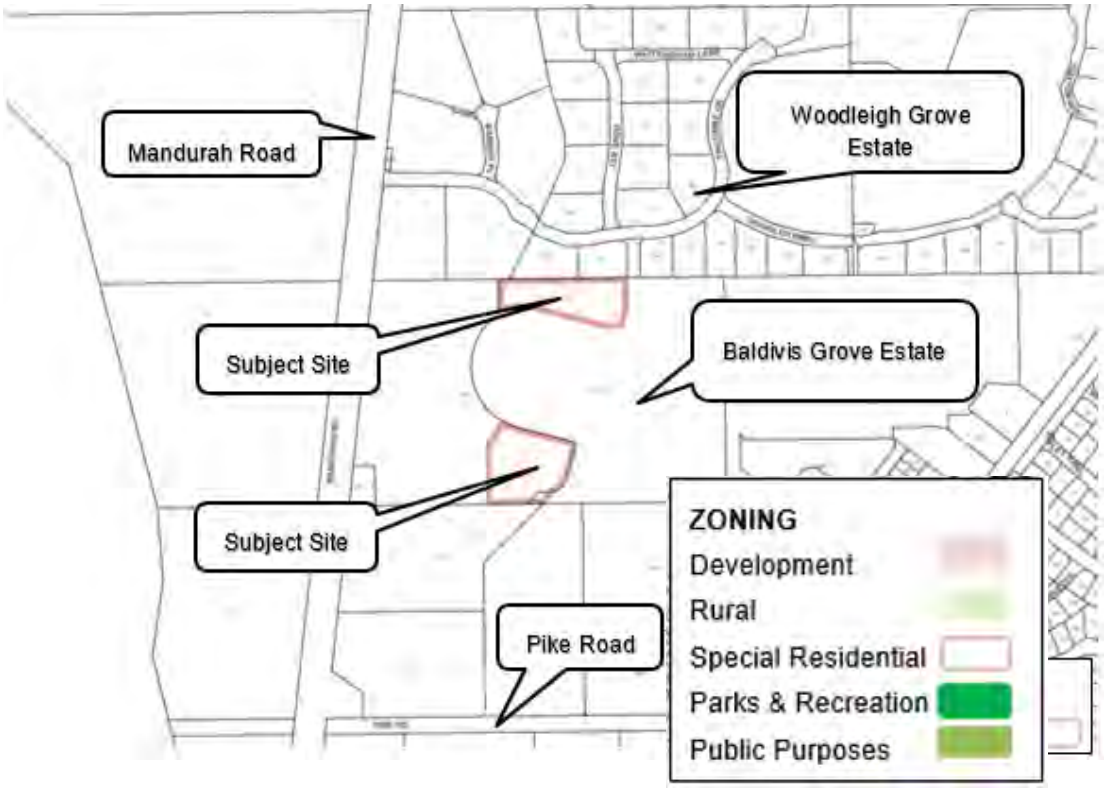


1. Location Plan

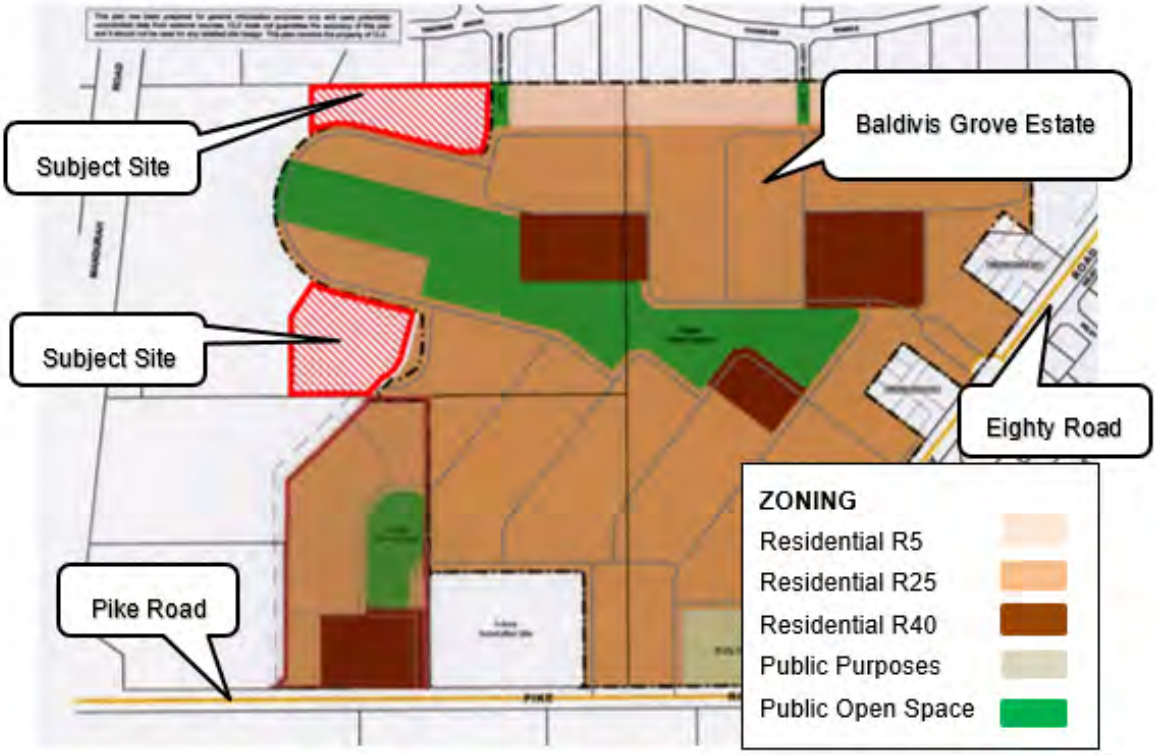
2. Aerial Photo



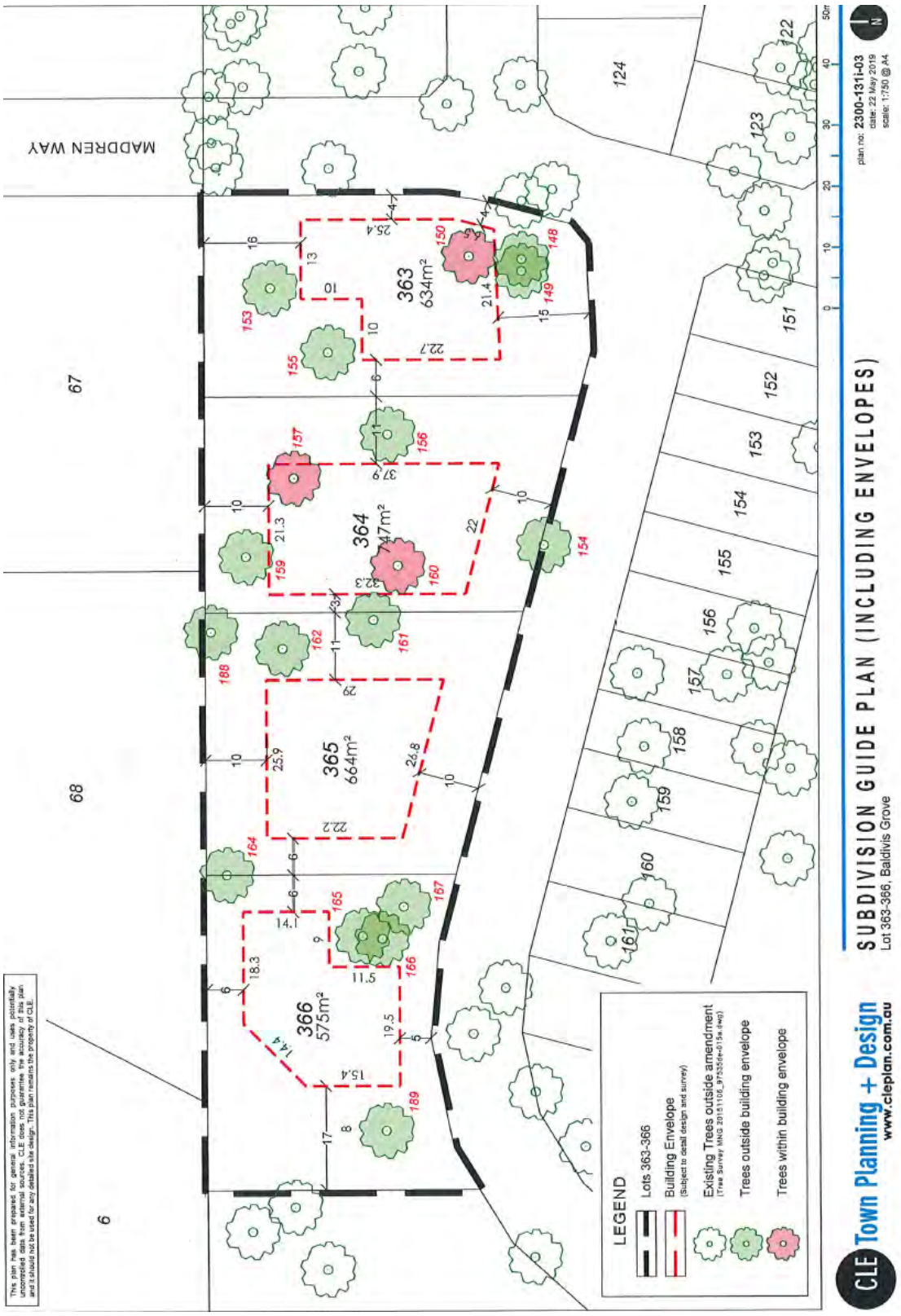
3. Town Planning Scheme No.2 (Existing Zoning Plan)



4. Town Planning Scheme No.2 (Proposed Zoning Plan)



5. Approved Baldivis Grove Structure Plan



6. Draft Subdivision Guide Plan (Northern Portion)

7. Draft Subdivision Guide Plan (Southern Portion)

Background

On 25 June 2019, Council resolved as follows:

"1. ***ADOPTS*** *(initiate) Amendment No.170 to Town Planning Scheme No.2 as follows:*

(i) Partially rezone portions of Lots 9500 and 9501 Mandurah Road, Baldivis from 'Rural' to 'Special Residential';

(ii) Partially amend the Scheme Map to contain portions of Lots 9500 and 9501 Mandurah Road, Baldivis, within the 'Special Residential Zone' and reference these on the Scheme Map as 'Special Residential';

(iii) Modify the location table in 'Schedule No.5 - Special Residential Zones' Portions of Planning Unit No.4 of the Rural Land Strategy to include Portions of Lots 9500 and 9501 Mandurah Road, Baldivis, as follows:

Plan Reference	*Description of Location*
4(v)	*Portions of Lots 9500 and 9501 Mandurah Road, Baldivis.*

(iv) Amend Plan No.6 - Special Residential Zones (North) to include Portions of Lots 9500 and 9501 Mandurah Road, Baldivis, with bold outline and designate it as '4(v)'.

2. ***CONSIDERS*** *the proposed Scheme Amendment as a 'Standard Amendment' in accordance with Regulation 34(a) of the Planning and Development (Local Planning Schemes) Regulations 2015; and*

3. ***REQUESTS*** *the applicant to provide an amended Subdivision Guide Plan and Building Envelope for the southern lot, demonstrating a reduced Asset Protection Zone (APZ) to BAL 29 to ensure improved tree retention, prior to the Scheme Amendment being advertised."*

Implications to Consider

a. Consultation with the Community

The Scheme Amendment was advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period not less than 42 days, commencing on 13 November 2019 and concluding on 10 January 2020.

Public advertising was carried out in the following manner:

- A notice appeared in the Public Notice section of the Sound Telegraph newspaper on 13 November 2019;
- A sign was erected on site;
- The landowners shown in Figure 8 below were advised of the proposal in writing and invited to comment; and
- Copies of the Scheme Amendment and supporting documentation were made available for inspection at the City's Administration Offices and on the City website.

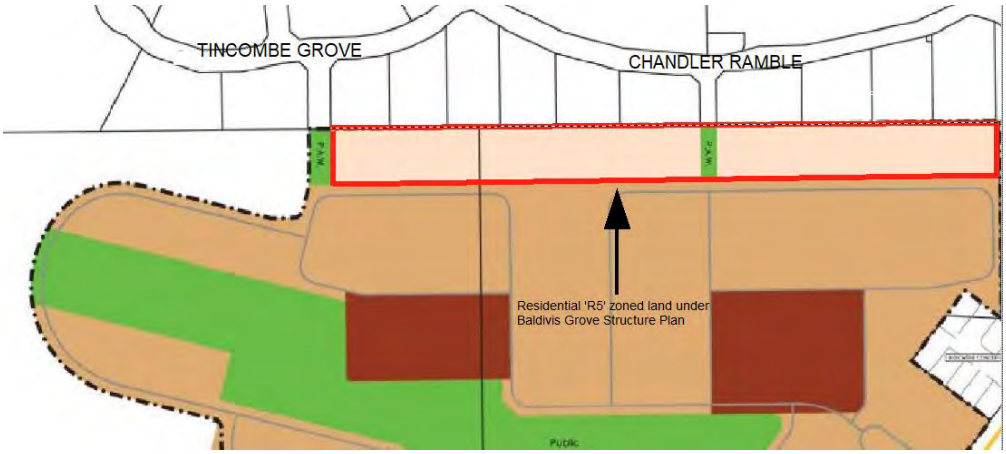
8. Consultation Plan

At the close of the public consultation period a total of two submissions were received, which included one objection and one submission in support.

The objection from an adjacent landowner and applicant's response have been summarised in the table below, including the City's response.

Subdivision Guide Plan (North)
Submission: **Concern regarding the number of proposed lots sharing a boundary with adjoining Lots 67 and 68, compared to nearby Special Residential zoned land to the east.**
Applicant's Response: It is acknowledged that the side boundaries shown on the Subdivision Guide Plan do not exactly correspond to those within Woodleigh Grove; however, the lot boundaries have been designed to ensure that all future lots meet or exceed the minimum area of 2000m^2, creating an appropriate transition between Woodleigh Grove and Baldivis Grove. The submitter's comment regarding the larger lot only having one lot abutting it is incorrect with both Lots 67 and 68 (from within Woodleigh Grove) sharing boundaries with three and two lots respectively (as shown on the Subdivision Guide Plan).
City's Comment: The proposed rezoning of the northern lot sizes range in size from 2,006m^2 to 2,024m^2 and includes Building Envelopes with a size range of 575m^2 to 747m^2. The proposed larger southern lot has lot size of 8,734m^2 and a Building Envelope of 1,170m^2. The approved Baldivis Grove Structure Plan (BGSP) (Figure 9) includes lots backing onto the properties fronting Tincombe Grove and Chandler Ramble and which are designated "Residential R5" with a minimum lot size of 2,000m^2. A number of the existing lots on Tincombe and Chandler Ramble will have two lots backing onto them, when the R5 lots are developed.

Subdivision Guide Plan (North) (cont…)



9. Residenital 'R5' zoned land under BGSP

10. Baldivis Grove Subdivisional Approval

Lot 67 will share its rear boundary with two lots respectively, whilst Lot 68 will share its rear boundary with three lots as shown on Figure 6.

Figure 10 above illustrates the approved Baldivis Grove Estate subdivisional layout with the proposed Subdivision Guide Plan overlayed. The proposed lot sizes in the accompanying Subdivision Guide Plan, forming part of this Scheme Amendment, are consistent with the "Residential R5" lot sizes approved in the BGSP.

Submission:

Subdivision per the guide plan affects privacy and planning of the property.

Applicant's Response:

The Subdivision Guide Plan shows that every building envelope is located at least 6m from any neighbouring property boundary, with this distance increasing to a distance of 16m. Coupled with the Subdivision Guide Plan, the Scheme Amendment provisions also require these lots to be a minimum of 2000m^2, providing ample opportunity for any future dwellings to be positioned in a manner that easily exceeds necessary privacy requirements regardless of the dwelling being single or two storey.

We are unclear on the submitter's comment that this amendment will affect the *'planning of our property from purchasing the land'* so we can provide no further comment.

Subdivision Guide Plan (North) (cont…)

City's Comment:

Two of the four proposed lots on the northern portion of the Subdivision Guide Plan have a rear setback of ten (10) metres. The other two provide rear setbacks of sixteen (16) metres and six (6) metres accordingly. The site with a six metre rear setback (proposed Lot 366) has been designed in response to the curved shape of the lot boundary. The curved nature of the site has been informed by the ridge line along Mandurah Road and the visual impact associated with that ridge line.

The minimum separation between the building envelopes on existing Lot 68 Tincombe Grove and proposed Lots 364-366 is 11m and ranges up to 15m. The building envelopes will be well setback from each other. It is considered that locations of the proposed building envelopes are unlikely to generate any adverse visual impact on adjoining lots considering that most of the trees are being retained along the northern boundary to Woodleigh Grove. .

11. Approved Building Envelope (Lot 68)

Other

Submission

Loss of tree canopy and associated wildlife.

Applicant's Response:

The proposal looks to rezone the land 'Special Residential' for the explicit purpose of providing a range of scheme provisions that will ensure that the subject land is developed in a sympathetic, more 'rural' manner – which includes tree retention. Critically, this includes the designation of building envelopes on the accompanying Subdivision Guide Plan to demonstrate where future dwellings may be located for minimal impact.

City's Comment:

There are 18 trees on northern portion of the site of which 15 are to be retained. There are 32 trees on the southern portion of the site, with only one dead tree required to be removed.

Other (cont…)

Submission

Maddren Way is to be maintained for "emergency vehicles" only.

12. Emergency Access Location

Applicant's Response:

It can be confirmed that Maddren Way will remain as a public access way, with vehicle access only allowed for emergency access. This is designated on the approved Structure Plan map, reiterating that this will not be utilised as a public road.

City's Comment:

The rezoning is for the five lots only and does not include the land identified as the Emergency Access. The BGSP designates this land as a PAW and it therefore will not change as a result of this Scheme Amendment.

Submission

In the event the Scheme Amendment is progressed the developer would be expected to put up fencing around the common boundaries.

Applicant's Response:

Boundary fencing will be provided in accordance with the City of Rockingham requirements.

City's Comment:

Fencing requirements that apply are in accordance with the City's local laws. The City will request that uniform boundary fencing be provided to all lots as a condition of subdivision approval.

Some of the submissioner's comments have not been included in this table regarding the need by developer to subdivide this land to make a profit and how the proposal was considered by Council.

b. Consultation with Government Agencies

The Scheme Amendment was referred to the Environmental Protection Authority (EPA) to determine if an environmental assessment was required, prior to advertising. The EPA advised that the Amendment should not be assessed under the *Environmental Protection Act 1986.*

The following Government Agencies were also consulted:

- Department of Planning, Lands and Heritage;
- Department of Fire and Emergency Services;
- Department of Biodiversity, Conservation and Attractions;
- Department of Water and Environmental Regulations;
- Department of Health;
- Western Power;
- Water Corporation; and
- Telstra.

Five submissions were received from State Agencies which are summarised and addressed as follows:

1. Water Corporation
Submission (summarised): The proposed lots could be serviced with water and sewerage by the developers undertaking mains extensions from the surrounding network.
Applicant's Response: It can be confirmed that all lots will be connected to essential services, extended to the amendment area as part of the Baldivis Grove residential estate.
City's Comment: The lots created by the progression of this Scheme Amendment will have available access to essential services, brought directly to the land from the Baldivis Grove residential estate.
2. Department of Fire and Emergency Services
Submission (summarised): Department of Fire and Emergency Services advises that the Bushfire Management Plan has adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria could be achieved at subsequent planning stages.
Applicant's Response: Noted.
City's Comment: The submission is noted.
3. Department of Health
Submission (summarised): The proposal is located in an area that may be prone to mosquitoes as wetlands are in the vicinity. The rezoning conditions should be consistent with the Mosquito Management Plan for the whole City ensuring that individual subdivisions and developments comply with the Plan thus ensuring consistency across the area.
Applicant's Response: The advice of the Department of Health is noted; however, the BGSP was accompanied by a suite of technical reports (including a comprehensive Environmental Assessment Report) and the land was not found to be prone to mosquitoes. The Structure Plan was approved by both the City and the Western Australian Planning Commission accordingly (dual approval for structure plans were a requirement at that time), with there being no need for a Mosquito Management Plan, with all past and current subdivision approvals likewise not carrying this requirement.

3. Department of Health (cont…)
City's Comment: There are areas of Baldivis that are required to have mosquito management plans to support development, for a number of factors including proximity to known mosquito breeding areas (such as the Serpentine River) or if there are water holding areas on-site that may be conducive to mosquito breeding. In regard to the Scheme Amendment area, the proximity to the Lake Walyungup (salt lake) is not of concern to the City, as it is not a known mosquito breeding location. This Scheme Amendment can be supported without a mosquito management plan.
4. Department of Biodiversity, Conservation and Attractions
Submission (summarised): The Department of Biodiversity, Conservation and Attractions has no comments to make on this amendment. The department concurs with the Environmental Protection Authority advice given 16 October 2019 being supportive of the proposed retention of 15 significant trees across the amendment area on the subdivision guide plan dated 5 March 2019.
Applicant's Response: Noted.
City's Comment: The submission is noted.
5. APA Group
Submission (summarised): There are no APA assets in the vicinity of the subject site that would be affected by this proposal. As such, APA has no objection or comments to make in relation to this application.
Applicant's Response: Noted.
City's Comment: This submission is noted.

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Strategic Community Plan 2019-2029:

Aspiration 3: *Plan for Future Generations*

Strategic Objective: *Responsive Planning and Control of Land Use - Plan and control the use of land to meet the needs of a growing population, with consideration of future generations.*

d. Policy

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

SPP3.7 requires a Bushfire Hazard Level Assessment and a Bushfire Management Plan (BMP) addressing the bushfire protection criteria to be submitted in the consideration of amendments to local planning schemes. The Guidelines for Planning in Bushfire Prone Areas (The Guidelines) require the applicant to demonstrate, by way of a Bushfire Hazard Level Assessment, that the land proposed to be rezoned has, or can be made to have, a low to moderate bushfire hazard level (i.e. BAL-Low to BAL-29).

All proposed Building Envelopes will have a BAL-29 or less (Plans 11 and 12). All northern lots will have overlapping Asset Protection Zones (APZs) and will be required to be implemented by each future landowner in perpetuity. The southern lot is proposed to be a complete APZ. The City's view at the time of initiation of the Amendment was that some trees would need to be removed from the southern lot, to achieve the necessary separation between tree canopies. Prior to the Scheme Amendment being advertised, the applicant's Bushfire Consultant clarified that all trees, except one, can be retained by way of a managed understorey without the need to amend the Subdivision Guide Plan and associated Building Envelope.

The BMP demonstrates that the proposed layout now complies with the Guidelines.

Minimal vegetation (only three trees on the northern subject lot) is required to be removed or modified to reduce the bushfire threat, whilst one dead tree will need to be removed on the southern lot. The proposal is considered to be compliant with the objectives of SPP3.7, as it demonstrates an acceptable level of bushfire risk and tree removal, for both portions of subject land.

e. Financial

Nil

f. Legal and Statutory

Planning and Development (Local Planning Schemes) Regulations 2015

The procedures for dealing with proposals to amend a local planning scheme, as per the *Planning and Development Act 2005,* are set out in the *Planning and Development (Local Planning Schemes) Regulations 2015.*

Regulation 50(3) provides that the City shall:

"Before the end of the consideration period for a standard amendment to a local planning scheme, or a later date approved by the Commission, the Local Government must pass a resolution-

(a) to support the amendment without modification;

(b) to support the amendment with proposed modifications to address issues raised in the submissions; and

(c) not to support the amendment."

Town Planning Scheme No.2 - Schedule No.5 - Special Residential Zone

In March 2019, Schedules No.4 and No.5 of TPS2 were amended to replace all occurrences of 'Local Development Plan' (LDP) with the term 'Structure Plan', as it applies to Special Rural zones and Special Residential zones. TPS2 was also amended with respect to the references of "Local Development Plan certified by the Chief Executive Officer" being replaced with "Structure Plan certified by the Commission." Accordingly, a Structure Plan must be prepared to guide subdivision and development if the land is rezoned to Special Residential.

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 WAPC's South Metropolitan Peel Sub-Regional Planning Framework generally requires 1-4ha lot sizes for Rural Residential lots, however, the Framework recognises some exceptions for 'rounding-off of existing areas'. This Scheme Amendment will permit logical and compatible rounding-off of the existing zoning. The City considers that there is sufficient planning grounds to warrant varying lot sizes for the northern portion of the site, to provide a suitable transition of lots sizes between Woodleigh Grove to the north and the Baldivis Grove Estate to the south.

Provisions already contained in TPS2 and further planning conditions can be applied to control development within Building Envelopes, address bushfire consideration and to maximise vegetation retention.

As such, following advertising of the Scheme Amendment and consideration of both submissions, it is recommended that Council adopt Amendment No.170 for Final Approval.

Following the Council's decision, Final Approval of the Scheme Amendment is required from the Minister for Planning.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. ***ADOPTS*** Amendment No.170 to Town Planning Scheme No.2 as follows:

   (i) Partially rezone portions of Lots 9500 and 9501 Mandurah Road, Baldivis from 'Rural' to 'Special Residential';

   (ii) Partially amend the Scheme Map to contain portions of Lots 9500 and 9501 Mandurah Road, Baldivis, within the 'Special Residential Zone' and reference these on the Scheme Map as 'Special Residential';

   (iii) Modify the location table in 'Schedule No.5 - Special Residential Zones' Portions of Planning Unit No.4 of the Rural Land Strategy to include Portions of Lots 9500 and 9501 Mandurah Road, Baldivis, as follows:

Plan Reference	Description of Location
4(v)	Portions of Lots 9500 and 9501 Mandurah Road, Baldivis.

   (iv) Amend Plan No.6 - Special Residential Zones (North) to include Portions of Lots 9500 and 9501 Mandurah Road, Baldivis, with bold outline and designate it as '4(v)'.

2. ***ADOPTS*** the recommendations contained within the Schedule of Submissions.

Committee Recommendation

That Council:

1. ***ADOPTS*** Amendment No.170 to Town Planning Scheme No.2 as follows:

   (i) Partially rezone portions of Lots 9500 and 9501 Mandurah Road, Baldivis from 'Rural' to 'Special Residential';

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   (iv) Amend Plan No.6 - Special Residential Zones (North) to include Portions of Lots 9500 and 9501 Mandurah Road, Baldivis, with bold outline and designate it as '4(v)'.

2. ***ADOPTS*** the recommendations contained within the Schedule of Submissions as follows:

CITY OF ROCKINGHAM
AMENDMENT NO.170 TO TOWN PLANNING SCHEME NO.2
SCHEDULE OF SUBMISSIONS

Submission	Comment	Recommendation
1. Ms Talitha Dunn (on behalf of Spatial Property Group), U5/No.896 Canning Highway, Applecross WA 6153		
Spatial Property Group is responding on behalf of neighbouring landowner Colijohn Pty Ltd, as the project manager for their property Lot 123 Pike Road, Baldivis. Please be advised that we have no objection to the proposed rezoning of portions of Lot 9500 and 9501 Mandurah Road, Baldivis.	Noted.	That the submission is noted.
2. Mr David and Ms Dawn Foster, 8 Tincombe Grove, Baldivis WA 6171		
We strongly object to the Rezone:		
(i) The original plan was much better where we were only going to get one neighbour.	City staff contacted the submitter on 29 January 2020 to clarify the issue raised. The submitter was referencing a Structure Plan Concept which was not progressed.	That this part of the submission be not upheld.
(ii) All the other bigger blocks only get one block behind then, why should our one and my neighbours at Maddern Way have to be pushed into this change by the council.	The proposed lot sizes are generally consistent with the designated Residential 'R5' zoned land under the BGSP which backs onto the referenced properties fronting Tincombe Grove and Chandler Ramble. The proposed development provides an appropriate transition between Woodleigh Grove and Baldivis Grove.	That this part of the submission is noted.
	The Council has received a Scheme Amendment request and must determine it on planning grounds taking into consideration impacts on the amenity of surrounding residents. The Scheme Amendment has been considered in accordance with the statutory processes set out under the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations). Further, the Scheme Amendment will ultimately be determined by the Minister for Planning, Lands and Heritage on the basis of a recommendation provided by the Western Australian Planning Commission.	That this part of the submission be not upheld.

