



City of Rockingham

AGENDA

Ordinary Meeting of Council

To be held on Tuesday 24 February 2026 at 6:00pm
City of Rockingham Council Chamber

**Note: This meeting will be subject to Council's
Recording and Streaming Meeting's policy**



Notice of Meeting



Dear Mayor and Council Members

The next Ordinary meeting of the Council of the City of Rockingham will be held on Tuesday 24 February 2026 in the Council Chamber, Civic Boulevard, Rockingham. The meeting will commence at 6:00pm.

A handwritten signature in blue ink, appearing to read 'Michael Parker'.

MICHAEL PARKER
CHIEF EXECUTIVE OFFICER

19 February 2026

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 24 February 2026



1.	Declaration of Opening																																							
	<p>Acknowledgement of Country</p> <p>The City of Rockingham acknowledges the Traditional Owners and Custodians of this land, the Binjareb and Whadjuk Nyoongar peoples and their continuing connection to the land, waters and community. We pay our respects to all members of Aboriginal communities and their cultures; and to Elders past and present.</p> <p>Recording and Live Streaming of proceedings</p> <p>In accordance with Council Policy this meeting is being live streamed on the City’s website, with the exception of confidential items and periods of adjournment or as determined by the Presiding Member.</p> <p>By being present at this meeting, members of the public consent to the possibility that their image and voice may be live streamed to the public. Recordings are also made available on the City’s website following the meeting.</p> <p>Please note that clause 8.5 of the City’s <i>Standing Orders Local Law 2001</i> provides that “no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of the Council or a committee without the written permission of the Council”.</p> <p>If anyone breaches this Standing Order they will be asked to leave the Council Chamber.</p>																																							
2.	Record of Attendance/Apologies/Approved Leave of Absence																																							
	<p>2.1 Council Members</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Mayor Lorna Buchan</td> <td></td> </tr> <tr> <td>Deputy Mayor Robert Schmidt</td> <td>Comet Bay Ward</td> </tr> <tr> <td>Cr Mike Crichton</td> <td>Baldivis Ward</td> </tr> <tr> <td>Cr Dylan Mbano</td> <td>Baldivis Ward</td> </tr> <tr> <td>Cr Kelly Middlecoat</td> <td>Baldivis Ward</td> </tr> <tr> <td>Cr David Rudman</td> <td>Comet Bay Ward</td> </tr> <tr> <td>Cr Craig Buchanan, JP</td> <td>Rockingham/Safety Bay Ward</td> </tr> <tr> <td>Cr Peter Hudson</td> <td>Rockingham/Safety Bay Ward</td> </tr> <tr> <td>Cr Dawn Jecks</td> <td>Rockingham/Safety Bay Ward</td> </tr> <tr> <td>Cr Mark Jones</td> <td>Rockingham/Safety Bay Ward</td> </tr> <tr> <td>Cr Leigh Liley</td> <td>Rockingham/Safety Bay Ward</td> </tr> <tr> <td>Cr Ryan Robertson</td> <td>Rockingham/Safety Bay Ward</td> </tr> </table> <p>2.2 Executive</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Mr Michael Parker</td> <td>Chief Executive Officer</td> </tr> <tr> <td>Mr John Pearson</td> <td>Director Corporate Services</td> </tr> <tr> <td>Mr Peter Ricci</td> <td>Director Planning and Development Services</td> </tr> <tr> <td>Mr Michael Holland</td> <td>Director Community Development</td> </tr> <tr> <td>Mr Sam Assaad</td> <td>Director Asset Services</td> </tr> <tr> <td>Ms Donna Dabala</td> <td>Director Legal Services and General Counsel</td> </tr> <tr> <td>Mr Jim Olynyk, JP</td> <td>Manager Governance and Councillor Support</td> </tr> </table>		Mayor Lorna Buchan		Deputy Mayor Robert Schmidt	Comet Bay Ward	Cr Mike Crichton	Baldivis Ward	Cr Dylan Mbano	Baldivis Ward	Cr Kelly Middlecoat	Baldivis Ward	Cr David Rudman	Comet Bay Ward	Cr Craig Buchanan, JP	Rockingham/Safety Bay Ward	Cr Peter Hudson	Rockingham/Safety Bay Ward	Cr Dawn Jecks	Rockingham/Safety Bay Ward	Cr Mark Jones	Rockingham/Safety Bay Ward	Cr Leigh Liley	Rockingham/Safety Bay Ward	Cr Ryan Robertson	Rockingham/Safety Bay Ward	Mr Michael Parker	Chief Executive Officer	Mr John Pearson	Director Corporate Services	Mr Peter Ricci	Director Planning and Development Services	Mr Michael Holland	Director Community Development	Mr Sam Assaad	Director Asset Services	Ms Donna Dabala	Director Legal Services and General Counsel	Mr Jim Olynyk, JP	Manager Governance and Councillor Support
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	<p>2.3</p> <p>2.4</p> <p>2.5</p>	<p>Members of the Gallery:</p> <p>Apologies:</p> <p>Approved Leave of Absence: Deputy Mayor Robert Schmidt Comet Bay Ward</p>																																
3. Responses to Previous Public Questions Taken on Notice																																		
<p>3.1</p>	<p>Ms Diane Park, Waikiki – FOGO / Social Media / Council Dinners / Chronicle</p> <p>At the Council meeting held on 16 December 2025, Ms Park asked the following questions that were taken on notice. The Manager Governance and Councillor Support provided responses in a letter dated 24 December 2025 as follows:</p> <p><u>Question</u></p> <p>1. Social media post regarding the red bin collection. Have we got a Council that has integrity, transparency and accountability?</p> <p><u>Response</u></p> <p><i>Council Members are required to abide by the Code of Conduct Council Members, Committee Members and Candidates, as required by section 5.104 of the Local Government Act 1995.</i></p> <p><u>Question</u></p> <p>2. Can Council please supply a full breakdown of costs of Councillors/Staff dinners after council meetings and how many attend each time?</p> <p><u>Response</u></p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th>Date</th> <th>Total Attendees</th> <th>Catering Cost GST Inc.</th> <th>Total Beverage Cost</th> </tr> </thead> <tbody> <tr> <td>22/7/2025</td> <td>18</td> <td>1400.85</td> <td>34.41</td> </tr> <tr> <td>26/8/2025</td> <td>18</td> <td>1617.88</td> <td>26.30</td> </tr> <tr> <td>23/9/2025</td> <td>17</td> <td>1218.10</td> <td>43.50</td> </tr> <tr> <td>14/10/2025</td> <td>18</td> <td>1544.95</td> <td>59.66</td> </tr> <tr> <td>25/11/2025</td> <td>19</td> <td>1600.28</td> <td>22.26</td> </tr> <tr> <td>16/12/2025</td> <td>19</td> <td>1838.17</td> <td>67.29</td> </tr> <tr> <td>Total</td> <td></td> <td>9220.23</td> <td>253.42</td> </tr> </tbody> </table> <p>3. Can Council please supply a full break down of all costs associated with the production of the Chronicle Magazine?</p> <p><u>Response</u></p> <p><i>Total cost for four editions of the City Chronicle in 2025 is \$206,389 (excluding GST).</i></p> <p><i>Breakdown of costs:</i></p> <ul style="list-style-type: none"> · <i>Design costs: \$12,534</i> · <i>Print Costs: \$89,862</i> · <i>Postage costs: \$103,993</i> <p><i>This equates to an average cost per copy: \$0.88, or \$3.51 for a copy of the four editions.</i></p>		Date	Total Attendees	Catering Cost GST Inc.	Total Beverage Cost	22/7/2025	18	1400.85	34.41	26/8/2025	18	1617.88	26.30	23/9/2025	17	1218.10	43.50	14/10/2025	18	1544.95	59.66	25/11/2025	19	1600.28	22.26	16/12/2025	19	1838.17	67.29	Total		9220.23	253.42
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<p>3.2</p>	<p>Mr Ben Smith, Rockingham – Squash courts</p> <p>At the Council meeting held on 16 December 2025, Mr Smith asked the following question that was taken on notice. The Director Community Development provided a response in a letter dated 22 December 2025 as follows:</p> <p><u>Question</u></p> <p>1. Currently there is about 90kms between Mandurah and Blue Gum Centre which is where the nearest squash clubs are. How do we go about getting inclusion of squash courts in any future City of Rockingham recreation centres?</p>																																	

	<p><u>Response</u> <i>The City has a Council adopted Community Infrastructure Plan that runs until 2034/2035 and the provision of squash courts are not included. There are no plans to include squash courts in any recreation centre upgrade.</i></p> <p>3.3 Ms Praneetha Kurmala, Rockingham – Lark Hill race day</p> <p>At the Council meeting held on 16 December 2025, Ms Kurmala asked the following question that was taken on notice. The Director Community Development provided a response in a letter dated 18 December 2025 as follows:</p> <p><u>Question</u></p> <p>1. Will Council commit that future iconic event funding and funding in general will only support ethical events that reflect community values and will not be used for events that normalise animal exploitation or promote gambling, especially when there are better ways to build culture, pride and cohesion in Rockingham?</p> <p><u>Response</u> <i>All Iconic Event Sponsorship applications received are assessed on their merits in line with the Iconic Event Sponsorship Guidelines and referred to Council for a decision.</i></p> <p>3.4 Mr Mark Pink, Secret Harbour – Lark Hill race day</p> <p>At the Council meeting held on 16 December 2025, Mr Pink asked the following question that was taken on notice. The Director Community Development provided a response in a letter dated 22 December 2025 as follows:</p> <p><u>Question</u></p> <p>1. When was the last time the Comet Bay Ward had over 3,000 people at a social community event?</p> <p><u>Response</u> <i>The following events held at Lark Hill may have attracted in excess of 3000 people:</i></p> <ul style="list-style-type: none"> - Rugby WA Grand Final at Lark Hill - NRL WA hosted Harmony Cup a couple of years ago - Hockey WA Events <p><i>Community Safety and Support Services Neighbour Day Big Breakfast at Secret Harbour last year attracted approx. 2000 throughout the event as did the Secret Harbour town Team Xmas Carol event.</i></p> <p><i>Singleton Christmas Carnival and Carols event at Golden Bay Foreshore on 13 December 2025 that attracted over 1000 attendees</i></p>
<p>4.</p>	<p>Public Question Time</p>
	<p>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.</p>
<p>5.</p>	<p>Applications for Leave of Absence</p>
<p>6.</p>	<p>Confirmation of Minutes of the Previous Meeting</p>
	<p>Recommendation:</p> <p>That Council CONFIRMS the Minutes of the Ordinary Council meeting held on 16 December 2025, as a true and accurate record.</p>


7.	Matters Arising from the Previous Minutes	
8.	Announcement by the Person Presiding 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	
10.	Petitions/Deputations/Presentations/Submissions	
11.	Matters for which the Meeting must or may be closed	
	Asset Services	7
	AS-001/26 Membership Review and Appointment of New Members to the Coastal Facilities Advisory Group	7
	In accordance with section 5.23(4)(b) of the <i>Local Government Act 1995</i> - if there are any questions or debate on the Confidential Item then the Council will need to defer the matter for consideration at Agenda Item 23 - Matters Behind Closed Doors.	

Asset Services

CONFIDENTIAL ITEM

Section 5.95(3) *Local Government Act 1995* (Act)

This item may be discussed behind closed doors as per
Section 5.23(4)(b) of the Act

Asset Services		
Technical Services		
Report number / title:	AS-001/26	Membership Review and Appointment of New Members to the Coastal Facilities Advisory Group
File number:	COM/71-8	
Proponent/s:		
Author:	Mr Manoj Barua, Manager Technical Services	
Other Contributor/s:	Mrs Sam Floyd, Business Support Officer	
Date of Committee Meeting:	16 February 2026	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role:	Executive	
Attachments:	1. Minutes of the Coastal Facilities Advisory Group meeting held on 24 November 2025	
Maps/Diagrams:		
Site:		
Lot Area:		
LA Zoning:		
MRS Zoning:		

Purpose of Report

To review the composition of membership and appointments to vacant positions on the Coastal Facilities Advisory Group.

Voting Requirements

Simple Majority

Coastal Facilities Advisory Group Recommendation

That Council:

1. **APPOINTS** two organisational representative members to the Coastal Facilities Advisory Group as identified in the comments section of the confidential report for the term ending in October 2026; and

2. **APPOINTS** the membership of Department of Primary Industries and Regional Development in the Coastal Facilities Advisory Group.

Officer Recommendation if Different to Coastal Facilities Advisory Group Recommendation

Not Applicable

The Officer's Reason for Varying Coastal Facilities Advisory Group Recommendation

Not Applicable

Committee Recommendation

That Council:

1. **APPOINTS** two organisational representative members to the Coastal Facilities Advisory Group as identified in the comments section of the confidential report for the term ending in October 2026; and
2. **APPOINTS** the membership of Department of Primary Industries and Regional Development in the Coastal Facilities Advisory Group.

Committee Voting (Carried) - 5/0

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Rudman
Cr Jecks
Cr Robertson

Council Members voting against the motion:

Nil

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

Not Applicable

12.	Receipt of Minutes of Council Committees	
	<p>Recommendation:</p> <p>That Council RECEIVES and NOTES the minutes of the:</p> <ul style="list-style-type: none"> · Planning and Asset Services Committee meeting held on 16 February 2026; and · Corporate and Community Development Committee meeting held on 17 February 2026 	
13.	Recommendations of Council Committees	
	<p>Planning and Asset Services Committee</p> <p>PD-001/26 Proposed Health Local Law 2026 - Consent to Advertise 12</p> <p>PD-002/26 Proposed Local Structure Plan - Lots 23-26, 28 and 161-162 Sawley Close, Golden Bay 17</p> <p>PD-003/26 Concurrent Amendment to Town Planning Scheme No.2 'Special Residential' to 'Development' - Lots 23-26 and 161-162 Sawley Close, Golden Bay 46</p> <p>PD-004/26 Minor Amendments to Local Planning Policy No.3.3.27 - Community Consultation for Development Applications 58</p> <p>PD-005/26 Proposed Council Policy - Development Assessment Panel Process 70</p> <p>PD-006/26 Proposed Bulk Earthworks and Unexploded Ordnance Survey - Lot 3028 Tidal Drive, Port Kennedy (Kennedy Bay Estate) 74</p> <p>PD-007/26 Revocation of Local Planning Policies - Rockingham Strategic Centre 100</p> <p>AS-002/26 WALGA Quote WQ25/26-44 - Supply of One (1) Truck Mounted Sweeper 105</p> <p>AS-003/26 Tender T24/25-26 - Provision of Services for the Redevelopment of the Palm Beach West Boat Ramp 109</p> <p>AS-004/26 Tender T25/26-57 - Provision of Services for the Mundijong Road Rehabilitation from Kwinana Freeway to St Albans Road, Baldivis 113</p> <p>Corporate and Community Development Committee 117</p> <p>CD-001/26 Amendment to Composition of Community Safety and Support Services Advisory Group 117</p> <p>CD-002/26 Mental Health Advocacy 120</p> <p>CD-003/26 Aqua Jetty Stage 2 Concept Design 125</p>	
14.	Receipt of Information Bulletin	
	<p>Recommendation:</p> <p>That Council RECEIVES the February 2026 Information Bulletins as follows:</p> <ul style="list-style-type: none"> · Planning Services Bulletin · Asset Services Bulletin · Corporate and General Management Services Bulletin · Community Development Bulletin 	
15.	Report of Mayor	
	MR-001/26 Meetings and Functions Attended by the Mayor and Deputy Mayor	131

16.	Reports of Council Members	
	<p>16.1 Cr Peter Hudson – WA Parliamentary Petition: Garden Island Highway</p> <p>I bring this report for noting to Council.</p> <p>This is an open WA parliamentary petition relevant to Council advocacy and has garnered significant support from City of Rockingham residents. I declare that I am the principal petitioner, and its facilitating Member is the Hon Phil Twiss MLC.</p> <p><i>"To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled. We the undersigned request that the Legislative Council ...</i></p> <p><i>Request that the Legislative Council:</i></p> <p>1. <i>Notes that:</i></p> <ul style="list-style-type: none"> <i>a. access to Garden Island and HMAS Stirling is currently limited, contributing to heavy traffic congestion and public safety concerns for Rockingham residents around Cape Peron and Parkin Street;</i> <i>b. there is strong community interest and ongoing concern from local residents and the City of Rockingham in progressing the Garden Island Highway project to improve road safety, reduce congestion, support local families and workers, and address emergency access issues;</i> <i>c. historically, the Department of Defence and WA Government have raised environmental and cost concerns about a direct link to Garden Island, yet no comprehensive publicly released feasibility study or project timeline has existed until recently;</i> <i>d. in December 2024, the State and Commonwealth Governments committed to jointly fund studies on transport solutions, including detailed environmental and heritage assessments for the proposed Garden Island Highway, with findings expected in late 2025; and</i> <i>e. Main Roads WA subsequently concluded a new highway was not required, recommending upgrades to existing roads instead. Concerns have been raised about the transparency and completeness of this assessment, particularly given expected traffic increases from AUKUS personnel.</i> <p>2. <i>Calls on the State Government to:</i></p> <ul style="list-style-type: none"> <i>a. publish all feasibility studies and assessments undertaken to date and explain the reasoning behind the decisions;</i> <i>b. commit funding for urgent further feasibility work to advance this project; and</i> <i>c. release a clear timeline for the planning and delivery of the Garden Island Highway.</i> <p><i>And your petitioners as in duty bound, will ever pray."</i></p> 	
17.	Reports of Officers	
18.	Addendum Agenda	
19.	Motions of which Previous Notice has been given	
	<p>Corporate and Community Development Committee 135</p> <p>CS-001/26 Notice of Motion – Proposed Re-introduction of weekly general waste service 135</p> <p>Planning and Asset Services Committee 145</p> <p>PD-008/26 Notice of Motion - Enforcement of Speed Limits in Shoalwater Islands Marine Park 145</p>	

20.	Notices of Motion for Consideration at the Following Meeting
20.1	Notice of Motion from Cr Peter Hudson – Garden Island Highway Updates In accordance with Clause 3.9 of the City of Rockingham Standing Orders, Cr Hudson has submitted the following Notice of Motion for consideration at the March 2026 meeting: <i>“That Council DIRECTS the Chief Executive Officer to write to Federal and State Governments seeking an urgent update on:</i> <i>1. The status of the Garden Island Highway feasibility studies announced in December 2024 and</i> <i>2. The status of any planned road infrastructure upgrades to alleviate traffic congestion to the HMAS Stirling naval base and any associated government funding.”</i>
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 2026 in the Council Chambers, Civic Boulevard, Rockingham.
25.	Closure

13. Recommendations of Council Committees

Planning and Asset Services Committee

**Planning and Development Services
 Health Services**



Report number / title:	PD-001/26 Proposed Health Local Law 2026 - Consent to Advertise
File number:	LWE/213
Applicant:	
Owner:	
Author:	Mrs Erica King, Manager Health and Building Services
Other Contributors:	
Date of Committee meeting:	16 February 2026
Previously before Council:	
Disclosure of Interest:	
Nature of Council's role:	Legislative
Attachments:	1. Proposed City of Rockingham Health Local Law 2026
Maps / Diagrams:	
Site:	
Lot Area:	
LA Zoning:	
MRS Zoning:	

Purpose of Report

To commence the process of adopting the proposed *City of Rockingham Health Local Law 2026* and repealing the existing *City of Rockingham Health Local Laws 1996* by 'giving notice' to invite public comment. The purpose and effect of the *City of Rockingham Health Local Laws 2026* is as follows:

Purpose: To repeal the *City of Rockingham Health Local Laws 1996* and adopt the *City of Rockingham Health Local Laws 2026*.

Effect: To manage public health within the City of Rockingham.

Background

The Department of Health has introduced the *Public Health Act 2016* in a staged approach, with the final two stages (Stages 5B and 5C) to take effect by December 2026. The majority of the *Health Act 1911* is being repealed at the same time as the remainder of the *Public Health Act 2016* is proclaimed.

Stage 5C requires that all local government health local laws drafted under the *Health Act 1911* be transitioned under the *Local Government Act 1995 (LG Act)* by 31 December 2026.

The Department of Health has not drafted model health local laws, so it is up to each local government to adopt health local laws relative to the needs of its community.

Details

Many local governments have transitioned their existing health local laws from the *Health Act 1911* to the *Local Government Act 1995* without amendment.

In considering the required change of the overarching legislation, City of Rockingham (City) Officers have reviewed the existing *City of Rockingham Health Local Laws 1996 (existing health local laws)* and determined that there are several clauses that no longer meet the City's needs. There are also areas where there is inadequate existing legislation, meaning that it is often difficult to resolve public health concerns without the supporting framework.

The existing clauses under the existing health local laws that are considered adequate have been carried over to the proposed *City of Rockingham Health Local Law 2026 (proposed health local law)*.

Where there have been gaps identified in the existing health local laws, Officers have reviewed other local government local laws, to ascertain those clauses would meet the City's needs. In these instances, clauses have been taken from other gazetted local government health local laws, rather than new clauses drafted.

The benefit in including already gazetted clauses is that there is greater consistency across local governments, and a higher probability of approval through the Joint Standing Committee on Delegated Legislation.

The key changes in the proposed health local law are as follows:

- The ability to include infringement notices and modified penalties under the LG Act will assist with achieving compliance. The existing health local laws, drafted under the *Health Act 1911*, do not allow for infringement notices or modified penalties, which mean ongoing non-compliance can only be progressed through prosecution. The breaches under the Health Local Laws are not serious public health concerns, and with a maximum penalty through prosecution of \$1,000 prosecution is generally not seen as being in the City's interest to pursue.
- Modified penalties provide an alternative enforcement option to prosecution should voluntary compliance not be achieved.
- Additional clauses included to control refuse on building sites.
- Additional clauses included to assist in the removal of refuse, disused materials and vegetation on private properties.
- Additional stormwater disposal and mechanical wash down bay wastewater provisions.
- Removing the need to get the City's approval to keep poultry, by now allowing residents to keep up to two (2) fowl or up to 20 pigeons, under certain provisions such as achieving a minimum boundary setback and cleanliness, without needing to make an application.

Implications to Consider

a. Consultation with the Community

Local government may make local laws using the process set out in section 3.12 of the *Local Government Act 1995*. This requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarised in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the *City of Rockingham Health Local Law 2026* is:

Purpose: To repeal the *City of Rockingham Health Local Laws 1996* and adopt the *City of Rockingham Health Local Law 2026*.

Effect: To manage public health within the City of Rockingham.

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 2023-2033:

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Plan for sustainable growth - Balance growth while maintaining the identified natural environment*

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: *Quality Leadership - Ensure accountable and transparent governance*

d. Policy

Nil

e. Financial

\$4,000 was allocated for the external legal review of the proposed health local laws.

f. Legal and Statutory

The *Public Health Act 2016* requires that all local government health local laws drafted under the Health Act 1911 be transitioned under the *Local Government Act 1995 (LG Act)* by 31 December 2026.

Section 3.12 of the LG Act provides the procedure for making local laws that needs to be followed for the local law to be valid.

Section 3.12(2) to (4) of the LG Act provides the initial procedure for making local laws:

(2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*

(3) *Subject to subsection (3A) the local government is to —*

(a) *give local public notice stating that —*

(i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*

(ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*

(iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*

and

(b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to —*

(i) *the Departmental CEO; and*

(ii) *if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made - the chief executive officer of that other department;*

and

(c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*

- (4) *After the last day for submissions under subsection (3) or (3C) (as the case requires), the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute Majority required.*

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 / Program/Project management / Natural Environment : High and Extreme Risks

Financial / Health and Safety : Medium, High and Extreme Risks

Nil

Comments

The requirement to transition the existing health local laws from the *Health Act 1911* to the *Local Government Act 1995* has provided an opportunity to review, and improve, the health local laws to better meet the City's public health needs.

There are gaps in the existing legislation that result in the City's Officers being inadequately equipped to address some public health concerns.

The creation of new health local laws afford an opportunity to address the current legislative gaps, as well as providing a penalty framework that is more reflective of the nature of the offence when voluntary compliance is not achieved.

The proposed health local law provides greater flexibility to residents by removing some requirements to seek approval to keep poultry, as well as additional controls for refuse on building sites and private property.

In drafting the proposed health local law, City Officers sought to achieve a balanced approach to enable minor public health concerns to be addressed.

The proposed health local law has progressed through an external legal review.

The proposed health local law was tabled at the Governance Review Panel meeting on 17 December 2025. The key proposed changes were discussed, and the Governance Review Panel did not recommend any amendments. The item was carried 3/0.

If Council resolves to advertise the proposed health local law, an advertising period of at least six (6) weeks will be provided for submissions. Following that, the submissions will be referred to Council for consideration.

The proposed health local law, when finalised, will be provided to the Joint Standing Committee on Delegation Legislation for approval prior to gazettal.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **DIRECTS** the Chief Executive Officer, in accordance with section 3.12(3)(a) of the *Local Government Act 1995*, to give local public notice stating that:
 - The City proposes to repeal *City of Rockingham Health Local Laws 1996* and introduce the *City of Rockingham Health Local Law 2026*, with a summary of its purpose and effect;
 - Copies of the proposed local law may be inspected at the City's offices and libraries;
 - Submissions about the proposed local law may be made to the City within a period of not less than six (6) weeks after the notice is given.

2. **DIRECTS** the Chief Executive Officer in accordance with section 3.12(3)(b)(c) of the *Local Government Act 1995*, as soon as the notice is given, to supply a copy to the Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety (being the Director General) and the Chief Executive Officer of the Department of Health (being the Director General), and to any person requesting it.
3. **NOTES** that the submissions will be presented to Council for consideration following the notice period.

Committee Recommendation

That Council:

1. **DIRECTS** the Chief Executive Officer, in accordance with section 3.12(3)(a) of the *Local Government Act 1995*, to give local public notice stating that:
 - The City proposes to repeal *City of Rockingham Health Local Laws 1996* and introduce the *City of Rockingham Health Local Law 2026*, with a summary of its purpose and effect;
 - Copies of the proposed local law may be inspected at the City's offices and libraries;
 - Submissions about the proposed local law may be made to the City within a period of not less than six (6) weeks after the notice is given.
2. **DIRECTS** the Chief Executive Officer in accordance with section 3.12(3)(b)(c) of the *Local Government Act 1995*, as soon as the notice is given, to supply a copy to the Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety (being the Director General) and the Chief Executive Officer of the Department of Health (being the Director General), and to any person requesting it.
3. **NOTES** that the submissions will be presented to Council for consideration following the notice period.

Committee Voting (Carried) - 4/1

Council Members voting for the motion:

Mayor Buchan Cr Jecks
Cr Jones Cr Robertson

Council Members voting against the motion:

Cr Rudman

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

Not Applicable

Planning and Development Services Strategic Planning and Environment



Report number / title:	PD-002/26	Proposed Local Structure Plan - Lots 23-26, 28 and 161-162 Sawley Close, Golden Bay
File number:	LUP/2280	
Applicant:	Urbis Pty Ltd	
Owner:	Cape Bouvard Developments Pty Ltd	
Author:	Mr Tom Foulds, Coordinator Strategic Planning	
Other Contributors:	Mr Brett Ashby, Manager Strategic Planning and Environment	
Date of Committee meeting:	16 February 2026	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:	<ol style="list-style-type: none">1. Schedule of Modifications2. Schedule of Submissions	
Maps / Diagrams:	<ol style="list-style-type: none">1. Location Map2. WAPC Subdivision Approval 1420383. WAPC Subdivision Approval 1579454. Aerial Map5. Wetlands Overlay6. Advertised LSP7. Submission Response Map8. Lot 119 and 120 Boothman Mews, Golden Bay	
Site:	Lots 23-26, 28 and 161-162 Sawley Close, Golden Bay	
Lot Area:	16.49ha (combined)	
LA Zoning:	Special Residential, Special Rural	
MRS Zoning:	Rural	

Purpose of Report

To consider a proposed Local Structure Plan (**LSP**) for Lots 23-26, 28 and 161-162 Sawley Close, Golden Bay (**subject land**) and to seek Council endorsement of the Local Government Report to be submitted to the Western Australian Planning Commission (**WAPC**).



1. Location Map

Background

Town Planning Scheme No. 1 and Subdivision History

The land was initially rezoned from 'Rural' to 'Special Rural' under Amendment 143 to Town Planning Scheme No.1 (**TPS1**) in 1996, which has ultimately led to the existing lot pattern of the subject land.

In May 1999, the subject land, and land immediately south, was rezoned from 'Special Rural' to 'Special Residential' through Local Scheme Amendment 318 to TPS1. A Subdivision Guide Plan (**SGP**) was approved as part of Amendment 318, to coordinate future subdivision of this land. The existing lot layout to the south has predominantly been formalised through WAPC Subdivision Approval 102457, with additional subdivision approvals being issued in accordance with the SGP to date.

In December 2012, the WAPC issued a mediated conditional subdivision approval (WAPC 142038) through the State Administrative Tribunal (**SAT**) over the subject land for a 32 lot subdivision, consistent with the approved SGP (refer to Figure 2). This subdivision approval was not acted upon and expired in 2016.

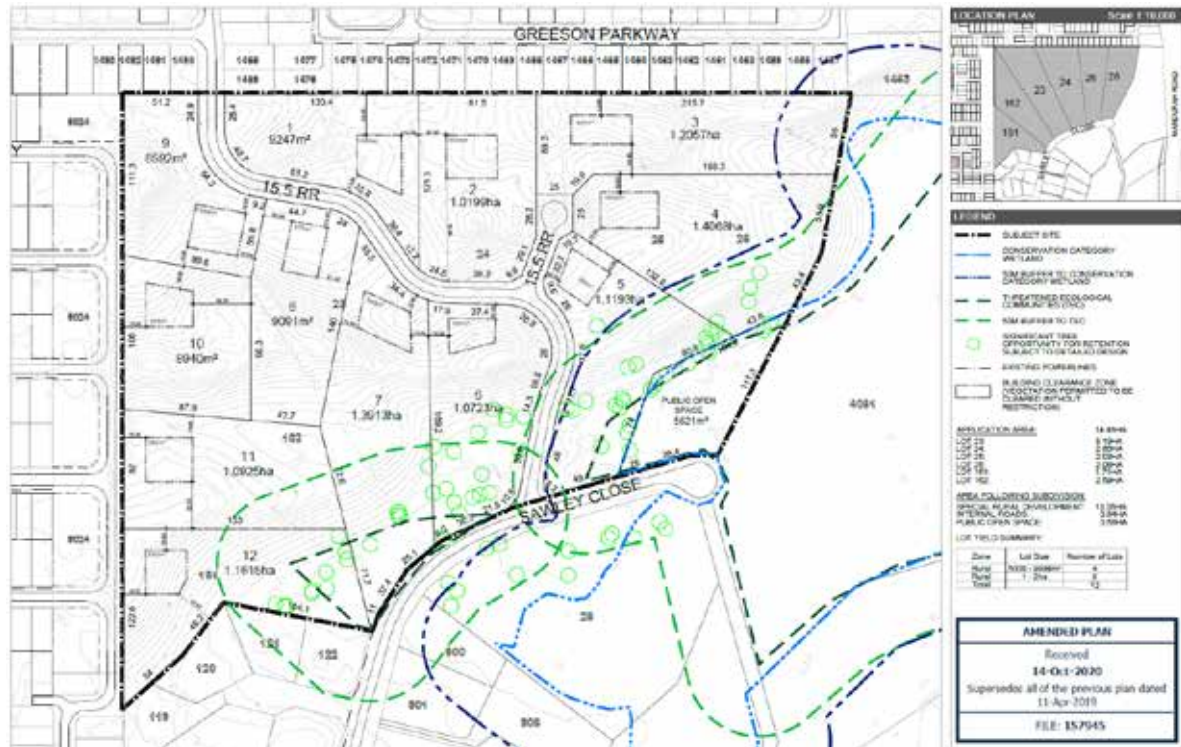


2. WAPC Subdivision Approval 142038

In July 2020, a review of the City of Rockingham (**City**) Rural Land Strategy (**RLS**) was undertaken to align it with the State Government strategic direction outlined within the *South Metropolitan and Peel Sub-Regional Planning Framework*. An outcome of this review resulted in the removal of the subject land from the RLS, given the WAPC consider 'Special Residential' to be a form of 'urban' development, rather than 'rural'.

In February 2021, the WAPC issued a mediated conditional approval (WAPC 157945) through the SAT for a 12 lot subdivision, generally in accordance with the existing statutory requirements and SGP at that time. This subdivision was not acted on and expired in February 2025.

The 2021 subdivision approval comprised 12 lots ranging from 8,592m² to 1.41ha in area, road reserve and 5,621m² of Public Open Space (**POS**). The implementation of the approved subdivision would have resulted in development occurring within the Conservation Category Wetland (**CCW**) and associated buffer (discussed later in the Report), resulting in significant adverse environmental impacts. At the time of assessment, the City also raised significant concerns regarding the visual amenity impact on the existing 'Special Residential' precinct and its impact on a significant land feature within the Golden Bay area.



3. WAPC Subdivision Approval 157945

Following the release of WAPC *Position Statement Special Residential Zone* in May 2021, which seeks to phase out ‘Special Residential’ development, the applicant prepared a community engagement strategy, which was implemented in 2023, seeking community feedback on the potential for an ‘Urban’ zoning designation over a portion of the site. The proposal sought to incorporate residential development over the northern extent of the site and preserving the existing environmental values in the south of the land under ‘Park and Recreation Reserve’.

In 2024, the landowner, Cape Bouvard Developments Pty Ltd, met with the City to provide a briefing on the outcomes of community engagement. It was expressed that the results from the community consultation were broadly supportive of the proposed rezoning.

Metropolitan Region Scheme Amendment No.1438

Metropolitan Region Scheme (**MRS**) Amendment No.1438 seeks to rezone 10.3ha in the north of the subject land from the ‘Rural’ zone to the ‘Urban’ zone and 6.2ha in the south from ‘Rural’ zone to “Regional Open Space” reservation under the MRS.

In August 2025, Council resolved to support the MRS Amendment given that is consistent with the intent, planning principles and recommendations of the *South Metropolitan and Peel Sub-Regional Planning Framework* and will provide a framework for the future planning and development of the site. Council noted the desire to provide certainty for the landowner, Cape Bouvard, and the community, and enable the timely delivery of new housing.

The WAPC is yet to determine MRS Amendment No.1438.

Town Planning Scheme No. 2 Amendment No. 198

Amendment No.198 to Town Planning Scheme No.2 (**TPS2**) was submitted in July 2025 and seeks to rezone 10.3ha in the north of the subject land from the ‘Special Residential’ zone to the ‘Development’ zone under TPS2.

Additionally, Amendment 198 seeks to remove the subject land from Schedule No. 4 - Special Rural Zones and Schedule No. 5 - Special Residential Zones, which specify statutory provisions relating to the development of the subject land. This process involves removing the text references to the specific land.

Where land is being rezoned ‘Urban’ under a region scheme, the WAPC can resolve to concurrently amend the local scheme.

Amendment 198 has yet to be adopted by Council for the purpose of advertising due to the proponent advocating for the local amendment to be dealt with concurrently with the MRS Amendment. In the event that the concurrent amendment is supported, there would be no requirement for Amendment 198 to proceed.

Council is requested to consider support for the concurrent amendment and a separate Report is part of this agenda (PD-003/26)

Local Structure Plan Lodgement

Pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)*, a Structure Plan may be prepared in the following circumstances:

- If the area is identified in the Local Planning Scheme as 'Urban';
- If the area is identified in the Local Planning Scheme as requiring a Structure Plan;
- If a State Planning Policy requires a Structure Plan; or
- If the WAPC considers that a Structure Plan is required for the purposes of orderly and proper planning.

On lodgement of the Structure Plan in September 2025, the proponent provided advice from the WAPC concluding that a LSP is required to be lodged for the purposes of orderly and proper planning.

Notwithstanding this, the WAPC noted that a decision on the LSP would not be made until such time that the subject land is appropriately zoned.

Details

Site Context

The subject land comprises of Lots 23-26, 28 and 161-162 with a combined lot area of 16.49 hectares. The land immediately north and west of the subject land comprises residential development at a density of R20-R30, the land to the south contains special residential development at a scale of R5, and the land to the east and south-east is reserved for 'Regional Open Space'.

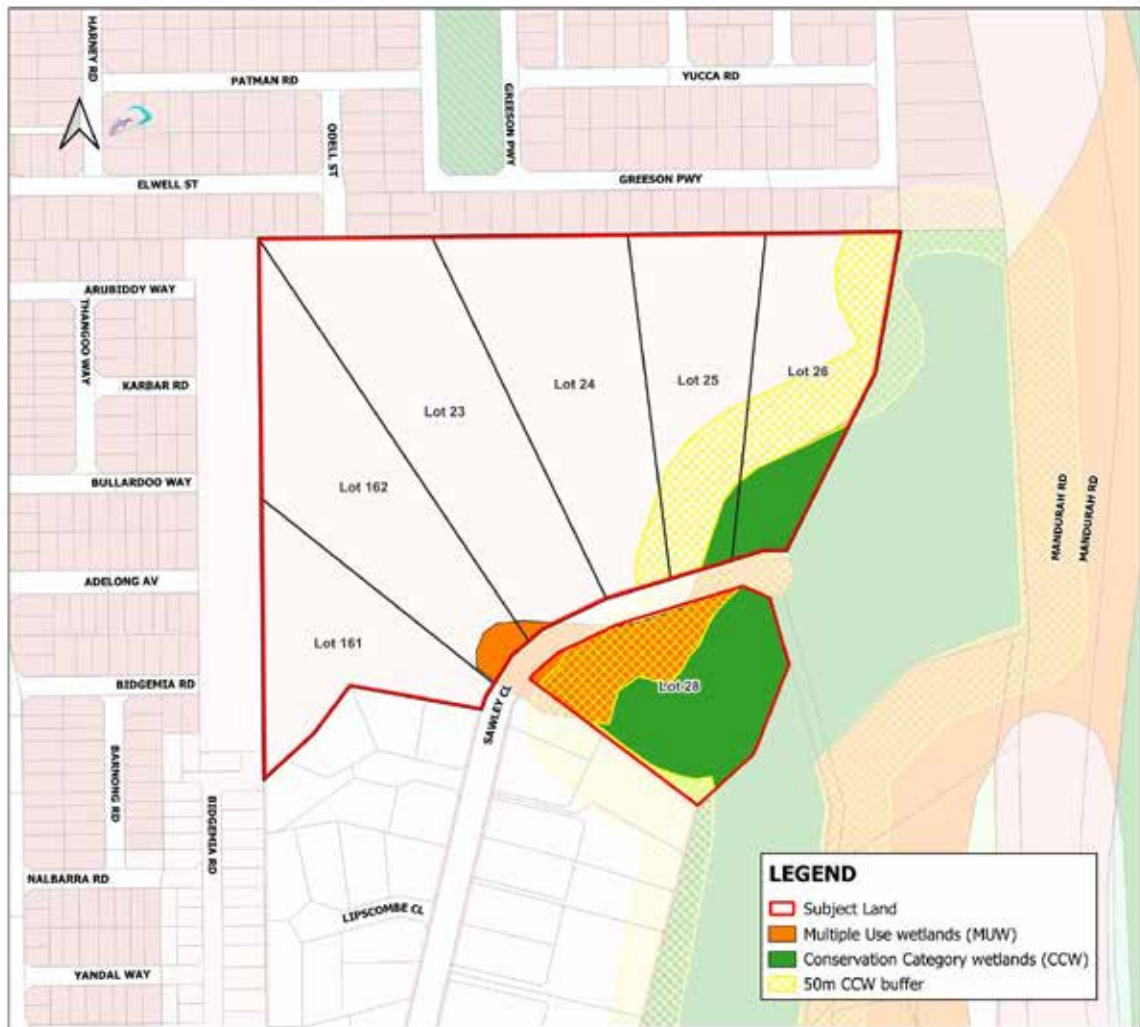
The subject land remains largely undeveloped consisting of an existing dune system, ranging between 25m above the Australian Height Datum (**AHD**) in the north and 3m AHD in the south.

A 'Multiple Use Wetland' (**MUW**) and CCW exist within the eastern portion of the lot. CCWs are the highest priority wetland for protection and preservation, with development not permitted within a 50m buffer of a CCW. Figure 5 identifies the extent of the CCW and associated buffer.

A portion of the site contains significant native vegetation and various types of Threatened Ecological Communities (**TEC**), predominantly concentrated within the south eastern portion of the site, and within the CCW buffer.



4. Aerial Map



5. Wetlands Overlay

Description of Proposal

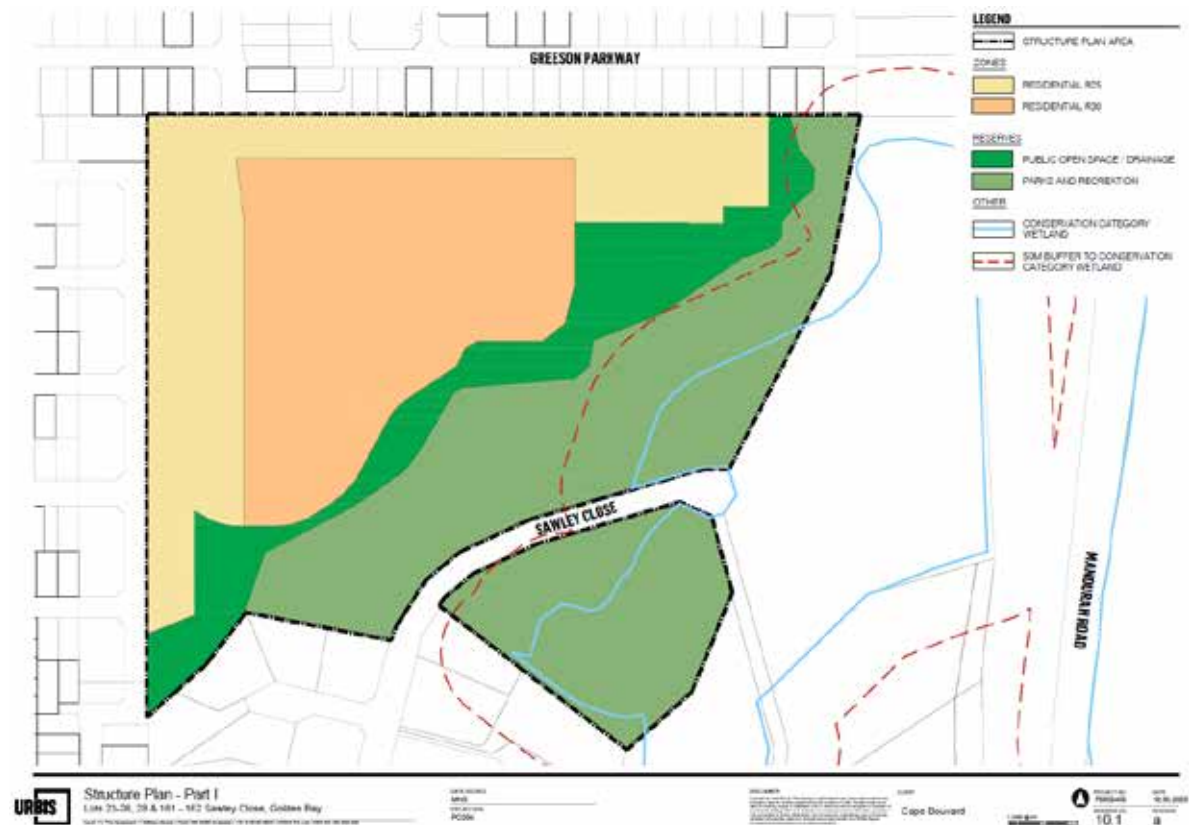
The proposed LSP seeks to guide:

- Residential development with a density of R25-R30, facilitating approximately 142 dwellings;
- POS integrating with a 'Regional Open Space' Reserve, to be created through the MRS Amendment, maximising the retention of the site's environmental assets.
- Road connections to Golden Bay at Adelong Avenue and to Secret Harbour at Odell Street (there is no road connection to Sawley Close).

The proposed LSP (as advertised) is shown at Figure 6 below.

The following technical documents have been submitted to support the application:

- Subdivision Concept Plan
- Transport Impact Assessment (2024)
- Engineering and Servicing Report (2025)
- Environmental Assessment Report (2025)
- Bushfire Management Plan (2025)
- Local Water Management Strategy (2025)
- Acoustic Assessment (2025)
- Road and Street Sections



6. Advertised LSP

Implications to Consider

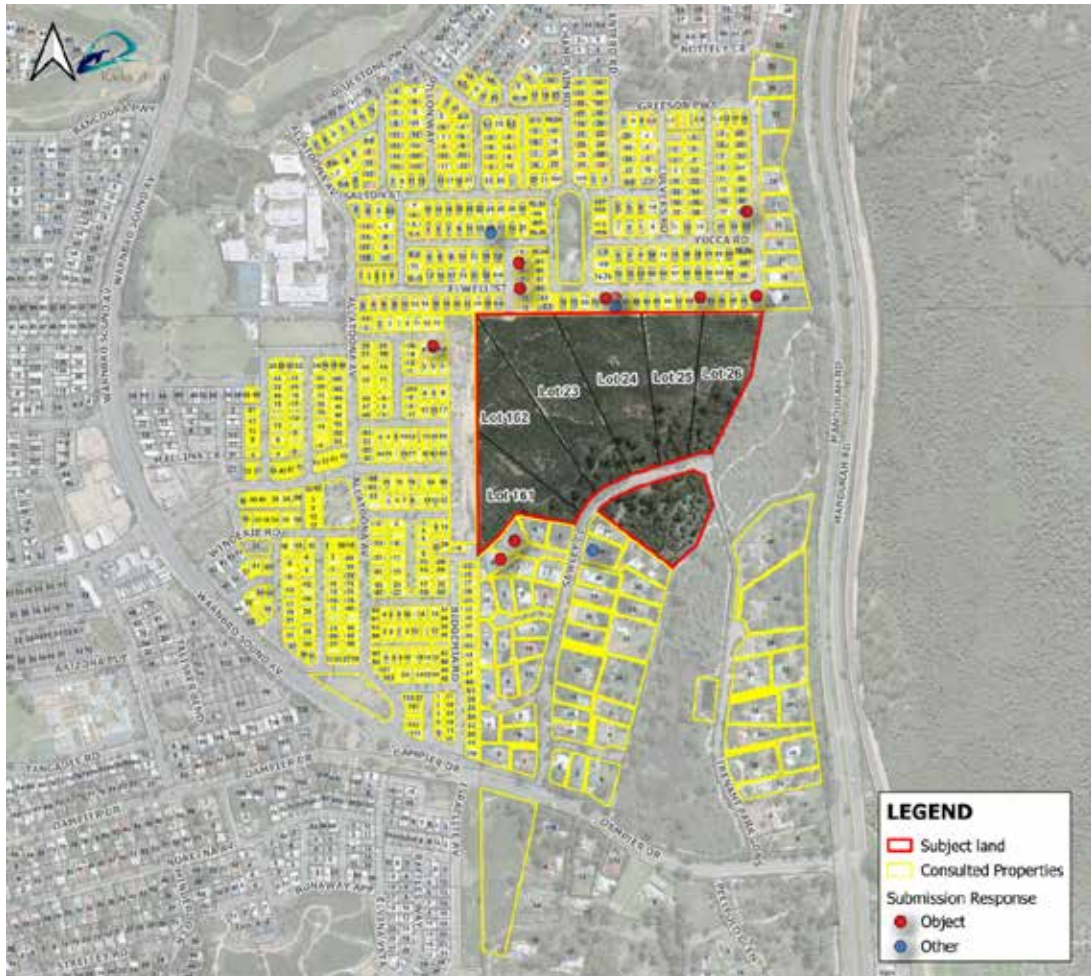
a. Consultation with the Community

Community consultation was undertaken in accordance with the requirements of Schedule 2, Part 4, Clause 18 of the Regulations.

The advertising period commenced on 31 October 2025 and concluded on 12 December 2025 and was carried out in the following manner:

1. All owners and occupiers of properties within 400m of the subject site were notified of the proposal by letter;
2. Three (3) signs were erected in prominent locations, one (1) at the end of Sawley Close, one (1) at the end of Adelong Avenue and one (1) at the end of Odell Street;
3. A notice in the Sound Telegraph newspaper on 5 November 2025;
4. Notification on the City's website under the 'Town Planning Advertising and Submissions' page; and,
5. Copies of the proposed LSP Amendment and relevant documents were made available for inspection at the City's Administration Offices and on the City's website.

At the close of advertising, the City received 16 public submissions with one (1) in support and 15 objecting to the proposal (refer to Figure 7). A full copy of the submissions received during the advertising period are set out in the Schedule of Submissions and provided within Attachment 2 to this Report.



7. Submission Response Map

The following Table is a summary of the key themes raised in submissions:

Impact on Environmental Values
<p><u>Submission:</u></p> <ul style="list-style-type: none"> (i) Loss of bushland - strong opposition to clearing the last remaining bushland and dunes in Golden Bay/Secret Harbour. (ii) Loss of flora and fauna valued by residents. (iii) Clearing considered to be inconsistent with climate and environmental goals. (iv) Increased foot traffic and recreational use may impact on fauna and vegetation.
<p><u>Applicant's Response:</u></p> <p><i>The Sawley Close Structure Plan (SCSP) (ie. LSP) has been informed by detailed environmental and landscape investigations and is designed to protect key environmental values while enabling appropriate development.</i></p> <ul style="list-style-type: none"> • <i>Significant areas of native vegetation are retained within 'Regional Open Space' and Public Open Space areas, including protection of Threatened Ecological Communities and key fauna habitat including:</i> <ul style="list-style-type: none"> (a) <i>Over 30% of the gross subdivisible area as POS, totalling 8.35 hectares for open space and drainage.</i> (b) <i>Conservation Category Wetlands, which total 1.79ha for the SCSP; and</i> (c) <i>Threatened Ecological Communities, which total an additional 0.56ha (excluding overlap) for the SCSP.</i>

Impact on Environmental Values (cont...)