Submission	Comment	Recommendation
(iii) This affects our privacy and planning of our property from purchasing the land.	The matter of privacy is a valid consideration, however, given that the Building Envelopes for the northern section of the Scheme Amendment range in setback from 6m to 16m, it is not considered that there will be any significant impact on privacy. Further, given the trees will be retained along this northern boundary with adjoining neighbours it will assist in ameliorating any impact.	That this part of the submission is noted and be dealt with at the Development Application stage.
	Under the TPS2 provisions two storey dwellings can be built in the Residential Zone, Special Residential, Special Rural and Rural zone. The design of buildings will be considered through the Development Application process.	That this part of the submission be not upheld.
(iv) This re-zone would create the possibility of someone building a double storey now instead of a single (no privacy at all then).	As detailed above, the matter of privacy is a valid consideration, however, it considered appropriate in this circumstance and will be addressed at the Development Application stage.	That this part of the submission is noted and be dealt with at the Development Application stage.
(v) Previous plan we still have privacy in our pool area (not this one).	As detailed above, the matter of privacy is a valid consideration, however, it considered appropriate in this circumstance and will be addressed at the Development Application stage.	That this part of the submission be not upheld.
(vi) We have lots more birds than ever before (not just from this proposal but the trees what will get knocked down in the already approved structure plan)	In relation to the Scheme Amendment, 15 of the 18 trees on northern portion of the site are to be retained. There are 32 trees on the southern portion of the site, with only one dead tree required to be removed. The approved BGSP retains a number of trees through the linear POS provided centrally through the estate. The impact on trees and fauna was considered at the time the BGSP was approved by the City and the WAPC.	That this part of the submission be not upheld.
(vii) Also at the council meeting in July when this was voted on there was a equally amount of for and against by council members, so the Major put his vote to put through! Unfortunately councillor Matt Whitfield was not at this meeting or this would not have been passed.	This is not a valid planning consideration.	That this part of the submission be not upheld.

Submission	Comment	Recommendation
The approved Baldivis Structure plan was already changed and now includes a lot more cottage blocks than the original plan. Originally up our end was more park area and only one neighbour.	These comments relate to Cottage lots for the BGSP and not the land the subject of the Scheme Amendment.	That this part of the submission is noted.
As we have to live will all the "cottage blocks" in so called "country living" the developers have already gained from this change and do not need to subdivide any further to line their pockets.	This is not a valid planning consideration. The proposal must be considered on its merits.	That this part of the submission is noted.
I would also like to note that at the council meeting in July 2019 I asked the question that Maddern Way was only to for "emergency vehicles" only and it was confirmed that this was still the case. Please make sure this is also noted with the developers.	The subject proposal is for the rezoning of land only. The Amendment will not result in the need to change the designation of this public access way, which is identified under the approved BGSP as a PAW.	That this part of the submission is noted.
If they go ahead with this change, we will be requesting the developers put up a full size fence behind our property.  	It would be a recommendation of a future subdivision approval that Uniform Fencing be provided around each individual lot. As the northern neighbour already have fencing along their southern boundary, the developer would not be expected to replace this fencing.	That this part of the submission is noted and be considered at the Subdivision stage.

Submission	Comment	Recommendation
3. Mr Brett Coombes (on behalf of Water Corporation), PO Box 1525, Canningvale WA 6970 Thank you for your letter of 12 November 2019 inviting comments on the above amendment. The proposal appears to be a minor rounding off of subdivision and development in the locality. The proposed lots could be serviced with water and sewerage by the developers undertaking mains extensions from the surrounding network. Any reticulation upgrades or modifications to the networks required to provide services to the additional lots will need to be investigated and undertaken by the proponents.	Noted. The applicant will be required to obtain all necessary approvals from the Water Corporation at the subsequent stages of subdivision and development.	That the submission is noted.
4. Mr Sandeep Shankar (on behalf of Department of Fire and Emergency Services), PO Box 1174, Perth WA 6844 I refer to your letter dated 12 November 2019 regarding the submission of a Bushfire Management Plan (BMP) (Version 5), prepared by Bushfire Safety Consulting and dated 11 July 2019, for the above scheme amendment. It should be noted that these comments relate only to *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) and the *Guidelines for Planning in Bushfire Prone Areas* (Guidelines). It is the responsibility of the proponent to ensure that the proposal complies with all other relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining necessary approvals that may apply to the proposal including planning, building, health or any other approvals required by a relevant authority under other written laws. **Recommendation – supported compliant application** DFES advises that the BMP has adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria could be achieved at subsequent planning stages.	Noted.	That the submission is noted.

Submission	Comment	Recommendation
5. Dr Michael Lindsay (on behalf of Department of Health), PO Box 8172, Perth WA 6844 The DOH provides the following comment:		
Water Supply and Wastewater Disposal The amendment is required to be connected to scheme water and reticulated sewerage and be in accordance with the Government Sewerage Policy (2019).	Noted.	That this part of the submission is noted.
Medical Entomology The proposal is located in an area that may be prone to mosquitoes as wetlands are in the vicinity. The rezoning conditions should be consistent with the Mosquito Management Plan for the whole City ensuring that individual subdivisions and developments comply with the Plan thus ensuring consistency across the area. Details for mosquito management may be downloaded from: http://ww2.health.wa.gov.au/Articles/J_M/Mosquitomanagement	Lake Walyungup (salt lake) is not a known mosquito breeding location and there are no water holding areas within the Amendment area. The Amendment is supported without a mosquito management plan.	That this part of the submission be not upheld.
6. Ms Catherine Prideaux (on behalf of Department of Biodiversity, Conservation and Attractions), Locked Bag 104, Bentley WA 6983 Please be advised the Department of Biodiversity, Conservation and Attractions has no comments to make on the above amendment to TPS2. The department concurs with the EPA advice given 16 October 2019 being supportive of the proposed retention of 15 significant trees across the amendment area as indicated on the subdivision guide plan dated 5 March 2019.	Noted.	That the submission is noted.
7. Mr Zijad Bajrektarevic (on behalf of APA Group), 233 Adelaide Terrace, Perth WA 6000 APA Group (APA) is Australia's largest natural gas infrastructure business and has direct management and operational control over its assets and investments. APA's gas transmission pipelines span across Australia, delivering approximately half of the nation's gas usage.	Noted.	That the submission is noted.

Submission	Comment	Recommendation
7. Cont… APA owns and operates over 15,000km's of high pressure gas transmission pipelines across Australia. APA is the Pipeline Licensee for the Parmelia Gas Pipeline, located approximately 1.7km east from the subject site. There are no APA assets in the vicinity of the subject site that would be affected by the proposal. As such, APA has no objection or comments to make in relation to this application.		

Committee Voting (Carried) - 4/1

(Cr Jones voted against)

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Planning and Development Services
Statutory Planning Services

Reference No & Subject:	**PD-014/20 Final Approval of Amendment No.177 – Change of Additional Use No.8 from 'Consulting Rooms' to 'Medical Centre'**
File No:	LUP/2125
Applicant:	Allerding & Associates Pty Ltd
Owner:	Mr A H Wee and Ms H C Tay
Author:	Mr Eric Anderson, Planning Officer
Other Contributors:	Mr David Waller, Coordinator Statutory Planning Mr Mike Ross, Manager Statutory Planning
Date of Committee Meeting:	17 February 2020
Previously before Council:	23 July 2019 (PD/049/19)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Legislative
Site:	Lot 324 (No.101) Read Street and Lot 325 (No.4) Cygnus Street, Rockingham
Lot Area:	Lot 324 - 1,026m^2 Lot 325 - 649m^2
LA Zoning:	Lot 324 Read Street - Residential with Additional Use No.8 - Consulting Rooms Lot 325 Cygnus Street - Residential
MRS Zoning:	Urban
Attachments:	
Maps/Diagrams:	1. Location Plan 2. Aerial Photograph 3. Existing Zoning 4. Proposed Scheme Amendment 5. Consultation Plan 6. Site Photo Read Street 7. Site Photo Cygnus Street 8. Site Photos at No.6 Cygnus Street 9. Indicative Perspective 1 10. Indicative Perspective 2 11. Site Plan

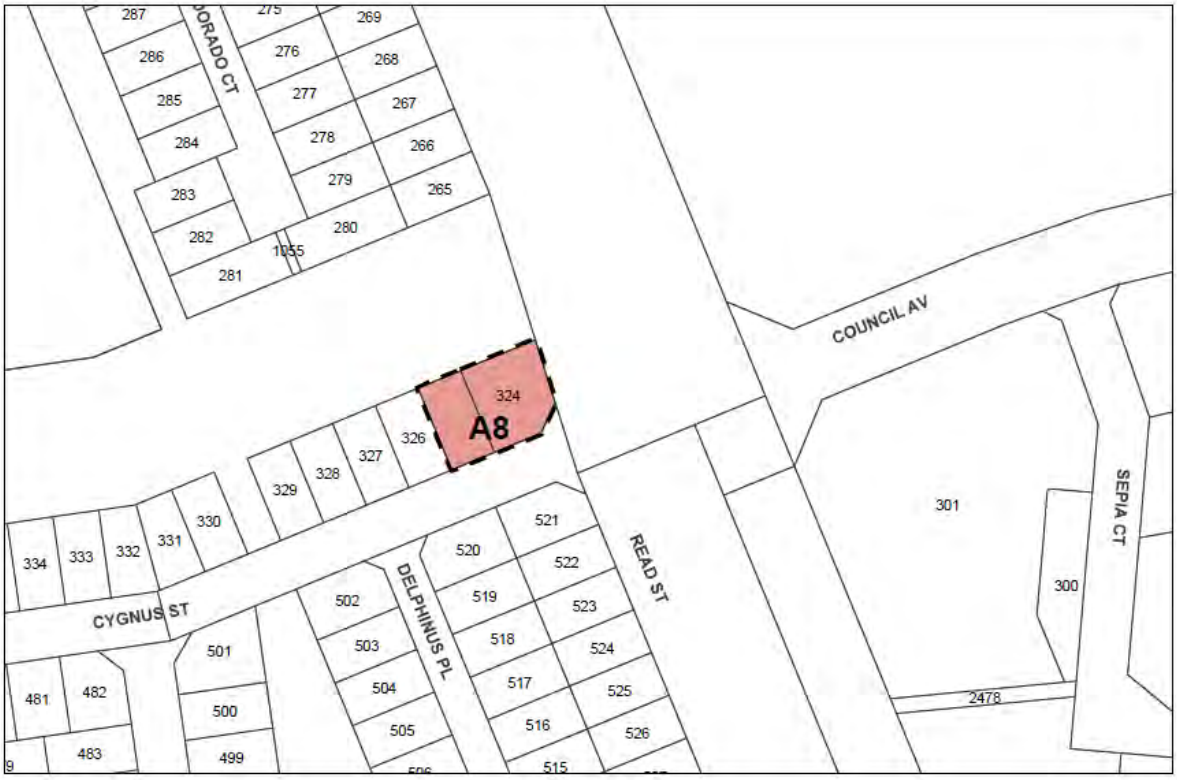
Purpose of Report

To consider the Final Approval of Amendment No.177 to Town Planning Scheme No.2 (TPS2) to permit a Medical Centre on Lot 324 (No.101) Read Street and Lot 325 (No.4) Cygnus Street, Rockingham, following the conclusion of public advertising.

1. Location Plan

2. Aerial Photo

3. Existing Zoning



4. Proposed Scheme Amendment

Background

In July 2019, Council resolved as follows:

*"1. **ADOPTS** (initiate) Amendment No.177 to Town Planning Scheme No.2 in pursuance of Section 75 of the Planning and Development Act 2005, as follows:*

(i) Amend Additional Use No.8 in Schedule 2 to include changes in red, as follows:

No.	Site Description	Additional Use	Special Conditions
8	Lot 324 Cnr Cygnus and Read Street, Rockingham and Lot 325 Cygnus Street, Rockingham	Medical Centre	Not Applicable

(ii) Amend the Scheme Maps Accordingly

*2. **CONSIDERS** the proposed Scheme Amendment as a 'Standard Amendment' in accordance with Regulation 34(a) of the Planning and Development (Local Planning Schemes) Regulations 2015; and*

*3. **REQUESTS** the proposed Scheme Amendment to be advertised for a minimum period of 42 days in accordance with Regulation 47 (4) of the Planning and Development (Local Planning Scheme) Regulations 2015."*

Details

The applicant seeks Council approval for the final adoption of Amendment No.177 to change Additional Use No.8 from Consulting Rooms to Medical Centre, include No.4 Cygnus Street into Schedule No.2 and amend the Scheme Maps accordingly.

The applicant intends to demolish the existing consulting rooms and single house and replace it with a purpose built Medical Centre. In support of the request, the applicant has submitted concept plans for the development of the site (Figure 8).

The applicant has also indicated that the City of Rockingham district is identified as having a shortage of both General Practitioners and Specialists.

The new medical centre is proposed to provide the following services and facilities:

(i) have up to 6 medical practitioners to operate at any one time;

(ii) have two nurses and up to 4 administration staff; and

(iii) provide health consultants services and dermatological services and other occasional medical services such as, podiatry and physiotherapy clinics and educational sessions.

Implications to Consider

a. Consultation with the Community

The Scheme Amendment was advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period not less than 42 days, commencing on 4 November 2019 and concluding on 19 December 2019.

Public advertising was carried out in the following manner:

- A notice appeared in the public notice section of the Sound Telegraph newspaper on 6 November 2019;
- Two signs were erected on site, one fronting Read Street and the other fronting Cygnus Street;
- The landowners shown in Figure 3 below were advised of the proposal in writing and invited to comment; and
- Copies of the Scheme Amendment and supporting documentation were made available for inspection at the City's Administration Offices, on the City website and on Rock Port.

5. Consultation Plan

**One supporting submission was received from Shoalwater, outside of the consultation area*

At the close of the public consultation period a total of two (2) submissions were received, which included one (1) objection and one (1) submission in support.

The submissions received have been summarised in the table below, including the applicant's and Officer's response to the issue. The applicant's response to issues raised have also been summarised.

1. Available Medical Services
Submission: **What medical services will the future Cygnet Street Medical Centre offer over and above GP services? It is the submitter's view that the Rockingham area is quite well serviced by General Practitioner services, but not specialist services. Questioned if the services provided will also be taken into consideration.**
Applicant's Response: Noted. In addition to the traditional general practice (GP) family practice services provided, the existing facility also currently provides sub-specialised Skin Cancer Clinic and GP Dermatology Services, including permanent dedicated Skin Cancer GPs. Several other GP sub-specialties are offered by the team at the existing facility, with the majority of the GPs having additional Diplomas over and above their Postgraduate Training. These qualifications include Paediatrics, Women's Health, Travel Medicine, Acupuncture, Aviation Medicine and Dermatology. The facility is also a Yellow Fever Accredited Centre and a Travel Clinic which forms part of the Travel Medicine Alliance. In addition to the above, due to the high proportion of patients of the existing facility being above the age of 65 (approximately 60% of patients), the team of GPs at the existing facility have a special interest in Geriatrics and/or Healthcare of the Elderly. Due to the way in which the existing facility has evolved, there is now a need to develop a purpose built modern facility to better utilise the space afforded by the two properties comprising the subject site.

1. Available Medical Services (cont…)
Operationally, this will involve the expansion of the Skin Cancer Clinic and GP Dermatology Services currently provided at the existing facility as well as a better equipped, purpose built facility to accommodate the other sub-specialities offered. The proposed expanded facility will also offer other occasional services such as podiatry and physiotherapy clinics and educational sessions, however these are likely to operate on a limited and infrequent basis during off-peak times.
City's Comment: The applicant has sufficiently addressed what services are intended to be provided within the scope of the medical centre. It is considered that all of the proposed uses fit within the scope of a 'Medical Centre' as defined under TPS2.
2. Property Values
Submission: **The proposal will reduce property values and the submitter does not want to live next to a large commercial building.**
Applicant's Response: Whilst impact on property prices is not a valid planning consideration, it is noted that the proposed building has been designed at a residential form and scale, with the main activity sensitively orientated to the east and away from the established residential interface to the west and south.
City's Comment: Property values are not a valid planning consideration, however the concerns over the design and orientation are addressed in 'Residential Character' section below.
3. Residential Character
Submission: **Rockingham Park has been a residential area for over 50 years.** **This would become the only "commercial" building on this side of Read Street which is totally residential.**
Applicant's Response: The proposed amendment seeks to maintain the established operation of the medical centre from Lot 324 (No. 101) Read Street, but expand the landholding to facilitate the development of a purpose built medical facility on the neighbouring lot to the west at Lot 325 (No. 4) Cygnus Street to provide predominantly general practitioner and dermatological services to the local community. It is therefore considered that the proposed medical centre redevelopment which will be facilitated by the proposed scheme amendment represents an important and established community service which ought to be preserved. The proposed redevelopment has been carefully designed at a residential scale with care given to the orientation of active areas to the east of the building, away from the sensitive residential interface to the west and south.
City's Comment: The applicant's indicative development plan, reduces in scale towards the western end of the development site, before transitioning to the existing residential housing to the west. The applicant's indicative plans (figures 9 to 11) are only a concept and as such the City has not undertaken an assessment of the proposal, which will occur at a subsequent stage of an Application for Development Approval being lodged with the City. This will evolve further consideration of an appropriate built form outcome which integrates within the surrounding residential area. Whilst it is agreed that there are no commercial looking buildings on the west side of Read Street, there are, however, a number of other commercial type uses operating in converted dwellings adjoining the Rockingham Shopping Centre. These include: - Ngala Child Care Centre currently operates at 113 Read Street, Rockingham. - Lawyers at south-east corner of Kitson Street and Council Avenue. - Massage at corner of Read Street and Swinstone Street.

3. Residential Character (cont…)

6. Site Photo - Read Street

7. Site Photo - Cygnus Street

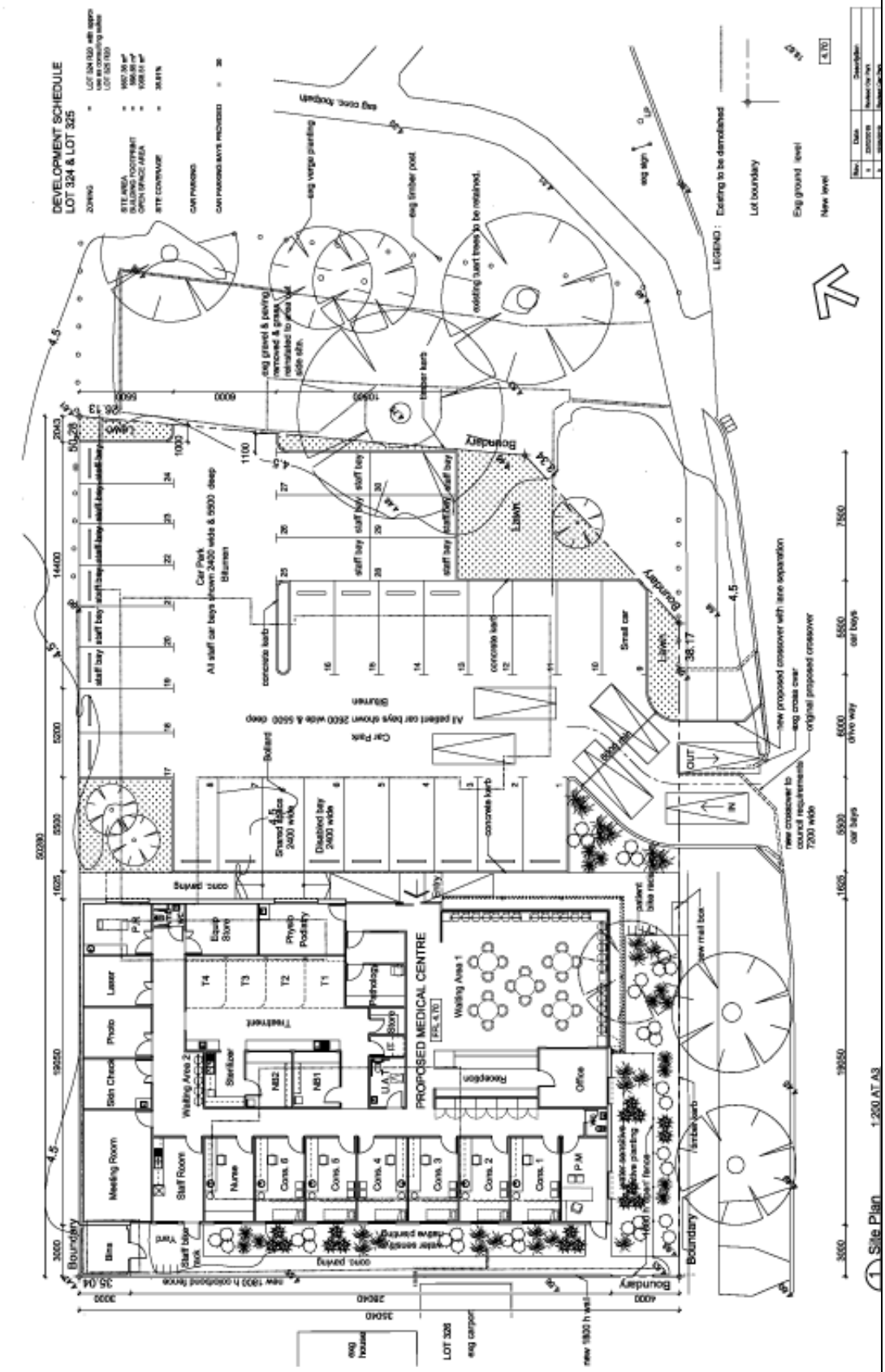
3. Residential Character (cont…)

8. Site Photos at No.6 Cygnus Street

9. Indicative Perspective 1

10. Indicative Perspective 2

3. Residential Character (cont…)



11. Site Plan

4. Traffic and Parking

Submission:

Cygnus Street has become a common thorough-fare for people wishing to access the Rockingham shopping centre. It is also serviced by a high frequency bus route which will increase the risk of vehicle accidents. Concerns with the intersection becoming a bottle neck as more people access the site.

Applicant's Response:

The proposed new access will greatly improve the existing access arrangement and increase the separation distance between the existing crossover and the Read Street intersection. The draft development plans at Attachment 1 of the Applicant's Scheme Amendment Report demonstrate how the new proposed point of access is approximately 19m west of the existing crossover into the medical centre parking area and therefore represents an improved outcome in terms of separation from Read Street.

The proposed access arrangement and crossover have been subject to review by the City's engineering services and the Applicant's traffic consultant. As a result of this review, the design has been supported by the City on the basis that:

- The location of the proposed crossover reflects the location of the existing crossover into Lot 324;
- The double crossover design allows for two way movement and internal stacking in the event that vehicles are required to wait to leave the car park; and
- The location of the proposed crossover as far as possible from the Read Street intersection also reduces the potential for traffic conflict resulting from right-in turning movements from west-bound traffic along Cygnus Street.

It is noted that the existing parking arrangement for Lot 324 comprises two separate disconnected areas which are separately accessed from independent crossovers onto Cygnus Street. In addition, the existing dwelling on Lot 325 is also accessed by an additional third crossover. The proposed arrangement is a significant improvement to the traffic and pedestrian safety outcomes for the site and will result in one consolidated access point into the carparking area on the subject site and the removal of two redundant crossovers.

City's Comment:

It is the City's view that the consolidation of the current crossover and access arrangement to Lot 324 (No.101) Read Street, along with an appropriately constructed carpark, will be substantial improvement on the current access arrangements to the site. The removal of the gravel and paving from the road reserve and reinstatement of lawn will provide visual improvement to the site, which further details being refined through the development application process.

The proposed double crossover has also been located as such to preserve the existing two mature verge trees, which is a beneficial outcome.

A Traffic Impact Assessment (TIA) will be required in support of the proposal if the Scheme Amendment is approved, whereby the application can proceed to the Development Application stage.

Whilst there will be increased traffic generated by the development, it will be predominantly in the immediate vicinity of the centre, with majority of customers accessing the site via Read Street.

5. Noise and Dust Nuisance

Submission

Noise and dust health impacts while demolishing the existing building and rebuilding the new property.

5. Noise and Dust Nuisance (cont…)

Applicant's Response

Noted. As a condition of development approval, the demolition of existing buildings and the construction of the new buildings will be required to comply with the terms of a construction management plan. The construction management plan will set out measures for the control of noise, dust, waste and other associated impacts arising from those activities which have potential to result in impacts on neighbouring residential land uses.

City's Comment:

As part of a subsequent Development Application process, a condition may be imposed to include a construction management plan that satisfactory manages both dust and noise impacts.

The Environmental Protection (Noise) Regulations (1997) exempts construction (and demolition) noise between 7.00am and 7.00pm. Noting this, demolition of these types of structures usually is likely to be completed within a short timeframe of a few days.

6. Scale and Bulk

Submission

The proposed building almost fills the whole block and is 4.7 metres high and only 3 metres from our dividing fence rising to 7 metres (23 feet 4 inches) at the opposite end of the block. The rear and front walls of the property are 20 feet tall at our boundary fence rising to 23 feet 4 inches at the opposite end. This will totally shut off any light to the windows of two of our bedrooms and also our front door and carport. It is far too tall.

Applicant's Response

The proposal will comprise two lots with a total combined area of 1,667.47m². The total building footprint of the proposed new building is 598.85m² representing a site coverage of only 35.91%. This is similar to the site coverage of the existing buildings on Lot 325 and Lot 324 which will be removed to make way for the new development.

Regarding building heights, the subject site is currently zoned Residential R20 (with an existing Additional Use zone over Lot 324). Under the R20 density coding, building heights are limited as follows:

- Top of external wall (roof above) – 6m
- Top of external wall (concealed roof) – 7m
- Top of pitched roof – 9m

As demonstrated in the draft development plans at Attachment 1 of the Applicant's Scheme Amendment Report, the proposed building has been designed entirely in conformance to the building height requirements for an R20 residential density.

The height of the building increases to the east, away from the existing residential dwellings to the west and does not exceed 7m in height at its highest point, which is comparable to a double storey single detached dwelling with a flat roof and parapet which could potentially be developed on the subject site. At the western interface, the building is 3m in height and is set back from the western boundary by 3m. When compared with the existing dwelling on Lot 325, the form and scale of the proposed building is similar to the existing dwelling which is set back approximately 4m from the western boundary, but contains a fixed pergola located approximately 1m from the boundary.

It is therefore considered, that the proposed development on the subject site is likely to improve the access to light and open air as a result of the removal of the pergola roof which is currently positioned 1m from the property boundary.

City's Comment:

A detailed assessment of the development against the Residential Design Codes (R-Codes) will be conducted upon the lodgement of a future Development Application. Notwithstanding, a preliminary assessment of the proposal has determined that if is compliant with the site coverage provisions, overshadowing, height provisions and side setback provisions of the R-codes.

7. Commercial Competition/Viability
Submission **We already have 3 large medical centres and another doctor's surgery within walking distance – do we really need another large Medical Centre.**
Applicant's Response As noted in Section 5.1 of the Applicant's Scheme Amendment Report, the subject site lies within an area of District of Workforce Shortage (DWS), as identified by the Department of Health (DoH) as an area within which the local population has less access to Medicare-subsidised medical services when compared to the national average for that type of service. It is therefore critical that disruption to the services currently offered by the Read Street Medical and Skin Care Centre is minimised. As highlighted in response to Submission No. 1 above, it is important to also note that in addition to the traditional GP family practice services offered to the local community, the medical centre also provides special interest services, including children's health, chronic disease management, skin cancer treatment and screening, acupuncture, travel vaccinations and aviation medicals. It also operates as a licensed Yellow Fever vaccination centre.
City's Comment: Commercial competition is not a relevant planning consideration. It is noted that the subject proposal is an extension of the services that are already operating at the site.

b. Consultation with Government Agencies

The Scheme Amendment was referred to the Environmental Protection Authority (EPA) to determine if an environmental assessment was required, prior to advertising. The EPA advised that the Amendment should not be assessed under the *Environmental Protection Act 1986.*

The following Government Agencies were also consulted:

- Department of Planning, Lands and Heritage;
- Main Roads Western Australia;
- Western Power;
- Water Corporation; and
- Telstra.