- *Environmental Assessment reporting confirms development is directed away from environmentally sensitive areas, with clearing limited to areas capable of being managed.*
- *EPA advice supporting the retention of key environmental assets has informed the Structure Plan layout.*
- *Potential impacts associated with increased recreational access will be managed through controlled access, path alignment and future environmental management plans secured at subdivision stage.*
- *The urban area is located in a way that preserves the integrity of the dune system.*
- *The provision of housing close to amenities including schools, transport, jobs and parks promotes active transport and is consistent with climate and environmental goals.*
- *A Landscaping and Visual Impact Assessment confirms that development will not disrupt key view corridors from Mandurah Road.*
- *Compared to the alternate Special Rural subdivision option (approved) the proposed urban outcome would result in less roads and better management of remnant vegetation in public ownership.*

City's Comment:

The subject land has been identified for large lot residential development since 1996, when it was initially rezoned from 'Rural' to 'Special Rural', and then 'Special Residential'. It is important to note that large lot residential development is not considered to be avoidance or guarantee the protection of environmental assets in perpetuity.

A total of 8.35ha (or 58.8%) of the total site area is set aside as either conservation reservation (6.2ha) or public open space and drainage (2.15ha), which will remain in public ownership ensuring the long-term protection of environmental assets. In comparison, residential development (5.88ha) and road reserves (2.26ha) make up the remaining 42.12% of the total site area. The Applicant's MRS Amendment (yet to be determined by the WAPC) seeks to reserve 6.2ha of the site as "Regional Open Space" which would preclude urban development - in August 2025, the Council supported the MRS Amendment.

Notwithstanding the above, the proponent is required to provide a minimum of 10% of the gross subdivisible area as POS; the LSP proposes 20% POS which aligns with Liveable Neighbourhoods and the City's Local Planning Policy.

Through the detailed design stages, the proponent will be required to submit management plans dealing with the ongoing management of the reserve areas, including measures relating to environmental management, controlled access and path alignment.

Overall, the proposal seeks to protect environmental values, which would not have been achieved through the implementation of the previous 'Special Residential' subdivision approval. The City considers the proposal represents a better environmental outcome than 'Special Residential' development.

Increased Traffic and Impact on Amenity

Submission:

- (i) Concerns about increased traffic volumes through Odell Street, Patman Road, Greeson Parkway, and near Comet Bay College.
- (ii) Concerns over the proposed road connection via Odell Street.
- (iii) Fears of rat-runs, congestion, queuing, and school-zone safety risks.
- (iv) Criticism of outdated traffic data in the Transport Impact Assessment and lack of cumulative modelling.
- (v) Recommend road safety audit and safety upgrades to assist increased pedestrians likely to cross at the Dampier Drive/Sawley Close intersection.

Increased Traffic and Impact on Amenity (cont...)

Applicant's Response:

Traffic impacts associated with the Structure Plan have been assessed through a Transport Impact Assessment and demonstrate that the proposal can be safely accommodated within the existing road network.

- The Structure Plan provides for approximately 142 dwellings, generating approximately 1,136 vehicle trips per day and 114 vehicle movements during the peak hour.*
- Once distributed across the surrounding road network, traffic volumes equate to less than 100 vehicles per hour per lane, which is below WAPC thresholds requiring further external traffic modelling.*
- The Transport Impact Assessment (Transcore) confirms negligible impact on traffic volumes, traffic flow, site access, and the existing pedestrian and cyclist network.*
- Internal road design and access arrangements discourage rat-running and prioritise local traffic movements.*
- Pedestrian safety, intersection treatments and any required road safety audits will be addressed in detail at subdivision and detailed design stages.*
- Compared to the alternate (approved) Special Rural outcome the proposed urban precinct will avoid a new road link that would otherwise add to traffic impacts on residents and promote rat running.*
- The proximity of the school means that active transport is more likely for students than vehicle trips.*

City's Comment:

The proposed street network and connectivity satisfies the requirements of *Liveable Neighbourhoods* in terms of street types proposed and logical connections proposed via Adelong Street ('Neighbourhood Connector B') to the west and Odell Street ('Access Street D') to the north.

Notwithstanding the above, streets classified under *Liveable Neighbourhoods* as 'Access Street D' have a capacity of 1,000 vehicles per day. The TIA identifies 620 vehicles per day will be generated by the LSP area travelling north via Odell Street and Elwell Street, due to the location of schools and activity centres which are expected to service the daily needs of residents. To ensure that the existing roads can accommodate the additional traffic volume proposed travelling north, it is recommended that the TIA include traffic surveys of Odell Street and Elwell Street to ensure carrying capacity is not exceeded.

Recommendation:

Update the Transport Impact Assessment to include traffic surveys of Odell Street and Elwell Street, in order to confirm that the roads can accommodate the additional traffic volume proposed.

Loss of Existing/Desired Character

Submission:

- (i) Calls for retention of green corridors, buffers, and larger blocks to preserve natural landscape character.
- (ii) Calls for genuine buffer between proposed urban land and 'Special Residential' lots to the south.
- (iii) Objections to small lot sizes (e.g. 350m²) as inconsistent with existing semi-rural or larger-lot character.
- (iv) Desire for transitional larger lots along boundaries to soften the interface with existing homes.
- (v) Residents value current outlooks of bushland and lifestyle character, fearing replacement by "sea of roofs."
- (vi) Objections to "high-density" pockets inconsistent with established character of Golden Bay/Secret Harbour.

Loss of Existing/Desired Character (cont...)

Applicant's Response:

The Structure Plan is designed to deliver an appropriate transition between new urban development and existing Residential areas while retaining landscape character.

- *Approximately 6.23 hectares of land is retained as 'Regional Open Space', with a further ~2.15 hectares provided as Public Open Space.*
- *Landscaped buffers and open space corridors are provided along the southern interface to Special Residential properties.*
- *The lot sizes proposed is consistent with the wider urban context of the locality including adjacent residential lands. It will also contribute to solving WA's housing shortfall.*
- *Retained bushland and open space reduces the visual dominance of built form and avoids a continuous "sea of roofs."*
- *The community consultation carried out by the proponent confirmed a preference form residents in Sawley Close for the urban option, which created two distinct cells separating urban outcomes from lower density, semi-rural.*
- *High density urban development is not proposed.*

City's Comment:

From an environmental perspective, the proposal results in a significant portion of land being reserved to preserve the environmental values of the site, noting that larger lots do not guarantee the retention of natural landscape character. Any modifications to reconfigure the portion of reserved land to the south of the LSP area or increase to the proposed urban footprint to incorporate larger lots accommodating 'buffers' adjacent to existing urban lots along the west and north boundaries, is considered to be an inferior outcome from an environmental perspective.

The proposal is considered to 'round off' the existing Secret Harbour and Golden Bay residential precincts. Whilst the proposal does not include a landscaped buffer or open space corridor adjacent to all boundaries, the open space corridor provided along the southern interface to existing 'Special Residential' properties separates two distinct precincts in terms of character (being the proposed 'Urban' precinct which connects with Secret Harbour/Golden Bay, and the 'Special Residential' lots of Sawley Close).

Liveable Neighbourhoods identifies the importance of interconnected streets in order to limit travel distances and promote walking, cycling and a sense of community. The proposal integrates future lots (density coding of R25 to R30) with existing residential development of a similar density and character (density coding of R20 to R40), by locating R25 lots adjacent to existing development and R30 lots more centrally.

The impact on visual landscape character is considered to be softened by retained vegetation from the east (Mandurah Road) and the south (Sawley Close), however, it is acknowledged that views from the north and west will be altered. Lots adjacent to the northern boundary in Secret Harbour do not front on to the LSP area and these lots have solid dividing fences, therefore at present, any clear views of the site are from the upper floors of these dwellings.

Importantly, Council has resolved to support the MRS Amendment, which ultimately determines the future character of the site.

Impact on Amenity and Loss of Privacy

Submission:

- (i) Concerns about two-storey homes overlooking backyards, loss of privacy, and reduced property values.
- (ii) Concerns about pedestrian movement adjacent to properties with low, open fencing.
- (iii) Loss of vegetation and bunding expected to worsen noise exposure.
- (iv) Concerns that small-lot housing will exacerbate crime, antisocial behaviour, and social imbalance.
- (v) Requests for stronger design controls, landscaping, and screening.
- (vi) Safety concerns for families, especially with open fencing and visibility into backyards.

Impact on Amenity and Loss of Privacy (cont...)

Applicant's Response:

- *There is no substantive evidence that urbanisation will increase crime.*
- *Greater visibility in the area and a completion of the residential context inclusive of higher surveillance will all contribute to a greater level of safety.*
- *Further assessment at subdivision stage and development application stage against the relevant policies and Residential Design Codes Volume 1 (R-Codes) will be undertaken. Building heights, setbacks and orientation controls will be applied to minimise overlooking of existing dwellings.*
- *The introduction of housing would not generate noise impacts inconsistent with EPA guidance on appropriate land uses close to residences.*

City's Comment:

The City supports the notion that further assessment at the detailed subdivision and development application stages against the relevant policies and R-Codes will be required which will consider and address the matters raised to the extent provided for in these documents.

The City has concerns relating to the interface between two particular 'Special Residential' properties with low, permeable fencing and the future POS (refer Figure 8). In this location the future POS is proposed to be irrigated and contain 'low fuel' planting to achieve compliance with bushfire planning provisions, potentially resulting in decreased privacy for the subject lots. In comparison, properties immediately east of the affected properties share a boundary with the proposed 'Regional Open Space' reserve, which provides for the retention of native vegetation and ensures a physical separation and level of vegetation screening.

Further consideration should be given during assessment at the subdivision stage, through landscaping plans, to achieve targeted planting which improves privacy for the affected residents. Furthermore, it is recommended that consideration be given to allowing for portions of solid fencing adjacent to irrigated, low fuel POS to improve privacy to sensitive spaces.

It is noted that 'Special Residential' properties with low, permeable fencing abutting the 'Regional Open Space' reserve will benefit from retained vegetation providing a landscaped interface.

Impact on Amenity and Loss of Privacy (cont...)



8. Lot 119 and 120 Boothman Mews, Golden Bay

Recommendation:

Include a new provision under Part 1, Section 4.4.2 Conditions of Subdivision Approval, requiring the landowner to construct a solid dividing fence along the boundary shared between public open space and Lots 119 and 120 Boothman Mews, Golden Bay, as follows:

“The landowner shall construct a solid dividing fence along the boundary shared between public open space and Lots 119 and 120 Boothman Mews, Golden Bay, as a condition of subdivision approval. The fence shall be of sufficient height and material so as to protect the privacy of the properties and shall be installed in consultation with the landowners of those properties.”

b. Consultation with Government Agencies

As part of the advertising process, 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:

- Main Roads WA;
- Western Power;
- Water Corporation;
- ATCO Gas Australia;
- Department of Biodiversity Conservation and Attractions;
- Department of Health;
- Department of Transport;

- Department of Fire and Emergency Services; and
- Department of Water and Environmental Regulation.

The following key matters were raised in the submissions received from State Agencies:

1. ATCO Gas Australia (ATCO)
Submission:
(i) ATCO does not object to the proposal and provides advice notes.
<u>Applicant's Response:</u> Noted. Advice will be considered at detailed design stage and prior to any earthworks being undertaken on the site.
<u>City's Comment:</u> The submission is noted.
2. Department of Education (DoE)
Submission:
(i) DoE does not object to the proposal.
(ii) Structure Plan area falls within the intake area of the Golden Bay Primary School, which is currently operating beyond the permanent student accommodation capacity.
(iii) It is noted that the subject site is not zoned for urbanisation or an area expected to generate high student yield owing to the Rural zoning under the MRS.
(iv) DoE will continue to monitor and assess public education needs as development progresses in this locality. Any requirement for primary school developer contributions will be assessed and may be applied at the subdivision stage.
<u>Applicant's Response:</u> <i>The site is identified as Urban under the Perth and Peel framework, and therefore the proposal is introducing planned residential development to the locality. Any requirement for primary school developer contributions will be assessed and, where applicable, applied at the subdivision stage in accordance with relevant policies and guidelines.</i>
<u>City's Comment:</u> The submission is noted.
3. Department of Transport and Major Infrastructure (DTMI)
Submission:
(i) DTMI's strategic cycle network plan is the Long Term Cycle Network which was endorsed by the City in June 2020. The aim of which is to ensure State and local governments work together towards the delivery of a continuous cycling network.
(a) Opportunities should be identified to provide cycling connections between the Structure Plan area and the long term cycling network.
(b) Direct connection between the Structure Plan area to the primary LTCN rout along Mandurah Road should be provided for pedestrians and cyclists.
(c) The LTCN can be amended subject to collaboration between DTMI, the City and proponent – to ensure consistency and integration with the wider LTCN.

3. Department of Transport and Major Infrastructure (DTMI) (cont...)	
<p>(ii) The Structure Plan Report, Part 2, Figure 12: Proposed Access Routes and Road Hierarchy illustrates that the laneway / mews off Arubiddy Way will terminate. It is recommended that a connection for active transport between the laneway and proposed road network be provided.</p> <p>(iii) It is recommended that appropriate path infrastructure and crossings be provided to ensure that pedestrians and cyclists can access alternative modes of transport.</p> <p>(iv) DTMI's Planning and Designing for Active Transport in Western Australia: All Ages and Abilities Guidance should be considered when designing the future road and path network.</p>	
<p><u>Applicant's Response:</u> <i>No objection noted. The Structure Plan establishes a strategic framework only; detailed road, path and intersection design will be addressed at subsequent subdivision and detailed design stage as follows:</i></p> <ul style="list-style-type: none"> · <i>Opportunities to connect the Structure Plan area to the existing and future Long Term Cycle Network, including routes along Mandurah Road, will be considered as part of detailed path and road design.</i> · <i>Pedestrian and cyclist connections to Mandurah Road will be further investigated and refined in consultation with the City of Rockingham and relevant State agencies.</i> · <i>The recommendation to provide an active transport connection between the laneway/mews off Arubiddy Way and the road network east of Odell Street is noted and will be considered during detailed design stages.</i> · <i>Path infrastructure and crossing treatments will be planned to support access to existing bus routes, nearby cycling infrastructure and the future Karnup Train Station, enabling movement for users of all ages and abilities.</i> · <i>Future road and path designs will have regard to DTMI's Planning and Designing for Active Transport in Western Australia – All Ages and Abilities Contextual Guidance.</i> · <i>Ongoing coordination with the City of Rockingham and consultation with DTMI's Active Transport branch will occur as planning progresses to ensure appropriate integration with the wider active transport network.</i> 	
<p><u>City's Comment:</u> The submission is noted and shall inform assessment at the detailed subdivision and engineering design stages.</p>	
4. Department of Health (DoH)	
<p><u>Submission:</u></p> <p>(i) DoH does not object to the proposal, subject to consideration of comments and recommended conditions.</p> <p>(ii) All development to have connection to drinking water and sewage services.</p> <p>(iii) The site is not a known contaminated site, however the proponent should undertake due diligence with the Department of Water and Environmental Regulation (DWER).</p> <p>(iv) The site is affected by road noise from Mandurah Road, DoH recommends consultation with DWER prior to approval to ensure protection against the associated health impacts for sensitive land uses.</p> <p>(v) The site is located near known mosquito breeding sites and in an area where outbreaks of Ross River Virus have occurred. Despite the best intentions and management efforts, environmental conditions will result in widespread mosquito breeding – it is vital that an expectation is not created that mosquitoes can always be adequately managed.</p>	

4. Department of Health (DoH) (cont...)	
(vi)	To help mitigate the public health risk, it is critical to establish the ability of the City to manage mosquitoes prior to subdivision. Environmental agencies may not approve the use of chemical applications in and around significant wetlands, therefore it will be important to establish control measures.
(vii)	Prior to development, DoH requires the Mosquito Management Plan to be approved by the City to ensure the risk is considered. Approval of the Mosquito Management Plan to be contingent on appropriate resourcing into the future and evidence that mosquitoes from nearby wetlands can be managed to mitigate any public health risk.
<u>Applicant's Response:</u> <i>The applicant notes the advice of the Department of Health and acknowledges that public health considerations will be addressed through detailed design, subdivision conditions and ongoing consultation with relevant agencies.</i>	
Water and Wastewater	
<ul style="list-style-type: none"><i>All future development will be required to connect to potable water and reticulated sewerage provided by a licensed service provider, to the satisfaction of the servicing authorities.</i>	
Contaminated Land and Chemical Hazards	
<ul style="list-style-type: none"><i>The site is not recorded on DWER's Contaminated Sites Database; however, the applicant acknowledges the recommendation to obtain a Basic Summary of Records to further confirm site suitability prior to subdivision.</i><i>Procedures for identifying, reporting and managing any uncontrolled fill or fly-tipped material during site works will be implemented in accordance with DWER guidelines and the Contaminated Sites Act 2003.</i><i>Any land identified as known or suspected contaminated will be reported to DWER in accordance with statutory requirements</i>	
Noise	
<ul style="list-style-type: none"><i>Where relevant Quiet House Design Packages, will be implemented at detailed design stage. Request for DWER consultation is noted.</i>	
Acid Sulphate Soils and Flood Risk	
<ul style="list-style-type: none"><i>Areas identified as having a high to moderate risk of Acid Sulphate Soils will be managed in accordance with approved Acid Sulphate Soil Management Plans should soil disturbance be required.</i><i>Public Open Space located within the 1% AEP floodplain will be designed to manage flood risk and protect public safety, consistent with best practice floodplain management.</i>	
Mosquito Management	
<ul style="list-style-type: none"><i>The applicant acknowledges the Department's advice regarding Ross River Virus risk and the proximity of known mosquito breeding habitats.</i><i>A comprehensive Mosquito Management Plan (MMP) is currently being prepared and will be updated to incorporate the most recent monitoring data prior to subdivision approval.</i><i>The following technical work has been completed or is underway to support the MMP:</i><ul style="list-style-type: none"><i>Adult mosquito sampling, abundance and speciation completed through to end of November;</i><i>December adult sampling undertaken, with identification ongoing</i><i>Additional sampling scheduled for late December, subject to seasonal conditions.</i><i>Requests made to the City of Rockingham for infection data and adult monitoring results near Anstey Wetland.</i>	

4. Department of Health (DoH) (cont...)
<ul style="list-style-type: none"><i>Preliminary results indicate declining mosquito numbers in southern monitoring locations, with seasonal wetland drying reducing recruitment potential.</i><i>Importantly, the location of the structure plan area and any future subdivision or detailed design stages to the west of Anstey Swamp is considered to be upwind of key mosquito breeding habitats. Given the site's proximity to the coast, mosquito populations are not concentrated to the west of Anstey Swamp, where prevailing winds would carry them away from the subject site.</i><i>The MMP will address design controls, management responsibilities and long-term resourcing, consistent with contemporary best practice and Peel Mosquito Management Group guidance.</i><i>Approval of the MMP by the City of Rockingham will be sought prior to subdivision, including confirmation that mosquito management measures can be implemented effectively in consultation with relevant environmental stakeholders.</i>
<p><u>City's Comment:</u> The submission is noted. The City has considered an interim Mosquito Management Plan as part of its assessment of the concurrent Amendment (refer PD-003/26). This matter is considered to be a zoning consideration most appropriately addressed through the Amendment process.</p>
5. Department of Fire and Emergency Services (DFES)
<p><u>Submission:</u> This advice relates to the State Planning Policy 3.7 Bushfire (SPP 3.7) and supporting Planning for Bushfire Guidelines (Guidelines), as well as DFES' role and responsibilities as Hazard Management Agency for Fire in Western Australia.</p> <p><u>General Comment:</u></p> <ul style="list-style-type: none">DFES acknowledges that the MRS amendment seeks to rezone land of approximately 16.48ha from 'Rural' to 'Urban' in the MRS.DFES acknowledges that the BMP has addressed BPC 5 Structure Plans and Subdivision Applications as the lot layout and internal road network is known.Specific requirements of SPP 3.7 and the Guidelines are to be further addressed in the BMP as outlined in the below assessment Tables 1 and 2.Recommendation: Compliance with acceptable solutions not demonstrated - modifications requiredDFES advises that the BMP has not demonstrated that the proposed MRS amendment complies with the following requirements of SPP 3.7 and the Guidelines:<ol style="list-style-type: none">1. Element 2: Siting and Design; and2. Element 3: Vehicular Access. <p>DFES recommends the BMP be modified as per the Assessment advice provided in Tables 1-3 to ensure it is accurate and the bushfire risk management/mitigation measures are effective and can be implemented in perpetuity to manage/mitigate the bushfire risk to people, property and infrastructure to an acceptable level and appropriate to the land use and location.</p>
<p><u>Applicant's Response:</u> <i>We thank DFES for their advice and acknowledge their role in ensuring bushfire risk is appropriately managed in accordance with State Planning Policy 3.7 (SPP 3.7) and the Planning for Bushfire Guidelines.</i> <i>The BMP has been prepared as a strategic-level guide to demonstrate how bushfire compliance will be achieved at future planning stages. It addresses the requirements of SPP 3.7 and the Guidelines in the context of the proposed Structure Plan, which coordinates future works but does not involve immediate habitable development.</i></p>

5. Department of Fire and Emergency Services (DFES) (cont...)

Summary of Compliance Position

- *The BMP demonstrates that the proposed development layout can achieve compliance with Acceptable Solutions for Element 2 (Siting and Design) and Element 3 (Vehicular Access) through:*
 - *BAL-29 compliant lot design*
 - *Appropriate Asset Protection Zones (APZs)*
 - *Fire Service Access Routes (FSARs)*
 - *Retention of native vegetation where possible*
 - *A road network configuration that supports safe access and egress*
- *Future BMPs prepared at subdivision and development stages will incorporate DFES recommendations, refining APZ widths, FSAR provision, water supply infrastructure, and other mitigation measures to ensure full compliance in perpetuity.*
- *Any modifications arising from these future BMPs can be reflected in subdivision or development designs.*

Specific DFES Comments and Our Response

1. Vegetation Classification (Plot 20)

- *Plot 20 is proposed biofiltration vegetation within future drainage basins, expected to be less than 2m high at maturity.*
- *As this vegetation is not yet established, photographic evidence cannot be provided.*
- *The classification as Class C shrubland is accurate and consistent with the Guidelines. No amendment to the BMP is required.*

2. Siting and Design – A2.1

- *The mapped BAL ratings are accurate based on the Class C vegetation classification. No amendment is required.*

3. Vehicular Access – Emergency Access Way (EAW)

- *The use of temporary EAWs is a recognised approach to address staging-related noncompliance.*
- *This is a temporary measure until full road connectivity is achieved. No amendment is required.*

4. Vehicular Access – Fire Service Access Route (FSAR)

- *Perimeter public roads are not feasible in two locations due to topography and the resulting vegetation clearing impacts.*
- *Converting FSARs to public roads would require either guardrails or slope flattening, resulting in approximately 2,500m² of additional vegetation clearing in POS areas.*
- *Upon completion, FSARs will be adjacent to managed low-threat vegetation, except for small drainage basins with Class C shrubland.*
- *Neither FSARs nor lots are adjacent to extreme vegetation.*
- *References to future FSARs in the BMP are guidance for later stages. No amendment is required.*

5. Vehicular Access - Battle Axe Legs

- *The current concept plan does not propose battle-axe lots.*
- *Should they be proposed in future, they would be short (20–30m) and located in BAL Low areas, with egress away from the main bushfire risk.*
- *The BMP provides guidance for future design only. No amendment is required.*

City's Comment:

The submission is noted and it is recommended that the BMP be reviewed and revised in line with DFES advice, prior to the approval of the LSP.

The BMP provides guidance for the detailed subdivision design stage. The City supports the approach to consider design options which limit the extent of vegetation modification, and notes the absence of a perimeter road in some scenarios.