Two (2) submissions were received from Government Agencies which are summarised and addressed as follows:

1. Water Corporation
Submission **The Water Corporation has no objections to the rezoning proposal.**
Applicant's Response: Noted.
City's Comment: Noted.
2. Department of Planning, Lands and Heritage
Submission **Land Requirements:** **Lot 324 abuts Read Street which is reserved as an Other Regional Road (ORR) in the Metropolitan Region Scheme (MRS), also reserved as Category 1 per Plan Number SP 694/4. The site is not affected by the ORR reservation for Read Street, per the attached Western Australian Planning Commission (WAPC) Land Requirement Plan number 1.1102.**

2. Department of Planning, Lands and Heritage (cont…)

Recommendation

The Department of Planning, Lands and Heritage has no objection to the proposal on regional transport grounds and provides the following comments:

- Due regard should be given to the WAPC's SPP 5.4 Road and Rail Noise which seeks to minimise the adverse impact of transport noise on proposed developments. Medical Centres can be considered noise sensitive under the policy. Main Roads WA traffic counts show Read Street as accommodating 28,914 vehicles per day in the subject location. It is recommended that the local government ensure that due considerations have been given to the SPP requirements and that all necessary measures, as detailed in the SPP Implementation Guidelines, have been applied.
- If the redevelopment of the subject lots will increase traffic movements by a significant margin during peak periods, it is recommended that a Transport Impact Assessment be prepared to assist in assessing the transport impacts of the development.
- The location of the crossover for the redevelopment should demonstrate adequate separation distance from the signalised intersection and not be located within an auxiliary lane (refer to Main Roads WA Driveways Policy).

Land Requirement Plan No.1.1102

Applicant's Response:

Noted.

City's Comment:

Noted. A TIA will be required to be provided as part of a future application for Development Approval. The City acknowledges that under State Planning Policy 5.4 the use of a Medical Centre is a Noise Sensitive Premises. It is also noted, however, that the proposal seeks to extend the operation of a Consulting Rooms which is historically located at the site and is also currently a noise sensitive premises.

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 Strategic Community Plan 2019-2029:

Aspiration 3: *Plan for Future Generations*

Strategic Objective: *Responsive Planning and Control of Land Use - Plan and control the use of land to meet the needs of a growing population, with consideration of future generations.*

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Planning and Development (Local Planning Schemes) Regulations 2015

The procedures for dealing with proposals to amend a local planning scheme, as per the *Planning and Development Act 2005,* are set out in the *Planning and Development (Local Planning Schemes) Regulations 2015.*

Regulation 50(3) provides that the City shall:

"Before the end of the consideration period for a standard amendment to a local planning scheme, or a later date approved by the Commission, the Local Government must pass a resolution-

(a) to support the amendment without modification;

(b) to support the amendment with proposed modifications to address issues raised in the submissions; and

(c) not to support the amendment."

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 expansion of the Read Street Medical Centre is considered logical expansion of the existing consulting room facilities. The re-development of the site and expansion of the medical use will result in improved site planning, facilities, range of services, parking and traffic safety. The proposed use is considered compatible with the surrounding residential area, as well as the objective of the Residential zone under TPS 2.

The submissioner has raised concerns that the expansion of the medical practice is incompatible with the existing residential area and will have adverse amenity impacts in terms of noise, traffic and parking. These concerns will be addressed through a future application for Development Approval, whereby the City will also seek comment from the adjoining home owners and occupants on the proposed design.

As such, following advertising of the Scheme Amendment and consideration of all submissions, it is recommended that Council adopt Amendment No.177 for Final Approval. Following the Council's decision, Final Approval of the Scheme Amendment is required from the Minister for Planning.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. ***ADOPTS*** Amendment No.177 to Town Planning Scheme No.2. as follows:

   (i) Amend Additional Use No.8 in Schedule 2 to include changes in red, as follows:

No.	Site Description	Additional Use	Special Conditions
8	Lot 324 Cnr Cygnus and Read Street, Rockingham and Lot 325 Cygnus Street, Rockingham	Medical Centre	Not Applicable

   (ii) Amend the Scheme Maps accordingly.

2. ***ADOPTS*** the recommendations contained within the Schedule of Submissions.

Committee Recommendation

That Council:

1. ***ADOPTS*** Amendment No.177 to Town Planning Scheme No.2 as follows:

   (i) Amend Additional Use No.8 in Schedule 2 to include changes in red, as follows:

No.	Site Description	Additional Use	Special Conditions
8	Lot 324 Cnr Cygnus and Read Street, Rockingham and Lot 325 Cygnus Street, Rockingham	Medical Centre	Not Applicable

   (ii) Amend the Scheme Maps accordingly.

2. ***ADOPTS*** the recommendations contained within the Schedule of Submissions as follows:

CITY OF ROCKINGHAM

AMENDMENT NO.177 TO TOWN PLANNING SCHEME NO.2

SCHEDULE OF SUBMISSIONS

Submission	Comment	Recommendation
1. Mr Jarl Anderson, 19 McKenzie Road, Shoalwater WA 6169 Amendment No.177 to Town Planning Scheme No.2, has my support, what medical services will the future Cygnet Street Medical Centre offer over and above GP services? The Rockingham area is quite well served with medical GP services (bulk billing and private) and private dental care services. It is generally different with specialist services and often people have to travel to the Metropolitan Centre region. Perhaps this is a consideration when granting the amendment approval. It is not just a matter of bricks and mortar, building heights, parking, traffic etc. but equally a question of the scope of medical services being offered to the community.	Noted.	That the support be noted. That a list of services included in the proposal be sent to the submitter following Council's consideration.
2. Mr Sydney and Mrs Lilian Ozelton, 6 Cygnus Street, Rockingham WA 6168 We live in the property adjacent to the proposed block to be rezoned from residential to medical. If Council recommends passing this rezoning we hope that it will do so with some conditions applied to it. Rockingham Park has been a residential area for over 50 years and we have lived in our property (No.6 Cygnus Street) for nearly 39 years.	Noted. The development of the site will be subject to an application for Development Approval which will consider the appropriate conditions to be applied at that time. There has been a consulting rooms operating at the subject property since prior to 1973.	That this part of the submission be noted. That this part of the submission be noted.

Submission	Comment	Recommendation
2. Cont… The proposal to build a concrete "commercial" looking building on this block – even though it is a medical centre – will devalue my property and possibly even make it unsellable. Anybody buying a house in a residential area does not want to live next door to a huge "commercial" looking building.	The value of surrounding properties is not a valid planning consideration.	That this part of the submission not be upheld.
The proposed building almost fills the whole block and is 4.7 metres (15 foot 8 inches) high only 3 metres from our dividing fence rising to 7 metres (23 feet 4 inches) at the opposite end of the block. The rear and front walls of the property are 20 feet tall at our boundary fence rising to 23 feet 4 inches at the opposite end.	The proposed building occupies just over 35% of the amalgamated site. As such it complies with the R-Codes for R-20 zoning.	That this part of the submission not be upheld.
This will totally shut off any light to the windows of two of our bedrooms and also our front door and carport. It is far too tall.	The western boundary wall is approximately 40 metres long and 3 metres high and has major openings. The R-Codes requires a 1.5m setback. As such the proposal exceeds the required setback.	That this part of the submission be noted and be dealt with at the development application stage.
Then we come to the subject of inconvenience, noise and dust while they are demolishing the existing building and rebuilding the new property. My husband is a chronic asthmatic with COPD and dust would cause him numerous asthma attacks.	Dust and noise impact will be dealt with as conditions of Development Approval.	That this part of the submission be noted and be dealt with at the development assessment stage.
When the building is complete and they demolish the existing surgery it could then cause serious traffic problems. The entrance to the new car park will be approximately 30 metres from traffic lights at one of the busiest intersections in the city. Cygnus Street is on a bus route and has also become a cut through for people coming down Rae road to the shopping centre. Vehicles can pile up at the traffic lights waiting to cross into Council Avenue of turn into Read Street. Then you get cars turning into Cygnus Street or coming from Council Avenue through the traffic lights. It could cause a serious bottleneck when people want to get in or out of this car park. Vehicles entering or exiting the car park have the cross the walk or cycleway used by people on bicycles, people pushing prams, old people on mobility scooters, people walking to the shops and children going to school. It could become an accident waiting to happen.	Noted. The existing cross over to the consulting rooms is far closer than the proposed cross over. Minor amendments and modification to the parking area have been requested. These issues will be rectified if the proposal proceeds to the development stage.	That this part of the submission be noted and be dealt with at the development assessment stage.

Submission	Comment	Recommendation
We already have 3 large medical centres and another doctors surgery within walking distance – do we really need another large Medical centre. This would become the only "commercial" building on this side of Read Street which is totally residential. I would ask that you seriously consider these implications when making your decision.	Commercial competition is not a relevant planning consideration, This proposal aims to extend the services currently provided on site.	That this part of the submission not be upheld.
3. Mr Brett Coombes (on behalf of Water Corporation), PO Box 100, Leederville WA 6902 The Water Corporation has no objections to the rezoning proposal.	Noted. The applicant will be required to obtain all necessary approvals from the Water Corporation at the subsequent stages of development.	That the submission be noted.
4. Mr Simon Luscombe (on behalf of Department of Planning Lands and Heritage), Locked Bag 2506, Perth WA 6001 I refer to your letter dated 19 November 2019. In accordance with the Western Australian Planning Commission's (WAPC) Instrument of Delegation dated 30 May 2017, the following comments are provided. This proposal seeks approval for a scheme amendment for Medical Centre as an added land use for the subject lots.	Noted.	That the submission is noted.
Land Requirements Lot 324 abuts Read Street which is reserved as an Other Regional Road (ORR) in the Metropolitan Region Scheme (MRS), also reserved as Category 1 per Plan Number SP 694/4. The site is not affected by the ORR reservation for Read Street, per the attached Western Australian Planning Commission (WAPC) Land Requirement Plan number 1.1102. **Recommendation** The Department of Planning, Lands and Heritage has no objection to the proposal on regional transport grounds and provides the following comments: • Due regard should be given to the WAPC's SPP 5.4 Road and Rail Noise which seeks to minimise the adverse impact of transport noise on proposed developments. Medical Centres can be considered noise sensitive under the policy.	Noted.	The applicant will be required to consider these policies once submitting for development approval.

Submission	Comment	Recommendation
4. Cont… Main Roads WA traffic counts show Read Street as accommodating 28,914 vehicles per day in the subject location. It is recommended that the local government ensure that due considerations have been given to the SPP requirements and that all necessary measures, as detailed in the SPP Implementation Guidelines, have been applied. • If the redevelopment of the subject lots will increase traffic movements by a significant margin during peak periods, it is recommended that a Transport Impact Assessment be prepared to assist in assessing the transport impacts of the development. Please refer to WAPC Transport Assessment Guidelines for Developments, which is available at: https://www.dplh.wa.gov.au/policy-and-legislation/state-planning-framework/fact-sheets,-manuals-and-guidelines/transport-impact-assessment-guidelines • The location of the crossover for the redevelopment should demonstrate adequate separation distance from the signalised intersection and not be located within an auxiliary lane (refer to Main Roads WA Driveways Policy). Land Requirement Plan No.1.1102  		

Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Planning and Development Services
Statutory Planning Services

Reference No & Subject:	**PD-015/20 Draft Heritage Strategy (2020-2025)**
File No:	LUP/2090
Applicant:	
Owner:	
Author:	Mr Stephen Sullivan, Planning Officer
Other Contributors:	Mr Mike Ross, Manager Statutory Planning
Date of Committee Meeting:	17 February 2020
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
LA Zoning:	
MRS Zoning:	
Attachments:	Draft Heritage Strategy (2020-2025)
Maps/Diagrams:	

Purpose of Report

To seek Council approval to advertise the draft Heritage Strategy (2020-2025) January 2020 (*the draft Heritage Strategy*) for public comment.

Background

Within the City, heritage is covered primarily by the following Acts:

- Heritage Act 2019 (Local Heritage Survey [previously known as the Municipal Heritage Inventory]; and the State Register of Heritage Places);
- Planning and Development Act 2005 (Heritage List – Town Planning Scheme No. 2); and
- Aboriginal Heritage Act 1972.

Whilst the City has a Municipal Heritage Inventory and a Local Planning Policy to guide assessment of planning applications, there is no overarching strategy with a vision to guide the City's approach to heritage. The vision that was developed through the preparation of the draft Heritage Strategy is contained in section 2.2 of the draft Heritage Strategy (refer to the Attachment to this report item). For ease of reference, the draft vision has been reproduced based on stakeholder and community engagement undertaken in the preparation of the draft Heritage Strategy below:

"2.2 Vision

To improve awareness and foster a greater appreciation of the City's rich and diverse heritage; and to collaborate with our community and key stakeholders to protect, preserve, enhance and celebrate our heritage for the benefit of the current and future generations."

Items such as shipwrecks located off the Rockingham coastline are covered by Commonwealth and State legislation, with the Western Australian Museum being the body delegated with the responsibility of administering these Acts.

The actions of the City in terms of decision making, maintaining its own heritage properties, undertaking works on or near heritage sites, etc., are impacted by the various Acts.

Recent examples of the City's work in heritage management and conservation includes:

- Review of the Municipal Heritage Inventory (MHI) and Heritage List (finalised in April 2018);
- Amending *Planning Policy 3.3.21 - Heritage Conservation and Development* and the City's website to ensure that information concerning heritage is publicly accessible and accurately reflected;
- Preparing Conservation Management Plans for heritage places and including these on the City's website;
- Conserving City-managed heritage places such as the former Baldivis Primary School building (now host to the Rockingham Arts and Crafts Society), former Roads Board Office (host to the Rockingham Museum), Lake Richmond (a local and State-listed site of natural, Aboriginal and European significance), Peel Ruins relating to Thomas Peel Jnr, and the Old Abattoir in Hillman;
- Engagement with the City's Heritage Reference Group which is a Committee, consisting of a Councillor and representatives from the Rockingham District Historical Society;
- Engagement of the City's Heritage Advisor to provide specialist advice on conservation of City Assets and review of the MHI and heritage matters, as well as providing support to the City's Heritage Reference Group; and
- Keeping up to-date with legislative changes, ie, introduction of the Heritage Act 2018 and Heritage Regulations 2019.

Heritage Strategies are not a legal requirement, however, there are various local governments in Western Australia and interstate which have prepared these documents for their communities. Some local examples include the Cities of Perth, Canning, Swan and Vincent.

Details

The Heritage Strategy is a new action which is aligned to the City of Rockingham Strategic Community Plan 2019-2029.

The City currently takes a proactive approach to the identification of its heritage, however, it is increasingly becoming recognised that Heritage Strategies are an important tool for guiding a coordinated approach to heritage across an organisation. They also assist to synergise and capitalise upon existing and future resources in this respect. Heritage Strategies also assist in prioritising efforts relating to heritage, and identifying current strengths and weaknesses that impact local government efforts in heritage.

While the City already invests significant effort toward heritage conservation and protection, there are opportunities to improve public awareness and understanding of local heritage and encourage protection of heritage places. It is also important to ensure that the City operates within the framework of the various Acts. The draft Heritage Strategy will consider the City's current actions and identify what else needs to happen to achieve the vision as shown above.

The development of a draft Heritage Strategy will guide the City's approach to heritage conservation, management and promotion. It is intended to encourage interest and awareness of the City's heritage places and its history. It will also guide the City in how it prioritises its heritage projects according to a five year timeframe, based upon the community's values relating to heritage and areas of greatest urgency.

The approach taken by the City reflects the interconnectedness of natural landscape, Aboriginal heritage and European heritage to reflect all aspects of the City's unique heritage.

Steps in the development of the draft Heritage Strategy

The Heritage Strategy project commenced in August 2018, when Planning consultancy Element WA (formerly "TPG Town Planning, Urban Design and Heritage + Place Match") was engaged to prepare a draft Heritage Strategy. The project involved the following steps:

1. Project Inception Meeting: Initial discussion with the consultancy to outline an agreed approach and deliverables (held on 10th August 2018);
2. Desktop Assessment: Review of the available literature surrounding the City's heritage, review of the City's planning approach to heritage and the City's Strategic Community Plan to inform a 'Strengths and Weaknesses' analysis, and developing questions for key stakeholders;
3. Stakeholder Engagement: Workshops with internal City departments (Planning, Community Development, Library Services, Asset Services, the City's Heritage Reference Group, and Reconciliation Action Plan Group - representatives) and thereafter, the City of Rockingham Youth Advisory Council, as well as a local community workshop to invite broader community input from residents and key community groups within the City. An online survey was developed to invite input from anyone unable to attend the workshops;
4. Delivery of the Heritage Strategy: Culmination of research and stakeholder engagement presented to the City with an opportunity for input prior to advertising; and
5. Review of the Heritage Strategy by the City's internal departments.

The draft Heritage Strategy has now reached the stage where it is proposed to undertake the following steps:

6. Council approval to advertise the Heritage Strategy: the draft Heritage Strategy would be advertised for public comment, during which time feedback will also be sought directly from those persons involved in the initial consultation process; various organisations and government agencies, such as historical societies, Rockingham RSL, Resident Associations, the National Trust of Australia (WA) and the Department of Planning, Lands and Heritage to inform the final Strategy; and
7. Final Heritage Strategy: The draft Heritage Strategy will be reviewed/updated having regard to the responses received during the advertising process prior to being submitted to Council for adoption.

The Four Themes of the draft Heritage Strategy

The draft Heritage Strategy includes reference to natural, maritime, Aboriginal and European heritage. In turn, it is intended through the draft Heritage Strategy that all forms of heritage are celebrated and recognised equally as a 'shared heritage'.

The Heritage Strategy operates according to the following four themes:

- Understand (identifying, assessing and documenting the City's heritage).
- Protect (statutory protection, policy, guidelines, decision making);
- Sustain (incentives, education, training, resourcing); and
- Celebrate (raise awareness and appreciation of the City's diverse heritage).

The four themes set the framework for an Action Plan to be implemented to achieve the outcomes arising from the Heritage Strategy.

Proposed Action Plan

The draft Action Plan includes a total of 39 tasks, which can be prioritised into New, New/Ongoing and Ongoing Actions. Each action can be further broken down into the following timeframes:

New Actions:

(a) Immediate: Within 12 months - commencing in the 2020-2021 financial year (2 tasks);
(b) Medium: 2021-2023 (3 tasks);
(c) Long Term: 2023-2025 (3 tasks); and

New Ongoing Actions:

(a) Immediate: Within 12 months - commencing in the 2020-2021 financial year (9 tasks);
(b) Medium: 2021-2023 (1 tasks);

Ongoing Actions:
There are 21 ongoing actions, with some of these actions occurring at pre-determined times.
The timeframes and costs for each of the actions have been explored and outlined in the Action Plan, where known. Some of the tasks will require further investigation to confirm their actual cost, and have been flagged in the plan as "Investigate and identify options and costs". Most of the actions identified can be achieved using existing staff resources.

Implications to Consider

a. Consultation with the Community

Preliminary Community Consultation:-

To inform development of the draft Heritage Strategy, consultation was held with the following City staff, stakeholders and local residents:

- Internal City departments on 18 October 2018;
- City of Rockingham Aboriginal Advisory Group on 25 October 2018;
- Rockingham District Historical Society via the City's Heritage Reference Group on 25 October 2018;
- City of Rockingham Youth Advisory Panel on 25 October 2018;
- Community engagement workshop at the Gary Holland Community Centre on 22 November 2018, presented by planning consultancy Element WA; and
- Online survey – survey sent to 1788 residents – survey open to all residents and interested stakeholders on 23 November 2018 – 9 December 2018 – 133 responses received.

Community Engagement Workshop

Local and interested stakeholders were invited to attend a Community Engagement Workshop at the Gary Holland Centre on 22 November 2018 to inform the draft Heritage Strategy. The workshop was advertised via the City's website, online Rock Port platform, letters to all Councillors and several local community groups throughout the City, and poster display in City libraries and public spaces. In summary, the 20 workshop participants attending the session advised that heritage is of strong value to them, however, they are unsure of where information on heritage in the City can be obtained. The attendees considered that the City should do more to promote its heritage to the local and wider community, particularly to complement its tourism. A series of suggestions were presented by the attendees which were collated and informed the draft Heritage Strategy.

Internal City Feedback

A working group was formed in late August 2018 comprised of 'champions' from various City departments to provide input into the development of the draft Heritage Strategy. Five back-to-back workshops were held with the nominated champions to ascertain the current role of each department regarding heritage places under the City's ownership and the roles and responsibilities of each department in relation to the maintenance and development proposals that fall under public or private ownership. The following workshop groups, as they existed at the time, were consulted:

- Planning Services;
- Economic Development Team;
- Strategy, Tourism, Marketing and Communications Team;
- Asset Management and the Parks Team; and
- Community Development, Customer & Corporate Services, and the Library Team.

It was recognised during the internal workshops that there is a wealth of online information regarding the City's heritage places and planning requirements applicable to those places, however, they are not widely known and not equally understood across the teams. Each team has a series of responsibilities concerning maintaining and dealing with heritage places but they do not always synergise with other teams.

The workshop attendees continued to collaborate with the City's Planning Officers following the workshops by reviewing the draft Heritage Strategy and providing feedback, once the internal and community feedback was collated in late 2018.

City of Rockingham Aboriginal Advisory Group

On 25 October 2018, the City's Heritage Consultants introduced the Heritage Strategy project to the City's Aboriginal Advisory Group (AAG) and asked the AAG a series of questions to inform the Heritage Strategy. The AAG advised of the cultural significance of various natural and Aboriginal sites throughout the City, and expressed concerns that they have had difficulty accessing some sites of significance to them as the sites are gated and they fall under State Government ownership. Further, cultural practices and beliefs surrounding the sites are not always recognised which hinders respectful treatment of the sites. In summary, the AAG advised that more collaboration needs to occur to improve awareness and respect of Aboriginal culture and sites of significance.

City of Rockingham Youth Advisory Panel

On 25 October 2019, the City's Heritage Consultants and planning staff presented a PowerPoint to the City's Youth Advisory Panel outlining what is heritage, why heritage is valued, and how the Heritage Strategy will build upon this. The presentation was well received and the attendees displayed strong enthusiasm and knowledge of the City's Natural and European heritage, with some understanding of Aboriginal heritage. Following the presentation, the attendees participated in a Q&A session on heritage and thereafter contributed their ideas in the workshop on what heritage means to them and what should the Heritage Strategy consider. Examples of recommendations that the Youth Advisory Panel provided include consideration that the City celebrates heritage annually by participating in programs such as 'Heritage Perth' or 'Open House Perth', which are voluntary public events that raise awareness of buildings considered exemplary for aspects such as their history or architectural merit, and allow members of the public to view places which are not always publicly accessible. Another example includes crowd-sourced fundraising to maintain heritage places requiring repair.

City of Rockingham Heritage Reference Group

The Heritage Strategy project was previously discussed with the Heritage Reference Group (HRG) in February 2018 to determine the direction that the Heritage Strategy should take and key matters to consider.

On 25 October 2018, the City's Heritage Consultants presented a background brief to the HRG and asked a series of questions to inform the Heritage Strategy. The HRG reflected upon the impact that the ratification of the Heritage Act WA 1990 had upon heritage, which until then was largely championed by community action and efforts from not for profit entities such as the National Trust. The HRG advised that the City has lost many of its heritage buildings both prior to and since the City adopted its first Heritage List in 1995 as required under the Heritage Act 1990 and conveyed their concern at instances of 'demolition by neglect' occurring in high public visible sites. The HRG was provided with an update on the status of the draft Hertiage Strategy at its meeting held on the 4 December 2019.

Online Survey

The online survey opened on 23 November 2018, immediately following the general community workshop held at the Gary Holland Centre and invited responses until 9 December 2018.

The online survey commenced with the survey form being sent out to 1,788 residents. At the conclusion of the survey, 133 responses were received. Of the total responses received, 94% (125) were from local residents.

The online survey was designed to enable interested stakeholders whom were unable to attend one of the local workshops to contribute their views on the direction the Heritage Strategy should take. The survey asked participants a series of questions relating to their own demographics, how they perceive heritage, what they believe is currently working well in respect to heritage locally, and what actions they believe the City should take to further promote and protect our heritage.

Feedback from the survey advised that the City's history and heritage is highly valued and thoroughly understood by long-term residents. Most respondents believe that Aboriginal heritage is not well represented within the City and more effort is required to address this.

In summary, the respondents advised that the City should advertise and promote its heritage more by measures including signage, print and social media, education in schools, collaboration with other agencies, artworks, and targeted events.

Draft Heritage Strategy Community Consultation:-

If approved for public consultation, the draft Heritage Strategy will be advertised for a minimum period of 42 days. Community feedback during the consultation period will be sought by:

- Contacting the 25 residents and organisations registered on the project stakeholder list via their preferred contact methods;
- Writing to relevant stakeholders and inviting their input, including:
  - Rockingham District Historical Society;
  - Jarrahdale Historical Society;
  - Kwinana Historical Society; and
  - South West Aboriginal Land and Sea Council;
- Two advertisements running in consecutive editions in a local community newspaper;
- Flyers in public spaces such as City libraries and community noticeboards;
- Online via the City's website 'Share Your Thoughts' page and the Rock Port community platform;
- Referring the draft Heritage Strategy to the Aboriginal Advisory Group and Heritage Reference Group;
- Writing to the persons that attended the Community Workshop and responded to the Online Survey;
- Social Media – using applications such as Facebook to inform the general public of the release of the draft Heritage Strategy for Public comment.

b. Consultation with Government Agencies

Feedback will also be sought from the following agencies and organisations:

- Department of Planning, Lands and Heritage (namely the State Heritage Office and Department of Aboriginal Affairs);
- Department of Biodiversity, Conservation and Attractions;
- Western Australia Maritime Museum;
- DevelopmentWA;
- National Trust (WA);
- City of Kwinana;
- Shire of Serpentine-Jarrahdale; and
- City of Mandurah.

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 Strategic Community Plan 2019-2029:

Aspiration 2: *Grow and Nurture Community Connectedness and Wellbeing*

Strategic Objective: *Youth development and involvement - Engage and encourage youth to become actively involved in contributing to the wellbeing of our community.*

Aboriginal heritage and inclusion - Strengthen relationships with Aboriginal people which foster mutual respect and support, and cultural awareness.

Community engagement - Facilitate comprehensive community engagement on issues facing the City, ensuring that residents can provide input into shaping our future.

Aspiration 3: *Plan for Future Generations*

Strategic Objective: *Responsive planning and control of land use: – Plan and control the use of land to meet the needs of the growing population, with consideration of future generations.*

Preservation and management of bushland and coastal reserves - encourage the sustainable management and use of the City's bushland and coastal reserves.

d. Policy

The Strategic Development Framework Policy (for Community Plan Strategies) which stipulates Councillors, staff, stakeholders and members of the community should be involved or participate in the strategic development process.

The draft Heritage Strategy has been prepared having regard to the Western Australian Local Government Association (WALGA) model template for heritage strategies, which was amended as required for consistency with the City's Strategic Community Plan 2019-2029 template.

e. Financial

Project cost

The total commitment for the Heritage Strategy project is $32,879.17, whilst the 2018/19 budget allocated for the Heritage Strategy was $35,000.

Implementation cost

The costs associated with the implementation actions outlined in the Heritage Strategy 2020-2025 cannot be fully determined at this stage. Where possible, actions will be investigated by City Officers and some actions will need further investigation and consideration by the Council when significant costs could occur such as potential rates concessions through heritage incentives and heritage awards.

Where costs for an action have been able to be explored, the estimates have been identified in the Action Plan. As the draft Heritage Strategy has implications across a number of sections within the organisation, the relevant sections will need to budget accordingly. For instance, there will be budgeting costs associated with the establishment of a Local History Section within the Library and staffing that may be needed to maintain this resource.

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

Medium/High Risk:

Risk of poorly managed heritage places resulting in a loss of cultural heritage significance unique to the City of Rockingham for future generations.

Comments

Heritage Strategies are a relatively new approach to guiding heritage-related projects, which are growing in popularity in Australia and internationally. Heritage Strategies assist in ensuring that resources dedicated to protecting and promoting heritage places complement one another but do not duplicates each other's efforts. They can encourage improved collaboration between:

- sections within an organisation; and
- public and private stakeholders;

so as to foster better understanding of history and heritage. The development of the draft Heritage Strategy has already enabled greater dialogue between the City's internal divisions and with various members of the community. The draft Heritage Strategy will aid the City in ensuring that it meets its obligations under the various Acts, and adopts a best practice approach to heritage and respects the community's values accordingly.

It is recommended that Council approve advertising of the draft Heritage Strategy for public comment.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***APPROVES*** the draft Heritage Strategy for the purpose of public comment.

Committee Recommendation

That Council ***APPROVES*** the draft Heritage Strategy for the purpose of public comment.

Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Planning and Development Services
Directorate Planning and Development Services

Reference No & Subject:	**PD-016/20 Shoalwater Safety Bay Foreshore Master Plan - Stage One Project**
File No:	LUP/2084-05
Proponent/s:	
Author:	Mr Peter Ricci, Manager Major Planning Projects
Other Contributors:	
Date of Committee Meeting:	17 February 2020
Previously before Council:	19 December 2017 (PD-075/17), 26 June 2019 (PD-043/19), 14 September 2019 (PD-061/19), 17 December 2019 (PD-085/19)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	Foreshore Reserve and abutting Road Reserve between Boundary Road, Shoalwater and Warnbro Beach Road, Waikiki
Lot Area:	
LA Zoning:	Parks and Recreation/Local Road
MRS Zoning:	Parks and Recreation/Local Road
Attachments:	1. Overall Master Plan Concepts and Activity Node Design Concepts 2. Indicative Cost Estimates
Maps/Diagrams:	1. Master Plan Activity Node Locations 2. Integrated Dual Use Path 3. The Pond All-Ages Play Space 4. Shoalwater Reserve Activity Node

Purpose of Report

To select the element of the adopted Safety Bay Shoalwater Foreshore Master Plan ('Master Plan') that will be implemented with Council's allocated funding.

Background

In December 2017, Council resolved to commence a Master Plan project for the foreshore reserve and abutting road reserves generally between Boundary Road, Shoalwater and Warnbro Beach Road, Safety Bay.

The adopted 'Project Purpose' for the Master Plan was:

> *"To develop a strategic vision for the Safety Bay and Shoalwater Foreshore Precinct that gives direction to:*

- *Realising its tourism potential, including 'marine based tourism', with a focus on the emerging kite-surfing and wind-surfing industry;*
- *Coordinating the existing and future commercial activity within the foreshore;*
- *Maximising community use by enhancing the existing recreational experiences; and*
- *Protecting key environmental and built assets.*

Following two rounds of community consultation, one of which established the 'Design Drivers' to inform the content of the Master Plan and the other to advertise the draft Master Plan, in December 2019 Council conditionally adopted the Master Plan.

The adopted Master Plan divides the study area into four sections and identifies five Activity Nodes being locations where there is a high volume of visitors and/or a concentration of activities and amenities (refer to Figure 1). The five Activity Nodes are:

- Shoalwater Reserve
- Lions Park
- Mersey Point
- The Pond
- Waikiki Foreshore

1. Master Plan Activity Node Locations

The Master Plan comprises an 'overall concept' of the four sections and more detailed design concept of each Activity Node (refer to Attachment 1).

The key elements of the adopted Master Plan include:

(i) A 3m wide integrated dual use path along the entire length of the study area to act as the central connecting infrastructure element. Within Shoalwater, the dual use path is within the dune environment linking Shoalwater Reserve with Mersey Point via Lions Park. The dual use path continues through Safety Bay and predominantly follows the alignment of the existing pedestrian path which it will replace.

(ii) Parking has been increased by about 30% throughout the foreshore through the rationalisation of existing carparks and the inclusion of on-street parking.

(iii) Reduced traffic speeds and improved pedestrian safety through various interventions.

(iv) Additional shade shelters, shade sails and trees throughout the foreshore, particularly at the Activity Nodes.

(v) Shoalwater Reserve Activity Node – the function of the reserve is to be improved by the placement of shade shelters and barbeques and other amenities including a 'nature play space'. The existing carpark is proposed to be slightly reconfigured to achieve separation from Arcadia Drive and a set-down and wash-down zone for kayaks and other water sports. All-abilities access to the beach is also included.

(vi) Lions Park Activity Node - proposed to contain improved amenity which includes shade shelters, barbeques and a 'nature play space'.

A water sport set-up and wash-down zone is proposed adjacent to an improved beach access path which will allow for the transfer of water sport craft and all-abilities access. The existing carpark is to be reconfigured and slightly expanded such that the parking provision increases by approximately 20 bays.

(vii) The Pond Activity Node – geared towards capitalising on the emerging kite-surfing and wind-surfing presence. It involves the removal of the aging Safety Bay Yacht Club building in favour of new buildings to accommodate commercial and community uses.

Open space and infrastructure to allow for rigging, observation, the placement of marquees etc and the general assembly of people is also proposed to support day-to-day kite-surfing and the hosting of events. The Activity Node also proposes an 'all ages play space' notionally shown to contain ball and skate elements.

(viii) Waikiki Beach Activity Node – proposed to retain its key structural elements but offer improved amenity through infrastructure upgrades. It also includes the potential for a café/restaurant to be established in the location of the existing toilet facility.

Another significant element is the potential for a jetty/swimming platform in the vicinity of the existing beach access pedestrian ramp.

The Master Plan also provides recommendations on matters such as furniture/infrastructure design themes, new planting, beach access, traffic management, water sensitive urban design and coastal protection.

Throughout the project, the City has been mindful that the Master Plan will be a high-level, strategic document that provide direction to how the foreshore will evolve over the next 20 – 30 years and that its outcomes will be delivered in the short, medium and long term. The purpose of the Master Plan was regularly communicated throughout the design phase.

It has was also recognised that implementation of the Master Plan will likely be funded by a combination of municipal funds and contributions from third party funding providers. The Master Plan itself will be a useful resource to assist in attracting funding.

The adopted Master Plan includes 'Indicative Cost Estimates' to implement its recommendations which are presented for each Master Plan section (refer to Attachment 2). The total cost of implementing the Master Plan is estimated to be approximately $33M.

The current Annual Budget allocates $600,000 to implementation of the Master Plan and the adopted Business Plan identifies an additional $500,000 in 2020/21 bringing the total to $1.1M. In allocating the funds there was no direction provided on where the implementation emphasis should be. It was acknowledged through the design phase, however, that a decision on the Stage One Master Plan implementation will be made following the adoption of the Master Plan.

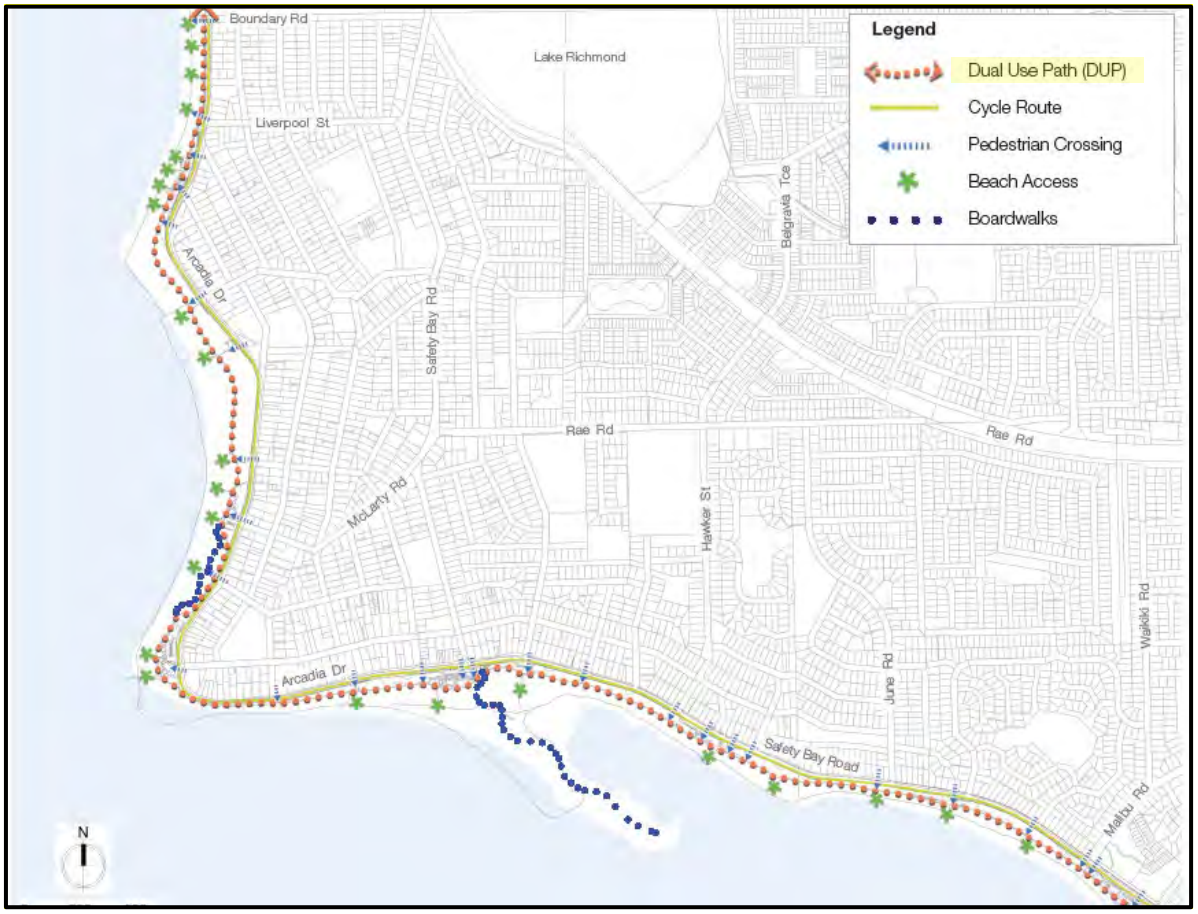
Details

The Master Plan Report includes 'Indicative Staging' which provides a view on the timing of each Master Plan section and Activity Node. The 'Indicative Staging' responds to the original 'Project Purpose' and perceived benefit derived from implementing aspects of the Master Plan. It has not been able to reconcile, however, the availability of funding (in terms of amount and timing), the approvals processes and other potential delivery constraints.

With respect to Activity Nodes, the 'Indicative Staging' suggests that The Pond Activity Node should be the priority given that it will be the principal destination and focal point within the Study Area and it offers the greatest potential for social and economic benefit. The Indicative Staging then prioritises Shoalwater Reserve and Lions Park, then Mersey Point and Waikiki Foreshore.

Further to the above, the City's consultant (GHD Woodhead) was asked to identify projects that could be delivered as Stage One with the Council allocated funds. Three projects were identified as follows:

(i) **Integrated Dual Use Path** – as detailed above, the destinations and attractions within the Master Plan are to be linked by a 3m bitumen dual use path. In the Shoalwater sector, it is predominantly a new alignment which, in part, traverses the dune system. Within Safety Bay, it primarily follows the alignment of the existing concrete pedestrian path.



2. Integrated Dual Use Path

(ii) **The Pond 'All-Ages Play Space'** – The Pond Activity Node proposes a variety of improvements including new commercial/community buildings, public event space, an amphitheatre and an 'all-ages play space' which inculpates skate and ball sport elements.

The 'all-ages play space' has been identified as a project which could be delivered with the allocated funds.

3. The Pond All-Ages Play Space

(iii) **Shoalwater Reserve Activity Node** – as described above, the elevated reserve is proposed to be enhanced through the inclusion of parkland amenities, play space, improved beach access/lookouts and provision for temporary commercial operators (ie. food trucks). The proposals are almost entirely contained within the northern portion of the reserve adjacent to the existing toilet and parking facilities with the balance of the reserve retaining its existing character.

4. Shoalwater Reserve Activity Node

There are other components of the Master Plan which could be delivered with the available funding. For example, it may be possible to replace all existing shade structure, lighting or park furniture which are at the end of their asset life. Other projects might involve the reconfiguration or minor expansions of existing carparks to deliver additional parking, in accordance with the adopted Master Plan, or to introduce water sensitive urban design infrastructure in the Safety Bay foreshore to improve water quality.

It is also possible that the Council's financial commitment be used as means to attract contributions to other funding providers. In this regard, most funding providers require that the proponent contribute an amount to the total project cost whether it be 'dollar-for-dollar' or another proportion.

Implications to Consider

a. Consultation with the Community

Two separate community consultation processes were carried prior to the Master Plan being adopted.

Most recently, between 9 October - 8 November 2019, the draft Master Plan was released for public comment and two Public Information Workshops were held to allow interested parties to view the documents and ask questions of the Project Team.

Almost seventy (70) submissions were received raising various matters which were assessed in recommending adoption of the Master Plan. All submitters received notification of the Council's adoption of the Master Plan.

There will be further community consultation as part of the design process associated with the Stage One Master Plan project.

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 Strategic Community Plan 2019-2029:

Aspiration 1: *Actively Pursue Tourism and Economic Development*

Strategic Objective: *Coastal Destination - Promote the City as the premier metropolitan coastal tourism destination.*

d. Policy

Nil

e. Financial

As detailed above, the current Budget allocates $600,000 for the implementation of a Master Plan project and the adopted Business Plan 2019/20 – 2028/29 identifies an additional $500,000 in 2020/2021.

GHD Woodhead advises that the Indicative Cost Estimates 'are based on industry standard costs, or if they are not standard costs such as the architectural built form, swimming platform, rock revetment wall etc, the costs were obtained from relevant internal GHD Woodhead personnel'.

f. Legal and Statutory

Nil

g. Risk

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

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

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

Nil

Comments

In recommending a project to be implemented with Council's funding, a number of principles or criteria have been applied.

Firstly, there is a desire that the project have a short-term **delivery timeframe** to recognise the Council's existing financial commitment to the project and for it to establish the standard for the balance of the study area. The approvals processes, including community consultation, is a key consideration in this regard.

For this reason, the prospect of using the allocated funding to attract investment from other providers has not been contemplated. Equally, the assessment has not considered the proposals where the management restrictions of the foreshore reserve require resolution to realise the Master Plan outcome.

Secondly, potential **financial constraints** have been assessed or whether the funds allocated to the project are likely to be sufficient.

Thirdly, the manner in which the projects sits within its **existing and proposed setting** has been examined. This has considered whether there are supplementary works which will be required as a result of the project and whether there is existing infrastructure to support the proposed project.

Finally, the assessment has taken into account the potential for the project to offer broader **Master Plan implementation benefits**. This has considered whether the project will be beneficial to the implementation of the balance of the Master Plan.

(i) Integrated Dual-Use Path

The approvals process for the Shoalwater sector will be comprehensive and involve numerous State Government agencies given that it will require vegetation removal and impact both a Bush Forever site and a potential Aboriginal heritage site at Mersey Point. It is also possible that the application will trigger the need for a management plan for the full extent of the Shoalwater foreshore reserve to demonstrate environmental impacts and ongoing management practices. It is not possible to gauge the length of the approvals process but it could take up to 12 months to prepare the information needed for the applications and for the applications to be determined.

GHD Woodhead has estimated that the construction cost alone of the dual use path is approximately $1.4M, notwithstanding the cost of design fees and approvals. As such, the allocated funding could only deliver portion of the dual use path. Cycle and pedestrian infrastructure is, however, a candidate for external funding assistance from sources such as the Department of Transport.

In terms of its setting, the dual use path is unlikely to require significant supplementary infrastructure, although part of the alignment is close to, or within, the 2030 erosion line derived from the City's adopted Coastal Hazard Adaptation Risk Management Plan. The proximity of the erosion line could result in the need for localised coastal protection.

It is also the case that an existing pedestrian path exists through the study area albeit offering a different experience in terms of location, width and material.

As mentioned above, given that the dual use path will be the feature that connects the destinations within the study area and beyond, it meets the principle of providing benefits to the implementation of the Master Plan.

(ii) The Pond 'All-Ages Play Space'

The 'all-ages play space' is one aspect of an enhanced precinct at the Pond and will integrated skate and ball sport elements with the broader function of supporting the kite surfing and wind surfing industry.

The approvals process is likely to be straight-forward given that the proposal is consistent with the 'Recreation' purpose of the reserve which is vested in the City. The consultation and design processes will add time in the lead-up to the proposal being constructed.

GHD Woodhead estimate that the facility can be delivered within the funding allocated by Council.

This proposal could be a candidate for funding assistance, through programmes such as the Community Sporting and Recreational Facilities Fund administered by the Department of Local Government, Sport and Cultural Industries. Importantly, however, the proposal is not currently referenced in the City's Community Infrastructure Plan ('CIP') which will be considered when the document is next reviewed. The case for funding is assisted when the project is acknowledged in the CIP which demonstrates the need for and timing of the facility.

With regard to its setting, the 'all-ages play space' is located at the site of an existing public toilet facility. The removal of the existing toilet is proposed on the basis that the new community building within the Activity Node will offer public toilet facilities. The delivery of the new community and commercial buildings is not resolved and is unlikely to be in the short term. Ideally, the new toilet provision would be in place before the existing facility is removed.

The majority of The Pond Activity Node, including much of the all-ages play space, is within the 2030 erosion line. Consistent with the 'protect' adaptation response within the CHRMAP, the Activity Node concept plan includes a 'Rock Revetment Wall' in front of the proposed infrastructure. This coastal protection would be required when infrastructure of this nature is constructed. It is not feasible with the Council's funding allocation to construct both the 'all-aged play space' and coastal protection.

The proposed 'all-ages play space' may assist in providing design direction to other elements within the study area.

(iii) Shoalwater Reserve Activity Node

Located at the northern extremity of the study area, the Shoalwater Activity Node is proposed to offer its visitors the option of enjoying more amenities and comfort. The proposed additions in the Activity Node concept plan are subtle and seek to capitalise on the elevated nature of the reserve and the aspect over the Shoalwater Marine Park.

The approvals process is likely to be minimal given that the improvements are consistent with the 'Recreation' purpose of the Reserve which is vested in the City. Pending the design and community consultation processes, the proposal could be delivered in the short-term.

With regard to its setting, there are few other supplementary works which are required to implement the vision within the Activity Node concept plan. Other than potential road improvements, the works are a discrete, stand-alone project.

Coastal protection is unlikely given that the Activity Node sits well clear of the 2030 erosion line. The 2070 erosion line traverse the site. The value and asset life of the improvements would suggest that coastal protection is not warranted which sits comfortably with the 'managed retreat' adaptation response within the CHRMAP.

The presence of the adjacent toilet facility and off-street carpark, which has significant capacity at most times, would complement the proposed works and make use of existing assets.

The project would provide the necessary design detail that can be instituted throughout the study area. In this regard, the Master Plan provides guidance and cues for new furniture, shade structures, play equipment etc in terms of materials and form. The detailed design for the Activity Node will apply the Master Plan themes in resolving the final product which can then be applied to subsequent projects or asset replacement in the study area.

GHD Woodhead has confirmed that the recommendations within the Activity Node concept plan could be delivered with the Council allocated funds including design fees. Through the design process, the level and scale of improvement can be adjusted to be within budget.

Conclusion

In an effort to rank the three potential projects, the above criteria has been applied in the table below. Three ratings have been used for the project's compliance with the criteria; poor (1), fair (2) and good (3).

	Delivery Timeframe	Funding Constraints	Existing & Proposed Setting	Master Plan Implementation Benefits	Total
Integrated Dual Use Path	Poor (1)	Poor (1)	Fair (2)	Good (3)	**7**
The Pond All-Ages Play Space	Good (3)	Fair (2)	Fair (2)	Fair (2)	**9**
Shoalwater Reserve Activity Node	Good (3)	Good (3)	Good (3)	Good (3)	**12**

Table 1 – Project Assessment

It is therefore recommended that Stage One of the Master Plan implementation be the delivery of the Shoalwater Reserve Activity Node. It ranks highest, or equal highest, against all criteria and offers a consolidated project which signals the commencement of implementing the Master Plan. It will provide detailed design criteria that the subsequent phases of the project can draw upon to achieve a coordinated and integrated foreshore.

One other discrete project that could potentially be delivered with the available funds is the Lions Park Activity Node, however, it was not assessed given the recent installation of infrastructure and the lack of supporting facilities.

The potential to allocate the funds to designing the new park infrastructure/furniture and installing it within the locations recommended within the Master Plan and/or when existing assets need replacement was also considered. It was concluded that, in the short-term, this approach would not assist in providing a coordinated response or new identity for the foreshore and this option was not pursued.

There could also have been other elements within the Activity Nodes that are implemented with the funding, however, in most cases, similar to The Pond 'all-ages play space', unfunded complementary works are required to realise the project. In other cases, there is a need to resolve existing lease arrangements or the relevant reserve Management Order limitations for this to occur (ie. Waikiki Foreshore commercial facility). Again, these options were not assessed.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***APPROVES*** Stage One of the Safety Bay Shoalwater Foreshore Master Plan implementation being the delivery of the Shoalwater Reserve Activity Node.

Committee Recommendation

That Council ***APPROVES*** Stage One of the Safety Bay Shoalwater Foreshore Master Plan implementation being the delivery of the Shoalwater Reserve Activity Node.

Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Planning and Development Services
Compliance and Emergency Liaison

Reference No & Subject:	**PD-017/20** **Information on Wandering and Nuisance Cats and the Potential Impact of Confinement Legislation**
File No:	GOV/7-02
Proponent/s:	
Owner:	
Author:	Mr David Caporn, Manager Compliance and Emergency Liaison
Other Contributors:	
Date of Committee Meeting:	17 February 2020
Previously before Council:	23 April 2019 (PD-020/19), 28 January 2020 (PD-001/20)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	
Site:	
Lot Area:	
LA Zoning:	
MRS Zoning:	
Attachments:	Statutory Review of the *Cat Act 2011* and *Dog Amendment Act 2013* Report
Maps/Diagrams:	Examples of Educative Collateral Produced and Distributed by the City

Purpose of Report

To address the following Council Resolution, dated 23 April 2019:

"*That Council*:

1. ***SUPPORTS** the need for further community consultation and research to be undertaken on the issue of wandering and nuisance cats before an informed decision can be made on advocating a change to the Cat Act 2011 and that a report on the matter be presented to Council in January 2020".*

Background

In April 2019, Council considered the matter of advocating to the State Government that nuisance provisions be included in the Cat Act 2011 (the Cat Act). Ultimately, Council resolved that more information was required so that an informed decision could be made, with a report on the matter to be provided to Council in January 2020.

Details

Cat Act 2011

Ranger Services administer the Cat Act in the City of Rockingham (the City). In as far as domestic cat management goes, the Cat Act requires that all cats over six months of age are sterilised, microchipped, registered with local government and wear a tag in a public place.

The following table represent the key statistics of the investigation and enforcement actions by Ranger Services in the last three calendar years.

STATISTICS	2017	2018	2019
Impounded	83	237	348
Rehomed	72	168	248
Euthanized	2	25	55
Offences	111	151	458
Infringements	105	81	85
Cautions	6	70	373

Domestic Cat Population

The level of registered cat ownership has increased steadily in the City from 1,540 at the end of 2013 to in excess of 4,738 at the end of 2019.

Whilst it is difficult to accurately estimate the number of unregistered domestic cats within the district, many of the cats that Rangers come into contact with are unregistered. A telling statistic is that 248 of the 348 cats that were impounded by the Rangers in 2019 were rehomed, indicating they were not feral cats but were unregistered and remained unclaimed.

This is an indication that the City is likely to have a sizeable number of unregistered cats within its boundaries and that the domestic cat population is far greater than 4,738.

Nuisance and Containment Provisions

The Cat Act does not currently support provisions for wandering or nuisance cats including cat containment.

Since the introduction of the Cat Act, some Western Australian local governments have attempted to introduce local laws to restrict wandering or implement nuisance cat provisions, only to have the amendments disallowed on the advice of the Joint Standing Committee on delegated legislation.

Compliance Reform Program - Registration Drive - Community Canvas

A Compliance Reform Program (CRP) project aimed at developing and implementing strategies to increase the registration of dogs and cats in the City was undertaken during 2019.

During the various events held to execute this project, community members were asked to complete surveys regarding matters pertaining to animal management. Whilst the survey questions varied over time, at each and every event, over 70% of respondents believed that the City should introduce further restrictions on cats.

At one of the events, 70 (86.42%) of 81 respondents supported this theme citing the following cat related issues as pertaining to the area in which they reside:

- Fighting;
- Faeces;
- Roaming;
- Killing wildlife; and
- Nuisance behaviour (generally).

Statutory Review of the Cat Act 2011 and the Dog Amendment Act 2013

In May 2019, the Department of Local Government, Sport and Cultural Industries (the Department) commenced a statutory review (the review) of the Cat Act and the Dog Amendment Act 2013. The purpose of the review, in context of the Cat Act, was to gather feedback and information about how effective it had been to date and to identify if there was a need for change.

In September 2019, the Department published a report (attached) on the findings of the review. While the review found that both Acts should continue, some of the key themes identified as 'areas for improvement' in respect of the Cat Act were:

- Confining cats to premises;
- Limiting the number of cats kept at premises;
- Applying consistency of the laws across the State (noting that this is also being considered as part of the review of the Local Government Act 1995);
- Reviewing penalties, enforcement and powers of rangers to enter premises and seize animals; and
- Combining the Cat and Dog Acts into one Act

The review did not confirm that these 'areas of improvement' would be addressed, nor propose a timeline or timeframe as to when these changes could or would take place.

Resource Implications for the City if Containment or Nuisance Provisions are Introduced

It would be important that community expectations are managed carefully about the extent of investigation and enforcement duties associated with administering cat containment and nuisance provisions should they be introduced into the Cat Act.

The City Ranger Services is already working at maximum capacity. The outcomes of the Compliance Reform Program has seen a massive increase in all productivity indicators from 2017 to 2019. Additional responsibilities have also been added with the City (at present on a pilot basis) introducing measures to support beach closures throughout the district in the event of shark detections and sightings.

The City currently provides significant resources in support of the Cat Act, whereas many other local governments do not. Ranger Services manage 10 cat traps that are provided to community members free of charge to assist with the trapping of feral cats that are reported as creating issues within the boundaries of residential homes or businesses (there is on average a one month wait list time). The following table demonstrates the diversity in local government support for cat trap services.

Local Government	Cat Trap Service
Rockingham	Yes
Mandurah	Yes
Gosnells	Yes
Kwinana	No
Stirling	No
Joondalup	No
Wanneroo	No

Should containment or nuisance provisions be introduced, it is expected that demand for this service would grow significantly.

The City's Animal Management Facility has the capacity to house up to eight cats at any one time. The Cat Act provides for minimum holding periods before a cat can be rehomed or euthanized (three to seven days depending on status) which impacts on the turnover of cats impounded. The facility is already managed regularly at full capacity.

Cost Implications for Cat Owners

Generally speaking, the nature of cat behaviour means that to restrict them to an owner's property they will either need to be kept inside the physical structure of the home at all times, or the surrounding yard will need modifications.

Cat proof fencing, cat enclosures attached to existing structures, and free standing cat enclosures are produced commercially and are all readily available in Western Australia. The cost to the consumer to effectively implement these options is between $500 to $2,000 with the level of outlay dependant on the solution and the cat owner's ability to provide the skills and labour to install.

Compliance Focus on Education and Awareness

A significant focus has been made by the Compliance Team (with the support of the Community Engagement Compliance Officer) to educate people and increase the level of responsible cat ownership. Many community events were held by the City in 2019 and seven pages of the City's new Animal Guide were dedicated to providing comprehensive information and guidance for cat owners. The following items are a sample of other collateral produced, published on the City's website and disseminated in the community.

Examples of Educative Collateral Produced and Distributed by the City

Implications to Consider

a. Consultation with the Community

In 2018, the City advertised State wide and local public notice inviting the public to comment on the proposed Cats Local Law 2018.

Public notices were placed in the West Australian, the Sound Telegraph and the Weekend Courier newspapers. The draft local law was also advertised through Facebook and the City's website - Share Your Thoughts.

Additionally, the draft local laws were able to be read at the City of Rockingham Administration Building and libraries during office hours.

The public submission period was from 2 July to 17 August 2018, a period of more than six weeks.

There were only 10 comments received from members of the community suggesting the need to implement provisions to address cat wandering and nuisance behaviour.

In 2019, numerous community events were held promoting responsible pet ownership including a registration drive. People surveyed during these engagements indicated a very high level of support for cat containment and other nuisance provisions to be introduced as law.

b. Consultation with Government Agencies

In May 2019, the Department of Local Government, Sport and Cultural Industries commenced a statutory review of the Cat Act and the Dog Amendment Act 2013. The purpose of the review, in context of the Cat Act, was to gather feedback and information about how effective it had been to date and to identify if there was a need for change.

In September 2019, the Department published a report on the findings of the review including that there was strong support for cat containment legislation.