5. Department of Fire and Emergency Services (DFES) (cont...)
Recommendation: Update the Bushfire Management Plan to address the matters raised by the Department of Fire and Emergency Services including the validation of BAL ratings to ensure satisfaction of Element 2: Siting and Design, and justification of road access to ensure satisfaction of Element 3: Vehicular Access.
6. Western Power
Submission: Western Power advises that the subject site is supplied from the Meadow Springs Substation. While it does not oppose the Structure Plan, it identifies significant network capacity constraints affecting the ability to service the proposed 142-lot development. Western Power notes that the NCMT capacity figure referenced in the Applicant's submission is incorrect, with the tool currently showing no available capacity at Meadow Springs or Waikiki substations. A future Baldivis Substation is planned to address broader regional capacity issues, but this project is not yet funded or committed, and its benefit to the development is uncertain. Distribution-level capacity balancing works are underway and expected to be completed by FY26. Following these works, the MSS 520.0 northern feeder is forecast to have approximately 2 MVA of available capacity and is identified as the most likely connection point for the development. Western Power emphasises that: <ul style="list-style-type: none">· Load estimates are based on 6.5 kVA per dwelling plus 10% for ancillary uses.· The assessment is preliminary and subject to change.· No capacity is reserved; connections are allocated on a first-come, first-served and user-pays basis.· Developers must engage directly with Western Power to determine specific connection requirements and any necessary developer-funded upgrades or contribution arrangements. Western Power also requests that any future development or subdivision: <ul style="list-style-type: none">· Be referred to Western Power for comment where works occur near existing infrastructure.· Provide easements as required under s.167 of the Planning and Development Act 2005.· Ensure no development occurs within line or cable easements without prior written approval.
Applicant's Response: <i>We acknowledge Western Power's advice regarding current network capacity constraints and the preliminary nature of the capacity assessment provided.</i> <ul style="list-style-type: none">· <i>It is noted that the subject site is currently serviced from the Meadow Springs substation, and that distribution-level capacity balancing works are ongoing, with additional capacity forecast to become available post-FY26.</i>· <i>Site servicing and power connection requirements will be addressed in greater detail at the subdivision and detailed design stages, in consultation with Western Power.</i>· <i>This will include confirmation of the most appropriate connection point, assessment of any required network upgrades, and identification of any developer contributions in accordance with Western Power's processes and specifications.</i>· <i>The applicant (Cape Bouvard) will continue to engage with Western Power to ensure that the proposed development is designed and delivered in a manner that protects existing infrastructure, meets all relevant technical requirements, and aligns with the "first come, first served" and "user pays" principles outlined in Western Power's advice.</i>

6. Western Power (cont...)
<u>City's Comment:</u> The submission is noted.
7. Water Corporation
<u>Submission:</u> (i) Water Corporation supports the proposal in principle. (ii) Reticulated water and sewerage are currently available to the subject land. (iii) Modelling and 2024/25 summer pressure monitoring indicates a minimum hydraulic level of 40mAHD at the proposed development. (iv) The additional 142 lots will reduce hydraulic level to about 39.5mAHD. (v) Allowing for other developments in the area, it is assumed the minimum hydraulic level may fall to 39mAHD. (vi) In order to supply the required minimum pressure of 22m at the development, the ground level must be reduced to a maximum of 17mAHD. (vii) The existing ground levels in the development are quite undulating and range from a minimum of 5mAHD to a maximum of 27mAHD. Therefore, significant levelling of the higher ground will be required to develop the land. (viii) While it is acknowledged this proposal relates to the proposed structure plan only, any future subdivision and development applications will require approval by our Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.
<u>Applicant's Response:</u> <i>No objection noted and the future subdivision application will provide further detail on the provision of water services. The Water Corporation's advice in this regard is noted.</i>
<u>City's Comment:</u> The submission is noted.
8. Main Roads WA
<u>Submission:</u> In response to correspondence received on 4 November 2025, Main Roads has no objection to the proposal and provides the following comments regarding the technical reports: The proposal is adjacent to a major transport corridor and measures to ameliorate the impact of transport noise are required. The following amendments are required to the submitted Acoustic Report (Ref: 34951-1-25249, dated July 2025 and prepared by Herring Storer Acoustics) as follows: <ul style="list-style-type: none">· The description of the 'chip seal' in the noise report is not appropriate. The current surfaces must be stated and used as inputs to the noise modelling. The description must be revised to be '14mm chip seal northbound' and '10mm chipseal southbound'.· The contact's name, reference number and date of modelled traffic projections must be cited in the noise report. Section 5 of the noise report incorrectly states that "MRWA ROM Department" data is attached in Appendix E.· It must be stated in the noise report that notifications on titles are required for all noise-affected lots and is to be in accordance with the SPP 5.4 Guidelines. Please update the report and make any necessary changes to the structure plan document as required.

8. Main Roads WA (cont...)
<p>The appropriateness of Y-junctions included in Appendix A of the Transport Impact Assessment (TIA) should be reviewed as recently discussed between Main Roads and City of Rockingham traffic team. This type of crossing can result in ambiguity over-right-of-way.</p> <p>Main Roads encourages local government in liaising with applicants to promote and capitalise on our pre-lodgement consultation service, prior to lodgement of planning proposals, especially where development plans involve land adjacent to or have the potential to impact on the state road network.</p>
<p><u>Applicant's Response:</u></p> <p><i>We thank Main Roads WA for their review and note their no-objection position on the proposal. We acknowledge the significance of ensuring that both transport noise impacts and road network design are addressed in accordance with relevant State Planning Policies and guidelines.</i></p> <p><i>The MRWA submission does not contain any matter that would impact on the progression of the structure plan. In the meanwhile we will liaise with the project noise and transport consultants to update their reports as relevant but noting that detailed issues may be more appropriately addressed at subdivision stage.</i></p>
<p><u>City's Comment:</u></p> <p>The submission is noted and shall inform the assessment at the detailed subdivision design stage.</p>
9. Department of Water and Environmental Regulation (DWER)
<p><u>Submission:</u></p> <p>Consistent with Better Urban Water Management (BUWM) (WAPC, 2008) and policy measures outlined in the draft State Planning Policy 2.9: Water Resources, (SPP2.9) the proposed structure plan should be supported by an approved Local Water Management Strategy (LWMS) prior to finalising the structure plan.</p> <ul style="list-style-type: none">• The LWMS should demonstrate how the subject area will address water use and stormwater management. It should contain a level of information that demonstrates the site constraints and the level of risk to the water resources.• The Department has reviewed the Lots 161, 162, 23, 24, 25 and 26 Sawley Close Golden Bay, Local Water Management Strategy (Hyd2o, September 2025) provided, and it was considered unsatisfactory by the Department to support the Structure Plan.• The Department cannot support the structure plan until it is satisfied with the LWMS.• Accordingly, the proposed structure plan should not be approved prior to the endorsement of a satisfactory LWMS by the Department and the City of Rockingham in accordance with BUWM and SPP2.9.• The Department's detailed comments on the LWMS are provided.• In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.
<p><u>Applicant's Response:</u></p> <p><i>We thank the Department of Water and Environmental Regulation (DWER) for their review and acknowledge the importance of ensuring the proposed Structure Plan is supported by a robust and approved Local Water Management Strategy (LWMS) in accordance with Better Urban Water Management (BUWM) and the draft State Planning Policy 2.9: Water Resources (SPP 2.9).</i></p> <ul style="list-style-type: none">• <i>The applicant acknowledges DWER's comments on the current LWMS (Hyd2o, September 2025)</i>

9. Department of Water and Environmental Regulation (DWER) (cont...)
<ul style="list-style-type: none"> · <i>We recognise that the LWMS must clearly demonstrate how the site will address water use and stormwater management, taking into account site constraints and potential risks to water resources.</i> <p>Next Steps</p> <ul style="list-style-type: none"> · <i>The applicant will provide a comprehensive response to DWER's comments in the new year.</i> · <i>This will follow engagement with surrounding landowners, including discussions with the PEET Golden Bay joint venture partners regarding water licence access.</i> · <i>Initial follow-up with joint venture partners is being undertaken prior to Christmas to progress these matters.</i> · <i>Any modifications to the proposal that have implications for environmental or water management outcomes will be notified to DWER to enable assessment of those implications.</i> <p><i>We appreciate DWER's detailed feedback and will work collaboratively to ensure the revised LWMS meets the requirements of BUWM and SPP 2.9, enabling endorsement by both DWER and the City of Rockingham prior to finalising the Structure Plan.</i></p>
<p><u>City's Comment:</u> The submission is noted and it is recommended that the LWMS be reviewed and revised in line with DWER advice, prior to the approval of the LSP.</p>
<p>Recommendation: Update the Local Water Management Strategy to address the matters raised by the Department of Water and Environmental Regulation.</p>
10. Department of Biodiversity, Conservation and Attractions (DBCA)
<p>Submission: Threatened Ecological Communities (TEC) – SCP19</p> <ul style="list-style-type: none"> (i) DBCA advises that two mapped occurrences of the SCP19 TEC (Critically Endangered) occur within the structure plan area and adjoin a larger TEC extent. The structure plan proposes retention of these areas with a 50-metre buffer in a Parks and Recreation reserve. (ii) DBCA notes that the proponent has not contacted the department regarding the status of these TEC occurrences, which remain current in DBCA's database. Any dispute must follow DBCA's formal TEC appeals process. (iii) DBCA expects the Conservation Area Management Plan and Urban Water Management Plan to demonstrate that pre-development hydrology will be maintained to avoid impacts on TEC values. If hydrological impacts cannot be avoided, a section 45 authorisation under the Biodiversity Conservation Act may be required. <p>Conservation Category Wetlands (CCW)</p> <ul style="list-style-type: none"> (i) A large CCW (UFI 15528) extends into the eastern and southern portions of the site. The structure plan proposes retention with a 50-metre buffer within the Parks and Recreation reserve. (ii) DBCA expects wetland hydrology and water quality to be protected and monitored through the Conservation Area Management Plan and Urban Water Management Plan. <p>Tuart Woodlands and Priority Ecological Communities</p> <ul style="list-style-type: none"> (i) The site contains areas supporting the EPBC-listed Tuart Woodlands ecological community and Priority Ecological Communities (FCT17, FCT29a, FCT29b). (ii) The structure plan proposes varying levels of retention. DBCA notes that much of the vegetation is in good to very good condition and expects appropriate management measures within the Conservation Area Management Plan.

<p>10. Department of Biodiversity, Conservation and Attractions (DBCA) (cont...)</p>
<p>Black Cockatoo Habitat</p> <p>(i) DBCA notes the presence of 103 habitat trees and areas of foraging habitat. While the structure plan proposes to retain habitat trees within the Parks and Recreation reserve, DBCA emphasises the importance of retaining as much habitat as possible due to cumulative regional losses and recovery plan requirements.</p> <p>Mosquito Risk</p> <p>(i) DBCA reiterates that Anstey and Paganoni Swamps are managed for conservation under the Rockingham Lakes Regional Park Management Plan.</p> <p>(ii) Mosquito management within these wetlands would only be considered where there is a proven human health risk and direction from the Department of Health.</p> <p>(iii) DBCA does not support vegetation or hydrological modification of wetlands for mosquito control.</p> <p>(iv) Long-term mosquito management funding must be secured beyond any development contribution plan.</p> <p>Landscape Masterplan</p> <p>(i) DBCA notes that drainage basins and irrigated turf are proposed within POS areas containing CCW, TEC and Tuart woodland. It must be demonstrated that these elements will not impact wetland hydrology or water quality.</p> <p>Kangaroo Management</p> <p>(i) DBCA notes that development may displace western grey kangaroos and recommends preparation of a Kangaroo Management Plan addressing population counts, mitigation measures, and implementation to avoid animal welfare and public safety issues.</p> <p>Matters of National Environmental Significance (EPBC Act)</p> <p>(i) DBCA advises that the proposal may impact EPBC-listed species and ecological communities. The proponent may have referral obligations under the EPBC Act and should contact the Commonwealth Department of Climate Change, Energy, the Environment and Water.</p>
<p><u>Applicant's Response:</u></p> <p>Due to the timing of the DBCA advice, the proponent has yet to provide a response.</p>
<p><u>City's Comment:</u></p> <p>The City considers that the advice provided by the DBCA does not impact the assessment and determination of the LSP. The submission is noted and shall inform assessment at the detailed subdivision design stages.</p>

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 2023-2033:

Aspiration: **1. Social - A family-friendly, safe and connected community**

Outcome/Objective: *Connected community - Provide opportunities for community engagement and participation*

Aspiration: **2. Natural Environment - A place of natural beauty where the environment is respected**

Outcome/Objective: *Sustainable natural green spaces - Preserve and enhance biodiversity*

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Plan for sustainable growth - Balance growth while maintaining the identified natural environment*

d. Policy

Assessment of the proposed LSP has been informed by the following strategies and policies:

Regional Planning Framework

- *Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon ('Directions 2031')*
- *South Metropolitan and Peel Sub-Regional Planning Framework (2018)*
- *Liveable Neighbourhoods (2009)*
- *State Planning Policy 3.0 - Urban Growth and Settlement*
- *State Planning Policy 3.7 - Planning in Bushfire Prone Areas*
- *State Planning Policy 4.2 - Activity Centres for Perth and Peel*
- *Development Control Policy 2.3 - Public Open Space in Residential Areas*

Local Planning Framework

- *Planning Policy 3.1.1 - Rural Land Strategy*
- *Planning Policy 3.3.22 - Medium-Density Single House Development Standards - Development Zones*
- *Planning Policy 3.4.1 - Public Open Space*
- *Planning Policy 3.4.3 - Urban Water Management*
- *Planning Policy 7.2 - Local Bushland Strategy*

e. Financial

Nil

f. Legal and Statutory

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

In accordance with Clause 15 of the Regulations, a Structure Plan may be prepared if:

“(a) *the area is:*

- (i) *all or part of a zone identified in this Scheme as an area suitable for urban or industrial development; and*
- (ii) *identified in this Scheme as an area requiring a structure plan to be prepared before any future subdivision or development is undertaken;”*

The determination of a Structure Plan ultimately rests with the Western Australian Planning Commission (**WAPC**) in accordance with Clause 22 (1) of the Regulations.

In accordance with Clause 28 (1) (a), a Structure Plan has effect for a period of 10 years, commencing on the day on which the WAPC approves the Plan.

City of Rockingham Town Planning Scheme No.2

In order to facilitate the proposed LSP, an amendment to TPS2 to rezone the subject land from ‘Special Residential’ and ‘Special Rural’ to ‘Development is required, which is being progressed as a separate matter through Amendment 198.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The City has reviewed the LSP documents and supporting Technical Reports. The following key matters are noted for consideration as an addition to the issues addressed in the Consultation sections above.

Residential Density and Lot Layout

Density

The LSP proposes R25 (average 350m² lot size) and R30 (average 300m² lot size) density for an estimated yield of 142 lots, which achieves compatibility with the established character and scale with R20 lots abutting existing lots to the north in Secret Harbour and the Golden Bay estate to the west.

Overall, the proposed LSP has the potential to deliver an approximate density of 24 dwellings per residential site hectare or 8 dwellings per gross urban hectare, which is assessed against the density targets of 22 and 15 dwellings, as set by *Liveable Neighbourhoods*. It is noted that the dwellings per gross urban hectare is below target given the extent of POS and 'Regional Open Space' reserve proposed. The densities proposed by the LSP satisfy the planning framework.

Liveable Neighbourhoods encourages the provision of medium density housing close to POS and recreation, in order to increase walkability, improve surveillance and ensure more residents benefit from access to high quality POS. In contemporary planning, the R30 density coding is considered towards the lower end of medium density (which is R30-R60 in the context of the Residential Design Codes), ensuring a higher number of future residents benefit from the surrounding amenity likely to result from the 'Regional Open Space' reserve in walking distance.

The City considers the density sought ensures a balanced outcome, given the extent of total site area set aside for POS and 'Regional Open Space'.

Lot Layout

The density proposed ensures there will be variety in lot sizes, potentially influencing choice and affordability.

There is potential for lots to be designed to address the POS through visual interest and surveillance. Furthermore, lots have the potential to be orientated in an east-west direction, facilitating the construction of energy efficient housing (i.e. major living areas facing north).

The Subdivision Concept Plan responds to the existing topography and vegetation by orientating streets primarily in a north south direction, which creates view lines to the Park and Recreation Reserve in the southern portion of the site and allows lots to step down at the rear minimising the need for large retaining walls. This approach creates a stronger connection to the POS.

Local Development Plan

The LSP facilitates the preparation of Local Development Plan's (**LDP's**) at subdivision stage to ensure the desired streetscape character is achieved, to provide for variations appropriate, and to ensure the implementation of quiet house design principles as per the Transport Noise Assessment. It is expected that LDP's will be prepared for lots with direct frontage to POS, lots identified within the Transport Noise Assessment as being affected by transport noise, and where garage locations/crossovers are required to be designated in response to retaining walls and/or safety.

Public Open Space and 'Regional Open Space'

Public Open Space

The LSP proposes approximately 20% POS, exceeding the minimum 10% prescribed by *Liveable Neighbourhoods*.

The extent of turf areas identified within the Landscape Concept Plan appear to be small and scattered, and their useability is potentially impacted by earthworks between the edge of the road and 'Regional Open Space' reserve to the south. The City acknowledges the importance of minimising the impact on the 'Regional Open Space' Reserve to the south, due to excessive earthworks/clearing, and therefore notes that useable parks with 'kickabout' space exist within Secret Harbour to the north and Golden Bay to the west. These parks are located within 400m for the majority of future lots and therefore satisfy the requirements of *Liveable Neighbourhoods* in terms of accessing useable 'kickabout' space.

Public Open Space and 'Regional Open Space' (cont...)

'Regional Open Space' Reserve

The 'Regional Open Space' ensures the ongoing preservation of environmental assets, whilst offering passive recreational opportunities for the community. The reserve serves as a landscape buffer for the 'Special Residential' properties on Sawley Close to the south.

The 'Regional Open Space' alignment has been informed by the site's environmental assets, ensuring retention in perpetuity. It does not include any areas identified for bushfire asset protection zones, earthworks batters, drainage or POS features.

The preparation of a Conservation Area Management Plan is required to be submitted and approved as a condition of subdivision approval, to deal with the ongoing management of the reserve.

Landscape Masterplan and Visual Landscape Analysis

The City's long-term position, as confirmed in the 'Visual Landscape Evaluation' from 2012 for the Golden Bay and Singleton precinct, was to protect the visual permeability and amenity of the site as viewed from Mandurah Road.

The proponent has prepared a Visual Impact Assessment which identifies that potential views from the Golden Bay and Secret Harbour estates to the west and north will be altered. The greatest impact is considered to be along the western boundary, as the dunal character will be relocated further into the site. Lots adjacent to the northern boundary in Secret Harbour do not front on to the LSP area and these lots have solid dividing fences installed, therefore at present any clear views of the site are from the upper floors of these houses.

Despite the requirement for significant earthworks within the proposed urban footprint, the post development scenario has been effectively considered compatible with the locality through the MRS Amendment, which Council supported.

The POS and 'Regional Open Space' retains portions of the dunal landform, as well as the majority of the site's environmental values. The location of POS and reserve along the southern portion of the site, and existing reserve along the eastern boundary, will ensure a landscaped, 'green' interface adjacent to 'Special Residential' lots and Mandurah Road.

Environmental Considerations

The LSP is supported by an Environmental Assessment Report (EAR), with the following measures/considerations to manage environmental impact:

- Retention of the following conservation significant flora, vegetation and fauna within the 'Regional Open Space' reserve and future POS areas:
 - All of the Tuart trees forming part of the Tuart Woodlands TEC.
 - All of the area mapped by DBCA as Sedgeland in Holocene dune swales of the southern Swan Coastal Plain TEC.
 - Retention of approximately 5.7ha of fauna habitat within 'Regional Open Space' reserve, consisting of 4.5ha of woodland habitat providing low value Black Cockatoo foraging habitat, 1.2ha of shrubland habitat, and all Black Cockatoo habitat trees (with five trees potentially having suitable hollows).
 - All of the Conservation Category Wetland and associated 50m buffer.
- Preparation of the following environmental management plans:
 - Local Water Management Strategy.
 - Urban Water Management Plan.
 - Conservation Area Management Plan.
 - Fauna Relocation and Management Plan.
 - Construction Environmental Management Plan.
- Protection of groundwater quality through implementation of water sensitive urban design measures and avoiding potentially contaminating land uses.
- Drainage design to ensure post-development hydrological conditions are consistent with pre-development water levels and flow directions.

Bushfire Management

The subject site is designated as being bushfire prone, and as such the LSP is supported by a BMP. The LSP area is immediately surrounded by existing urban development to the north and west, whilst the greatest threat to the development is from intact remnant vegetation to the south and east.

The Landscape Concept Plan identifies a significant managed interface between proposed residential development and retained vegetation within the 'Regional Open Space' reserve. This interface consists of POS, which for the most part is proposed to be managed to a low threat state, ensuring adequate separation between future residential development and the bushfire threat.

All future lots are capable of achieving BAL-29 or less, which satisfies the requirements of *State Planning Policy 3.7* and the associated guidelines.

Mosquito Management

The consideration of an interim MMP forms part of the Amendment process and will be implemented to prevent on-site water from remaining stagnant for more than 96 hours. Also, Title notifications are recommended to inform future landowners of nearby mosquito-breeding areas and associated health risks.

The site contains no confirmed mosquito-breeding areas, although potential habitat exists within the CCW to the south. The land is also within the mosquito 'fly zone' of Anstey Swamp, a major regional breeding area. Monitoring indicates breeding occurs off-site, and prevailing winds generally carry mosquitoes away from the subject land.

Movement Network

The LSP proposes vehicle access via Odell Street to the north and Adelong Avenue to the east, with no connection to Sawley Close in order to protect environmental values and to respond to previous community feedback.

All internal roads are classified as 'Access Street D' with 15m reserves, except Arubiddy Way, which is proposed as a 10m laneway. The access arrangement provides appropriate connectivity consistent with *Liveable Neighbourhoods*, however, the City notes capacity considerations for Odell Street and Elwell Street, both 'Access Street D' roads, with a 1,000 vpd threshold. As the TIA estimates 620 vpd travelling north before dispersing, the City recommends updating the TIA to include traffic surveys of both streets to confirm their capacity to accommodate the additional traffic.

Conclusion

The proposed Local Structure Plan for Lots 23-26, 28 and 161-162 Sawley Close, Golden Bay seeks to guide future residential development over the site with a density of R25-R30, facilitating approximately 142 dwellings.

A total of 8.35ha (or 58.8%) of the total site area is set aside as either conservation reservation (6.2ha) or public open space and drainage (2.15ha), which will remain in public ownership ensuring the long-term protection of the site's environmental assets.

Through the MRS Amendment process, the rezoning of the site to 'Urban' and "Regional Open Space" facilitates the protection of the environmental values of the site, which would not have been achieved through the implementation of the previous 'Special Residential' subdivision approval. The LSP will guide the development of the site and ensure appropriate environmental management plans are implemented.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** the lodgement of a Local Government Report to the Western Australian Planning Commission, with respect to the proposed Local Structure Plan over Lots 23-26, 28 and 161-162 Sawley Close, Golden Bay, which recommends that it be supported subject to the following matters being addressed:

1. The subject land is zoned 'Urban' and reserved for 'Regional Open Space' under the Metropolitan Region Scheme, and zoned 'Development' under the City's Town Planning Scheme No. 2.
2. Resolution of the matters contained in Attachment 1 - Schedule of Modifications.

Committee Recommendation

That Council **APPROVES** the lodgement of a Local Government Report to the Western Australian Planning Commission, with respect to the proposed Local Structure Plan over Lots 23-26, 28 and 161-162 Sawley Close, Golden Bay, which recommends that it be supported subject to the following matters being addressed:

1. The subject land is zoned 'Urban' and reserved for 'Regional Open Space' under the Metropolitan Region Scheme, and zoned 'Development' under the City's Town Planning Scheme No. 2.
2. Resolution of the matters contained in Attachment 1 - Schedule of Modifications.

Committee Voting (Carried) - 5/0

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Rudman
Cr Jecks
Cr Robertson

Council Members voting against the motion:

Nil

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

Not Applicable

Planning and Development Services Statutory Planning



Report number / title:	PD-003/26	Concurrent Amendment to Town Planning Scheme No.2 'Special Residential' to 'Development' - Lots 23-26 and 161-162 Sawley Close, Golden Bay
File number:	LUP/2276	
Applicant:	Urbis	
Owner:	Cape Bouvard Developments Pty Ltd	
Author:	Mr David Veenendaal, Planning Officer	
Other Contributors:	Mr Mike Ross, Manager Statutory Planning	
Date of Committee meeting:	16 February 2026	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:		
Maps / Diagrams:	<ol style="list-style-type: none">1. Context Map2. Aerial Image3. MUW and CCW Wetlands4. Proposed MRS Amendment No.1438 Zoning5. Current TPS2 Zoning Plan6. Proposed TPS2 Zoning Plan	
Site:	Lots 23-26 and 161-162 Sawley Close, Golden Bay	
Lot Area:	14.46ha (combined)	
LA Zoning:	Special Residential	
MRS Zoning:	Rural	

Purpose of Report

To consider a proposal to progress a concurrent amendment to the City of Rockingham (**City**) Town Planning Scheme No.2 (**TPS2**) alongside Metropolitan Region Scheme (**MRS**) Amendment No.1438, to facilitate the rezoning of the northern portion of Lots 23-26 and 161-162 Sawley Close, Golden Bay (**subject land**) from 'Special Residential' to 'Development'.