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 2019-2029:

Aspiration 2: *Grow and Nurture Community Connectedness and Wellbeing*

Strategic Objective: *Community Safety and Support - Provide support to residents and visitors so they feel safe and secure sat home and outdoors.*

d. Policy

Nil

e. Financial

There are potentially significant cost implications to the City should wandering or nuisance provisions be introduced into law.

f. Legal and Statutory

The *Cat Act 2011* was created in November 2011 to encourage responsible cat ownership and provide powers for authorities to take action to support this. There are no provisions in the Cat Act to restrict wandering cats thus, it does not provide the head of power to support or allow such provisions in local laws. This issue has been tested by local governments that have attempted to introduce local laws to restrict wandering or implement nuisance cat provisions, only to have the amendments disallowed on the advice of the Joint Standing Committee on delegated legislation.

g. Risk

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

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

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

Nil

Comments

It is clear from the information gathered during City's engagement processes, along with the findings of the State Government's statutory review, that there is strong community support for legislation to reduce the level of wandering and nuisance cats.

The statutory review did not confirm that the 'areas of improvement' it identified would be addressed nor propose a timeline or timeframe as to when the changes could or would be made. It is also not known if the 'style' of legislative change introduced would lead to a uniform approach across the State or merely provide each local government with the opportunity to create local laws. It could be assumed from the broader findings and comments within the review, that the former may be more likely given it was noted that there was a need for uniformity, but that has not been decided at this time.

The administration of the type of laws suggested will have financial and resource implications on both the community and the City. These implications include, but are not limited to, the capacity of individual owners to absorb the cost of implementing cat containment measures at their homes and what each may do if they can no longer afford to keep their pet/s. From the City's perspective, decisions will need to be made about the level of investment in the investigation and enforcement of any new provisions.

The City has already moved to take a lead role in educating and informing the community about the benefits of cat containment, as is evidenced through the events held and collateral produced. This work is well underway and will be continued regardless of the legislative timeframe.

It seems a moot point to advocate change to the State Government given its recent statutory review and the acknowledgement of these issues as detailed in the findings.

Once more information is known about the timing and detail of the legislative change, further planning will be undertaken to support implementation operationally.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***SUPPORTS*** the findings of the State Government Statutory Review of the *Cat Act 2011* and the measures currently employed by the City to promote responsible cat ownership.

Committee Recommendation

That Council ***SUPPORTS*** the findings of the State Government Statutory Review of the *Cat Act 2011* and the measures currently employed by the City to promote responsible cat ownership.

Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Engineering and Parks Services
Asset Services

Reference No & Subject:	**EP-004/20 Tender T19/20-01 - Period Provision of Cleaning Services**
File No:	T19/20-01
Proponent/s:	
Author:	Mr Tony Bailey, A/Manager Asset Services
Other Contributors:	Ms Vivian Gasser, Contracts Officer
Date of Committee Meeting:	17 February 2020
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	Various City Facilities
Lot Area:	
LA Zoning:	
MRS Zoning:	
Attachments:	
Maps/Diagrams:	

Purpose of Report

To provide Council with details of the tenders received for Tender T19/20-01 - Period Provision of Cleaning Services, document the results of the tender assessment and make recommendations regarding the awarding of the tender.

Background

Tender T19/20-01 - Period Provision of Cleaning Services was advertised in the West Australian on Saturday, 16 November 2019. The tender closed at 2.00pm, Wednesday, 11 December 2019 and was publicly opened immediately after the closing time.

Details

The City has 144 facilities that require cleaning to ensure appropriate hygiene and presentation standards are maintained. The cleaning under this contract includes:

- General cleaning services of
    - Public toilets
    - Sporting club change rooms
    - Community halls and centres

- City operational facilities:
    - Compliance Services
    - Operations Centre
    - Landfill buildings
    - Council Administration Site (selected services)
    - Depot (selected services)
    - City Libraries

- Periodical cleaning (monthly, bi-annual and annual) of the above facilities
- Window cleaning of nominated facilities
- Roof and gutter cleaning of nominated facilities

The period of the contract is from the date of award for 36 months.

Evaluation of the tender was undertaken by an assessment panel comprising of:

- Manager Asset Services
- Coordinator Asset Maintenance
- Contracts Officer

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

Assessment Criteria **Max. Points**	**Level of Service** **35 Pts**	**Understanding of Tender Requirements** **35 Pts**	**Tendered Price/s** **30 Pts**	**Total Weighted Scores** **100 Pts**
Cleandustrial Services Pty Ltd	**28.1**	**31.6**	**19.1**	**78.8**
OCE Corporate Cleaning *Alternate Tender*	31.5	29.7	16.7	77.9
Bellrock Cleaning Services Pty Ltd	25.8	21.0	30.0	76.8
OCE Corporate Cleaning	31.5	29.7	15.5	76.7
Iconic Property Services Pty Ltd	26.8	29.3	18.9	75.1
Quad Services Pty Ltd Services Pty Ltd	26.5	27.2	20.8	74.5
DMC Cleaning	17.0	12.3	27.9	57.2

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

Implications to Consider

a. Consultation with the Community

Not Applicable

b. Consultation with Government Agencies

Not Applicable

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Strategic Community Plan 2019-2029:

Aspiration 2: *Grow and Nurture Community Connectedness and Wellbeing*

Strategic Objective: *Services and facilities - Provide cost effective services and facilities which meet community needs.*

Aspiration 3: *Plan for Future Generations*

Strategic Objective: *Sustainable waste solutions - Incorporate new opportunities that support responsible and sustainable disposal of waste.*

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objective: *Management of current assets - Maintain civic buildings, sporting facilities, public places and road and cycle way infrastructure based on best practice principles and life cycle cost 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

Operational expenditure will be in accordance with the Engineering and Parks Services operations maintenance budgets as allocated in the 2019/2020 operational budget.

Expenditure on these services is anticipated to be approximately $1.4million annually. This is a decrease from the previous contract period for the same services.

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

Mandatory site inspections were conducted over two days to ensure all tenderers had a clear understanding of the facilities within the tender. Clause 1.22 of the Request for Tender advised that:

> *"Failure to provide a representative to either site inspection will render the Tenderer ineligible to Tender."*

Wilson Property Services Pty Ltd did not attend day two of the site inspections and were therefore deemed non-conforming.

OCE Corporate Cleaning submitted an alternate tender where a 6% discount is given on all schedule of rate services for payment within 15 days of invoicing and with no CPI increase for the contract period. This submission was assessed.

The City sought clarification from Bellrock Cleaning Services Pty Ltd on the scheduled price for general cleaning of the Aqua Jetty which was very low in comparison to other submissions. Bellrock Cleaning Services Pty Ltd advised that an error was made during preparation of the submission and that it would honour the price submitted and therefore the submission was assessed as conforming.

The City sought clarification from Quad Services Pty Ltd due to failing to provide pricing for the general clean of the Administration Centre toilets. Quad Services Pty Ltd advised that this was a misinterpretation of Addendum 2 and the submission was assessed as conforming.

The assessment panel conducted interviews with the three highest ranking tenderers being Bellrock Cleaning Services Pty Ltd, Cleandustrial Services Pty Ltd and OCE Corporate Cleaning. This process identified that Cleandustrial Services Pty Ltd had a very good understanding of the City's requirements and also had systems in place to effectively manage the contract and provide best value to the City.

The City approached referees provided by Cleandustrial Services Pty Ltd which included other Local Governments where Cleandustrial Services Pty Ltd was currently or had previously undertaken very similar services. The process identified that Cleandustrial Services Pty Ltd provided very good quality, customer service and value for money.

Given the City's commitment to being a destination of choice to live and visit, it is essential that facilities are attractive, clean and hygienic. The City's Customer Satisfaction Survey demonstrates that over the past four years there has been an increase in the level of satisfaction with public toilets, sport and recreation centres, public halls and community centres. Although customer satisfaction has many inputs, cleaning plays an important role in users having an enjoyable experience when using City facilities. It is therefore essential that the City engages a cleaning contractor that will provide a commensurate or increased level of service through a good understanding of the City's requirements.

Following consideration of the submissions in accordance with the tender assessment criteria, all companies demonstrated a capacity to undertake the works, however, the submission received from Cleandustrial Services Pty Ltd is considered the best value to the City and therefore recommended as the preferred tenderer.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***ACCEPTS*** the tender submitted from Cleandustrial Services Pty Ltd for Tender T19/20-01 - Period Provision of Cleaning Services in accordance with the tender documentation for the contract period being from 1 April 2020 to 31 March 2023.

Committee Recommendation

That Council ***ACCEPTS*** the tender submitted from Cleandustrial Services Pty Ltd for Tender T19/20-01 - Period Provision of Cleaning Services in accordance with the tender documentation for the contract period being from 1 April 2020 to 31 March 2023.

Committee Voting (Carried) - 4/1

(Cr Whitfield voted against)

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Engineering and Parks Services
Parks Services

Reference No and Subject:	**EP-005/20** **Site Selection for Proposed Central and Southern Suburbs Enclosed Off-leash Dog Exercise Areas - Outcomes of Public Comment *(Absolute Majority)***
File No:	R/36850 and R/40296
Proponent/s:	
Author:	Mr Steve Timbrell, Coordinator Projects and Contracts - Parks Services
Other Contributors:	Mr Craig Beard, Project Technical Officer - Parks Services Mr Amos Dolman, Inquiries and Appeals Officer - Compliance and Emergency Liaison
Date of Committee Meeting:	17 February 2020
Previously before Council:	25 June 2019 (EP-016/19)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	Seahaven Reserve, Lot 69 and 2630 Chalmers Avenue, Waikiki St Clair Reserve, Volume 1 and 2, Lot 1356 Sheridan Way, Port Kennedy
Lot Area:	Seahaven Reserve: 48,681m^2 St Clair Reserve: 68,144m^2
LA Zoning:	
MRS Zoning:	
Attachments:	Log of Responses from the Public Comment Process
Maps/Diagrams:	1. Seahaven Reserve, Waikiki (Proposed EOLDEA area shaded red) 2. St Clair Reserve, Port Kennedy (Proposed EOLDEA area shaded red)

Purpose of Report

To seek Council approval for Seahaven Reserve, Waikiki and St Clair Reserve, Port Kennedy to be the locations of the Enclosed Off-leash Dog Exercise Area for the southern and central suburbs and declare St Clair Reserve, Port Kennedy as an Off-leash Dog Exercise Area.

Background

The Enclosed Off-Leash Dog Exercise Area - Needs and Feasibility Study - July 2015, endorsed by Council in 2015, noted that it is evident there is a need and associated benefits for a number of Enclosed Off-leash Dog Exercise Areas (EOLDEA) within Rockingham, Baldivis, central and southern suburbs.

Since Council endorsement, the City of Rockingham has opened an EOLDEA in Bayview Reserve Rockingham in 2016, and the second in Barri Barri Park, Baldivis in 2018.

The City then commenced the site selection process for future enclosed EOLDEAs in the City's central and southern suburbs. Officers from the City's Community Infrastructure Planning and Parks Services teams completed a desktop analysis of suitable reserves throughout these areas.

A project team was formed to complete further analysis through a detailed site assessment matrix process. The team identified 7 reserves in the central suburbs and 12 reserves in the southern suburbs as suitable for detailed assessment.

Following detailed assessment and site visits by the project team, it was determined that the two most suitable reserves would be:

- Seahaven Reserve (central suburbs); and
- St Clair Reserve (southern suburbs)

1. Seahaven Reserve, Waikiki (Proposed EOLDEA area shaded red)

2. St Clair Reserve, Port Kennedy (Proposed EOLDEA area shaded red)

These sites were deemed the most suitable locations for future EOLDEAs for the following reasons:

- Both are located in a central and easily accessible location for the community;
- Each site has good passive surveillance from surrounding roads;
- There are multiple access options including walking or private vehicle;
- There is parking available at St Clair Reserve which can be expanded, and there is sufficient parking on the roads surrounding Seahaven Reserve; and
- Following feedback from both the Rockingham and Baldivis EOLDEA's, both sites are sizeable and would be suitable to accommodate a variety of design options.

In June 2019, Council approved St Clair Reserve, Port Kennedy and Seahaven Reserve, Waikiki, as the preferred sites of the southern and central Suburb EOLDEAs for community consultation.

Details

To determine the level of support within the community for Seahaven and St Clair Reserves as the sites of the future central and southern EOLDEAs, the City advertised the locations for public comment from 11 December 2019 until 17 January 2020.

The following methods of communication were used:

- Property owners within 200 metres of the boundaries of St Clair Reserve, Port Kennedy, and Seahaven Reserve, Safety Bay were invited by post to provide comments. A letter, project information sheet and public comment form were provided to 420 residences within the catchment area for St Clair Reserve and 315 residences for Seahaven Reserve.
- Project details and an option to provide comments via the "Share Your Thoughts" page of the City's website for the duration of the public comment period, and;
- A Survey Monkey online survey was offered.

The combination of these methods provided a total of 396 responses to the two site proposals. A summary of the responses is provided in table 1 and table 2 below:

Table 1: Seahaven Reserve: Responses to the question *"Do you support the proposal of a portion of Seahaven Reserve being an enclosed dog exercise area?"*

	Direct Mail	Share Your Thoughts' and Survey Monkey	Total	Percentage
Total supportive responses	59	79	138	75.4%
Total opposing responses	25	16	41	22.4%
Total neutral responses	4	0	4	2.2%
Total received responses	**88**	**95**	**183**	**100%**

Table 2: St Clair Reserve: Responses to the question *"Do you support the proposal of a portion of St Clair Reserve being an enclosed dog exercise area?"*

	Direct Mail	Share Your Thoughts' and Survey Monkey	Total	Percentage
Total supportive responses	49	118	167	78.4%
Total opposing responses	26	11	37	17.4%
Total neutral responses	6	3	9	4.2%
Total received responses	**81**	**132**	**213**	**100%**

Also, respondents to the surveys were asked if they would support St Clair Reserve being gazetted as an off-leash dog exercise area. A summary of these responses appears in Table 3 below:

Table 3: St Clair Reserve: Responses to the question *"Currently St Clair is not a gazetted off leash dog exercise area, would you support this reserve being, in its entirety, an off leash dog exercise park?*

	Direct Mail	Share Your Thoughts' and Survey Monkey	Total	Percentage
Total supportive responses	38	103	141	66.2%
Total opposing responses	40	29	69	32.4%
Total neutral responses	3	-	3	1.4%
Total received responses	**81**	**132**	**213**	**100%**

Respondents were offered the opportunity to provide any additional comments. A full list of all comments is provided in the Attachment to this report. Tables 4 to 7 below provide a sample of the comments that summarises the sentiment towards the EOLDEAs for the two reserves:

Table 4: Seahaven Reserve summary of comments supporting the location	
1	Brilliant Idea. Too many dogs roaming free in Centenary Park. I walk my dog on a lead. She has been attacked by dogs where owners say their dog is "friendly". This way people that want their dogs off-leash can do so in a controlled area.
2	Highly recommend this area for an exercise area. Such a great reserve. Good idea!
3	I think is a wonderful idea. It would be helpful to specify exactly what a 'socialised' dog is, as some owners think their dogs are when in fact they are not. Regular 'spot checks' by the rangers would also be appreciated. Thanks!
4	We are happy for the entire park to be an off-leash area. However, some dogs in the area are not very social and can cause issues at the park. Therefore an enclosed area would work well.
5	We support the concept of an enclosed dog exercise area, however, we would like access through the park to be maintained at the southern end of the proposed area. It would be better if it was contained fully within the northern side of the reserve. We like to walk through the park to get to the shops, as it feels more secure and safe. We also do not want any of the vegetation removed.
6	Park being considered is great and looking forward to one close by. Have a few concerns though: Park becomes very flooded and muddy in winter. Will require drainage solutions. For car parking, Charthouse Roadside becomes extremely busy during school drop off/pick up and early evenings from those accessing IGA. Kids cross the road too. Having parking on Charthouse would cause safety issues. From previous experience, dog parks are enjoyed when there are separate areas for large and small dogs. The Community appears to be more at ease when dogs can be separated. Thanks
7	Great Spot. I already walk my dogs there. The more spaces to safely socialise dogs the better. We all need a bit of variety and I go to this park when I feel like a change. Love the established trees. Just make sure the fenced areas are not in the flood area.

Table 5: Seahaven Reserve summary of comments opposing the location	
1	This will only attract more dogs to the area and we have enough dog poo on our lawn now. Defiantly No.
2	Totally against dogs off leads. We are pensions and often walk across the park to the shops, and that park is used by many local children we being both me and my husband like the park as it is and do not want a fenced area in the park.

Table 5: Seahaven Reserve summary of comments opposing the location (cont…)	
3	The fencing is visually obstructive and an eyesore. Happy to leave it as an off-leash exercise area in its current form.
4	We support the concept of an enclosed dog exercise area, however, we would like access through the park to be maintained at the southern end of the proposed area. It would be better if it was contained fully within the northern side of the reserve. We like to walk through the park to get to the shops, as it feels more secure and safe. We also do not want any of the vegetation removed.
5	An enclosed dog park (cage) in this beautiful open park on Seahaven Reserve, Safety Bay would spoil the aesthetics and the enjoyment of its users, both human and canine. I walk in the park every day and enjoy its openness and space. I would not like to see a "cage" in Seahaven Reserve. It would reduce the park area for the general public and in the winter When the park floods, there would be even less space for those that do not wish to use the fenced space. Not all dogs and their owners want to run with the pack for various reasons.
	Aggressive dogs placed in the fenced-off area may savage other dogs, particularly the smaller breeds. Not all dog owners are responsible citizens. I also believe the volume of cars in the area may be horrendous and a nuisance in the area.
6	The inappropriate proposed location in the middle of the park. Cuts off well used walking access to shops. Free access for dogs currently works well- no incidents witnessed during our 25 years living in Seahaven.
7	Considering the area is a drainage sump and will get flooded on a number of occasions over the winter months, it is not an ideal location. It also cuts off the middle walkway. Perhaps position it more on the southern, higher side of the park. Ensure bins are located inside the EDP. While you are running water to the EDP, a drinking fountain for the play area would be nice. How will the EDP affect the off-leash status of the rest of the reserve? Not all dogs like enclosed spaces full of other dogs.

Table 6: St Clair Reserve summary of comments supporting the location	
1	My dog will love it, I take her for a walk in the park every day to meet & befriend new dogs.
2	We think a designated off-leash area would be a great idea as too many dogs are allowed off-leash at this park and we have had to stop using it after our dog (on leash) was attacked twice by dogs off-leash on two separate occasions. But please enforce the on-leash rule outside of the off-leash enclosure. There is at least one home adjacent to the park that treats the park as their dog's private playground and very common to see the dog with no real supervision.
3	I walk my dog (on leash) in this reserve. Many currently use it off-leash. I am careful when this occurs and have not had a problem so far. I would prefer the fenced area for off-leash. PS Thanks for the wonderful parks!!
4	Enclosed area great idea. Not sure about the location right near Warnbro Sound Avenue, perhaps be moved up a bit. Would be afraid a dog could possibly slip through an open gate & run onto the road. I would use for my dog.
5	This spot for off-leash fenced area would be great as would be halfway for dog owners from golden bay north to safety bay.
6	This reserve is used by families/ elderly who should not be concerned about the dogs being off-leash, or the dog’s mess that isn't cleaned up by some owners! The enclosed off-leash area would work in favour of all.
7	It would be great if this is available for Port Kennedy as there is nothing available like this in our area and it’s good for the community.

Table 7: St Clair Reserve summary of comments opposing the location	
1	This is not going to stop dog owners using the entire reserve as an off-leash dog exercise area. It would be nice to take my grandson to the swings without dogs running around. I have been bitten by 3 dogs in my life so am scared. Also, it would be good to have lighting go around through to park to Chelmsford.

Table 7: St Clair Reserve summary of comments opposing the location (cont…)	
2	We have lived here for 20 years & since the park was established have seen it become a very family-friendly area with toddlers through to the elderly & frail aged using & enjoying themselves. It also has lots of responsible dog owners exercising their pets. We think the park should be left as it for all to enjoy. Please don't change our peaceful park.
3	I have a working dog, she needs to run and she has been at the St. Clair dog park for years as well as my previous dog. If you make it enclosed the park will be overcrowded and many un-socialised dogs will be brought here ruining the atmosphere currently found amongst us dog owners in Port Kennedy. This is a terrible idea.
4	I completely disagree with a dog park at St Clair Reserve. Dogs can still be walked through the park without a dog park. Such a waste of money making the park better? Swings/ BBQ/ gazebo? Humans should come before dogs. I, as well as many others, walk my dog here every day off-leash on lead, doesn't matter. Never any problems.
5	Definitely Not!! We are shift workers. Those who have friendly dogs & live local have they're dogs off-leash anyway. We have been burgled before and don't need this to entice others.
6	Parking will be a big issue. The park looks so natural now and this dog park will destroy it. Why not the veterans park in Port Kennedy More parking space Kids can play around in the play park and skate park.
7	Why do we need a Dog Park? If they are trained and looked after, there is no need for a fenced-off area. We are becoming too a nanny society.

Comments in support of the locations also showed evidence of recurring themes; indicating the benefits of a safe location, evidence that the facility will be well-utilised in both locations, and the benefits of providing a safe enclosed area for people and dogs to socialise.

The comments received which opposed the locations also contained some recurring themes, indicating concerns regarding parking, hygiene and noise, impact on the aesthetic appeal of the reserve and conflict with other users of the reserve.

Implications to Consider

a. Consultation with the Community

The City advertised the site selection for public comment between Wednesday, 11 December 2019 and Friday, 17 January 2020, by the following means:

- Direct mail out to residents and owners of properties within 200 metres of the boundaries of St Clair Reserve and 200 metres of Seahaven Reserve;
- Project information published on the *"Share Your Thoughts"* page of the City's website for the duration of the public comment period

At the conclusion of the public advertising period, a total of 395 responses were received.

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Strategic Community Plan 2019-2029:

Aspiration 2: *Grow and Nurture Community Connectedness and Wellbeing*

Strategic objective*:* *Services and Facilities - Community facilities and services that accommodate contemporary community expectation and are justified, well used, cost-effective and, where appropriate, multifunctional*

Aspiration 3: *Plan for Future Generations*

Strategic Objective: *Infrastructure planning - Plan and develop community, sport and recreation facilities which meet the current and future needs of the City's growing population.*

d. Policy

Nil

e. Financial

Funds totalling $155,590 are allocated for the development of the Seahaven Reserve in the 2019/2020 financial year. Funds totalling $160,000 are required for the development of the St Clair Reserve are included in the Major Projects portion of the City Business Plan for the 2021/2020 financial year.

f. Legal and Statutory

The Crown Land Title: Lot 69 on Deposited Plan 53670 and lot and 2630 on Deposited Plan 13104, has been created for the reserve known as Seahaven Reserve. The management order vesting the reserve with the City for public recreation has been issued.

The Crown Land Title: Lot 1356 on Deposited Plan 15825, has been created for the reserve known as St Clair Reserve. The management order vesting the reserve with the City for public recreation has been issued.

Section 31 of the Dog Act 1976 specifies that a local government may determine (by absolute majority) dog exercise areas.

"31. Control of dogs in certain places

(3A) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or class of public place, that is under the care, control or management of the local government to be a dog exercise area."

g. Risk

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

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

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

Nil

Comments

The Enclosed Off-Leash Dog Exercise Area Needs and Feasibility Study (July 2015) concludes the provision of EOLDA's provides numerous benefits to dog owners and the community. Such benefits include better socialised and well-exercised dogs, which are found to be happier, healthier and less aggressive, and space which creates the opportunity for people to socialise with other dog owners.

Additionally, a key outcome of the enclosed dog park is to provide a safe, accessible area available to those who might find it challenging to exercise their dogs by walking extended distances, such as elderly residents and people with disabilities.

Council approved Seahaven Reserve, Waikiki and St Clair Reserve, Port Kennedy for public comment in June 2019 as the preferred locations for EOLDEAs in the central and southern suburbs of the City, with these sites offering the following benefits;

- There are multiple access options including walking or private vehicle;
- There is parking available at St Clair Reserve which can be expanded, and there is sufficient parking on the roads surrounding Seahaven Reserve; and
- Following feedback from both the Rockingham and Baldivis EOLDEA's, both sites are sizeable and would be suitable to accommodate a variety of design options.

A total of 395 responses were received during the public comment process for both site proposals. A total of 75.4 % of the responses were supportive of the Seahaven location and 78.4% supportive of the St Clair location.

Additional comments provided by the respondents opposed to the Seahaven and St Clair Reserves included concerns regarding hygiene, noise, parking, impact on the reserve aesthetic and retention of trees. The assessment of the two current EOLDEA in the City indicate that there are minimal complaints and issues and those received have been appropriately resolved, further comment is provided below.

Specific concerns regarding Seahaven Reserve flooding during winter; and the belief that St Clair Reserve was already declared an off-leash dog exercise area were also raised.

In addressing the recurrent themes of concerns raised, the following information is provided:

Noise and Hygiene

St Clair Reserve is already frequently occupied by owners with their dogs. However, higher levels of noise than currently experienced may occur, as such, the EOLDEA is planned to be situated at least 60 metres from surrounding homes. The experience from existing EOLDEAs, however, does not indicate this being an issue. In addition, the reserve Issues of dog faeces and smell will be proactively addressed by the prominent placement of bins and waste bags at the enclosure/s, and these bins will be emptied frequently.

Parking

Parking has been identified as a concern. There is currently a small parking area on St Clair Reserve, but consideration will be given to expanding this area to accommodate additional vehicles during design and will form part of the project scope. The proposed EOLDEA for St Clair reserve is planned to be constructed in a section of the reserve which can accommodate a variety of design options.

Reserve aesthetic and retention of trees

The impact on the natural reserve aesthetic and the unsightliness of fencing has been raised. The City will consider these concerns during the design process, the placement and shape of the enclosure, materials used, and the retention of as much of the existing aesthetic as possible. The City does not wish to remove any existing trees and the design will seek to incorporate them.

Flooding of Seahaven Reserve

Some respondents have commented that Seahaven Reserve floods during winter. The reserve is constructed as a drainage swale. The site was selected because it is large and suitable for several design options that would incorporate drainage solutions.

St Clair Reserve as an approved Off-leash Dog Exercise Area

St Clair Reserve is not currently a declared off-leash dog exercise area.

Response to the following additional specific question was sought in relation to this reserve: “Currently St Clair is not a gazetted off-leash dog exercise area, would you support this reserve being, in its entirety, an off-leash dog exercise area?” Of the responses, 66.2 % supported the reserve being gazetted as an off-leash dog exercise area.

Seahaven Reserve, Waikiki is currently already an off-leash dog exercise area.

Management Orders have been issued vesting care and control of both reserves with the City of Rockingham. The provision of an EOLDEA is consistent with the purpose of these reserves

The comments received from respondents opposing the location are issues that, should the location be supported, will be considered during the design and planning processes to assist in resolving these issues to the fullest extent possible.

The majority of responses received were in favour of both locations, showing there is significant support within the community for the two sites to be developed with EOLDEAs for the central and southern suburbs.

Voting Requirements

Simple Majority - Enclosed Off-leash Dog Exercise Area (Approval for locations specified)

Absolute Majority - Declare St Clair Reserve as an Off-leash Dog Exercise Area

Officer Recommendation

That Council:

1. ***APPROVES*** Seahaven Reserve, Waikiki as the location of a future central suburbs Enclosed Off-leash Dog Exercise Area.
2. ***APPROVES*** St Clair Reserve, Port Kennedy as the location of a future southern suburbs Enclosed Off-leash Dog Exercise Area.
3. ***APPROVES*** St Clair Reserve, Port Kennedy as an Off-leash Dog Exercise Area.

Committee Recommendation

That Council:

1. ***APPROVES*** Seahaven Reserve, Waikiki as the location of a future central suburbs Enclosed Off-leash Dog Exercise Area.
2. ***APPROVES*** St Clair Reserve, Port Kennedy as the location of a future southern suburbs Enclosed Off-leash Dog Exercise Area.
3. ***APPROVES*** St Clair Reserve, Port Kennedy as an Off-leash Dog Exercise Area.

Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Engineering and Parks Services
Parks Services

Reference No & Subject:	**EP-006/20** **Tender T19/20-45 - Period Maintenance of Various Bushland Reserves**
File No:	T19/20-45
Proponent/s:	
Author:	Mr Stephan Timbrell, Coordinator Projects and Contracts - Parks Services
Other Contributors:	Mr Nathan Leslie, Environmental Supervisor
Date of Committee Meeting:	17 February 2020
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	Lake Richmond, Tamworth Hill Swamp Reserve, Sawley Close Nature Reserve, Trenant Park Gardens
Lot Area:	
LA Zoning:	
MRS Zoning:	
Attachments:	
Maps/Diagrams:	1. Lake Richmond 2. Tamworth Hill Swamp Reserve 3. Sawley Close Nature Reserve 4. Trenant Park Gardens

Purpose of Report

Provide Council with details of the tenders received for Tender T19/20-45 - Period Maintenance of Various Bushland Reserves, document the results of the tender assessment and make recommendations regarding award of the tender.

Background

Tender T19/20-45 - Period Maintenance of Various Bushland Reserves was advertised in the West Australian on Saturday, 23 November 2019. The tender closed at 2.00pm, Wednesday, 15 January 2020 and was publicly opened immediately after the closing time.

The scope of services is for bushland maintenance to approximately 120 hectares of environmental reserves at Lake Richmond, Rockingham, Tamworth Hill Swamp Reserve, Baldivis, Sawley Close Nature Reserve, Golden Bay and Trenant Park Gardens, Golden Bay as described in the following maps.

1. Lake Richmond, Rockingham

2. Tamworth Hill Swamp Reserve, Baldivis

3. Sawley Close Nature Reserve, Golden Bay

4. Trenant Park Gardens, Golden Bay

The services to be provided under this contract will include:

- Undertake bushland maintenance activities;
- Undertake weed control for pest weeds and woody weeds;
- manage, treat and maintain asset protection zones, constructed surfaces and objects;
- manage, treat and maintain firebreaks;
- manage, treat and maintain trees and shrubs;
- removal of dumped litter and rubbish; and
- Undertake revegetation works.

The period of the contract shall be from the date of award until 30 June 2023.

Details

The Director Engineering and Parks Services appointed a tender assessment panel comprising of:

- Manager Parks Services;
- Coordinator Projects and Contracts - Parks Services; and
- Environmental Supervisor.

The City received a total of four tender submissions.

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

Assessment Criteria Max. Points	Level of Service 30 Pts	Understanding of Tender Requirements 30 Pts	Tendered Price/s 40 Pts	Total Weighted Scores 100 Pts
Natural Area Holdings Pty Ltd t/a Natural Area Consulting Management Services	**23.7**	**28.5**	**32.7**	**84.9**
Workpower Incorporated	22.1	23.1	31.0	76.2
Martins Environmental Services Pty Ltd	20.3	14.0	40.0	74.3
San Point Pty Ltd t/a LD Total	13.8	21.6	5.6	41.0

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

Implications to Consider

a. Consultation with the Community

Not Applicable

b. Consultation with Government Agencies

Not Applicable

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Community Plan 2019-2029:

Aspiration 3: *Plan for Future Generations*

Strategic Objective: *Preservation and management of bushland and coastal reserves - Encourage the sustainable management and use of the City's bushland and coastal reserves*

d. Policy

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

e. Financial

Expenditure will be in accordance with the Engineering and Parks Services operational maintenance budgets for the period of the contract.

The annual expenditure for this contract, inclusive of schedule of rates works, is expected to be $325,000.

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

Parks Services conducted a review of maintenance capacity for environmental reserves and in doing so, reviewed the reserves maintained by environmental contractors. As a result, some reserves previously maintained under contract will be reallocated to in-house maintenance teams and some previously maintained in-house will be contracted. Those reserves are the subject of this tender. Given the stages of development and activities required within these environmental reserves, this reallocation of contract and in-house resources is considered to provide greater efficiencies and in turn, value for the City.

All submissions were considered in accordance with the tender assessment criteria to determine the tenderers capability, capacity, resources and personnel to deliver the required services.

The submissions varied in the level of information provided and this variability is represented in the qualitative scoring by the panel. The submissions from Natural Area Consulting Management Services and Workpower Incorporated scored the highest with regards to *Level of Service* and *Understanding the Tender Requirements.*

The submission received from Natural Area Consulting Management Services satisfactorily detailed its ability and understanding of the contract requirements and represents the best value for the required works.

Natural Area Holdings Pty Ltd t/a Natural Area Consulting Management Services is therefore recommended as the preferred tender.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***ACCEPTS*** the tender submitted from Natural Area Holdings Pty Ltd t/a Natural Area Consulting Management Services, 233C Drumpellier Drive, Whiteman WA 6068, for Tender T19/20-45 - Period Maintenance of Various Bushland Reserves in accordance with the tender documentation for the contract period being from the date of award to 30 June 2023.

Committee Recommendation

That Council ***ACCEPTS*** the tender submitted from Natural Area Holdings Pty Ltd t/a Natural Area Consulting Management Services, 233C Drumpellier Drive, Whiteman WA 6068, for Tender T19/20-45 - Period Maintenance of Various Bushland Reserves in accordance with the tender documentation for the contract period being from the date of award to 30 June 2023.

Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Corporate and Community Development Committee

General Management Services
General Management Services Directorate

Reference No & Subject:	**GM-004/20** **South West Group Corporate Governance Charter 2020/2021 to 2024/2025**
File No:	GVR/7-05
Proponent/s:	
Author:	Mr Michael Parker, Chief Executive Officer
Other Contributors:	Ms Tamara Clarkson, Project Officer
Date of Committee Meeting:	18 February 2020
Previously before Council:	CES128/5/08
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	South West Group Corporate Governance Charter
Maps/Diagrams:	

Purpose of Report

To consider accepting the South West Group Corporate Governance Charter 2020/2021 to 2024/2025 (the Charter) and entering into a new Memorandum of Understanding for the period 1 July 2020 to 30 June 2025 as per attachment.

Background

Formed in 1983, South West Group is a voluntary regional organisation comprising six member Councils in the South West Metropolitan Region including the Town of East Fremantle and Cities of Cockburn, Fremantle, Kwinana, Melville and Rockingham. The Board members are the Mayors and Chief Executive Officers of each member local government.

The Strategic Plan 2015 to 2025 vision for the South West Metropolitan Region is 'the economic gateway to the west' and the five key areas of strategic focus are:

- Liveable communities
- Climate change adaption
- Trade, freight and logistics
- Knowledge and education
- Industry and employment, including tourism

South West Group seek to enhance economic growth, promote a resilient economy and contribute toward a diversity of quality lifestyles.

To continue the partnership and confirm the City's commitment to economic development of the region, Council signed a Memorandum of Understanding with South West Group (CES128/5/08) at its meeting 27 May 2008 for a period of two years. This document was modified in February 2010 to become a Corporate Governance Charter incorporating the Memorandum of Understanding. Renewed in 2015 for a period of five years, it is due to expire in June 2020.

Details

The South West Group Board has adopted the Charter to set out its governance principles and policies as they relate to the respective roles, responsibilities and authorities of the Board and of management as to the direction, performance and control of the South West Group and its affiliated bodies.

At the South West Group Board meeting on 2 December 2019, the South West Group Board approved the below recommendations:

Item 4.1 recommendation:

The Director's Updated Work Plan and Key Performance Indicators to End of Financial Year 2020/21 be approved.

The Director's work plan is grouped into four main program areas:

- *Program Area 1: Investment attraction and export development*
- *Program Area 2: Advocacy*
- *Program Area 3: Operating environment (including smart regions)*
- *Program Area 4: Emerging industry support*

Item 4.2 recommendation:

The updated South West Group Governance Charter 2020/21 – 2024/25 be approved.

The important changes are summarised below:

- The formal inclusion of the Economic Development Forum in the list of committees. This forum has been operating for a number of years. Its formal inclusion in the Charter displays a commitment to progressing economic development objectives for the region;
- Removing a requirement for the South West Group to use the host council's Auditor. This is primarily a cost decision;
- Changing the process for a member local government to withdraw from the South West Group. The new arrangements proposed require a minimum of twelve months' notice;
- Updating the financial arrangements, specifically the amount of the annual contribution required of each local government. Note that the methodology has not changed;
- Changing the methodology for the calculation of equity that is required to be included in each member local governments' annual financial statements; and
- Updating the period of commitment to the South West Group to June 2025.

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(s) contained in the Strategic Community Plan 2019-2029:

Aspiration 1: *Actively Pursue Tourism and Economic Development*

Strategic Objective: *Infrastructure investment – local regional and state: Lobby local, state and federal stakeholders to establish infrastructure and development opportunities for the City.*

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objective: *Effective governance – Apply systems of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical and compliant environment.*

Community Plan Strategy – Draft Economic Development Strategy 2020 – 2025

4.5 Ongoing Actions

The City's major economic development focus and priority resource allocation be directed towards projects and activities that:

- *Maintain City of Rockingham membership of South West Group and input into strategic advocacy and promotional documents and reports.*
- *Enhance economic development collaboration with other local governments in the South West Group and other regional local governments for specific projects.*

d. Policy

Nil

e. Financial

Funding for the South West Group is a mix of administration and project funding. In accordance with a 2017 South West Group Board decision, the following formula is applied to determine annual membership fees:

- $25,000 minimum fee
- 22.95 cents per head of population
- 22.95 cents per $1,000 of operating revenue (from the most recent audited financial year statements), and funding for work plan projects.

The table below shows the calculations for membership contributions for 2019/20 including total project funding of $120,000.

MEMBER COUNCIL	(a + b + c) BASE CONTRIBUTION TOTAL	Equivelant member contribution % split	Economic development projects as per work plan (see below for breakdown)	BASE MEMBERSHIP TOTAL 2019/2020
City of Cockburn	$ 84,406	22.28%	$26,730	$ 111,136
Town of East Fremantle	$ 29,197	7.71%	$9,246	$ 38,443
City of Fremantle	$ 49,922	13.17%	$15,810	$ 65,732
City of Kwinana	$ 49,232	12.99%	$15,591	$ 64,823
City of Melville	$ 75,747	19.99%	$23,988	$ 99,735
City of Rockingham	$ 90,421	23.86%	$28,635	$ 119,055
TOTAL - Base member contribution	$ 378,924	100.0%	$ 120,000	$ 498,924

The base membership total for City of Rockingham in 2019/2020 is $119,055. The City of Rockingham 2019/20 budget includes an allocation for this purpose.

f. Legal and Statutory

Nil

g. Risk

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

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

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

Nil

Comments

Previous achievements of the South West Group include:

- Development of the regional export development and investment attraction program
- Lobbying and support for submarine maintenance to be based in Western Australia
- Progression of defence opportunities resulting from Australian submarine contracts
- Submission to Infrastructure Australia's Priority List
- Development of a 'Regional Investment Prospectus'
- Agreement with the Westport Taskforce to identify opportunities for industry development and job creation for the project
- Highlighted major required infrastructure projects and shortcomings on a regional basis to government and local stakeholders.

Having a formal relationship in place with the member Councils improves regional partnerships and collaboration and provides for a stronger advocacy position on important issues.

The City accrues benefit in being a part of a strong and active regional group in terms of lobbying, advocacy and networking from a regional perspective. The South West group facilitates several important technical forums from the member councils which come together to share input, ideas and professional expertise on a range of projects.

The South West Group Director has presented previously to Councillor Engagement Sessions and to WALGA South West Zone Meetings on the activities of the group.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. ***ACCEPTS*** the South West Group Corporate Governance Charter 2020/21 to 2024/25; and
2. ***AUTHORISES*** the Mayor and CEO to sign the Memorandum of Understanding on behalf of Council.

Committee Recommendation

That Council:

1. ***ACCEPTS*** the South West Group Corporate Governance Charter 2020/21 to 2024/25; and
2. ***AUTHORISES*** the Mayor and CEO to sign the Memorandum of Understanding on behalf of Council.

Committee Voting (Carried) – 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

General Management Services
General Management Services Directorate

Reference No & Subject:	**GM-005/20 Donation 2019/2020 Australian Bushfires**
File No:	COM/8-08
Proponent/s:	
Author:	Ms Tamara Clarkson, Project Officer
Other Contributors:	Mr Michael Parker, Chief Executive Officer
Date of Committee Meeting:	18 February 2020
Previously before Council:	GM-003/20 (January 2020)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	
Maps/Diagrams:	

Purpose of Report

To provide a donation to an appropriate organisation to support the communities impacted by the unprecedented bushfire activity in New South Wales (NSW), Queensland, Victoria and South Australia.

Background

At the Council meeting held 28 January 2020 Council moved to

> *'DEFERS* consideration on item GM-003/20 – Donation to the Red Cross Disaster Relief and Recovery Fund for the 2019/2020 Australian Bushfires to allow further information to be gathered on options for a donation.'

Details

There continue to be a number of bushfires occurring across Australia and it is estimated that in excess of 12 million hectares have been burned in NSW, Queensland, Victoria and South Australia.

There has been loss of human life, wildlife and livestock. Significant damages and property loss has occurred. It is estimated that over 2000 homes have been destroyed.

Australia is still experiencing a bushfire emergency. On the ground response continues and the recovery efforts have commenced in some communities. NSW, Victoria and South Australia have declared a 'State of Emergency'.

As defined in the *Disaster and Emergency Management Act, 2001*, a disaster means any occurrence (including flood, fire, storm, tempest, earthquake, eruption, epidemic of human, animal, or plant disease, hostilities directed by an enemy against Australia, and accident) that causes, or threatens to cause, loss of life or injury to persons or animals or damage to property.

The scale and impact of the fires in the Eastern States during the 2019/2020 fire season have been unprecedented. Whilst there have been several significant bushfire events in Western Australia this summer including in the State's North, the Yanchep area, Stirling Ranges National Park and locally in Baldivis, none have been of the scale to see the necessary declaration and major relief funds established.

While there has been media around the timeliness of donations being distributed and processes involved it is important to note that donations for natural disasters are assessed on an individual case by case basis and this does take time to evaluate and distribute. Donations are generally distributed through programs with strict criteria to be met.

The Western Australia Local Government Association (WALGA) have advised that it has been contacted by a number of local governments who would like to make donations in support of their counterparts in affected communities.

WALGA have provided local governments with a list of organisations who are accepting donations to provide aid to firefighting efforts, or to disaster relief and recovery, which include the following:

State Fire Services Brigades

- The NSW Rural Fire Services.
- Victorian Country Fire Authority.
- Queensland Fire and Rescue.
- South Australia Country Fire Service.

Disaster Relief Funds

- Australian Red Cross Disaster Relief and Recovery Fund.
- St Vincent De Paul Vinnies Bushfire Appeal.
- Salvation Army Disaster Appeal.
- Victorian Bushfire Appeal.
- Kangaroo Island Mayor's Relief and Recovery Bushfire Fund.
- Foundation for Rural and Regional Renewal Disaster Resilience and Recovery Fund.

Implications to Consider

a. Consultation with the Community

Not Applicable

b. Consultation with Government Agencies

Various other Local Government have been contacted in relation to a donation to this cause.

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019-2029:

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objective: *Effective governance: Apply systems of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical and compliant environment.*

d. Policy

Nil

e. Financial

The funds are proposed to be expended from the Community Grants Program.

f. Legal and Statutory

Not Applicable

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

Significant donations have been made by many individuals and corporations both in Australia and overseas. Many City of Rockingham residents will already have made donations and it is considered appropriate that the City provide support for those communities suffering unprecedented damage.

Emergency agencies have highlighted that the best form of support in such communities is via financial donations.

To assist Council in understanding the donation options available the following information is provided:

Australian Red Cross Disaster Relief and Recovery Fund

The Australian Red Cross aims to minimise the social, psychological, emotional and economic impacts of disasters by supporting people who have been through them.

It is important to acknowledge the negative media recently regarding how Red Cross is using donated funds.

The below statement is from the Director Australian Programs, Australian Red Cross:

'The Australian Red Cross has received an incredible level of support. In total, people have donated $115 million and this continues to rise.

All funds raised since July 2019 will go to our Disaster Relief and Recovery Fund. This fund ensures Red Cross teams are on the ground supporting people as the fires happen (and other disasters we sadly expect to happen over the coming months) and to support individuals and communities to recover from these bushfires. Currently, all our efforts and resources are going to the unprecedented bushfires emergency we are facing.

We have already committed $30 million to meet people's immediate needs by way of $10,000 emergency grants for those whose homes have been destroyed. We've already paid 559 grants and we're finalising hundreds more. In addition, a $20,000 bereavement payment is now available to the next of kin of someone who is bereaved for their unmet needs, including funeral and related expenses. This is just the start. As we get clear on what people need and what others are providing, we are committed to providing more support. We are working on this daily.

More than 2,000 Australian Red Cross staff and volunteers have been and are providing around the clock support to communities impacted by the bushfires.

We are applying lessons learnt from other emergency work in Australia and across the globe, including the 2009 Victorian bushfires.

This means we need to retain some funds for a minimum three year recovery program in affected communities, so when the world's attention turns away and the story moves on locals don't feel left behind. We have committed to staying in these communities, working with them once their needs become clearer; especially as the bushfires are continuing to burn and the full extent of the needs is yet to emerge. We will not move on. We know from our long experience in disasters that recovery takes time and effort. We are committed to working with communities to shape how these funds can support them.

We understand, and are concerned for some people in fire-affected communities who are having difficulty navigating the range of supports available from us and other organisations. We are 100% committed to making access to our funds as easy as possible. We continue to improve and add to our existing supports for people who apply, including trained volunteers in recovery centres who can assist in navigating processes. For those who have internet or a phone please reach out at redcross.org.au/grants or 1800 727 077. We are making the process as simple and as quick as it can be and we're reaching out directly to those who apply to support them through

the process. There are some challenges. First, we have to check every application, and for many people the documents they need may have been destroyed in the fires. We are trying to make it as easy as possible for these people to access funds.

No more than 10% of funds are being used for administration support costs. This ensures we can pay grants promptly, track donations, collect and analyse information, have systems in place to deploy our emergency teams, and meet legal, privacy and protection obligations. We will be working to keep these as low as we can through pro bono and other offers of support.

We have long experience in managing donations with integrity and undertaking effective distribution, but we always seek to learn and improve our own response. We work closely with the Public Fundraising Regulatory Associations, the Australian Charities and Not for Profit Commission and the Fundraising Institute Australia. These national organisations have strict standards and codes of conduct which, as a member of these organisations, we are committed to upholding. We are also bound by Australian Taxation Law governing fundraising.

In our response to the bushfires, Red Cross is already working in close collaboration with other agencies including governments, emergency services, and the not-for-profit sector. We're focused on delivering an effective humanitarian response to this disaster alongside other agencies, seeking at all times to collaborate to the benefit of impacted communities.

The Australian Red Cross Disaster Relief and Recovery fund provides the following support to people that have been affected by these bushfires:

- supporting people at evacuation and relief centres
- registering people so their loved ones can contact them
- providing psychological first aid to reduce trauma and distress
- conducting welfare checks on the phone and in-person
- providing emergency grants to people who have lost homes to bushfires.

In Victoria, the Red Cross teams have supported people at nine relief centres. They provide food and water at all the centres and coordinating a further 800 food hampers plus water, hygiene kits and pet supplies delivered to people in Mallacoota. In addition, they have helped get satellite phones to 18 communities who are isolated due to power issues in East Gippsland.

In New South Wales, the Red Cross teams have supported people at five evacuation centres and have provided information at six disaster welfare points. They have also conducted needs assessments in the most-affected communities and supporting people facing language barriers.

In South Australia, the Red Cross teams have supported people at the Lobethal Recovery Hub and the Kingscote Relief Centre in Kangaroo Island. They have been attending community meetings where they provide psychological first aid and have also been checking in on people's welfare via telephone.

In Western Australia, the Red Cross teams have supported people affected by a bushfire at Toodyay and registering people affected by bushfires as well as Cyclone Blake. Teams are also conducting outreach with people affected by the Yanchep – Two Rocks Bushfire.

The Red Cross have committed that all funds donated to the Disaster Relief and Recovery fund from July 2019 will be used only for emergencies work in Australia.

Disaster recovery can take years and the right support can go a long way, which includes cash assistance at various points, having someone to talk to, trauma counselling and mental health support, good social networks, access to good information and services, and a connection to community.

The recovery program that the Red Cross offers will address all these things in ways that are unique to each community. The needs assessments developed by Red Cross and other agencies will shape the recovery plan and efforts for each affected community in the months ahead.

Alternative Options

Council may consider donation to one or a combination of the below:

State Fire Services Brigades

- The NSW Rural Fire Services

- Victorian Country Fire Authority
- Queensland Fire and Rescue
- South Australia Country Fire Service

Within these options, donations can be provided to the Fire Service as a whole or to specific brigades.

The NSW RFS Brigades and Donations Trust has a specific purpose and people have donated for this intent, to support volunteer brigades with equipment, training and resources relating to their emergency service role.

The Country Fire Service in Victoria provides two options, the Country Fire Authority Public Fund. This money is used to fund new initiatives such as research programs, development and supply of new education and community information materials as well as direct support to brigades where it is needed. The CFA and Brigades Donations Fund will be directed to help fund the work of Brigades in the local community. This includes equipping the brigades with trucks and safety equipment as well as funding community programs and initiatives to prepare the community ahead of the fire season.

The Queensland Fire and Rescue has requested all donations be directed to Givit. A national not-for-profit organisation that aims to connect those who have with those who need, in a private and safe way. Working to alleviate poverty in Australia by ensuring every community service provider has what it needs through the simple act of giving the GIVIT platform is free to use and makes giving easy by allowing you to see exactly what is required by vulnerable community members.

South Australian Country Fire Service have established a fund that provides immediate financial assistance to CFS volunteers and their families in the event of death, injury or loss of property while engaging in their community service.

St Vincent De Paul Vinnies Bushfire Appeal

St Vincent De Paul Vinnies provide the following support to people that been affected by these bushfires:

- provide food, clothing, essential items and grocery vouchers for people who have lost everything
- pay unexpected bills as people work through the recovery process
- make referrals onto a range of other organisations providing crisis accommodation and specialised services
- give much-needed emotional support, as well as practical assistance to pick up the pieces after homes are lost

Salvation Army Disaster Appeal

The Salvation Army works with federal, state and local government, as well as community organisations to best meet the needs of those affected by disasters. Delivering a range of services and assistance measures to help people and communities impacted by disaster including financial assistance, emotional support and referrals.

Assistance may include:

- Initial direct unrestricted cash grants
- Secondary financial grants
- Special housing grants (rent, power/gas, telephone/internet)
- Special household/personal grants (clothing, bedding, kitchen utensils, furniture)
- Personal needs (medical and pharmaceutical)
- Temporary and transitional accommodation relocation grants
- Vehicle grants (registration, insurance and petrol)
- School assistance (books, uniforms, excursions)
- Financial counselling
- Survivor advocacy

Victorian Bushfire Appeal

The Victorian Bushfire Appeal will support payment to families who have tragically died during bushfire, immediate support for those residents who have experience loss or damage to the primary residence and provide assistance to local farmers by donating money to BlazeAid, an organisation who helps replace boundary fences destroyed by the bushfires on private property.

South Australia Bushfire Appeal

This appeal directly supports residents of Kangaroo Island and Cudlee Creek impacted by fire.

Kangaroo Island Mayoral Relief and Recovery Bushfire Fund

Funds will go directly to people whose homes, properties or businesses have been impacted by the Kangaroo Island bushfires.

Foundation for Rural and Regional Renewal Disaster Resilience and Recovery Fund

FRRR has a long history of supporting disaster preparedness and assisting affected communities to recover. FRRR has facilitated support to communities preparing for disaster events and recovering from the 2019 Queensland floods, Cyclones Debbie and Larry, the Victoria Black Saturday Bushfires of 2009, and the ongoing drought in parts of every state in Australia.

Traditionally, FRRR's approach has been to seek donor support, once a disaster is declared. However, more frequent and intense climate disasters, including prolonged droughts and intense dry periods, means the need to be more proactive in funding communities to assist with their preparedness activities, and to have funds available to support them through the medium to long-term aftermath of a disaster.

In response to this need, FRRR has created a perpetual Disaster Resilience and Recovery Fund within FRRR's DGR1 endorsed Public Fund, the returns from which will be granted out to communities to support disaster preparedness and disaster recovery.

Natural disasters disproportionately affect rural, regional and remote areas, where the capacity to invest in preparedness or fund recovery is limited. FRRR believes that there needs to be greater focus on preparing for disasters at an individual and community level, and investment in locally-led approaches that build preparedness and resilience in concert with regional strategies and plans.

With disasters increasing in frequency – including more localised, yet nonetheless devastating events - FRRR wants to be able to provide support for recovery – when and where it's needed, which is often long after the headlines have moved on to something else.

This fund ensures that donated funds reach grassroots community organisations across rural, regional and remote Australia, who collectively make up the social fabric of these communities, and who often miss out on receiving disaster donations.

Donations will be pooled and invested to ensure that rural, regional and remote communities affected by natural disasters can access flexible, fit-for-purpose funding to support local preparedness and recovery efforts, when it's needed.

The first distributions will commence from July 2020, allowing the Fund time to earn sufficient returns to make grants in the next financial year. Should the Fund receive further major donations or gifts, this may be reviewed.

Wildlife charitable organisations

It is impossible to estimate the number of native animals that have perished or how many more will be lost in the fires, or to predict the impact that dire food and water shortages, as well as habitat loss caused by the fires and drought, will have on wildlife populations.

WIRES Wildlife Rescue

Large areas of NSW and South East Queensland have been experiencing severe flying-fox starvation and dehydration events linked to the drought, this combined with heat stress emergency events over recent weeks, has already led to the loss of thousands of flying-foxes. With species such as Koalas and Grey-headed Flying-foxes already listed as vulnerable to extinction, the additional loss of life caused by emergencies like the fires and drought is even more devastating.

Port Macquarie Koala Hospital

More than 2000 koalas are feared to have perished in NSW since September. The Port Macquarie Koala Hospital have raised more than $2 million for the wildlife affected in that area, with the initial aim of using the money to distribute automatic drinking stations in the burnt areas to help in koala and wildlife survival. The organisation are now sharing the funds with other wildlife organisations in the fire affected regions across NSW. You can donate here.

WWF Australian Wildlife and Nature Recovery Fund

This fund aims to provide wildlife response including partnering with wildlife response organisations, communities and scientists nationally for a swift and effective response and recovery at scale, habitat restoration and future proofing Australia including driving innovative solutions to help mitigate climate change, driving climate preparedness, species adaptation and long-term wildlife and nature conservation efforts towards securing Australia's natural resources for people and nature.

RSPCA

The RSPCA have launched appeals in Victoria, NSW and South Australia to assist in their rescue and treatment of the animals most affected during the fires, but also once the fires clear.

Conclusion

As there are numerous worthy funds that have been established to respond to the bushfire disaster it is considered appropriate to fund an organisation that operates across all jurisdictions including – if necessary, Western Australia. The Red Cross is an organisation that provides this facility.

Options for Council's consideration have been provided within this report. Given the scale of the Eastern States fires and the devastation that has occurred, the absence of a major local relief fund in Western Australia at present and in an endeavour to provide broad coverage, the recommendation is proposed.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***APPROVES*** a donation of $10,000 to the Red Cross Relief and Recovery fund to assist individuals and communities affected by the bushfires in Australia.

Committee Recommendation

That Council ***APPROVES*** a donation of $10,000 to the Red Cross Relief and Recovery fund to assist individuals and communities affected by the bushfires in Australia.

Committee Voting (Carried) – 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

General Management Services
Governance and Councillor Support

Reference No & Subject:	**GM-006/20 Estimated referendum (poll) costs for method of electing the Mayor**
File No:	GOV/27
Proponent/s:	Cr Craig Buchanan
Author:	Mr Peter Varris, Manager Governance and Councillor Support
Other Contributors:	Ms Tamara Clarkson, Project Officer
Date of Committee Meeting:	18 February 2020
Previously before Council:	27 November 2018 (GM-046/11), 23 August 2011 (ES-026/11), 28 February 2006 (CES69/2/06)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	
Maps/Diagrams:	

Purpose of Report

To provide information of estimated costs to conduct a referendum to determine the method of election of the City of Rockingham Mayor.

Background

The following Notice of Motion from Cr Buchanan was supported at the 29 October 2019 Council Meeting.

> "*That Council DIRECTS the CEO to fully cost a referendum into determining whether the Mayor position should be popularly elected in the future, and that the report be provided to Council by February 2020."*

Details

The background of the two methods of filling the position of mayor has been well documented in past reports. An 'elector elected' mayor has a four year term, whereas the current 'council elected' mayor has a two year term.

The Local Government Act 1995 provides that to change from the 'council elected' method to the 'elector or popularly elected' method requires an absolute majority decision of Council. This can occur without the support of a referendum.