Background

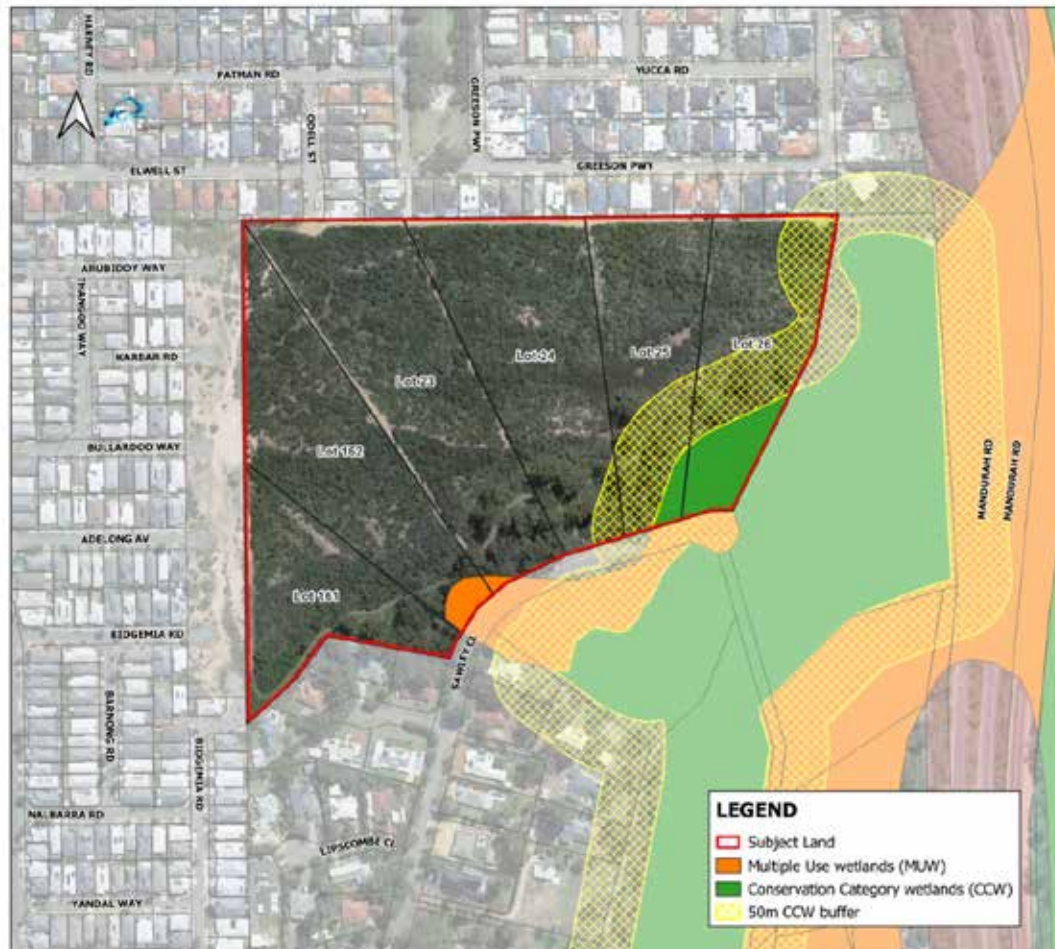
Site Characteristics and Context

The site has a combined area of 10.3 hectares. Land immediately north and west comprises residential development at densities from R20-R30, while land to the south contains 'Special Residential' development. Land to the east is reserved for 'Parks and Recreation' under TPS2.

Under the MRS, the site and adjoining land to the east and south are zoned 'Rural', whereas land to the north and east is zoned 'Urban'.



2. Aerial Image



3. MUW and CCW Wetlands

Town Planning Scheme No. 1 - Brief Planning History

The subject land was rezoned from 'Rural' to 'Special Rural' in 1996 under Scheme Amendment No.143 to the former Town Planning Scheme No.1 (**TPS1**), which established the basis for the existing lot configuration.

In May 1999, the subject land, and land immediately to the south was rezoned from 'Special Rural' to 'Special Residential' through Scheme Amendment No.318 to TPS1. Amendment No.318 included a Subdivision Guide Plan (**SGP**) to coordinate future subdivision and development of this land. No further subdivision of the site has been undertaken since the approval of Amendment No.318, due to the environmental constraints over the site.

Community Engagement

In response to the release of *WAPC Position Statement - Special Residential Zone (2021)*, the applicant undertook a community engagement process in 2023 to seek feedback on the potential rezoning of a portion of the site to an 'Urban' zoning, while retaining the environmentally sensitive southern portion of the land for conservation purposes under a Regional Open Space reservation.

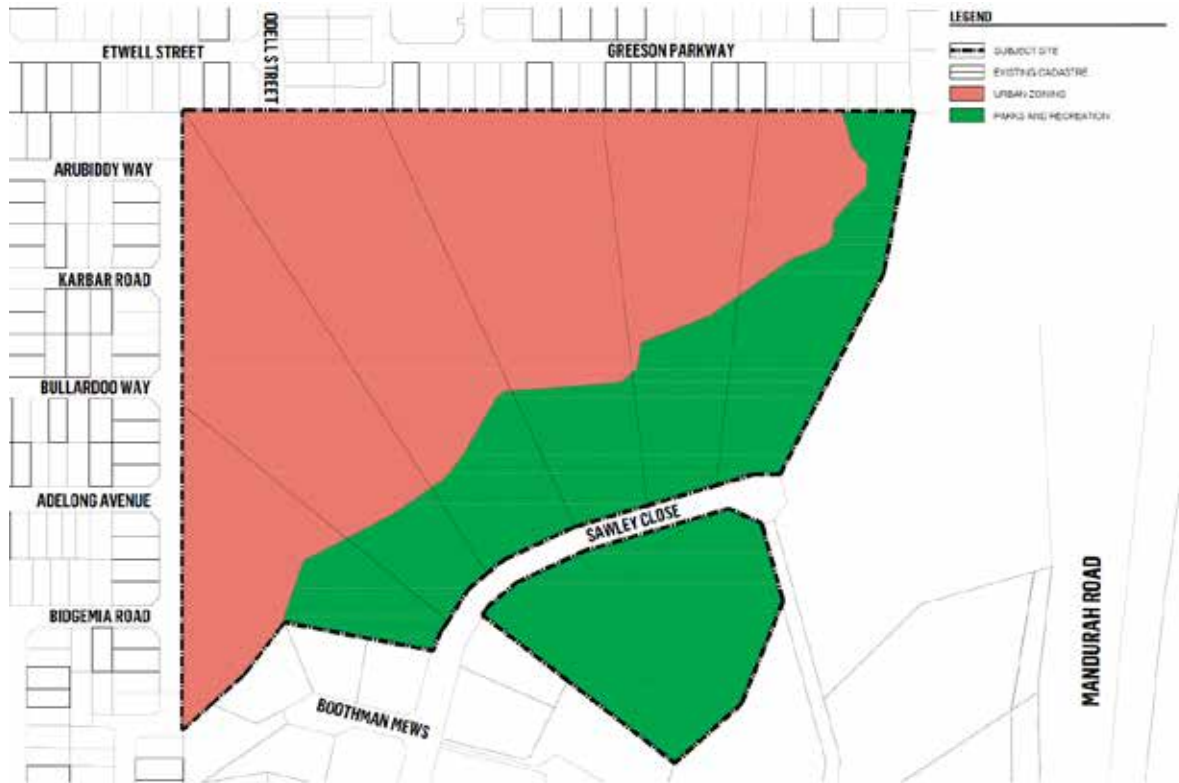
In 2024, the landowner, Cape Bouvard Developments Pty Ltd, met with City Officers to present the outcomes of the community engagement process. The feedback received was reported as being broadly supportive of the proposed rezoning approach.

Metropolitan Region Scheme Amendment No. 1438

Metropolitan Region Scheme (**MRS**) Amendment No.1438 proposes to rezone 10.3ha of the northern portion of the subject land from the 'Rural' zone to the 'Urban' zone and 6.2ha of the southern portion from the 'Rural' zone to a 'Regional Open Space' reservation under the MRS in accordance with Figure 4 below.

In August 2025, Council resolved to recommend support for the proposed rezoning, having determined that the Amendment is consistent with the intent, planning principles and recommendations of the *South Metropolitan and Peel Sub-Regional Planning Framework*. Council noted that the amendment would provide a clear strategic framework for the future planning and development of the site, deliver greater planning certainty for the landowner and the community, and enable the timely delivery of new housing.

The WAPC is yet to determine MRS Amendment No.1438.



4. Proposed MRS Amendment No.1438 Zoning

Town Planning Scheme No. 2 Amendment No. 198

Scheme Amendment No.198 to TPS2 was submitted in July 2025, seeking rezone 10.3ha of the northern portion of the subject land from 'Special Residential' to 'Development' consistent with framework from MRS Amendment No. 1438.

The Scheme Amendment also proposes to remove the subject land from Schedule No. 4 - Special Rural Zones and Schedule No. 5 – Special Residential Zones, which currently contain site-specific statutory provisions. This would involve the removal of references to the subject land within those schedules.

Scheme Amendment No.198 has not yet been considered by Council for the purpose of advertising, as the Applicant has requested that the local scheme amendment be considered concurrently with MRS Amendment No.1438. Should the concurrent amendment process be supported, there would be no requirement for Scheme Amendment No.198 to proceed independently.

Structure Plan Lodgement

In September 2025, a Local Structure Plan (**LSP**) for the subject land was lodged with the City. The WAPC has advised that a LSP is required to demonstrate orderly and proper planning of the site, however, no determination of the LSP can be made until the land is appropriately zoned under both the MRS and TPS2.

The LSP advertising concluded on 12 December 2025 and is presented as a separate agenda item for consideration at this meeting (PD-002/26).

Mosquito Management

In October 2025, the Applicant met with officers from the Department of Planning, Lands and Heritage (**DPLH**) and City to discuss the potential to progress an amendment to TPS2 concurrently with MRS Amendment No.1438.

At this meeting, City Officers raised concerns regarding the current and future management of mosquito impacts on the site and requested an interim Mosquito Management Report (**MMR**) be provided to assist in determining whether a concurrent amendment would be appropriate.

The applicant has since submitted the interim MMP, based on specific mosquito monitoring undertaken between September and mid-December 2025. The interim MMR has been reviewed by the City and it has been confirmed that there are no significant issues to warrant withholding the progression of a concurrent amendment with MRS Amendment No.1438.

Details

Proposal

The Applicant is seeking a concurrent amendment under Section 126 of the *Planning and Development Act 2005 (PD Act 2005)* to rezone the northern portion of the site under TPS2 from 'Special Residential' to 'Development'.

This concurrent amendment is proposed to align with MRS Amendment No.1438, which seeks to rezone the same portion of land under the MRS from 'Rural' to 'Urban'.

If supported, the TPS2 amendment will take effect upon the final determination of MRS Amendment No.1438, with notice of the amendment to be published in the *Government Gazette*.

The proposed zoning changes under the MRS and TPS2 are summarised in Table 1.

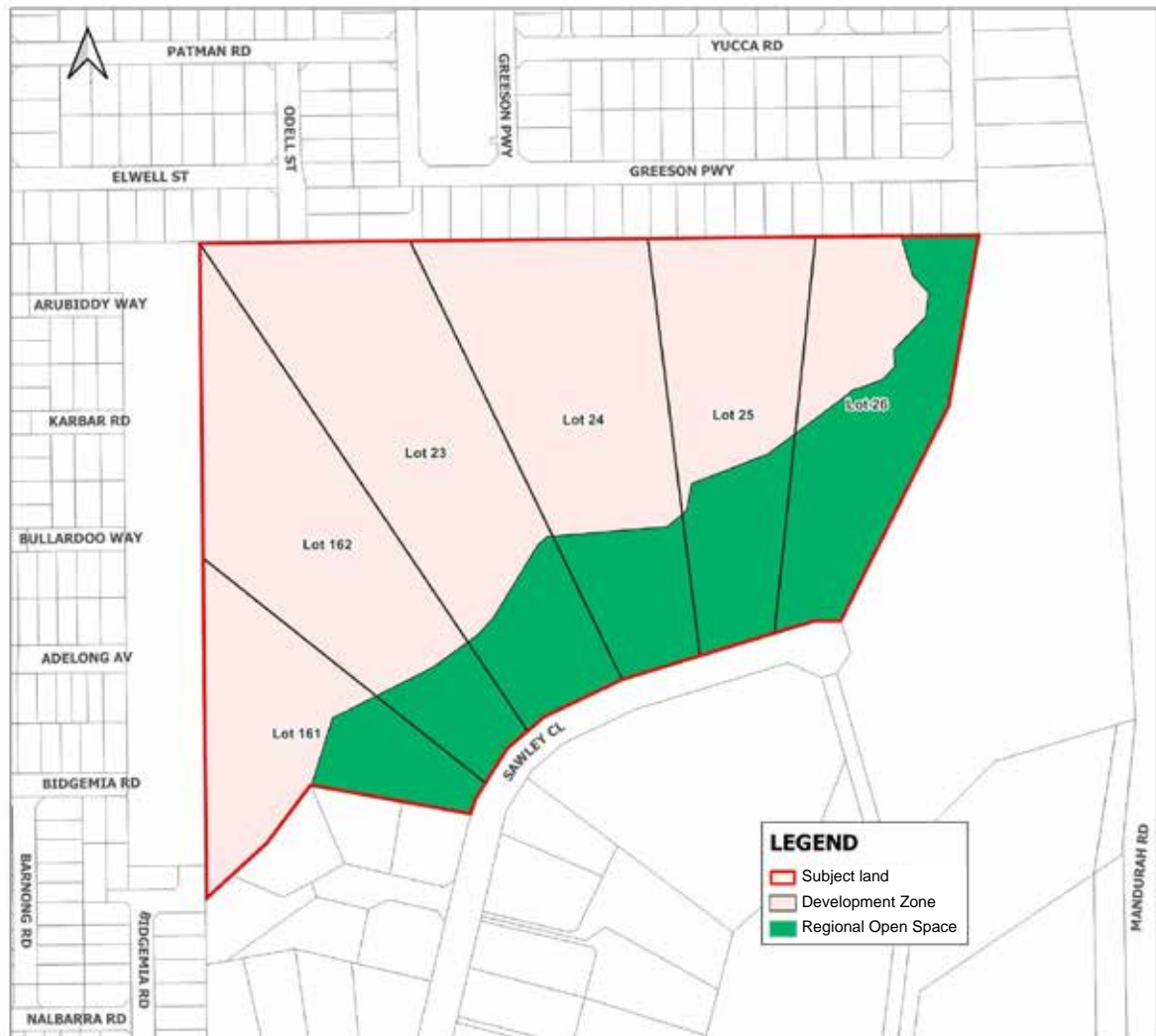
The Applicant has also submitted an interim MMR, prepared by *Rankine Mosquito Management*, and dated 5 January 2026, which summarises the site investigations undertaken between September to mid-December.

Metropolitan Region Scheme		Town Planning Scheme No.2	
Current Zoning	Proposed (Amendment 1438)	Current Zoning	Proposed (Concurrent Amendment)
Rural	Urban	Special Residential	Development

Table 1 - Zoning Changes Under MRS and TPS2



5. Current TPS2 Zoning Plan



6. Proposed TPS2 Zoning Plan

Implications to Consider

a. Consultation with the Community

No community consultation is required to be undertaken in relation to the concurrent amendment.

Community consultation has previously been undertaken as part of the MRS Amendment No.1438 process administered by the DPLH, which closed in August 2025. No further consultation in relation to the concurrent amendment to TPS2 is required.

b. Consultation with Government Agencies

No consultation with Government Agencies is required to be undertaken in relation to the concurrent amendment.

Government agencies have been consulted as part of the MRS Amendment No. 1438 process administered by the DPLH. No further consultation with government agencies is proposed in relation to the concurrent amendment to TPS2.

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 2023-2033:

Aspiration: **1. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Plan for sustainable growth - Balance growth while maintaining the identified natural environment*

Aspiration: **2. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Plan for sustainable growth - Create safe community places to live, recreate and work*

Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Planning and Development Act 2005 (PD Act)

Where land is proposed to be rezoned 'Urban' under the MRS, the WAPC may determine that a corresponding amendment to a local planning scheme be progressed concurrently under Section 126(3) of the PD Act 2005.

Section 126(3) of the PD Act provides that:

"If a region planning scheme delineates, or it is proposed that a region planning scheme delineate, land comprised in a local planning scheme as land in an Urban zone, the Commission may publish in the Gazette a notice amending the local planning scheme, insofar as it operates in relation to that land, so that the land is zoned in the local planning scheme in a manner that is consistent with the objectives of the delineation or proposed delineation under the region planning scheme."

Section 126(4) of the PD Act provides that:

"The Commission must not publish a notice under subsection (3) amending a local planning scheme until the local government that made or adopted the scheme has been consulted."

Having regard to the progression of MRS Amendment No.1438, a concurrent amendment to rezone 10.3ha of the subject land from 'Special Residential' to 'Development' under TPS2 may therefore be considered.

Note: Statutory Distinction

Pursuant to Section.126(1) of the PD Act 2005, a Local Planning Scheme **must** be amended to reflect land reserved under the MRS. Accordingly, all land proposed to be rezoned as 'Reserve' under MRS Amendment No.1438 is required to be reflected as such under TPS2.

In contrast, under Section.126(3) of the PD Act 2005, a Local Planning Scheme **may** be amended concurrently where land is rezoned to 'Urban' under the MRS. A concurrent amendment under Section.126(3) typically results in the land being rezoned 'Development', (or an equivalent zone), under the Local Planning Scheme.

City of Rockingham Town Planning Scheme No.2

A concurrent amendment to TPS2 will result in the northern portion of the subject land, proposed as 'Urban' under MRS Amendment No.1438, being zoned 'Development' under TPS2.

The objectives of the 'Development' zone under TPS2 are to:

- (i) Identify areas requiring comprehensive planning prior to subdivision and development; and
- (ii) Coordinate subdivision, land use and development in areas requiring comprehensive planning.

Land zoned 'Development' requires the preparation and approval of a LSP as a prerequisite to further subdivision and development of land. As mentioned above, the Applicant has lodged a LSP intended to coordinate future subdivision and development of the subject land.

The proposed concurrent rezoning to 'Development' is therefore consistent with proper and orderly planning, ensuring that comprehensive planning is undertaken and that any outstanding matters are appropriately resolved through the Structure Planning process.

TPS 2 - Textual Considerations

Concurrent amendments under Section 126 are generally limited to updates to the Scheme Maps. A review of TPS2 confirms that no consequential amendments to the Scheme Text are required in this instance.

Schedule 5 contains references to the subject land in relation to 'Special Residential' provisions. These references are subject to a disclaimer noting that lot details may have changed. Their continued inclusion does not impede or conflict with the proposed amendments and may be removed through draft Local Planning Scheme No.4.

Ordinarily, land rezoned to 'Development' would be included in Schedule No.7 of TPS2, which identifies 'Development Areas' and applicable provisions. However, under the *Planning and Development (Local Planning Schemes) Regulations 2015*, subdivision cannot occur until further detailed planning, typically via a Structure Plan, is undertaken. Structure Planning for this site has already progressed, so no additional site-specific provisions are required, nor is it necessary to include the land in Schedule No.7.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The proposal to support a concurrent rezoning of TPS2 alongside MRS Amendment No.1438 has been assessed against the statutory planning framework, relevant strategic planning objectives and previous planning approvals affecting the subject land.

The proposed amendment to TPS2 is largely administrative in its nature. Its primary purpose is to enable the determination of the LSP lodged over the site, and to ensure consistency between TPS2 and the MRS once Amendment No.1438 is finalised and gazetted.

The 'Development' zone facilitates coordinated and orderly planning prior to subdivision and development. The WAPC has advised that a LSP is required for the site, however, no determination can be made until the land is appropriately zoned.

Supporting the concurrent amendment enables the LSP to be formally assessed and determined within the statutory framework. This allows detailed matters such as environmental management, servicing, road connections, density, staging and public open space design to be comprehensively resolved.

If Council does not support the concurrent amendment to TPS2, the rezoning would need to proceed via the standard Scheme Amendment process. This process would require formal initiation by Council, public advertising, and reassessment against the statutory and strategic planning framework. Advertising would likely occur after the LSP, delaying the planning and delivery of subdivision and development on the site and creating inefficiencies in the process.

Conclusion

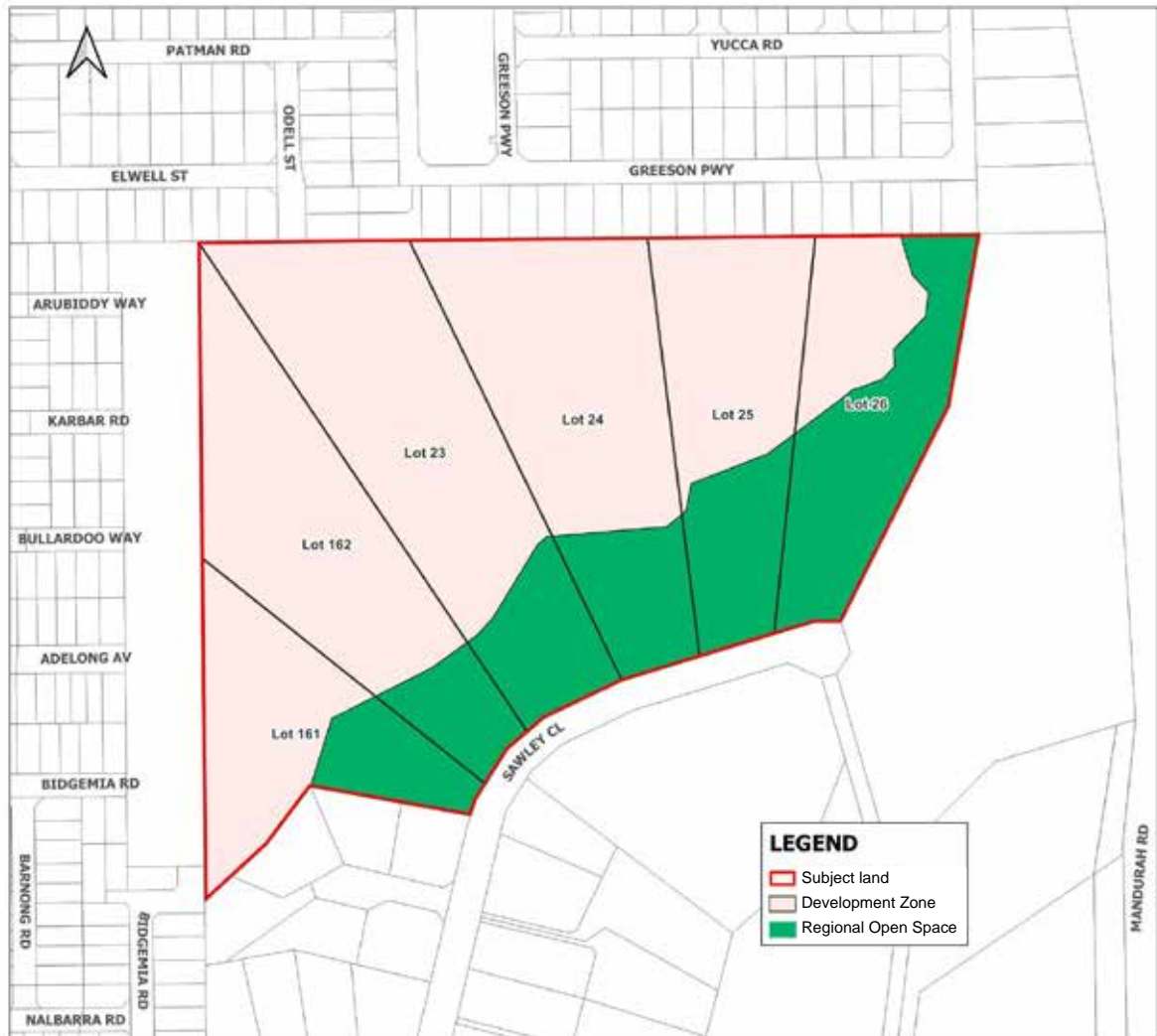
The proposed concurrent Amendment to TPS2 is largely administrative but necessary for facilitating proper and orderly planning of the subject land. It aligns TPS2 with the MRS, supports the assessment of the submitted Structure Plan, and is consistent with Section 126 of the *PD Act 2005*, with no substantive impacts on the TPS2 scheme text.

Voting Requirements

Simple Majority

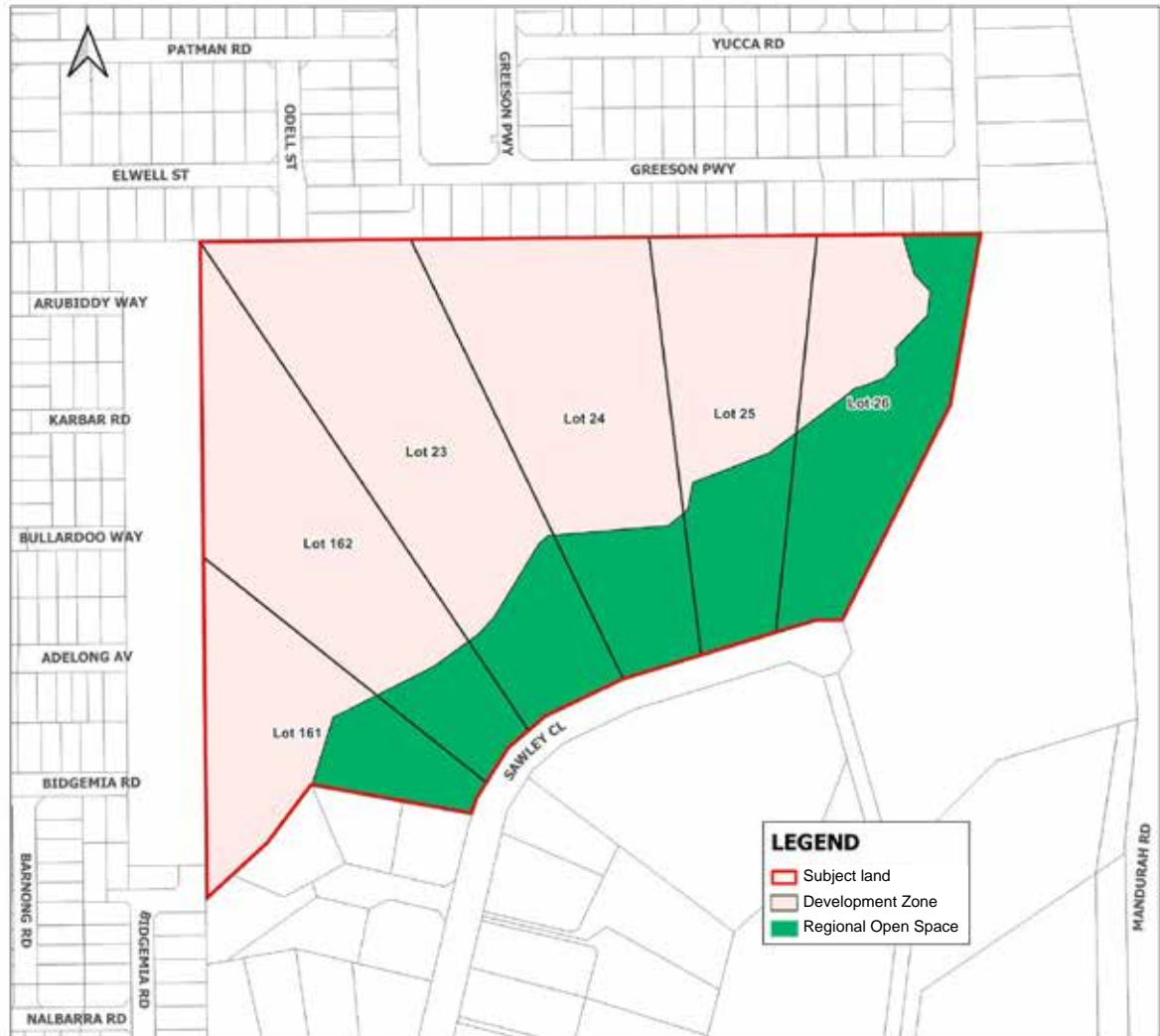
Officer Recommendation

That Council **SUPPORTS** a concurrent amendment to Town Planning Scheme No.2, under Section 126 of the *Planning and Development Act 2005*, to rezone the northern portion of Lots 23-26 and 161-162 Sawley Close, Golden Bay, from 'Special Residential' to 'Development' in accordance with the plan below:



Committee Recommendation

That Council **SUPPORTS** a concurrent amendment to Town Planning Scheme No.2, under Section 126 of the *Planning and Development Act 2005*, to rezone the northern portion of Lots 23-26 and 161-162 Sawley Close, Golden Bay, from 'Special Residential' to 'Development' in accordance with the plan below:



Committee Voting (Carried) - 5/0

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Rudman
Cr Jecks
Cr Robertson

Council Members voting against the motion:

Nil

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

Not Applicable

Planning and Development Services Statutory Planning Services



Report number / title:	PD-004/26	Minor Amendments to Local Planning Policy No.3.3.27 - Community Consultation for Development Applications
File number:	LUP/2272	
Applicant:		
Owner:		
Author:	Miss Nyah Cheater, Senior Planning Officer	
Other Contributors:	Mr Mike Ross, Manager Statutory Planning Mrs Casey Gillespie, Principal Planner (DAP and Planning Reform)	
Date of Committee meeting:	16 February 2026	
Previously before Council:	28 April 2009 (PD-47/4/09); 28 March 2023 (PD-015/23); 27 June 2023 (PD-027/23)	
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:		
Maps / Diagrams:		
Site:		
Lot Area:		
LA Zoning:		
MRS Zoning:		

Purpose of Report

To consider proposed minor amendments to Local Planning Policy No.3.3.27 - *Community Consultation for Development Applications (LPP3.3.27)*, including:

- Classification of 'Unhosted STRA' applications as 'Non-Complex' for advertising purposes, in response to the Minister for Planning's decision on Amendment No.197;
- Minor administrative updates to ensure consistency with Scheme Amendment No.191 (Rockingham Strategic Centre) and the current statutory planning framework; and
- Adjustments to advertising sign dimensions to align with the Western Australian Planning Commission's Manner and Form requirement.

Background

In June 2023, Council adopted LPP3.3.27 to facilitate broader community engagement for certain Development Applications that are likely to generate interest from surrounding landowners or residents or where public feedback may assist decision-making.

LPP3.3.27 expanded the range of Development Applications that may be classified as ‘Complex’ under the *Planning and Development (Local Planning Scheme) Regulations 2015 (Regulations)*. Under the Regulations, a ‘Complex Application’ is defined as:

- “(a) *an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; or*
- “(b) *an application of a kind identified elsewhere in this Scheme, or in a local planning policy, as a complex application for development approval.”*

Under LPP3.3.27, the definition of ‘Complex Application’ is further extended to include Development Applications for the following types of proposals:

- All ‘A’ (Advertising required) land uses in Table No.1 - Zoning Table of the City’s Town Planning Scheme No.2 (TPS2);
- Telecommunication Infrastructure (High Impact Facilities only);
- Service Stations or Convenience Stores adjacent to sensitive land uses;
- Non-conforming land uses or extensions;
- Substantial building height variations under an adopted Local Planning Policy;
- Environmentally Acceptable Heavy Industry, including (but not limited to) ‘Hazardous Industry’ and ‘Noxious Industry’;
- Development Applications including ten (10) or more Multiple Dwellings; and
- Any other Development Application which, in the opinion of the Director Planning and Development Services, is likely to generate significant community interest.

Under LPP3.3.27, different advertising requirements apply to ‘Non-Complex’ and ‘Complex’ Development Applications. A ‘Non-Complex’ Application is any Development Application the City considers may need to be advertised but does not meet the criteria for a ‘Complex Application’ under the Regulations or LPP3.3.27.

These requirements are outlined in Table 1 below.

Advertising Method	Non-Complex Application Non-Complex Application Schedule 2 c.64(1)	Complex Application (Schedule 2 Part 1 Regulations)
Time Period (Calendar Days)	14 days or a longer period of time agreed upon between the applicant and City cl.64(7)	28 days or a longer period agreed upon between the applicant and City cl.64A
Advertising Sign or Signs on-site in a conspicuous place	Optional cl.64(4)(c) Advertising Sign(s) size being 1.5m (w) x 1.5m (h) in dimension and a minimum of 1.0 from the ground	Yes cl.86(3)(c) Advertising Sign(s) size being 1.5m (w) x 2.5m (h) in dimension including a colour perspective drawing of the development when available and a minimum of 1.0m from the ground
Notification of Owners and Occupiers in Writing (letter)	Yes - notification of owners and occupiers in the vicinity of the development who, in the opinion of the City, are likely to be affected by the granting of Development cl.64(4)(b)	Yes - all within 200m, and properties in the vicinity of the proposed development who, in the view of the City, are likely to be affected by the granting of Development Approval cl.64(3)(b)
Website Advertising	Yes when the proposal could have a broader impact on adjacent owners and occupiers	Yes cl.87(3)

Advertising Method	Non-Complex Application Non-Complex Application Schedule 2 c.64(1)	Complex Application (Schedule 2 Part 1 Regulations)
Newspaper Advertisement	No	No - unless the application could generate significant public interest. cl.87(3)(a) & cl.87(4)
Public Inspection City's Administration Building	Yes	Yes cl.87(3)(b)

Table 1 - Advertising Requirements

Scheme Amendment No.197 - Short-Term Rental Accommodation

On 25 November 2025, Council supported Scheme Amendment No.197 for final approval (PD-026/25). The Amendment seeks to align TPS2 with the State Government reforms for Short-Term Rental Accommodation (**STRA**), including the introduction of new 'deemed' and 'model' STRA land use classes consistent with the *Planning and Development (Local Planning Schemes) Amendment (Short-Term Rental Accommodation) Regulations 2024*.

In December 2025, Scheme Amendment No.197 was referred to the Western Australian Planning Commission (**WAPC**) for final approval by the Minister for Planning (**Minister**). In January 2026, the WAPC advised that the Minister had required modification to Scheme Amendment No.197 under Section 87(2)(b) of the *Planning and Development Act 2005*. This modification included a request to amend the land use permissibility for 'Unhosted STRA' in the 'Residential' zone from 'D' (Discretionary) to 'A' (Advertising required) to ensure all such applications are subject to public consultation.

Under the Regulations, 'Unhosted STRA' is defined as accommodation that:

- “(a) is not hosted short-term rental accommodation; and
- (b) accommodates a maximum of 12 people per night.”

In response, the City advised the WAPC that, under section 5.8 of the City's Local Planning Policy (LPP) - 'Unhosted' Short-Term Rental Accommodation (adopted by Council in November 2025), all 'Unhosted STRA' Development Applications are already advertised in accordance with the 'Non-Complex' advertising requirements prescribed under the Regulations, regardless of land use permissibility. Accordingly, an 'A' land use designation is not necessary to ensure public consultation.

Notwithstanding this advice, the WAPC maintained its position that 'Unhosted STRA' must be listed as an 'A' land use within the 'Residential' zone, noting that public advertising is not mandatory where a use is designated as 'D' (Discretionary). Accordingly, the Scheme Amendment Report has been modified by the City as requested and, at the time of writing this Report, has been resubmitted to the WAPC for the Minister's final approval.

Rockingham Strategic Centre Planning Framework

Scheme Amendment No.191 and the Rockingham Strategic Centre Precinct Structure Plan (**PSP**) operate in a cohesive statutory and strategic framework for development within the Rockingham Strategic Centre.

Scheme Amendment No.191, gazetted in February 2025, amended TPS2 by consolidating the Rockingham Strategic Centre into a single 'Strategic Centre' zone and introducing Table No.1(a) - *Rockingham Strategic Centre Zoning Table*. This table provides the statutory basis for land use permissibility across the various sub-zones of the 'Strategic Centre' and gives effect to the intended land use outcomes for the area.

The PSP, approved by the WAPC in January 2026, builds upon this statutory framework by providing more detailed guidance on subdivision, development and built form, land use mix, movement networks, and public realm outcomes.

Details

The proposed minor amendments to LPP3.3.27 are outlined below:

Short-Term Rental Accommodation

As a result of the modifications requested by the Minister to Scheme Amendment No.197, applications for 'Unhosted STRA' in the 'Residential' zone would, by default, be classified as 'Complex' Applications under LPP3.3.27 due to the land use being designated as 'A'.

The City considers that applying 'Complex' advertising requirements to 'Unhosted STRA' proposals would be disproportionate to their typical scale and impact. In most cases, 'Unhosted STRA' applications involve minimal or no physical changes to an existing dwelling and do not significantly alter neighbourhood character, provided a robust Management Plan is implemented. Accordingly, the higher level of notification required for 'Complex' Applications, which includes notification to all owners and occupiers within 200m and mandatory on-site signage, is not considered justified.

The City's current approach to advertising for 'Unhosted STRA' proposals is in accordance with the 'Non-Complex' advertising requirements outlined in Table No.1. This approach provides a proportionate and appropriate level of notification for this type of application, ensuring that potentially affected properties are directly informed.

Requiring 'Complex' advertising for 'Unhosted STRA' applications is likely to:

- Introduce unnecessary delays to the assessment timeframe, due to extended advertising periods;
- Increase administrative workloads and costs for both the City and applicants; and
- Offer little additional benefit to the community, as most of these Applications have minimal impact on the neighbourhood, and nearby properties likely to be affected are already notified in writing under the 'Non-Complex' requirements.

Further to the above, the WAPC has indicated that the City may amend LPP3.3.27 to specify that 'Unhosted STRA' Applications continue to be advertised in accordance with the 'Non-Complex' requirements, regardless of land use permissibility, provided this minimum level of advertising is maintained. This approach maintains adequate community awareness while avoiding unnecessary regulatory burden.

It is therefore proposed that LPP3.3.27 be amended to specifically classify applications for 'Unhosted STRA' as 'Non-Complex' for the purposes of advertising, consistent with the WAPC advice provided in response to Amendment No.197.

Strategic Centre Framework

Minor administrative amendments are proposed to LPP3.3.27 to reflect the gazettal of Scheme Amendment No.191 and the approval of the PSP. These amendments are intended to ensure consistency with the current statutory planning framework applicable to the Strategic Centre, without altering the intent, objectives or operational application of the Policy.

Advertising Sign Dimensions

LPP3.3.27 currently prescribes advertising sign dimensions that exceed the minimum requirements set out in the WAPC's *Manner and Form* document, which is established under the Regulations. Clause 64(3)(c) of the Regulations requires the following in relation to advertising signs for Development Applications:

"erecting, in the manner and form approved by the Commission, a sign or signs in a conspicuous place on the land the subject of the application giving notice of the proposed development in for the form set out in clause 86(3)."

The original intent of the larger sign dimensions was to improve visibility and public awareness, particularly for 'Complex' applications. Experience has demonstrated, however, that these dimensions are not always practical or necessary, particularly on strata-titled sites where space is constrained. Larger signs also increase costs, which are borne by applicants.

Table 2 below compares the existing LPP3.3.27 sign requirements with the WAPC *Manner and Form* requirements.

Development Application Type	Non-Complex Application (Non-Complex Application Schedule 2 c.64(1))	Complex Application (Schedule 2 Part 1 Regulations)
LPP3.3.27 Advertising Sign or Sign Requirements	Optional cl.64(4)(c) Advertising Sign(s) size being 1.5m (w) x 1.5m (h) in dimension and a minimum of 1.0 from the ground	Yes cl.86(3)(c) Advertising Sign(s) size being 1.5m (w) x 2.5m (h) in dimension including a colour perspective drawing of the development when available and a minimum of 1.0m from the ground
WAPC Manner and Form Advertising Requirements	Optional cl.64(4)(c) Minimum 900mm (H) by 600mm (W) i.e. 0.9m (H) by 0.6m (W)	Yes cl.86(3)(c) Minimum 900mm (H) by 1200mm (W) i.e. 0.9m (H) by 1.2m (W)

Table 2 - Advertising Sign Dimensions

In most cases, signage that meets the WAPC requirements, when combined with written notification and online advertising, provides appropriate and reasonable notice to the community. It is therefore proposed that LPP3.3.27 be amended to align the minimum advertising sign dimensions with the WAPC *Manner and Form* and consequently, the Regulations.

Implications to Consider

a. Consultation with the Community

No further public consultation is required. LPP3.3.27 was previously advertised for public comment in accordance with clause 4(1) of the Regulations. Under clause 5(2) of the Regulations, the Council may “make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment.”

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 Strategic Community Plan 2023-2033:

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Built infrastructure meets current and future community needs - Plan build and maintain current and future assets*

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

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

The WA Planning Manual - Draft Local Planning Policies Chapter includes the following:

“The Regulations (Schedule 2, cl5) specify that the local government may make amendments to existing policies where required. When preparing an amendment to a local planning policy the local government must follow the same procedure as when preparing a new policy but does not need to advertise the amendment if its is determined to be ‘minor’. An amendment would generally be determined to be minor where it does not materially alter the strategic intent or application of the policy. This may include amendment(s) that relate to the following considerations:

- *Administrative - correct administrative errors such as typographical errors, updates to references, or other non-material adjustments.*

- *Clarification - clarify the existing policy without introducing new provisions or significantly altering existing ones.*
- *Manner and form - bring the policy into line with the manner and form approved by the WAPC.*
- *Align with local planning scheme - address conflicts with the scheme (including Schedule 2 of the Regulations).*
- *Align with State planning framework - address inconsistencies with the State planning framework.*

In this case, the City considers the amendments to LPP3.3.27 are in alignment with the above considerations, and therefore advertising is not necessary.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The proposed amendments to LPP3.3.27 are considered minor and appropriate for the following reasons:

- Classifying 'Unhosted STRA' as 'Non-Complex' ensures that current advertising processes remain unchanged, avoiding unnecessary delays and costs that would be triggered by the 'Complex' requirements that would be introduced by Scheme Amendment No.197, while still supporting meaningful community consultation;
- The minor administrative updates proposed ensure consistency with the current statutory planning framework for the Rockingham Strategic Centre; and
- Aligning the advertising sign dimensions with the WAPC *Manner and Form* brings LPP3.3.27 into conformity with the Regulations.

The City seeks to progress these amendments in alignment with the anticipated gazettal date of Scheme Amendment No.197 in March 2026. Implementing the Policy amendments concurrently with the Scheme Amendment will help avoid delays in the assessment of 'Unhosted STRA' applications and reduce administrative and financial burdens for both applicants and the City that could arise if the Policy amendments were progressed after gazettal. This proactive approach maintains continuity in the advertising process, ensures consistency with the statutory planning framework, and provides clarity and certainty for the community and applicants regarding the City's planning and consultation processes.

It is therefore recommended that Council adopt the amended Local Planning Policy 3.3.27 - *Community Consultation for Development Applications*, subject to the gazettal of Scheme Amendment No.197.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ADOPTS** amendments in red to Local Planning Policy 3.3.27 - *Community Consultation for Development Applications*, subject to Scheme Amendment No.197 to the City's Town Planning Scheme No.2 being gazetted following Final Approval by the Minister for Planning.

Committee Recommendation

That Council **ADOPTS** amendments in red to Local Planning Policy 3.3.27 - Community Consultation for Development Applications, subject to Scheme Amendment No.197 to the City's Town Planning Scheme No.2 being gazetted following Final Approval by the Minister for Planning, as follows:

LOCAL PLANNING POLICY NO.3.3.27 -

COMMUNITY CONSULTATION FOR DEVELOPMENT APPLICATIONS

1. INTRODUCTION

In certain instances, applications for Development Approval (Development Applications) are advertised to allow the community an opportunity to present its views, either collectively or individually, which may then be considered by the Decision Making Authority in its determination of the proposal.

Schedule 2, clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) includes the types of Development Applications that are required to be advertised for public comment and the specific advertising requirements based on the complexity of the application.

State Planning Policy 7.3 - Residential Design Codes Volume 1 and 2 (the R-Codes) identifies when neighbour consultation is required as it relates to a Development Application for residential purposes. This Policy does not apply to applications for a Single House and two Grouped Dwellings.

In adopting this Policy, the Council notes that public consultation is not decision-making, however, it is a means to seek views and opinions on an application for Development Approval to be considered by the Council and/or other Decision Making Authorities (such as the Western Australian Planning Commission and Metro Outer Joint Development Assessment Panel), to assist when required with the exercise of discretion when determining a Development Application.

2. POLICY APPLICATION

The Zoning Table of Town Planning Scheme No.2 (TPS2) indicates, subject to the provisions of the Scheme, land use permissibility in the various zones by reference to the following symbols and their meanings:

- 'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;
- 'D' means that the use is not permitted unless the Council has exercised its discretion by granting Development Approval;
- 'A' means that the use is not permitted unless the Council has exercised its discretion by granting Development Approval after advertising in accordance with clause 64 of the deemed provisions;
- 'IP' means a use that is not permitted unless the use is incidental to the predominant use of the land as determined by the Council;
- 'X' means a use that is not permitted by the Scheme, and is prohibited in the zone.

If the use of land for a particular purpose is not specifically mentioned in the Zoning Table, and cannot reasonably be determined as falling within the interpretation of one of the Use Classes, the Decision Making Authority (which includes the Local Government) may:

- (i) Determine that the use is consistent with the objectives and purpose of the particular zone and is therefore permitted;
- (ii) Determine that the proposed use may be consistent with the objectives and purposes of the particular zone and thereafter following the advertising procedures of Clause 64 of the deemed provisions in considering an application for Development Approval; or
- (iii) Determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.

Note 1: This Planning Policy does not apply to community consultation associated with proposed Structure Plans, Local Development Plans or Amendments to TPS2 and Part 4.1 of State Planning Policy No.7.3 - Residential Design Codes applying to single houses and two grouped dwellings. In this regard, the statutory requirements for advertising a proposed Structure Plan are set out in clause 18 of the deemed provisions of the Regulations and in Planning Procedure 1.6 - Preparation and Assessment of Structure Plans. The statutory requirements for advertising amendments to Town Planning Schemes are set out in Part 5 of the deemed provisions of the Regulations.

This Planning Policy should be considered in conjunction with the Regulation, which, together with TPS2, set out the statutory requirements for advertising certain Development Applications. Due regard should also be made to Part 4 of the R-Codes, where relevant and the Council Policy – Community Engagement.

The Policy sets out the planning requirements for the advertising of Complex Development Applications under the Regulations.

3. POLICY OBJECTIVES

The objectives of this Local Planning Policy are as follows:

- (i) To consult, in a timely manner, with potentially affected owners or occupiers in the vicinity of the proposed development, and offer the opportunity to provide a submission on particular Development Applications.
- (ii) To ensure a consistent approach in the formal advertising of Development Applications by the City, when required.
- (iii) To specify what is meant by a 'Complex Application' for Development Approval, as provided for in the Regulations.

4. POLICY STATEMENT

Not all applications for Development Approval will require community consultation. Advertising a Development Application may not be required when it is a 'Permitted' land use which is compliant with TPS2 and R-Codes, which results in greater certainty and fewer delays for an Applicant.

When required, a Development Application shall be advertised in accordance with the following circumstance and requirements.

4.1 Land Uses Requiring Advertising

Clause 3.2.2 of TPS2 determines when a Development Application is advertised by the City, as follows:

- (i) When an application is made for Development Approval to commence a use which involves an 'A' use, the Council is not to grant approval to that application unless notice of the application is first given in accordance with clause 64 of the deemed provisions.
- (ii) When an application is made for Development Approval to commence a use or carry out development which involves a 'D' use, the Council may give notice of the application in accordance with clause 64 of the deemed provisions.

4.2 Complex Applications

Under Schedule 2, Part 1 clause 1 of the Regulations, 'Complex Application' means:

- “(i) an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; or*
- (ii) an application of a kind identified elsewhere in this Scheme, or in a local planning policy, as a complex application for Development Approval.”*

For the purposes of this Policy, the term 'Complex Application', shall also include a Development Application for the following:

- (i) All land uses with an 'A' land use permissibility in Table No.1 - Zoning Table and Table No.1(a) Rockingham Strategic Centre Zoning Table of TPS2 (except for 'Unhosted Short-Term Rental Accommodation' which will be considered 'Non-Complex' regardless of land use permissibility)
- (ii) Telecommunication Infrastructure (High Impact Facility only);
- (iii) Service Station or Convenience Store adjacent to sensitive land uses;

- (iv) Non-conforming land use or extension;
- (v) Any substantial height variation under an adopted Local Planning Policy or Precinct Structure Plan;
- (vi) Environmentally Acceptable Heavy Industry, which includes, but is not limited to, 'Hazardous Industry' and 'Noxious Industry';
- (vii) A Development Application including ten (10) or more Multiple Dwellings; and
- (viii) Any other Development Application which in the opinion of the Director Planning and Development Services is likely to generate significant community interest, may be advertised as a Complex Application.

The advertising requirements under clause 64 of the deemed provisions for Complex Applications will apply for all of the above application types.

Note 2: Any 'substantial height variation under an adopted Planning Policy will be determined by the Director Planning and Development Services, having due regard to the extent of the building height variation, policy objectives and amenity impacts.

4.3 Advertising

The following advertising requirements shall apply to 'Non-Complex Applications' and 'Complex Applications' for Development Approval.

Advertising Method	Non-Complex Application (Non-Complex Application Schedule 2 c.64(1))	Complex Application (Schedule 2 Part 1 Regulations)
Time Period (Calendar Days)	14 days or a longer period of time agreed upon between the applicant and City cl.64(7)	28 days or a longer period agreed upon between the applicant and City cl.64A
Advertising Sign or Signs on-site in a conspicuous place	Optional cl.64(4)(c) Advertising Sign(s) being in accordance with the Western Australian Planning Commission Manner and Form document attached to this Policy.	Yes cl.86(3)(c) Advertising Sign(s) being in accordance with the Western Australian Planning Commission Manner and Form document attached to this Policy.
Notification of Owners and Occupiers in writing (letter)	Yes - notification of owners and occupiers in the vicinity of the development who, in the opinion of the City, are likely to be affected by the granting of Development Approval cl.64(4)(b)	Yes - all within 200m, and properties in the vicinity of the proposed development who, in the view of the City, are likely to be affected by the granting of Development Approval cl.64(3)(b)
Website Advertising	Yes when the proposal could have a broader impact on adjacent owners and occupiers	Yes cl.87(3)
Newspaper Advertisement	No	No - unless the application could generate significant public interest. cl.87(3)(a) and cl.87(4)
Public Inspection City's Administration Building	Yes	Yes cl.87(3)(b)

Table 1 - Advertising Requirements

Note 3: The notice given to a Telecommunication Infrastructure shall be 500m to any owners and occupiers of properties in the vicinity of the proposed development who in the opinion of the Council are likely to be affected by the granting of development approval.