There are several considerations that will influence the estimated cost of a referendum as identified in the Council resolution –

- Should the referendum be confined to electors only or be open to other sections of the community?
- Should the referendum be conducted by postal or 'in-person' ballot?
- Should the referendum be conducted by the local government or the Western Australian Electoral Commission (WAEC)?
- Should the referendum be conducted in conjunction with the 2021 ordinary local government elections or as a 'stand-alone' ballot? , and
- What are the costs associated with the above?

These questions are addressed later in the report.

Implications to Consider

a. Consultation with the Community

The City has previously received a petition seeking Council to consider the change of method of filling the position of mayor from 'council elected' to 'elector elected'. A change was not supported by Council.

b. Consultation with Government Agencies

Advice has been obtained from the Western Australian Electoral Commission and research has been undertaken on the recent City of Stirling referendum.

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019-2029:

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objective: *Effective Governance – Apply systems of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical and compliant environment.*

d. Policy

Nil

e. Financial

A referendum conducted in conjunction with an ordinary council election would cost an estimated $25,000. A referendum conducted stand-alone would cost an estimated $250,000.

f. Legal and Statutory

Section 2.11(2) of the *Local Government Act 1995* (the Act) states *"a local government may change* the method of filling the office of mayor … used by the local government from the election by the council method to the election by the electors method"* (*Absolute majority required).

Section 4.99 of the Act *"Election procedures to apply to polls and referendums"* provides the following -

(1) To the extent to which the provisions of this Part are capable of being applied with or without adaptation in respect of polls under another Part, those provisions apply with or without adaptation in respect of those polls.

(2) Despite subsection (1), regulations may make necessary or convenient provisions in relation to preparing for, conducting and ascertaining the result of polls under another Part of this Act and for ensuring the purity of the conduct of them.

(3) Regulations may make necessary or convenient provisions in relation to preparing for, conducting and ascertaining the result of polls and referendums held by local governments, whether under local laws or otherwise, and for ensuring the purity of the conduct of them.

(4) without limiting subsection (2) or (3), regulations may provide for the electoral rolls that are to be used, or prepared and used, for polls and referendums.

Part 16 of the Local Government (elections) Regulations 1997 *Polls and referendums* provides the legislative underpinnings of conducting a poll or referendum.

Regulation 89 provides that –

(1) A local government can conduct a poll or referendum in such manner as it considers appropriate if —

(a) the poll or referendum is not held in conjunction with an election; and

(b) voting at the poll or referendum is not confined to electors.

(3) Where the Electoral Commissioner is to be responsible for the conduct of a poll, other than an electoral poll, the local governments involved in that poll may, with the agreement of the Electoral Commissioner, abridge the time periods set out in sections 4.20(5) and (6), 4.39(1) and (2), 4.40(1) and (2), 4.41(1), and 4.61(3) and (5), to take account of periods in Part 4 of the Act that only apply to electoral polling.

Regulation 90 provides that –

The Electoral Commissioner may, on behalf of a local government, conduct —

(a) polls and referendums referred to in section 4.99(3); or

(b) other kinds of surveys,

on such terms and conditions as the Electoral Commissioner and the local government may agree.

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 questions identified earlier in this report are addressed as follows -

Confined to electors only or open to others

Regulation 89 of the Local Government (Elections) Regulations 1997 "*Election procedures need not be applied in certain cases"* provides that –

"A local government can conduct a poll or referendum in such manner as it considers appropriate if

(a) the poll or referendum is not held in conjunction with an election; and

(b) voting at the poll or referendum is not confined to electors".

Should the referendum be conducted in conjunction with an election then it must be confined to electors only. This would be the circumstance should Council pursue a referendum at the 2021 local government elections. If the referendum is conducted outside an election but confined to electors only, then election procedures will apply where relevant.

There are a number of logistic and probity challenges should Council choose an 'open' referendum/poll, including determining eligibility to vote (if any) and a database of voters; the transparency and veracity of the ballot is questionable, and arguably more importantly, should the referendum be restricted to those that will actually have the ability to vote for a mayor if the election method be changed.

Local government elections, unlike state and federal elections, are non-compulsory, and there is no capacity to make a referendum compulsory.

Given the above, confining the ballot to 'electors only' is the most reasonable and effective way forward.

Postal or 'in-person' ballot?

City of Rockingham elections are currently conducted by the Western Australian Electoral Commission (WAEC) by postal ballot on City of Rockingham's behalf. The WAEC cost of the 2019 election was $305,179.34.

Under current legislation only the WAEC can conduct an election by postal ballot and has the capacity to undertake a referendum in the same manner. Council has pursued postal ballots because of the greater voter participation it provides as historically compared to non-compulsory in-person participation. To conduct an in-person election in house would impact on officer time and resources. As the City has not conducted an in-person election in recent times it is difficult to estimate the logistics and costs that may apply.

Choosing to undertake a referendum by 'in-person' method would likely reduce the voter turnout and lead to voter confusion due to the divergence away from the City's current electoral practices.

As a consequence a postal ballot of electors would be the preferred method for a referendum on this matter.

Conducted by WAEC or the City?

Given the above considerations, the WAEC is best placed to conduct a postal referendum. The WAEC provides an appropriate level of independence for the conduct of elections and a referendum of this nature.

Should a local government pursue a referendum the opposite way, i.e. seeking to change the method of election from 'elector elected' to 'council elected', it is a legislative requirement under section 2.12A of the Act that the referendum be conducted by the WAEC.

Stand-alone referendum or with 2021 election?

This question condenses to a consideration of the timeliness for change. A stand-alone referendum prior to the 2021 election preparations may allow sufficient time to introduce a change of mayoral election method (i.e. a mayoral election by the electors) in October 2021.

Conducting the referendum in conjunction with the 2021 elections will mean any change adopted by Council will be introduced at the 2023 election. This was the path taken by the City of Stirling in changing the mayoral election method from 'council elected' to 'elector elected' (i.e. referendum at 2017 election cycle, mayoral election at 2019 election cycle).

Due to economies of scale etc., incorporating a referendum with the 2021 election would be a significantly less costly exercise. The WAEC would need to cover printing the ballot and information sheet, its insertion with other ballots papers, and associated costs with the counting of the referendum ballots.

As a result of an enquiry in mid 2019, WAEC estimated an additional cost of $6,000 inc GST for a poll to be included in the 2019 election packages. Taking in consideration any inflationary or other increases, it is anticipated that the cost would be no more than $10,000 for 2021. This excludes any costs related to the preparation of the referendum question and any 'pros and cons' prepared for the information sheet, and any publicity campaign that Council may wish to pursue. The City of Stirling estimated a total additional cost of $20,000 for the referendum conducted with their 2019 elections.

In terms of a stand-alone referendum, it is noted that mail out and return paid postage alone for the 2019 election was $85,402, to which the costs for drafting, printing and packaging, count costs, supervision, etc. would be added. Advice from the WAEC estimated their costs to conduct a stand-alone referendum at $230,000.

The outcome of the City of Stirling referendum (included with election) was a turnout rate of 27.04%.

Potential costs

In the circumstances of a referendum with the alternate objective (i.e. from 'elector elected' to 'council elected') it is worthwhile to note that the Local Government Advisory Board is to determine the question to be voted on by the electors of the district; and prepare a summary of the case for each way of voting on the question. As noted earlier, under these circumstances the WAEC is responsible for the conduct of the poll.

Given the use of an independent body for the above circumstance, it would be beneficial to seek the services of a consultant to prepare the question and arguments (pros and cons) for any referendum.

The following estimate of costs is provided –

Costs	**Stand-alone referendum**	**Inc. with election referendum**
Preparation of question and information sheet (pros/cons) - consultant	$7,500	$7,500
WAEC costs – printing / packing, overheads, returning officer, staffing, etc	$230,000	$10,000
Specific publicity campaign (social media, print, etc.)	$7,500	$7,500
Additional City support costs	$5,000	Included
Total estimated costs	**$250,000**	**$25,000**

There are significant cost savings to be achieved if the referendum is conducted in conjunction with the local government election.

Should Council pursue a change without a further review of Councillor representation, it would increase the Council to twelve (11 Councillors, 1 elected Mayor) with an additional cost of an elected member estimated at $43,700 per annum (sitting fees and allowances, support costs etc.).

This report has not considered the implications of a proposal to undertake a referendum beyond those of cost, and any proposal to do so would be subject to further advice.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***ACKNOWLEDGES*** the outcomes of the investigation into the potential costs of conducting a referendum (poll) to determine the method of filling the office of Mayor.

Committee Recommendation

That Council ***ACKNOWLEDGES*** the outcomes of the investigation into the potential costs of conducting a referendum (poll) to determine the method of filling the office of Mayor.

Committee Voting (Carried) – 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Community Development
Community Capacity Building

Reference No & Subject:	**CD-001/20 Draft Reconciliation Action Plan 2020-2023**
File No:	CV/3382
Proponent/s:	
Author:	Ms Belinda Trowbridge, Coordinator Community capacity Building
Other Contributors:	Ms Kezia Jacobs-Smith, Community Development Officer (Aboriginal Engagement) Ms Jillian Obiri-Boateng, Collaborative Manager Community Capacity Building Ms Julia Dick, Collaborative Manager Community Capacity Building
Date of Committee Meeting:	
Previously before Council:	27 April 2011 (CCB-008/11), 18 March 2014 (CD-008/14), 17 June 2014 (CD-019/14)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	Draft Reconciliation Action Plan 2020-2023
Maps/Diagrams:	

Purpose of Report

To seek Council endorsement of the draft City of Rockingham Reconciliation Action Plan (RAP) 2020-2023 for the purpose of public and stakeholder consultation.

Background

The City's first RAP was developed in 2011 and the second in 2014, which remains as the City's guiding document. Both documents were adopted by Council, endorsed by Reconciliation Australia (RA) and aligned with RA's vision of enabling all Australians to contribute to the reconciliation of the nation based on five inter-related dimensions:

- race relations
- equality and equity
- unity
- institutional integrity
- historical acceptance (Reconciliation Australia)

A RAP drives social change and improves economic opportunities for Aboriginal and Torres Strait Islander people. The City's RAP underpins its aspirations to work towards a future where all community members feel welcomed and acknowledged. The City is in a position to show leadership in the area of reconciliation, challenge ingrained and institutional racism and promote respect and appreciation for the oldest living culture in the world.

Details

RA defines four different levels of RAP as reflect, innovate, stretch, elevate. So far, the City has completed a Reflect and an Innovate RAP. Each RAP framework sets out the minimum elements required to build strong relationships, respect and opportunities. RA also prescribes the structure/format of a RAP and an organisation must adhere to these requirements in order to achieve endorsement. Developing a RAP through RA's endorsement process provides an organisation with permission to use the nationally recognised RAP logo that demonstrates compliance with the RAP framework and standards. Therefore, the attached RAP document differs from the City's strategy template, by utilising the prescribed RA template, as did the City's two previous RAPs.

The selection of the RAP template is dependent on the progress of an organisation in Aboriginal and Torres Strait Islander employment, retention, cultural awareness and procurement. The RA RAP template types are detailed below:

Reflect:

A Reflect RAP is for organisations just starting out on their reconciliation journey and who need to build the foundations for relationships, respect and opportunities.

Innovate:

An Innovate RAP is for organisations that have developed relationships with their Aboriginal and Torres Strait Islander stakeholders and are ready to develop or implement programs for cultural learning, Aboriginal and Torres Strait Islander employment and supplier diversity.

Stretch:

A Stretch RAP is for organisations ready to challenge themselves by setting targets for the actions outlined in their RAP. A Stretch RAP will give an organisation the opportunity to focus on tried and tested strategies and programs and set clear and measurable targets to deepen its impact. A three year timeframe is suggested.

Elevate:

An Elevate RAP is for organisations with a long, successful history in the RAP Program; a current Stretch RAP and a willingness to significantly invest in reconciliation. Elevate RAP organisations are among an elite group of leaders driving reconciliation in their sector. A three-four year timeframe is suggested.

A key requirement in the development of a RAP is the cross organisational agreement to the template type, with Aboriginal and Torres Strait Islander representation where possible. To achieve this, the City established a RAP Working Group comprising of Managers from across the organisation and representatives from the Aboriginal community and also members of the Rockingham Aboriginal Advisory Group (AAG).

Noting that the City has completed a "Reflect" (first RAP 2011-2012) and an "Innovate" (second RAP 2014-2017), the working group met and agreed the City would undertake a "Stretch" template RAP. However it is acknowledged that the proposed actions need to be assessed by RA and the appropriate template type will be ultimately determined by them.

The proposed RAP adheres to the template provided by Reconciliation Australia and the actions align to the Key Elements as required by RA:

- Respect
- Relationships
- Opportunities
- Reporting

The final stages for Endorsement of the RAP include:

1. Council endorsement of draft RAP
2. Draft RAP advertised for public comment for a period of 28 days including:
    - Aboriginal Advisory Group (AAG) members
    - Reconciliation Australia (comments, determination of template type and conditional endorsement of draft RAP)
    - previous consultation participants
    - Rockport subscribers
    - Social media
3. Executive endorsement of final RAP
4. Council endorsement of final RAP
5. Reconciliation Australia endorsement of final RAP

Implications to Consider

a. Consultation with the Community

Significant consultation with community members, staff and Elected Members has occurred and is reflected in the draft document. Consultants CSD Network and Kambarang were engaged to assist with the consultation process. Several consultations were held including:

- RAP working group
- staff that identified that they would like to be Reconciliation Champions within the City
- Community members
- AAG - an initial draft of the proposed actions was presented to check that the information had been accurately captured.

b. Consultation with Government Agencies

The City has been in contact with Reconciliation Australia and Reconciliation WA who provided direction and support the process for endorsement.

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 Strategic Community Plan 2019-2029:

Aspiration 2: *Grow and Nurture Community Connectedness and Wellbeing*

Strategic Objective: *Aboriginal heritage and inclusion: Strengthen relationships with Aboriginal people which foster mutual respect and support, and cultural awareness.*

Community capacity building: Empower the community across all ages and abilities to be culturally aware and involved with a diverse range of community initiatives that incorporate volunteering, sport, culture and the arts.

d. Policy

The development of the RAP has been guided by the Strategic Development Framework Policy (for Community Plan Strategies)

A key action in the draft RAP 2020-2023, if approved, is to update the Acknowledgement of Country Council Policy and RAP Implementation Executive Policy.

e. Financial

Costs associated with the implementation of the RAP 2020-2023 will be incorporated into the relevant team plans over the strategy timeframe and where required incorporated into the City's business plan.

f. Legal and Statutory

Nil

g. Risk

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

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

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

Nil

Comments

The RAP provides the City with an important strategic commitment to reconciliation, which will assist in achieving key elements to turn intention into action. The commitment to the RAP is a two way process which will require the City and the local community to come together to build relationships, respect and opportunities.

Extensive consultation has been undertaken to ensure that the RAP reflects the thoughts and ideas of Aboriginal and Torres Strait Islander people/s within the community. Each action has been carefully detailed to ensure it is inclusive, realistic and reflective of the anticipated outcomes indicated through consultations.

The City of Rockingham's Reconciliation Action Plan 2020-2023 is at final draft stage and requires endorsement from Council before being available for public comment and national endorsement from Reconciliation Australia.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***ENDORSES*** the draft Reconciliation Action Plan 2020-2023 for the purpose of public and stakeholder consultation.

Committee Recommendation

That Council ***ENDORSES*** the draft Reconciliation Action Plan 2020-2023 for the purpose of public and stakeholder consultation.

Committee Voting (Carried) – 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Community Development
Community Capacity Building

Reference No & Subject:	**CD-002/20** **Recommendation/s from the Community Grants Program Advisory Committee Meeting held on 16 January 2020**
File No:	GRS/48-04
Author:	Ms Andrea Clark, Community Development Officer
Other Contributors:	Ms Jillian Obiri-Boateng, Collaborative Manager Community Capacity Building Ms Julia Dick, Collaborative Manager Community Capacity Building Ms Belinda Trowbridge, Coordinator Community Capacity Building
Date of Committee Meeting:	18 February 2020
Disclosure of Interest:	Cr Sammels declared an Impartiality Interest in item CD-002/20 Recommendations from the Community Grants Committee meeting as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as his wife is a member of the Rockingham Bowling Club Inc. Cr Sammels declared an Impartiality Interest in item CD-002/20 Recommendations from the Community Grants Committee meeting as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as his son plays for the Rockingham Rams – Rockingham Football Sporting and Social Club Inc. Mr Michael Holland, Director Community Development declared an Impartiality Interest in item CD-002/20 Recommendations from the Community Grants Committee as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 34C of the Local Government (Administration) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as he is the president of the Rockingham Rams Football Sporting and Social Club Inc. Mr Scott Jarvis, Manager Economic Development and Tourism declared an Impartiality Interest in item CD-002/20 Recommendations from the Community Grants Committee Meeting as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 34C of the Local Government (Administration) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as he is a social member of The Cruising Yacht Club Inc. Cr Stewart declared an Impartiality Interest in item CD-002/20 Recommendations from the Community Grants Committee meeting as detailed in Clause 3.3 of Council's Code of Conduct and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 and as per section 5.65 of the Local Government Act 1995, as her step daughter is a member of the BMX Club of Rockingham.

Disclosure of Interest:	Cr Buchan declared an Indirect Financial Interest in item CD-002/20 Recommendations from the Community Grants Committee meeting, as per Sections 5.61 and 5.65 of the Local Government Act 1995, as her two sons intend on entering the F18 World Championships at The Cruising Yacht Club in March 2021.
Nature of Council's Role in this Matter:	Executive
Attachments:	Minutes of the Community Grants Program Advisory Committee Meeting held on 16 January 2020
Maps/Diagrams:	

Purpose of Report

For Council to approve the Community Grants Program Committee Recommendations as listed in the report.

Recommendations to the Corporate and Community Development Committee

Advisory Committee Recommendation 1 of 4:

Adopt the Community Grants Program funding application assessment criteria and priority areas until February 2022

That Council ***ADOPTS*** the following funding criteria for funding applications for the Community Grants Program until February 2022:

Funding Criteria

- Good description of short term and/or long term community benefits
- Alignment with City strategies
- Amount of community involvement in the program/event:
    - (demonstrates types of community members involved)
    - (Community impact – time / number of people / outcomes)
- Amount of volunteer involvement in program/event
- Recognition for the City
- Financial capacity of applicant to deliver the event
- Partnerships with other groups and/or consultation
- Other funding sources
- Capacity of program/event to grow and become sustainable in future
- Major events – short term and/or long term economic benefits
- Major events – attraction of overnight stays
- Governance and management of applicant organisation
- Project justification
- Financial commitment (applicants dollar contribution / reason why not included)
- Project planning
- Design (IPDG only)

Priority Areas

- Supports Community Wellbeing
- Celebrates place, funding an event or champions an issue
- Supports Economic Development

- Addresses Disadvantage
- Grows organisation; good governance; and/or sustainability
- Supports fundraising initiative
- Supports community use of facilities

Officer Recommendation if Different to Advisory Committee Recommendation

Nil

The Officer's Reason for Varying the Advisory Committee Recommendation

Nil

Background

The newly appointed Community Grants Program (CGP) Committee is required to consider and recommend priority areas and funding application assessment criteria for the forthcoming two years. On 28 February 2018 Council adopted the assessment criteria for a two year period.

The CGP Committee considers and recommends funding criteria including "funding application assessment criteria" and "priority areas" that will direct decision making for the forthcoming two years.

A review of the CGP 2017-2019 has included feedback from Councillors, internal staff and not-for-profit organisations. The review confirmed the existing funding criteria and identified the requirement of an additional priority area of "Supports community use of facilities".

The importance of including an additional priority area "Supports community use of facilities" is to better support the planning, provision and activation of community facilities. By including this priority area, rigour will be added to the assessment process, in particular to the Infrastructure Planning and Development Grants.

Implications to Consider

a. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019-2029:

Aspiration 1:	*Actively Pursue Tourism and Economic Development*
Strategic Objective:	*Coastal destination: Promote the City as the premier metropolitan coastal tourism destination*
	Investment Attraction: Attract local and international investment to the City to contribute to the local economy.
	Attractions and events: Seek to host iconic community events and attractions that will entice residents and visitors throughout the year.
Aspiration 2:	*Grow and Nurture Community Connectedness and Wellbeing*
Strategic Objective:	*Community Capacity Building: Empower the community across all ages and abilities to be culturally aware and involved with a diverse range of community initiatives that incorporate volunteering, sport, culture and the arts.*

b. Policy

The CGP operates in line with the CGP Policy and the Governance and Meeting Framework Policy.

c. Financial

Nil

d. Legal and Statutory

Not Applicable

e. Voting Requirements

Simple Majority

f. Risk

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

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

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

Nil

Advisory Committee Recommendation 2 of 4:
Adopts the amended Community Grants Program Policy

That Council ***ADOPTS*** the amended Community Grants Program Policy to read:

Community Grants Program Policy

Council Policy Objective

To provide financial assistance to community groups and individuals that will build capacity within the community, stimulate volunteering and youth development, and deliver sustainable, accessible and demonstrated social, environmental and economic benefits.

Council Policy Scope

Funding for individuals (resident) and incorporated not-for-profit organisations/associations, or those limited by guarantee based or providing services within the Rockingham community.

Council Policy Statement

The Community Grants Programs aims to provide assistance to individuals and incorporated organisations/associations that can deliver meaningful benefits and outcomes in the following target areas:

- Community Development
- Sport and Recreation
- Economic Development
- Environment and Heritage
- Culture and the Arts
- Emergency Services

Grant Categories

Minor Grants up to $3000

Travel Subsidy Grants – A grant is available to individuals and teams who are authorised by their association's governing body to participate in accredited interstate and international competitions travelling outside of Western Australia, for the following maximum amounts:

- Interstate Travel Individual: $150
- Interstate Travel Team: ~~$300~~ $750
- International Travel Individual: $300
- International Travel Team: ~~$500~~ $1500

A Youth Encouragement Grant of up to $500 is available to individuals aged between 12 and 24 to participate in opportunities that align to improvements in:

- Leadership
- Employability
- Social skills and knowledge

- Learning (educational opportunities outside of usual school options/alternate pathway program/ability to participate in further education)
- Community benefit.

General Grants - A grant of up to $3000 is available to incorporated associations to assist with the delivery of programs and events that deliver outcomes and benefits to identified target areas.

Minor grants are to be considered by the CEO. Formal acquittal processes are not mandatory but may be requested if considered appropriate.

Major Grants up to $10,000

A grant of between $3001 and $10,000 is available to incorporated associations to assist with the delivery of programs and events that deliver outcomes and benefits to identified target areas.

Major grants are to be considered by the Community Grants Program Committee and a formal grant acquittal process is required.

Major Events Sponsorship

Sponsorship of up to $20,000 per annum for up to 3 years is available to incorporated not-for-profit associations and those limited by guarantee to assist with the delivery of events that deliver significant benefits to identified target areas. All applicants must demonstrate significant volunteer involvement and identify the City as a major sponsor.

Economic Development Events: ~~Past evidence of a successful event in the previous calendar years that has made a significant contribution to the aims and objectives of the City's Economic Development Strategy:~~ An event that can clearly demonstrate it will provide: significant direct stimulus to the local Rockingham economy, including local businesses; and extensive marketing opportunities for the City.

Community Development Events: Past evidence of the delivery of a successful event in the previous calendar year (or years) that attracted at least 5000 people and was conducted in a strategic location that serviced a discrete geographical area. Applicants must demonstrate a legitimate and long standing association with that discrete area.

As an inaugural/one-off event cannot demonstrate past evidence of a successful event, the applicant must demonstrate within the application ~~all other~~ that it meets relevant funding criteria ~~requirements~~ to be eligible for up to $20,000 for one year only.

Major Events Sponsorship Grants are to be considered by the Community Grants Program Committee and a formal grant acquittal process is required.

City ~~Infrastructure~~ Property Grants

Leased/Licenced Property Grants: Maintenance – grants of up to $10,000 per year are available to incorporated not-for-profit associations and those limited by guarantee that lease/licence City owned facilities to assist with the maintenance obligations provided for in their lease/licence.

Leased Property Grants: Rates Subsidy - a grant equal to the amount of rates levied on City properties leased to incorporated associations will be applied to those properties' annual rate liability.

~~Infrastructure Planning and Development Grants: Grants of up to 50% of the total project cost, to a maximum amount of $30,000 are available to assist incorporated associations in the planning and development of the establishment, enhancement or extension of community facilities. Projects must be undertaken on City owned or managed land or land owned by the Department of Education where a shared use agreement is in place.~~

Maintenance and Rate Subsidy Grants will be considered by the CEO.

~~Infrastructure Planning and Development Grants will be considered by the Community Grants Program Committee, Corporate and Community Development Standing Committee / Council.~~

Community Infrastructure Grants

Infrastructure Planning Grants – Grants of up to $20,000 are available as a contribution toward planning activities that assist groups to determine the need and feasibility of infrastructure projects that benefit the Rockingham community. Projects must be proposed to be on land owned or managed by the City or Department of Education where a shared use agreement is in place.

Infrastructure Capital Grants – Grants of up to $50,000 are available as a contribution toward construction, expansion, upgrade or refurbishment of community infrastructure that benefits the Rockingham community. Projects must be on land that is owned or managed by the City or Department of Education where a shared use agreement is in place.

Community Infrastructure Grants will be considered by the Community Grants Program Committee and a formal grant acquittal process is required.

Funding Criteria

Immediately following the Council elections, election of Committees and the election of the Presiding Member the first item of business for the Community Grants Program Committee is to consider and recommend priority areas and funding application assessment criteria that will prevail for the forthcoming two years for Council consideration.

All decisions, including those made under delegation by the CEO will be guided by these criteria.

Community Grants Program Committee

The Community Grants Program Committee will consider applications over three funding rounds per annum and applying as far as are practicable one third of budgeted funds in each round. All staff recommendations to the committee must be developed by officers working within the division team that is closest aligned to the target area.

Ineligibility

Individuals (except for Travel Subsidy and Youth Encouragement Grants); Schools (except for teams in the Travel Subsidy Grant); public companies (except for those limited by guarantee); private companies; Local, State or Federal Government authorities/agencies.

Bonds, employee salaries/wages, seasonal ground allocation and event management fees.

Auspice Organisation

Ensures:

- that the program/event for which the funding is sought, furthers the mission/objectives of their organisation in some way
- checks the constituent documents (constitution, rules, by-laws)
- that entering into the auspicing agreement is consistent with the objectives and powers of their organisation.

In the context of grant applications, an auspice organisation is legally and financially responsible to receive the approved grant money, ensure program/event is completed on time, submits acquittal and evaluation report.

Perception of Bias

In accordance with best practice public sector transparency and accountability principles, all committee members and staff who are, or have in the last three years, been a board member, committee member, executive member of an association applying for funds, shall disqualify themselves from all aspects of the consideration process from receipt of application through to consideration at the Community Grants Program Committee.

Prohibit Complimentary Tickets for City of Rockingham Funded Events

Councillors and staff shall not accept complimentary tickets, where such tickets have monetary value, to attend events that have been funded or sponsored by the Community Grants Program.

Councillors and staff can only attend such events in order to perform an official or civic function or by their own personal financial means.

Councillors and staff can accept tickets to events funded or sponsored by the Community Grants Program provided that those tickets have no monetary value and are available free of charge to the general public.

Executive Policies and Procedures

The CEO shall ensure that executive policies and procedures are implemented that provide for the effective and equitable consideration, approval, distribution, measurement and acquittal of grant funds.

Definitions

Maintenance - means regular ongoing day to day work necessary to keep assets operating and to achieve its optimum life expectancy. Example – painting, glazing, air conditioning repairs, tap seal repairs.

Infrastructure – Physical facilities and structures that are fixed and meet a long-term need

Incorporated Associations - An "incorporated association":

(a) Cannot operate for the profit or gain of its individual members;
(b) Contributes to the community in a social, sporting, cultural, environmental or charitable context; and
(c) Demonstrates local volunteer involvement

Company Limited by Guarantee (CLG)

Specialised form of public company designed for non-profit organisations. In Australia companies limited by guarantee are subject to the Corporations Act 2001 (Commonwealth) and administered by the Australian Securities and Investments Commission (ASIC).