Note 4: Low Impact Facilities related to Telecommunications Infrastructure are not included in the term Complex Application.

Note 5: Public submissions can be made electronically via Rock Port (Customer Request Management) – 'Share Your Thoughts'. The City may require the applicant for Development Approval to pay the Sign costs of the City advertising the application for Development Approval under clause 64A of the Regulations.

5. APPLICANT PROCEDURE - AMENDED PLANS

The following procedure applies to the City's liaison with the applicant and the administration of amended plans:

- (i) The applicant may provide either additional supporting information or justification to address matters raised in submissions and/or amend the proposal in an attempt to address the matters raised in a submission.
- (ii) When an application has previously been advertised and amended plan are received post-advertising, the amended plans may be the subject of further public consultation period when in the opinion of the Decision Making Authority:
 - (a) The amended plans, represent a significantly different proposal to that which was previously advertised; or
 - (b) The proposed amendment(s) could have a significant impact on amenity to adjacent owners or occupiers.Otherwise, if the impact of the proposal is reduced, amended plans will not be the subject of re-advertising.
- (iii) When amended plans are required to be the subject of re-advertising, the consultation process followed will be in accordance with this Policy.

Note 6: Under the Regulations an "excluded holiday period day" is not to be counted in calculating a period of time that is expressed as a number of days.

6. HOLIDAY EXCLUSION PERIOD

The City will ensure that the timing and duration of consultation is compliant with the excluded holiday period day exclusion period as prescribed by the Planning and Development (Local Planning Schemes) Regulations 2015.

7. AUTHORITY

This Planning Policy has been adopted by the Council under clause 4(3) of the Deemed Provisions of TPS2 and whilst it is not part of the Scheme and does not bind the Council in respect of any application for Development Approval, the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

8. INTERPRETATIONS

For the purposes of this Planning Policy, the following terms shall have the same meaning as in the Planning and Development (Local Planning Schemes) Regulations 2015:

- Excluded Holiday Period Day means a day that is in –
- (a) a period commencing on 25 December in a year and ending on the next 1 January; or
 - (b) a period of seven (7) days commencing on Good Friday in a year.
- Sensitive Land Uses means 'land use sensitive to emissions from industry and infrastructure', as defined in the Environmental Protection Authority Guidance for the Assessment of Environmental Factors, Separation Distances between Industrial and Sensitive Land Uses No.3 - June 2005 (or where amended).

9. ADOPTION

This Local Planning Policy was adopted by the Council at its Ordinary meeting held on _____.

Appendices

1. Public Notice Requirements - Advertising Notice Clause 64(3)(c) and (4)(c) - Erecting Signs for Notice of Development.



Manner and form document

– Deemed Provisions Clause 64(3)(c) and (4)(c)
 – Erecting Signs for Notice of Development Applications

Version: 1 (February 2021)

Application type	Format	Dimension	Location
All Signs	<p>Public Notice of Application for Development Approval</p> <p>The local government has received an application to use and/or develop land for the following purpose and public comments are invited.</p> <p>Lot No: _____ Street: _____ Suburb: _____</p> <p>Proposal:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Details of the proposal and information on how to make a submission are available to the public at _____</p> <p>Submissions may be made on the proposal until _____</p> <p>Comments on the proposal may be submitted to the local government in writing on or before that day.</p> <p>Specifications:</p> <ul style="list-style-type: none"> • Black lettering on white board • 143 point font size minimum for titles • 55 point font size for general text 	Minimum 900mm (H) by 600mm (W)	<ul style="list-style-type: none"> • Sign is to be located in a prominent position on or within 0.5m of the property boundary and be clearly visible from outside the property boundary. • A separate sign is to be erected for each street frontage of the property that will accommodate the proposed development.
Complex	<ul style="list-style-type: none"> • Image of the development (artists impression, perspective or render) must be utilised. 	Minimum 900mm (H) by 1200mm (W)	

Signage considerations:
<ul style="list-style-type: none"> • Be weather resistant. • Be securely fixed and well maintained (e.g. replace signage should it be subject to graffiti). • Not obstruct vehicle and pedestrian sight lines. • Not obstruct footpaths and access ways. • Use plain English to describe proposals. • Details of the proposal should be available by UFL, with a telephone number provided as well. • Adhere to <i>Heritage Act 2018</i> and <i>Main Roads Western Australia</i> requirements (if applicable). • Recommend installer "dial before you dig"

Public Notice of Application for Development Approval

The local government has received an application to use and/or develop land for the following purpose and public comments are invited.

Lot No: Street:

Suburb:

Proposal:

Details of the proposal and information on how to make a submission are available to the public at

Submissions may be made on the proposal until

Comments on the proposal may be submitted to the local government in writing on or before that day.

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Rudman

Cr Jecks
Cr Robertson

Council Members voting against the motion:

Nil

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

Not Applicable

Planning and Development Services Statutory Planning Services



Report number / title:	PD-005/26	Proposed Council Policy - Development Assessment Panel Process
File number:	LUP/1385-6	
Applicant:		
Owner:		
Author:	Mrs Casey Gillespie, Principal Planner (DAP and Planning Reform)	
Other Contributors:	Mr Mike Ross, Manager Statutory Planning	
Date of Committee meeting:	16 February 2026	
Previously before Council:	24 June 2025 (PD-019/25)	
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:		
Maps / Diagrams:		
Site:		
Lot Area:		
LA Zoning:		
MRS Zoning:		

Purpose of Report

To reconsider the need for a new Council Policy to guide the role and conduct of Council Members during the Development Assessment Panel (**DAP**) process, having regard to the existing DAP legislative framework and the introduction of an Executive Standard to improve transparency and information flow to Council Members.

Background

Council, at its meeting held in June 2025, resolved the following:

“That Council DIRECTS the Chief Executive Officer to prepare a draft Council Policy outlining the functions of and communications with Council Members relating to Development Assessment Panel applications.”

Details

The intent of the June 2025 Council resolution was to provide clarity around the roles and responsibilities of Council Members when a DAP application is lodged with the City of Rockingham (**City**), particularly in light of legislative changes that are now in effect.

To further delineate the respective roles of Council Members and Local Government administration in the DAP process (as part of a broader reform), the *Local Government Amendment Bill 2024* was introduced. This subsequently resulted in the establishment of the *Local Government (Development Assessment Panels) Regulations 2025*, which came into effect on 1 May 2025. These legislative changes clarify that Responsible Authority Reports (**RARs**) must be prepared by Local Government administration and cannot be the subject of Council consideration.

A Council Policy prepared in response to that resolution was intended to:

- Define the roles and responsibilities of Council Members during the DAP process;
- Outline protocols for Council Members' and Local Government (DAP) Members' communication and conduct in relation to DAP applications, as elected representatives of the community; and
- Outline how Council Members will be kept informed on the lodgement of complex DAP applications.

Following the June 2025 resolution, the matter was discussed at a Councillor Engagement Session (**CES**) held 2 December 2025. Current practices have been instituted since the legislative changes and requirements imposed by other subsidiary documents (i.e. Development Assessment Panels Code of Conduct 2025).

In this regard, the measures instituted by the City include:

- Advice (to Council Members) of lodgement of a DAP application with the City; and
- Details of the advertising process (when applicable), including a link to the DAP application documents on the City's website.

Notification occurs via email from the City and includes links to the advertising material consistent with the City's advertising procedures.

Once submitted to the DAP Secretariat, a copy of the RAR and supporting attachments can also be uploaded to Docs On Tap, making them accessible to all Council Members prior to the DAP agenda being circulated.

In addition, a summary of all current DAP applications will continue to be provided in the monthly Planning and Development Services Information Bulletin to the Planning and Assets Services Committee.

Subject to Council resolving not to proceed with a Council Policy, an Executive Standard will be prepared formalising the above approach.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Strategic Community Plan 2023-2033:

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Built infrastructure meets current and future community needs - Plan build and maintain current and future assets*

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: *Quality Leadership - Ensure accountable and transparent governance*

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Local Government (Development Assessment Panels) Regulations 2025

The implementation of the *Local Government (Development Assessment Panels) Regulations 2025* effective 1 May 2025, clarifies the roles of Councils and local government administration in the DAP process.

These Regulations also specify that the preparation of RARs is to be undertaken by a local government's administration.

Planning and Development (Development Assessment Panels) Regulations 2011

DAP members are required, under regulation 45(2) of the *Planning and Development (Development Assessment Panels) Regulations 2011*, to comply with the 'Development Assessment Panel Code of Conduct 2025'. Notably members, including Local Government DAP members, must not obtain their own private briefings outside of the public forum.

Council Members can raise questions to City Officers on the RAR, or the application in general, in advance of the meetings via a request to the DAP Executive Director under the DAP Regulations, however, discretion to approve the request ultimately rests with the Executive Director.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

For the past 12 years, all DAP applications have been referred to the Council to provide its recommendations to the Metropolitan Outer Development Assessment Panel, based upon a draft RAR prepared by City Officers. The legislative changes in 2025, however, have amended this 'state-of-play' and now mandate that all RARs must be prepared by City Officers, and not referred to Council.

The functions, roles, responsibilities and standards applicable to Council DAP Members within the DAP governance framework are already prescribed by the statutory DAP framework. As such, the introduction of a Council Policy addressing these matters would largely duplicate existing legislative and regulatory requirements.

Enhanced governance, transparency and information sharing are more appropriately achieved through the implementation of an Executive Standard operating within the established DAP statutory framework, as outlined in the 'Details' section of this Report.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **NOT PROCEED** with preparing a Council Policy to guide the role and conduct of Council Members during the Development Assessment Panel process for the reasons outlined in the Officer Report.

Committee Recommendation

That Council **NOT PROCEED** with preparing a Council Policy to guide the role and conduct of Council Members during the Development Assessment Panel process for the reasons outlined in the Officer Report.

Committee Voting (Carried) - 4/1

Council Members voting for the motion:

Mayor Buchan
Cr Robertson

Cr Jones
Cr Rudman

Council Members voting against the motion:

Cr Jecks

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

Not Applicable

Planning and Development Services Statutory Planning Services



Report number / title:	PD-006/26 Proposed Bulk Earthworks and Unexploded Ordnance Survey - Lot 3028 Tidal Drive, Port Kennedy (Kennedy Bay Estate)
File number:	DD020.2025.455.1
Applicant:	Rowe Group
Owner:	Western Australia Beach & Golf Resort Pty Ltd
Author:	Mr Chris Parlane, Senior Planning Officer
Other Contributors:	Mr Mike Ross, Manager Statutory Planning
Date of Committee meeting:	16 February 2026
Previously before Council:	
Disclosure of Interest:	
Nature of Council's role:	Executive
Attachments:	<ol style="list-style-type: none"> 1. Application 2. Schedule of Submissions
Maps / Diagrams:	<ol style="list-style-type: none"> 1. Location Map 2. Approved Kennedy Bay Structure Plan 3. Subdivision Staging Plan 4. 2023 Development Approval Placement of Fill (Stage 2) 5. Kennedy Bay Estate Staging Plan (Stage 2) 6. Original Application Area 7.2ha of Proposed Bulk Earthworks (Stage 3) 7. Unexploded Ordnance UXO Areas 8. Areas Where WAPC Approval required 9. Locality Plan 10. Revised Bulk Earthworks Area 4ha (Amended Plan) 11. Revised Borrow Pit Earthworks Plan (Amended Plan) 12. Consultation Map (Based on 2025 Earthworks Plans) 13. Recent Views North and North-East - Stage 2 Area (Hydromulched) 14. Site Classification Assessment Chart Submitted with the Original Application 15. Site Classification Assessment Chart Submitted with the Amended Application
Site:	Lot 3028 (formerly Lot 3027) Tidal Drive, Kennedy Bay
Lot Area:	44ha

LA Zoning:	Development
MRS Zoning:	Urban, Regional Open Space

Purpose of Report

To consider an application for Development Approval to undertake Bulk Earthworks on Lot 3028 to facilitate the development of the remaining Stage 2 portion of the Kennedy Bay Estate, Tidal Way, Kennedy Bay.

Aspects of the development also require separate Development Approval from the Western Australian Planning Commission (**WAPC**) under the Metropolitan Region Scheme (**MRS**), for which an application has been lodged.



1. Location Map

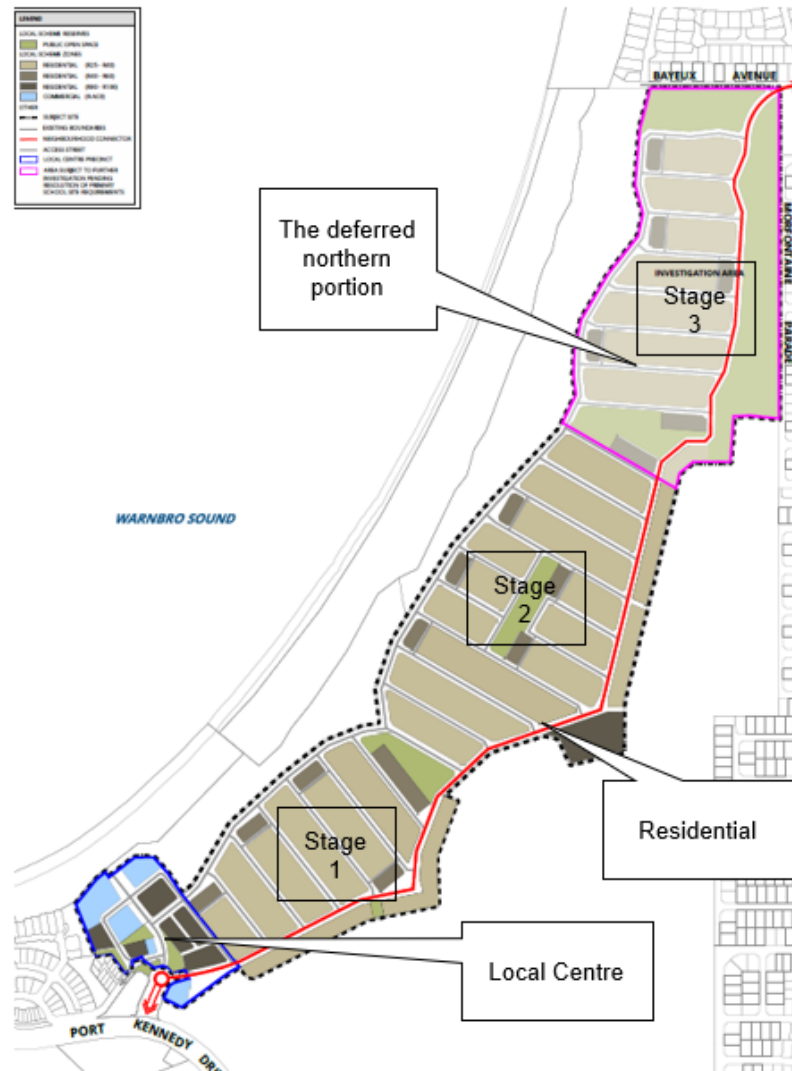
Background

The Kennedy Bay Estate is a planned coastal community being developed in stages between the Links Kennedy Bay Golf Course and the coast, Port Kennedy. The developer is the Western Australia Beach & Golf Resort Pty Ltd (**WABGR**).

After the Development Application was lodged, the legal description of the land changed due to the lodgement of subsequent Deposited Plans to facilitate the staged release of lots in the subdivision. Lot 3027 on DP428642 was a balance lot, now referred to as Lot 3028 on DP 430346. For consistency and to avoid confusion, the subject site is referred to as Lot 3028 throughout this report.

Structure Plan

In 2020, the WAPC conditionally approved the Kennedy Bay Structure Plan over the southern portion of the proposed estate but deferred approving the northern portion pending further investigations into the provision of a Primary School site and other associated matters. While planning has progressed, the northern portion of the Structure Plan has yet to be approved by the WAPC. The Structure Plan is shown in Figure 2 below.



2. Approved Kennedy Bay Structure Plan

Subdivision Approvals

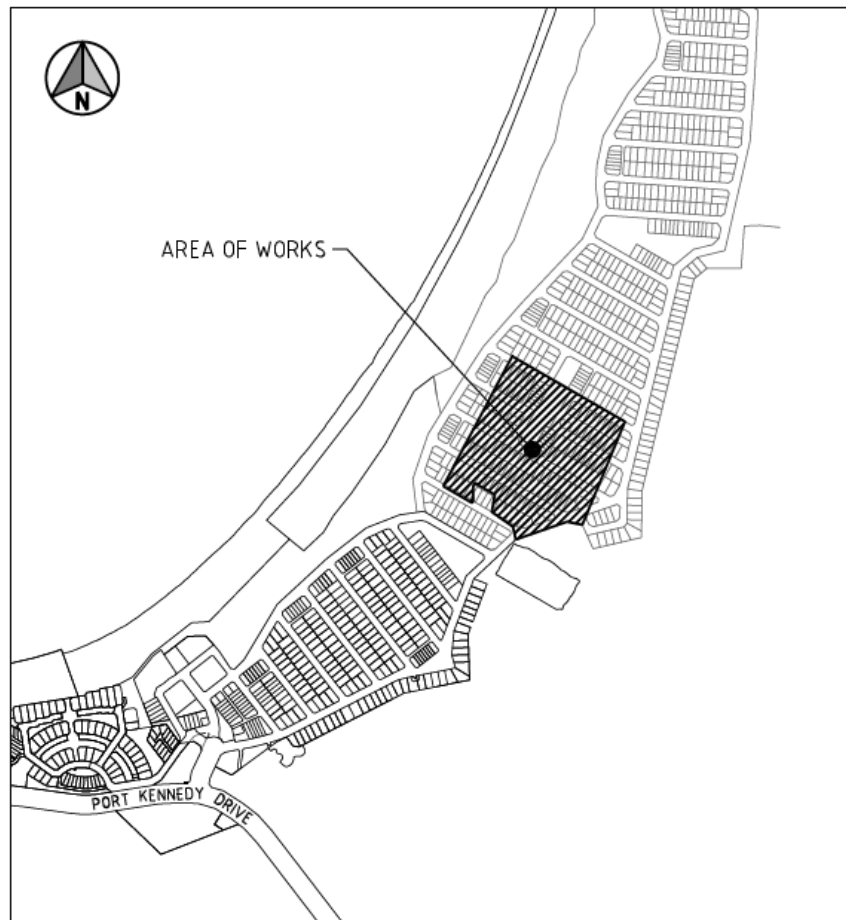
The WAPC has granted Subdivision Approval for Stages 1 and 2 of the Kennedy Bay Estate, while a current subdivision application proposing to create lots spanning the northern portion of Stage 2 and the southern portion of Stage 3 has yet approved by the WAPC. The overall subdivision staging strategy is shown in Figure 3 below. The WAPC approved subdivision areas are shown in Figure 9.

Development Approvals

The City of Rockingham (**City**) and the WAPC have granted various Development Approvals authorising the importing of fill for use in the earthworks of the Kennedy Bay Estate subdivision. On 13 September 2023, the City approved the importation of 129,600m³ of fill material as forwards works in the Stage 2 area indicated in Figure 4 below, as the Stage 2 subdivision approval had not been granted yet. In this regard, in the absence of Subdivision Approval, proposed earthworks can be authorised through the granting of Development Approval (discussed further below).



3. Subdivision Staging Plan



4. 2023 Development Approved - Placement of Fill (Stage 2)

Details

The Applicant seeks Development Approval for Bulk Earthworks, and vegetation clearing associated with undertaking Unexploded Ordnance (**UXO**) surveys within the northern portion of 'Stage 2' and 'Stage 3' (Precinct 3) of the Kennedy Bay Local Structure Plan area.

Bulk earthworks are proposed to prepare land within the Kennedy Bay Estate for subdivision and residential development. These works involve large-scale cut and fill, ground recontouring, and vegetation removal. No importation or exportation of soil is proposed.

As part of the land the subject of the proposed Bulk Earthworks is located outside of the current WAPC Subdivision Approval area, Development Approval for the proposed works is required (refer to Figure 9).

The Applicant has described the proposed works being associated with the timely development of residential lots within:

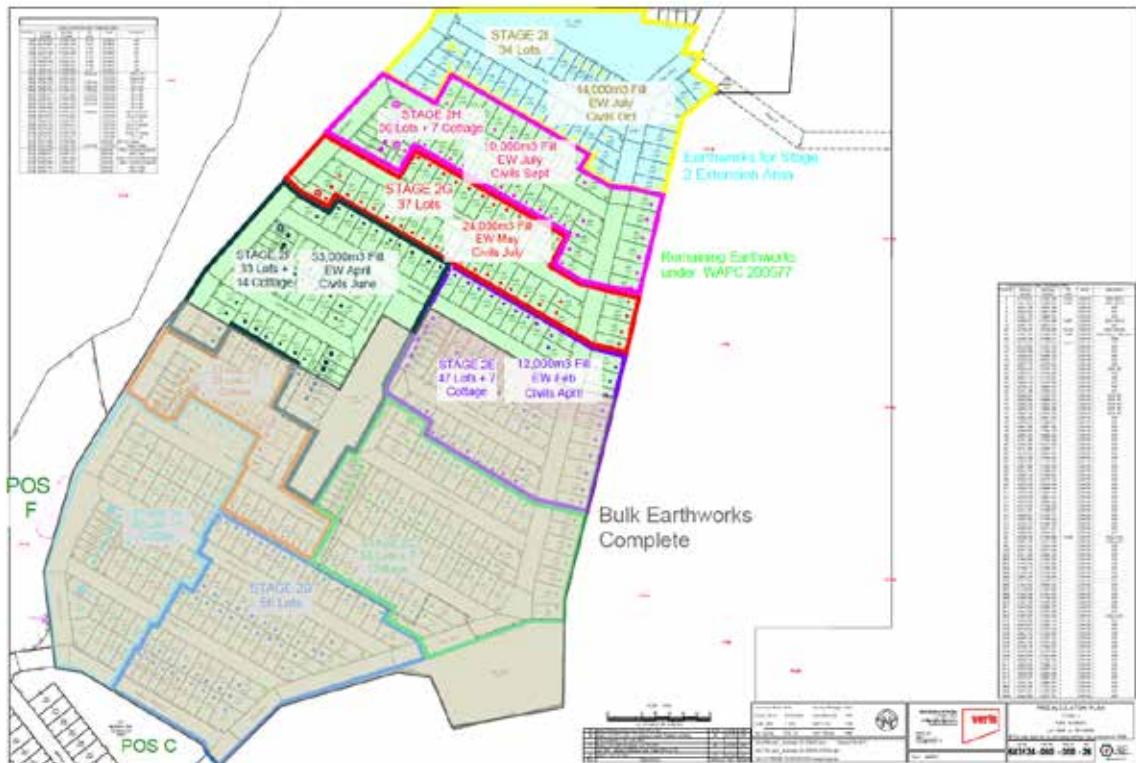
- Stage 2F, 2G and 2H which received Subdivision Approval in July 2024 (WAPC: 200577); and
- Stage 2I, subject to Subdivision Application (WAPC Ref: 202297), lodged on 29 September 2025.

It is proposed to utilise the surplus cut material from a portion of Stage 3 of the Kennedy Bay development to complete the balance of bulk earthworks required to complete Stage 2 civil works.