Auspice Organisation – is an incorporated organisation that applies for a grant on behalf of an unincorporated organisation. The auspice organisation is responsible for the financial management of the grant. An auspice agreement is a legally binding contract. It sets out the legal obligations of both organisations toward each other and in relation to any specific funding or other agreements.

Legislation

Nil

Other Relevant Policies/ Key Documents

Strategic Community Plan 2015-2025

Governance and Meeting Framework Policy

Leasing Policy

Asset Register

Other Community Plan Strategy Documents

Delegations Register

Responsible Division

Community Development

Review Date

Review every two years

Officer Recommendation if Different to Advisory Committee Recommendation

Nil

The Officer's Reason for Varying the Advisory Committee Recommendation

Nil

Background

The CGP Policy was adopted by Council in August 2015. With the continual improvement to the CGP six amendments have been approved since this time with the latest amendment adopted in July 2019.

A review of the CGP 2017-2019 has included feedback from Councillors, internal staff and not-for-profit organisations. The review has identified that the CGP Policy requires amendments in the areas of:

- Minor Grants (Travel Subsidy Grants)
- Major Events Sponsorship (MES)

- City Infrastructure Grants

Amendments have been identified in the following categories within the CGP Policy:

Minor Grants

- **Travel Subsidy Grants**

The Travel Subsidy Grant (TSG) is one of two minor grants for individuals. A change is required to the Travel Subsidy Grant amount for both the interstate team category (from $300 to $750) and the international team category (from $500 to $1500).

Officers have reviewed the TSG, including feedback from the community and the City's Sports Advisory Committee and identified that an amendment is required to the wording and amount contained in the policy. An increase in the funding amount for the team category to provide a reasonable share of funds for members of a team. The addition of the word "maximum" provides clarity that there is a maximum amount of funds available regardless of the number of members in a team.

Major Events Sponsorship

Economic Development Event changes are designed to align with the new (draft) Economic Development Strategy (2020-2025).

The inclusion of the word "one off" is required for all Major Events Sponsorships.

City Infrastructure Grants

City Infrastructure Grants require a division into two categories, now called, "City Property Grants" and "Community Infrastructure Grants".

The Community Infrastructure Grants (previously called Infrastructure Planning and Development Grants) will have two sub-categories:

- Infrastructure Planning Grants with a maximum of $20,000 available
- Infrastructure Capital Grants with a maximum of $50,000 available.

Whilst the maximum amounts available per grant are increasing, overall City budgets will remain as they currently are.

Implications to Consider

a. Strategic

Community Plan

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

Aspiration 1:	*Actively Pursue Tourism and Economic Development*
Strategic Objective:	*Coastal destination: Promote the City as the premier metropolitan coastal tourism destination*
	Investment Attraction: Attract local and international investment to the City to contribute to the local economy.
	Attractions and events: Seek to host iconic community events and attractions that will entice residents and visitors throughout the year.
Aspiration 2:	*Grow and Nurture Community Connectedness and Wellbeing*
Strategic Objective:	*Community Capacity Building: Empower the community across all ages and abilities to be culturally aware and involved with a diverse range of community initiatives that incorporate volunteering, sport, culture and the arts.*

b. Policy

The CGP operates in line with the CGP Policy and the Governance and Meeting Framework Policy.

c. Financial

Nil

d. Legal and Statutory

Not Applicable

e. Voting Requirements

Simple Majority

f. Risk

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

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

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

Nil

Advisory Committee Recommendation 3 of 4:

Review of Community Grants Program Committee Membership Composition and Terms of Reference

That Council ***APPROVES*** the Terms of Reference of the Community Grants Program Committee to read:

'To consider and make recommendations to Council regarding the Major Grant, Major Event Sponsorship, and Community Infrastructure Grant applications, and to provide feedback to staff on the Community Grants Program'.

Officer Recommendation if Different to Advisory Committee Recommendation

Nil

The Officer's Reason for Varying the Advisory Committee Recommendation

Nil

Background

The newly appointed CGP Committee is required to consider and recommend the committee membership composition and the Terms of Reference.

The current membership composition is:

Four (4) Councillors

Four (4) Deputies

Executive Support: Community Development – Community Capacity Building.

The current Terms of Reference is: To consider and make recommendations to Council regarding the Major Grant, Major Event Sponsorship, and Infrastructure Planning and Development Grant applications, and to provide feedback to staff on the Community Grants Program.

Composition of the CGP Committee

It is proposed that the composition remains the same. As there is no change to the existing membership composition, there is no need for a recommendation.

Terms of Reference

Only one change is required to reflect the name change of the Infrastructure Planning and Development Grant to Community Infrastructure Grant.

To consider and make recommendations to Council regarding the Major Grant, Major Event Sponsorship, and Community Infrastructure Grant ~~Infrastructure Planning and Development Grant~~ applications, and to provide feedback to staff on the Community Grants Program.

The CGP aims to provide assistance to incorporated organisations/associations that can deliver meaningful benefits and outcomes in the target areas of community development, sport and recreation, economic development, environment and heritage, culture and the arts, emergency services.

Acknowledging the name change to the Community Infrastructure Grant and the removal of the wording Infrastructure Planning and Development Grant is important to align the Terms of Reference to the Policy.

Implications to Consider

a. Strategic

Community Plan

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

Aspiration 1:	*Actively Pursue Tourism and Economic Development*
Strategic Objective:	*Coastal destination: Promote the City as the premier metropolitan coastal tourism destination*
	Investment Attraction: Attract local and international investment to the City to contribute to the local economy.
	Attractions and events: Seek to host iconic community events and attractions that will entice residents and visitors throughout the year.
Aspiration 2:	*Grow and Nurture Community Connectedness and Wellbeing*
Strategic Objective:	*Community Capacity Building: Empower the community across all ages and abilities to be culturally aware and involved with a diverse range of community initiatives that incorporate volunteering, sport, culture and the arts.*

b. Policy

The CGP operates in line with the CGP Policy and the Governance and Meeting Framework Policy.

c. Financial

Nil

d. Legal and Statutory

Not Applicable

e. Voting Requirements

Simple Majority

f. Risk

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

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

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

Nil

Advisory Committee Recommendation 4 of 4:
Approvals of the Community Grants Program Round Three 2019/2020

1. That Council ***APPROVES*** the allocation of funds for Major Event Sponsorship, Major Grants and Infrastructure Planning and Development Grants under the 2019/2020 Community Grants Program Round Three, subject to listed additional conditions:

	Major Event Sponsorship	Amount Requested ($)	Advisory Committee Recommendation ($)
A.	**The Cruising Yacht Club of WA Inc.** 2021 Formula 18 Catamaran World Championships	20,000	20,000 for one year
Additional Grant Conditions: • Subject to providing the City of Rockingham with a copy of your organisation's Public Liability Insurance certificate that will be current at the time of the event (expires 1 November 2019). • Permit the City to obtain footage from the event for the purposes of promoting Rockingham. • Subject to notification that additional funding has been sourced and the event is viable.			
B.	**City of Rockingham RSL Sub Branch Rockingham** ANZAC Day	20,000 for three years (2020; 2021; 2022)	20,000 for three years (2020; 2021; 2022)
Additional Grant Conditions: • Subject to your organisation securing funding (e.g. Lotterywest or other alternative funds) and proof of such funding is provided to the City of Rockingham.			
C.	**Rockingham BMX Club Inc.** BMX WA State Championships 2020	18,795	18,645 for one year
Additional Grant Conditions: • Your organisation is to provide an opportunity for City of Rockingham Mayor to speak at the event. • Subject to providing the City of Rockingham with a copy of your organisation's Public Liability Insurance certificate that will be current at the time of the event (expires 30 November 2019). • Permit the City to obtain footage from the event for the purposes of promoting Rockingham.			
	Total	**58,795**	**58,645**

	Major Grants	Amount Requested ($)	Advisory Committee Recommendation ($)
D.	**Reclink Australia Inc.** Reclink Rockingham Inclusive Sport Programs	9,416	9,416
E.	**Rockingham Basketball and Recreation Association Inc.** 2020 Rockingham Flames Community Family Fun Day	9,591.03	4,474.03
F.	**Rockingham District Historical Society Inc.** Operational Funding	8,000	8,000
Additional Grant Conditions: • Your organisation is to advise the City of Rockingham of all electrical on-charge payments recouped from the Rockingham Arts and Crafts Inc.			
G.	**Rockingham Triathlon Club Inc.** Shoalwater Classic	8,000	6,800

	Major Grants	Amount Requested ($)	Advisory Committee Recommendation ($)
H.	**Seniors Recreation Council WA Inc.** Have a Go Day	10,000	10,000
I.	**South East Regional Centre for Urban Landcare (SERCUL)** Control of Serious Weeds on the southern verge of Paganoni Road, Karnup	6,720	6,400
J.	**The Legacy Club of Western Australia Inc.** Transport for Elderly Widows to Fortnightly Meetings	8,100	4,550
Additional Grant Conditions: • To encourage sustainability, your organisation is to explore alternative locations and days/times to achieve a more cost-effective outcome as the City may not fund future applications requesting funding towards the same purpose.			
K.	**Vibe Baldivis Community Group Inc.** Purchase of a TTC Bowling Green Polishing Roller	4,240	4,240
	Total	**64,067.03**	**53,880.03**

	Infrastructure Planning and Development Grants	Amount Requested ($)	Advisory Committee Recommendation ($)
L.	**Rockingham Bowling Club Inc.** Perimeter fencing	3,401.50	3,401.50
Additional Grant Conditions: • Consent for Alterations to a Leased Facility must be received from City Properties before the fence is installed. • Parks Services team to provide final approval of the fence placement.			
M.	**Rockingham Football Sporting and Social Club Inc.** Coaches' boxes	20,416	20,416
Additional Grant Condition: • The Club will liaise with the City's Irrigation Supervisor when determining the final location of the shelters. • The penguin artwork bespoke to City shelters not be used on these structures. • Full as-constructed specifications and any applicable warranties to be provided to the City on completion. • Written confirmation of Stronger Communities funding award to be provided.			
N.	**Rockingham Volunteer Sea Rescue Group** Barbecue area	17,740	17,740
Additional Grant Conditions: • Consent for Alterations and Additions to a Leased Facility to be received from the City before the project begins.			
	Total	**41,557.50**	**41,557.50**

2. That Council ***NOT APPROVES*** the allocation of funds for Infrastructure Planning and Development Grants under the 2019/2020 Community Grants Program (CGP) Round Three:

	Infrastructure Planning and Development Grants	Amount Requested ($)	Advisory Committee Recommendation ($)
O.	**Rockingham Basketball and Recreation Association Inc.** Video Wall	30,000	0
P.	**Rockingham Volunteer Sea Rescue Group** Bathroom fit-out	7,380	0
Q.	**Rockingham Volunteer Sea Rescue Group** Replace boat shed door	7,380	0
R.	**Rockingham Volunteer Sea Rescue Group** Painting and sealing concrete	1,975	0
	Total	**46,735**	**0**

Officer Recommendation if Different to Advisory Committee Recommendation

Nil

The Officer's Reason for Varying the Advisory Committee Recommendation

Nil

Background

Applications for round three were invited from the community and closed 4.30pm Friday 22 November 2019.

A total of 18 applications were received in round three of the CGP and were classified into the following categories:

Major Event Sponsorship – three applications

Major Grants – eight applications

Infrastructure Planning and Development Grants – seven applications

Implications to Consider

a. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Community Plan 2019-2029:

Aspiration 1: *Actively Pursue Tourism and Economic Development*

Strategic Objective: *Coastal destination: Promote the City as the premier metropolitan coastal tourism destination*

Investment Attraction: Attract local and international investment to the City to contribute to the local economy.

Attractions and events: Seek to host iconic community events and attractions that will entice residents and visitors throughout the year.

Aspiration 2: *Grow and Nurture Community Connectedness and Wellbeing*

Strategic Objective: *Community Capacity Building: Empower the community across all ages and abilities to be culturally aware and involved with a diverse range of community initiatives that incorporate volunteering, sport, culture and the arts.*

b. Policy

The CGP operates in line with the CGP Policy and the Governance and Meeting Framework Policy.

c. Financial

Should Council approves the CGP Committee recommendation, there will be $122,262 remaining of an allocated 2019/2020 budget of $546,000. It should be noted that this balance changes on a daily basis due to the General, Travel and Youth Encouragement grant requests.

Should Council approves the Committee recommendation for the IGP grants, there will be $44,115 remaining of a 2019/2020 budget allocation of $154,000.

d. Legal and Statutory

Not Applicable

e. Voting Requirements

Simple Majority

f. Risk

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

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

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

Nil

Committee Recommendation

That Council:

1. ***ADOPTS*** the following funding criteria for funding applications for the Community Grants Program until February 2022:

Funding Criteria

- Good description of short term and/or long term community benefits
- Alignment with City strategies
- Amount of community involvement in the program/event:
    - (demonstrates types of community members involved)
    - (Community impact – time / number of people / outcomes)
- Amount of volunteer involvement in program/event
- Recognition for the City
- Financial capacity of applicant to deliver the event
- Partnerships with other groups and/or consultation
- Other funding sources
- Capacity of program/event to grow and become sustainable in future
- Major events – short term and/or long term economic benefits
- Major events – attraction of overnight stays
- Governance and management of applicant organisation
- Project justification
- Financial commitment (applicants dollar contribution / reason why not included)
- Project planning

- Design (IPDG only)

Priority Areas

- Supports Community Wellbeing
- Celebrates place, funding an event or champions an issue
- Supports Economic Development
- Addresses Disadvantage
- Grows organisation; good governance; and/or sustainability
- Supports fundraising initiative
- Supports community use of facilities

2. ***ADOPTS*** the amended Community Grants Program Policy to read:

Community Grants Program Policy

Council Policy Objective

To provide financial assistance to community groups and individuals that will build capacity within the community, stimulate volunteering and youth development, and deliver sustainable, accessible and demonstrated social, environmental and economic benefits.

Council Policy Scope

Funding for individuals (resident) and incorporated not-for-profit organisations/associations, or those limited by guarantee based or providing services within the Rockingham community.

Council Policy Statement

The Community Grants Programs aims to provide assistance to individuals and incorporated organisations/associations that can deliver meaningful benefits and outcomes in the following target areas:

- Community Development
- Sport and Recreation
- Economic Development
- Environment and Heritage
- Culture and the Arts
- Emergency Services

Grant Categories

Minor Grants up to $3000

Travel Subsidy Grants – A grant is available to individuals and teams who are authorised by their association's governing body to participate in accredited interstate and international competitions travelling outside of Western Australia, for the following maximum amounts:

- Interstate Travel Individual: $150
- Interstate Travel Team: ~~$300~~ $750
- International Travel Individual: $300
- International Travel Team: ~~$500~~ $1500

A Youth Encouragement Grant of up to $500 is available to individuals aged between 12 and 24 to participate in opportunities that align to improvements in:

- Leadership
- Employability
- Social skills and knowledge
- Learning (educational opportunities outside of usual school options/alternate pathway program/ability to participate in further education)
- Community benefit.

General Grants - A grant of up to $3000 is available to incorporated associations to assist with the delivery of programs and events that deliver outcomes and benefits to identified target areas.

Minor grants are to be considered by the CEO. Formal acquittal processes are not mandatory but may be requested if considered appropriate.

Major Grants up to $10,000

A grant of between $3001 and $10,000 is available to incorporated associations to assist with the delivery of programs and events that deliver outcomes and benefits to identified target areas.

Major grants are to be considered by the Community Grants Program Committee and a formal grant acquittal process is required.

Major Events Sponsorship

Sponsorship of up to $20,000 per annum for up to 3 years is available to incorporated not-for-profit associations and those limited by guarantee to assist with the delivery of events that deliver significant benefits to identified target areas. All applicants must demonstrate significant volunteer involvement and identify the City as a major sponsor.

Economic Development Events: ~~Past evidence of a successful event in the previous calendar years that has made a significant contribution to the aims and objectives of the City's Economic Development Strategy:~~ An event that can clearly demonstrate it will provide: significant direct stimulus to the local Rockingham economy, including local businesses; and extensive marketing opportunities for the City.

Community Development Events: Past evidence of the delivery of a successful event in the previous calendar year (or years) that attracted at least 5000 people and was conducted in a strategic location that serviced a discrete geographical area. Applicants must demonstrate a legitimate and long standing association with that discrete area.

As an inaugural/one-off event cannot demonstrate past evidence of a successful event, the applicant must demonstrate within the application ~~all other~~ that it meets relevant funding criteria ~~requirements~~ to be eligible for up to $20,000 for one year only.

Major Events Sponsorship Grants are to be considered by the Community Grants Program Committee and a formal grant acquittal process is required.

City ~~Infrastructure~~ Property Grants

Leased/Licenced Property Grants: Maintenance – grants of up to $10,000 per year are available to incorporated not-for-profit associations and those limited by guarantee that lease/licence City owned facilities to assist with the maintenance obligations provided for in their lease/licence.

Leased Property Grants: Rates Subsidy - a grant equal to the amount of rates levied on City properties leased to incorporated associations will be applied to those properties' annual rate liability.

~~Infrastructure Planning and Development Grants: Grants of up to 50% of the total project cost, to a maximum amount of $30,000 are available to assist incorporated associations in the planning and development of the establishment, enhancement or extension of community facilities. Projects must be undertaken on City owned or managed land or land owned by the Department of Education where a shared use agreement is in place.~~

Maintenance and Rate Subsidy Grants will be considered by the CEO.

~~Infrastructure Planning and Development Grants will be considered by the Community Grants Program Committee, Corporate and Community Development Standing Committee / Council.~~

Community Infrastructure Grants

Infrastructure Planning Grants – Grants of up to $20,000 are available as a contribution toward planning activities that assist groups to determine the need and feasibility of infrastructure projects that benefit the Rockingham community. Projects must be proposed to be on land owned or managed by the City or Department of Education where a shared use agreement is in place.

Infrastructure Capital Grants – Grants of up to $50,000 are available as a contribution toward construction, expansion, upgrade or refurbishment of community infrastructure that benefits the Rockingham community. Projects must be on land that is owned or managed by the City or Department of Education where a shared use agreement is in place.

Community Infrastructure Grants will be considered by the Community Grants Program Committee and a formal grant acquittal process is required.

Funding Criteria

Immediately following the Council elections, election of Committees and the election of the Presiding Member the first item of business for the Community Grants Program Committee is to consider and recommend priority areas and funding application assessment criteria that will prevail for the forthcoming two years for Council consideration.

All decisions, including those made under delegation by the CEO will be guided by these criteria.

Community Grants Program Committee

The Community Grants Program Committee will consider applications over three funding rounds per annum and applying as far as are practicable one third of budgeted funds in each round. All staff recommendations to the committee must be developed by officers working within the division team that is closest aligned to the target area.

Ineligibility

Individuals (except for Travel Subsidy and Youth Encouragement Grants); Schools (except for teams in the Travel Subsidy Grant); public companies (except for those limited by guarantee); private companies; Local, State or Federal Government authorities/agencies.

Bonds, employee salaries/wages, seasonal ground allocation and event management fees.

Auspice Organisation

Ensures:

- that the program/event for which the funding is sought, furthers the mission/objectives of their organisation in some way
- checks the constituent documents (constitution, rules, by-laws)
- that entering into the auspicing agreement is consistent with the objectives and powers of their organisation.

In the context of grant applications, an auspice organisation is legally and financially responsible to receive the approved grant money, ensure program/event is completed on time, submits acquittal and evaluation report.

Perception of Bias

In accordance with best practice public sector transparency and accountability principles, all committee members and staff who are, or have in the last three years, been a board member, committee member, executive member of an association applying for funds, shall disqualify themselves from all aspects of the consideration process from receipt of application through to consideration at the Community Grants Program Committee.

Prohibit Complimentary Tickets for City of Rockingham Funded Events

Councillors and staff shall not accept complimentary tickets, where such tickets have monetary value, to attend events that have been funded or sponsored by the Community Grants Program.

Councillors and staff can only attend such events in order to perform an official or civic function or by their own personal financial means.

Councillors and staff can accept tickets to events funded or sponsored by the Community Grants Program provided that those tickets have no monetary value and are available free of charge to the general public.

Executive Policies and Procedures

The CEO shall ensure that executive policies and procedures are implemented that provide for the effective and equitable consideration, approval, distribution, measurement and acquittal of grant funds.

Definitions

Maintenance - means regular ongoing day to day work necessary to keep assets operating and to achieve its optimum life expectancy. Example – painting, glazing, air conditioning repairs, tap seal repairs.

Infrastructure – Physical facilities and structures that are fixed and meet a long-term need

Incorporated Associations - An "incorporated association":

(d) Cannot operate for the profit or gain of its individual members;
(e) Contributes to the community in a social, sporting, cultural, environmental or charitable context; and
(f) Demonstrates local volunteer involvement

Company Limited by Guarantee (CLG)

Specialised form of public company designed for non-profit organisations. In Australia companies limited by guarantee are subject to the Corporations Act 2001 (Commonwealth) and administered by the Australian Securities and Investments Commission (ASIC).

Auspice Organisation – is an incorporated organisation that applies for a grant on behalf of an unincorporated organisation. The auspice organisation is responsible for the financial management of the grant. An auspice agreement is a legally binding contract. It sets out the legal obligations of both organisations toward each other and in relation to any specific funding or other agreements.

Legislation

Nil

Other Relevant Policies/ Key Documents

Strategic Community Plan 2015-2025

Governance and Meeting Framework Policy

Leasing Policy

Asset Register

Other Community Plan Strategy Documents

Delegations Register

Responsible Division

Community Development

Review Date

Review every two years

3. ***APPROVES*** the Terms of Reference of the Community Grants Program Committee to read:

'To consider and make recommendations to Council regarding the Major Grant, Major Event Sponsorship, and Community Infrastructure Grant applications, and to provide feedback to staff on the Community Grants Program'.

4. ***APPROVES*** the allocation of funds for Major Event Sponsorship, Major Grants and Infrastructure Planning and Development Grants under the 2019/2020 Community Grants Program Round Three, subject to listed additional conditions:

	Major Event Sponsorship	Amount Requested ($)	Advisory Committee Recommendation ($)
A.	**The Cruising Yacht Club of WA Inc.** 2021 Formula 18 Catamaran World Championships	20,000	20,000 for one year

	Major Event Sponsorship	Amount Requested ($)	Advisory Committee Recommendation ($)
Additional Grant Conditions: • Subject to providing the City of Rockingham with a copy of your organisation's Public Liability Insurance certificate that will be current at the time of the event (expires 1 November 2019). • Permit the City to obtain footage from the event for the purposes of promoting Rockingham. • Subject to notification that additional funding has been sourced and the event is viable.			
B.	**City of Rockingham RSL Sub Branch Rockingham** ANZAC Day	20,000 for three years (2020; 2021; 2022)	20,000 for three years (2020; 2021; 2022)
Additional Grant Conditions: • Subject to your organisation securing funding (e.g. Lotterywest or other alternative funds) and proof of such funding is provided to the City of Rockingham.			
C.	**Rockingham BMX Club Inc.** BMX WA State Championships 2020	18,795	18,645 for one year
Additional Grant Conditions: • Your organisation is to provide an opportunity for City of Rockingham Mayor to speak at the event. • Subject to providing the City of Rockingham with a copy of your organisation's Public Liability Insurance certificate that will be current at the time of the event (expires 30 November 2019). • Permit the City to obtain footage from the event for the purposes of promoting Rockingham.			
	Total	**58,795**	**58,645**

	Major Grants	Amount Requested ($)	Advisory Committee Recommendation ($)
D.	**Reclink Australia Inc.** Reclink Rockingham Inclusive Sport Programs	9,416	9,416
E.	**Rockingham Basketball and Recreation Association Inc.** 2020 Rockingham Flames Community Family Fun Day	9,591.03	4,474.03
F.	**Rockingham District Historical Society Inc.** Operational Funding	8,000	8,000
Additional Grant Conditions: • Your organisation is to advise the City of Rockingham of all electrical on-charge payments recouped from the Rockingham Arts and Crafts Inc.			
G.	**Rockingham Triathlon Club Inc.** Shoalwater Classic	8,000	6,800
H.	**Seniors Recreation Council WA Inc.** Have a Go Day	10,000	10,000

	Major Grants	Amount Requested ($)	Advisory Committee Recommendation ($)
I.	**South East Regional Centre for Urban Landcare (SERCUL)** Control of Serious Weeds on the southern verge of Paganoni Road, Karnup	6,720	6,400
J.	**The Legacy Club of Western Australia Inc.** Transport for Elderly Widows to Fortnightly Meetings	8,100	4,550
Additional Grant Conditions: • To encourage sustainability, your organisation is to explore alternative locations and days/times to achieve a more cost-effective outcome as the City may not fund future applications requesting funding towards the same purpose.			
K.	**Vibe Baldivis Community Group Inc.** Purchase of a TTC Bowling Green Polishing Roller	4,240	4,240
	Total	**64,067.03**	**53,880.03**

	Infrastructure Planning and Development Grants	Amount Requested ($)	Advisory Committee Recommendation ($)
L.	**Rockingham Bowling Club Inc.** Perimeter fencing	3,401.50	3,401.50
Additional Grant Conditions: • Consent for Alterations to a Leased Facility must be received from City Properties before the fence is installed. • Parks Services team to provide final approval of the fence placement.			
M.	**Rockingham Football Sporting and Social Club Inc.** Coaches' boxes	20,416	20,416
Additional Grant Condition: • The Club will liaise with the City's Irrigation Supervisor when determining the final location of the shelters. • The penguin artwork bespoke to City shelters not be used on these structures. • Full as-constructed specifications and any applicable warranties to be provided to the City on completion. • Written confirmation of Stronger Communities funding award to be provided.			
N.	**Rockingham Volunteer Sea Rescue Group** Barbecue area	17,740	17,740
Additional Grant Conditions: • Consent for Alterations and Additions to a Leased Facility to be received from the City before the project begins.			
	Total	**41,557.50**	**41,557.50**

5. ***NOT APPROVES*** the allocation of funds for Infrastructure Planning and Development Grants under the 2019/2020 Community Grants Program (CGP) Round Three:

	Infrastructure Planning and Development Grants	Amount Requested ($)	Advisory Committee Recommendation ($)
O.	**Rockingham Basketball and Recreation Association Inc.** Video Wall	30,000	0
P.	**Rockingham Volunteer Sea Rescue Group** Bathroom fit-out	7,380	0
Q.	**Rockingham Volunteer Sea Rescue Group** Replace boat shed door	7,380	0
R.	**Rockingham Volunteer Sea Rescue Group** Painting and sealing concrete	1,975	0
	Total	**46,735**	**0**

Committee Voting (Carried) – 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

15. Report of Mayor

City of Rockingham
Mayor's Report

Reference No & Subject:	**MR-002/20 Meetings and Functions Attended by the Mayor and Deputy Mayor**
File No:	GOV/85
Proponent/s:	City of Rockingham
Author:	Cr Barry Sammels, Mayor
Other Contributors:	Cr Deb Hamblin, Deputy Mayor
Date of Council Meeting:	25 February 2020
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive

Purpose of Report

To advise on the meetings and functions attended by the Mayor and Deputy Mayor during the period 30 January 2020 to 25 February 2020.

Background

Nil

Details

Date	Meeting/Function
30 January 2020	*Meeting with Tourism Rockingham – attended by Deputy Mayor Deb Hamblin*
31 January 2020	Meeting with Local State Member of Parliament
3 February 2020	Australian Citizenship Ceremony
4 February 2020	Australian Citizenship Ceremony
5 February 2020	Councillor Engagement Session
6 February 2020	Meeting with Rotary WA Police Force Medals and Awards Ceremony
7 February 2020	Meeting with Federal Minister
8 February 2020	Opening of Rockingham Street Festival
11 February 2020	Councillor Engagement Session
12 February 2020	Kolbe Catholic College Awards Presentation
13 February 2020	Interview with 6PR City Safe Advisory Committee
18 February 2020	Interview with FM92.1
19 February 2020	Ridge View Secondary College – The Oceans Project

Date	Meeting/Function
20 February 2020	Promotion for Partnering with Grow It Local Global Friendship Committee *Port Kennedy Residents Association Meeting – attended by Deputy Mayor Deb Hamblin*
21 February 2020	Sheoak Grove Primary School Opening
22 February 2020	Opening of Romance on the Green
25 February 2020	Council meeting

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

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

Nil

Voting Requirements

Simple Majority

Officer Recommendation

That Council ***RECEIVES*** the Mayor's Report for the period 30 January 2020 to 25 February 2020.