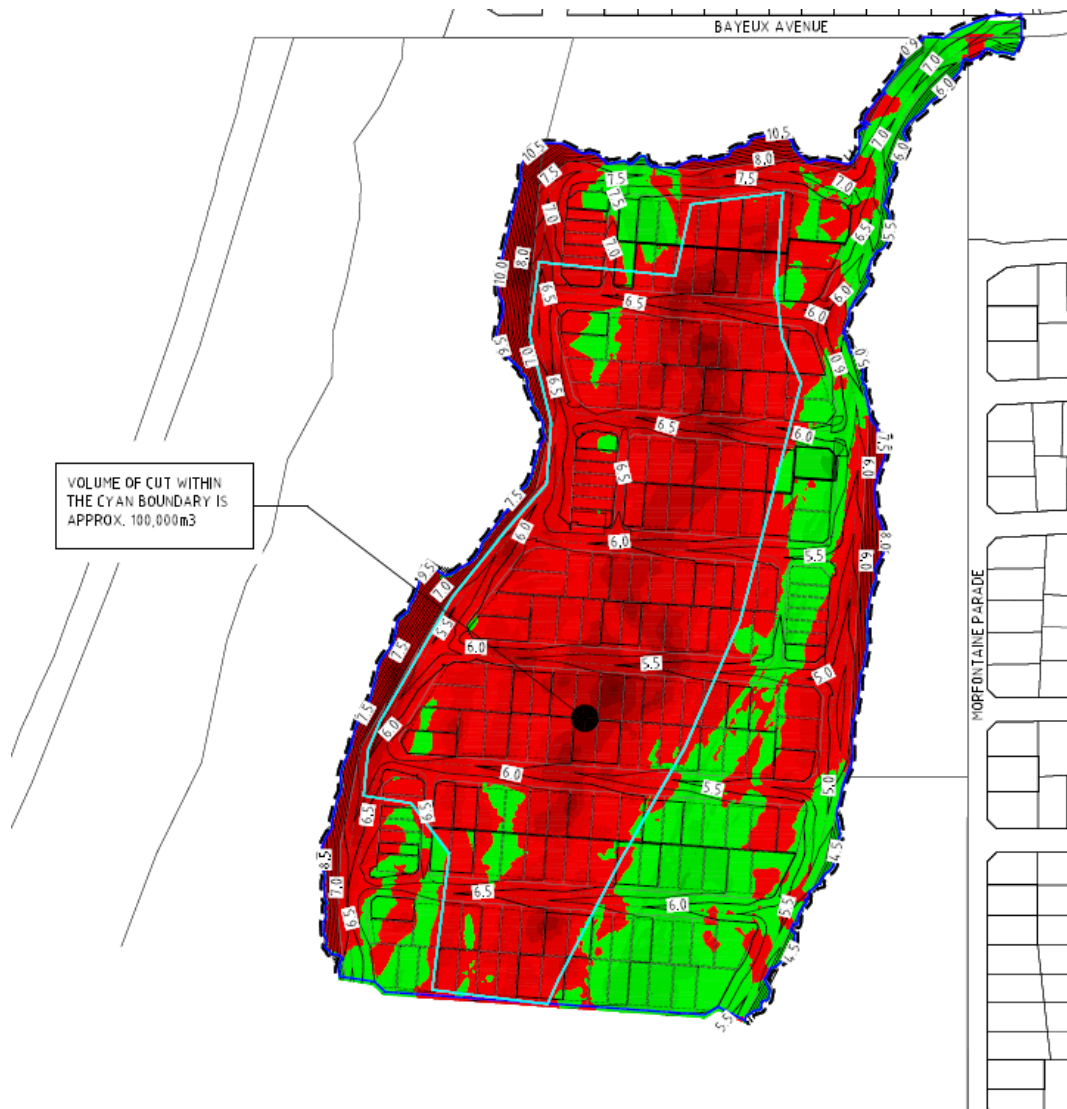
The Applicant further notes:

"The development of Precinct 3 will ultimately be subject to further WAPC Subdivision Approval and in this regard, the proposed earthworks plan for the 'Precinct 3' area is considered an interim plan only, with final levels to be established through the subdivision application and subsequent engineering approvals."

The proposal, as submitted, included extracting approximately 100,000m³ of fill material from Precinct 3, being the area with the cyan border shown in Figure 5 for use as fill material to complete the Stage 2 subdivision works.



5. Kennedy Bay Estate Staging Plan (Stage 2)



6. Original Application Area 7.2ha of Proposed Bulk Earthworks (Stage 3)

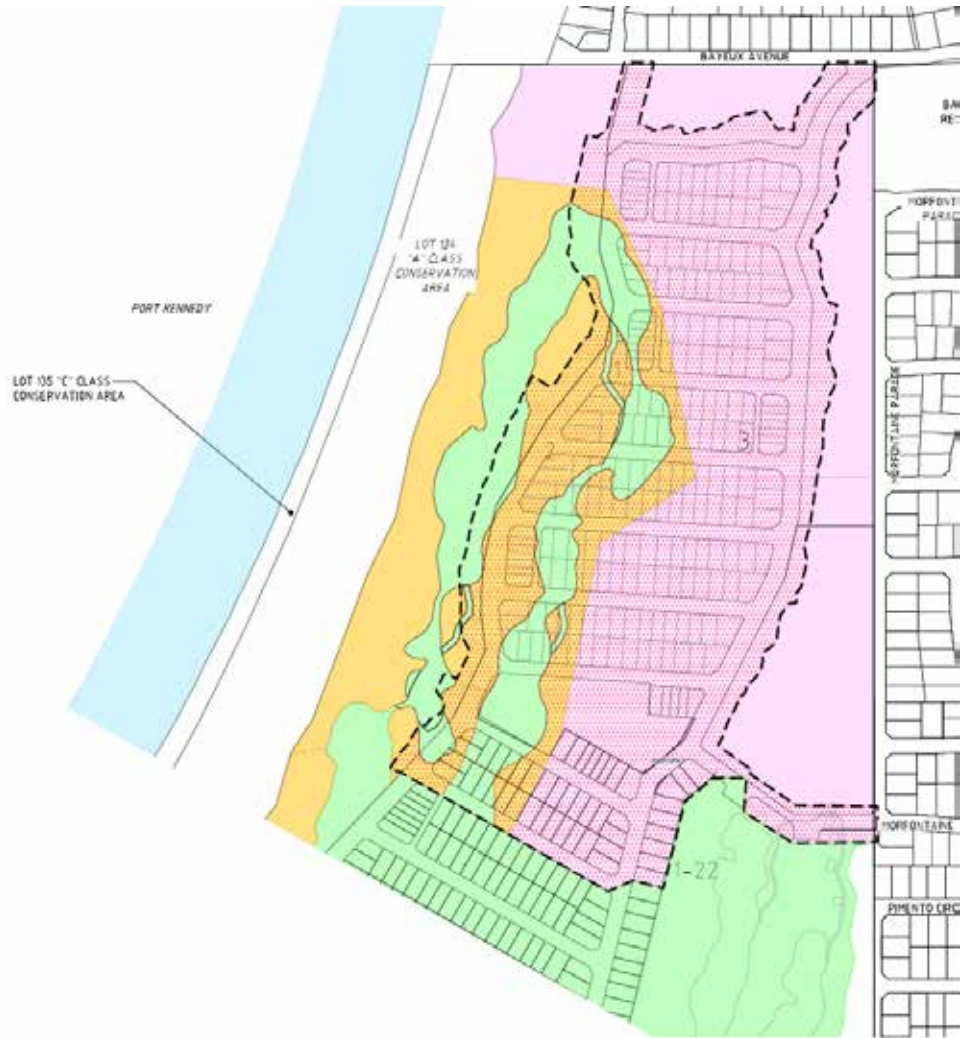
UXO Validation Surveys:

The majority of the Stage 3 area is identified as a 'Slight' and 'Substantial' UXO risk area and to comply with the *Commonwealth Policy on the Management of Land Affected by Unexploded Ordnance*, UXO validation surveys are required. It is understood that land in the vicinity of Port Kennedy was used as a naval bombing range for training purposes during the Second World War.

It was originally proposed to undertake '10%' and '100%' UXO validation surveys across the entire future Stage 3 area, which entails reducing vegetation down to a few centimetres above the ground level in 1m wide strips spaced every 10 metres across the 'dappled' area shown in Figure 7 (ie. a '10%' survey). The vegetation that is removed will be mulched and left in rows on the ground.

Should the '10%' UXO validation survey identify that a '100%' survey is required, this would entail the reduction of all remaining vegetation within the survey area down to a few centimetres above the ground level. The City was concerned about the potential dust and sand drift implications resulting from the removal of so much vegetation should all of the land within Stage 3 be effectively cleared for the UXO surveys.

To address the City's concern, the application was amended after the advertising period, so that any '100%' UXO survey would be limited to the footprint of the 'borrow pit' (described below). A '10%' UXO survey will still need to be undertaken across the entire Stage 3 area, however any further '100%' UXO survey for the balance of the Stage 3 area will be deferred to subsequent stages of development.



NOTES

1. EXISTING SURFACE MODEL FROM SEPTEMBER 2019.
2. DESIGN SURFACE MODEL FROM OCTOBER 2019.
3. REFER VERIS DRAWING 603124-292-204-00 FOR EXISTING UXO CLEARING PLAN.

LEGEND	
DESCRIPTION	SYMBOL
SITE BOUNDARY	— — — — —
PREVIOUS UXO CLEARED AREAS	
UXO SLIGHT OCCURRENCE	
UXO SUBSTANTIAL OCCURRENCE	
UXO SEARCH EXTENT	
FAIRWAY NUMBER	15
PROPOSED BORE LOCATIONS	⊕ PKP6/PK6

PHASE 2 SUMMARY	
DESCRIPTION	AREA
UXO SLIGHT OCCURRENCE	33,163m ²
UXO SUBSTANTIAL OCCURRENCE	14,9,082m ²
TOTAL	182,245m ²

7. Unexploded Ordnance UXO Areas

WAPC Development Application

On 19 November 2025, a Development Application was referred to the WAPC in respect to the elements of the proposed works located within adjoining land reserved under the MRS as 'Regional Open Space' (ROS). Batters from the proposed bulk earthwork 'borrow pit' and the works required for UXO validation surveys extend onto adjoining Lots 3006 and 3007 (refer to Figure 8) necessitating WAPC approval for these elements.



8. Areas Where WAPC Approval Required

Amended Proposal - Submitted after Advertising

On 27 January 2026, following the public submission period on the Development Application, the applicant submitted an amended plan depicting a reduced bulk earthworks footprint and provided further clarity around the proposed UXO works to inform the reporting.

The intention of the amended bulk earthworks proposal is to extract up to 120,000m³ of cut material from the area shown in cyan in Figure 10 to provide fill material in the quantity required to support the creation of lots within Stages 2F to 2I shown in Figure 5.

The amended proposal is described below:

- Reduces the extent of the bulk earthworks borrow pit footprint from 7.2ha, as originally proposed, down to 4ha.
- Not undertaking the bulk earthworks during the windy summer months of October to March “where practicable to reduce the likelihood of dust generation and drift during summer coastal conditions”.

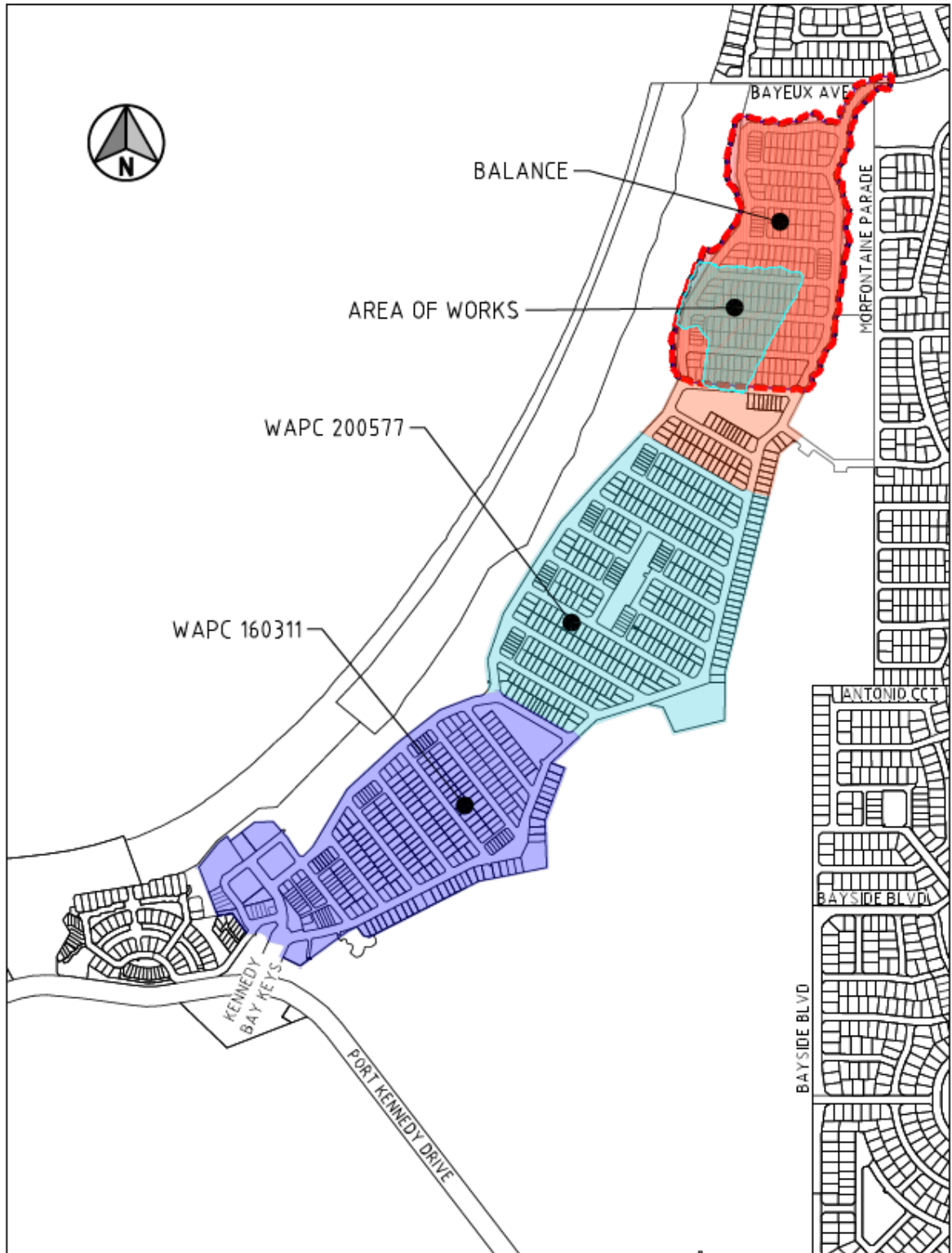
- Before the earthworks can commence, however, the land needs to be searched for UXO. The proposed '10%' UXO survey search extent is the dappled area on the map shown in Figure 7 above.
- To achieve the quantity of fill required to complete the Stage 2 subdivision works, it is proposed to 'over-excavate' material within the bulk earthworks borrow pit footprint to a level 2.6m below the proposed future lot levels (i.e. down to 3.5m RL) in this area (refer to Figure 11).
- It is intended to finalise the ground levels in the 'borrow pit' with fill material obtained from future subdivisions, when approved, in the Stage 3 area. The borrow pit would in the meantime be stabilised using 'hydromulch' (or similar) to prevent dust being generated.

Other details are as follows:

- As no imported fill is proposed, heavy vehicle movements (i.e. loaders or scrapers, dump trucks and compaction equipment) will only occur within the subject site. Vehicle access to the borrow pit (within the cyan border shown in Figure 10') will be via the entry point bordering the Stage 2 development precinct.
- The earthworks are proposed between 7am to 6pm, Monday to Saturday.
- Earthworks are anticipated to take around 12 weeks.
- Development Approval is sought for a period of 24 months from the date of approval.
- Dust mitigation measures include (but are not limited to):
 - Minimising cleared areas and the period they remain cleared by staging the earthworks;
 - Managing and limiting the number of stockpiles and the periods they are exposed;
 - Use devices to monitor dust emission levels along Morfontaine Parade; and
 - Applying water as required and 'hydromulch' or 'dustex' to stabilise the earthworked areas.

The following accompanying reports were submitted with the application:

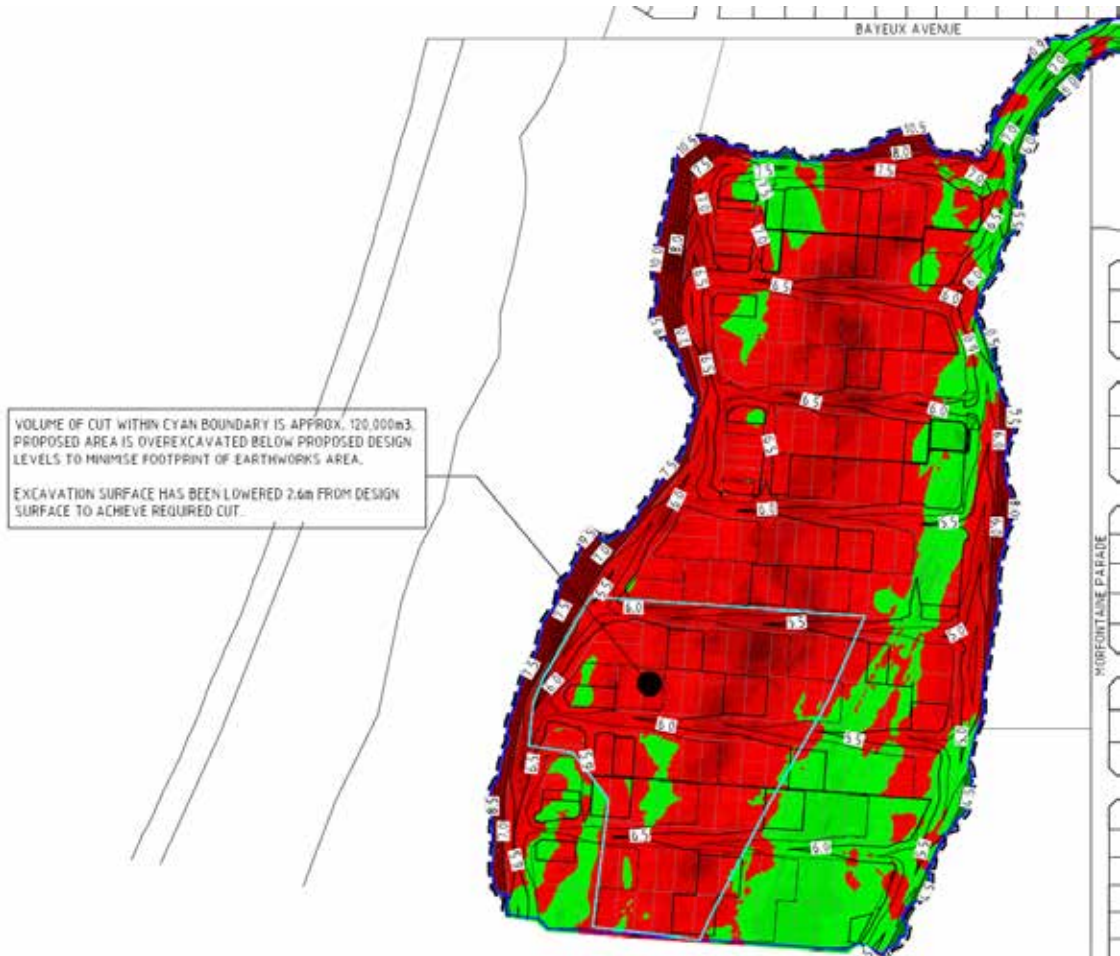
- A Planning Report;
- Earthworks Plans;
- Environmental Assessment Report;
- Site Classification Assessment Chart;
- Local Water Management Strategy;
- Geotechnical Report;
- UXO Clearing Plan;
- Indicative Staging Plan;
- Project Health, Safety, Environmental & Quality Management Plan (PHSEQMP); and
- Revised Earthworks Plans 2026.



LOCALITY PLAN

SCALE 1:10000

9. Locality Plan



10. Revised Bulk Earthworks Area 4ha (Amended Plan)



11. Revised Borrow Pit Earthworks Plan (Amended Plan)

Implications to Consider

a. Consultation with the Community

As bulk earthworks are considered a 'use not listed' in TPS2, and due to the high level of public interest in the Kennedy Bay Estate development this application was considered a 'complex' Development Application. As such, it was advertised by the City for a period of 28 days between 21 November and 19 December 2025 seeking public comment. Letters were sent to all property owners and occupiers within 200m radius of the earth works boundary indicated on the Consultation Map below. Two (2) signs were erected, on Morfontaine Parade and Bayeux Avenue and the application material was made available at the City Administration Building for inspection.



12. Consultation Map (Based on 2025 Earthworks Plans)

Of the 22 submissions received, 21 objected with most of the concerns relating to dust and the consequential impact on residential amenity. Many submissions raised strong objections based on significant dust nuisance associated with the existing subdivisional earthworks being undertaken and the extent of existing cleared areas within the estate which are undeveloped. There were also some concerns raised about fauna and flora impacts and legislative compliance.

Submission (Summarised)

Concerns About the Timing of the Bulk Earthworks:

The original application included undertaking the bulk earthworks during the windy summer months when the risk of dust and sand drift is the greatest. Concern raised about significant volumes of dust being experienced at nearby properties from the subdivision works currently underway, particularly during the summer months. Photographs of the dust problem were provided with some submissions. If dust cannot currently be controlled now how will dust be effectively managed if this application is approved?

Submission (Summarised) (cont...)



Photo taken 23 November 2025 provided by a submitter from Morfontaine Parade

Applicant's Response: (prior to amended DA)

"Bulk earthworks will be undertaken outside of the recognised dry and high wind period between October and March, where practicable, to reduce the likelihood of dust generation and drift during summer coastal conditions."

City's Comment:

In terms of the Development Application, it is considered that the risk of dust will be significantly reduced if the bulk earthworks do not occur over summer months when weather conditions are less favourable and soil is dry, typically between October and March.

In terms of current or earlier site construction activity, the dust appears to relate to the earthworks for the Stage 1 and 2 subdivision areas. Dust may also be coming from lots which have been created but not built upon yet.

When dust complaints are received, the City responds under the relevant statutory framework and requires the Contractor to take appropriate action to address the cause. In addressing the dust problem at Kennedy Bay, the City has required the contractor to:

- stabilise all areas of the site that are not under active construction;
- deploy multiple water carts to regularly dampen areas disturbed by civil works, reducing airborne dust; and
- stabilized the site over weekends to minimize any disruption to nearby residents during non-working hours.

Furthermore, the Contractor monitors dust in real time using 3 dust electronic dust monitoring stations to measure dust in accordance with National Environmental Protection Measures (**NEMP**) standards, which in turn triggers management action; applies water using three (3) water carts, including a large 40,000 litre water cart which disperses water more quickly; has erected dust fencing and applies hydro mulch.

The City received an upsurge of complaints in the week before Christmas 2025 when the conditions were very windy. To address the issue, the Developer applied hydromulch to stabilise the site during the days leading up to Christmas, as indicated in the photos below.

Submission (Summarised) (cont...)



13. Recent Views North and North-East - Stage 2 Area (Hydromulched)

It is noted there has been a correlated drop in the number of complaints received by the City about dust since this occurred, however, it is noted that when wind conditions were unfavourable in January, further complaints were received.

It is also noted that hydromulch (sand stabiliser – dust suppressant) breaks down over a few months and needs to be re-applied to remain effective.

In terms of the Development Application, it is considered that the risk of dust will be significantly reduced if the bulk earthworks do not occur over summer months when weather conditions are less favourable and soil is dry, typically between October and March.

Submission (Summarised) (cont...)
<p><i>Recommendation 1:</i></p> <p>A condition prohibiting bulk earthworks between 1 October and 31 March is recommended should Development Approval be granted.</p>
<p><u>Extent of Earthworks:</u></p> <p>The proposed 7ha extent of the bulk earthworks is significant, meaning the dust mitigation required to maintain residential amenity will be difficult to manage.</p>
<p><u>Applicant's Response:</u></p> <p><i>"The proposed scope of earthworks has been reviewed and will be refined to reduce the overall area disturbed at any one time, thereby limiting exposed sand surfaces and potential dust sources."</i></p>
<p><u>City's Comment:</u></p> <p>The footprint of the bulk earthworks borrow pit has been reduced on the amended plans from 7.2ha to 4ha in area (a 45% reduction in area). Reducing the exposed area of the bulk earthworks borrow pit will significantly reduce the risk of dust and sand drift affecting residential amenity, however, the impact on residential amenity will be dependent on how effectively the exposed areas are stabilised in the short and long term.</p>
<p><u>Staged and Progressive works:</u></p> <p>The earthworks should be staged to reduce exposed areas and the risk of dust and drift.</p>
<p><u>Applicant's Response:</u></p> <p><i>"Earthworks will be staged to ensure areas are progressively completed, stabilised and rehabilitated, rather than left exposed for extended periods.</i></p> <p><i>Cleared areas will be stabilised as soon as practicable, and generally within 18 hours where not subject to active works.</i></p> <p><i>Stockpiles will be minimised in number, height and duration, watered as required, and designed with batters no steeper than 2:1.</i></p> <p><i>Topsoil and subsoil will be stockpiled separately, and contaminated soil (if encountered) managed in accordance with relevant management plans."</i></p>
<p><u>City's Comment:</u></p> <p>The proposed bulk earthworks footprint has been reduced in area by 45% as mentioned above.</p> <p>By carefully staging and stabilising the works within the bulk earthworks footprint the risk of dust will be minimised. The proposed methods of dust suppression is discussed below.</p>
<p><i>Recommendation 2:</i></p> <p>A Sand and Dust Management Plan (SDMP) that includes a staging strategy to coordinate the bulk earthworks, will be recommended should Development Approval be granted.</p>
<p><u>Dust Suppression Measures:</u></p> <p>The suppression of dust from previous stages of subdivision works has been unsuccessful, adversely affecting residential amenity for many residents. As such, concerns were raised about the effectiveness of the dust suppression methods proposed in the current application.</p>

Submission (Summarised) (cont...)
<p>Applicant's Response:</p> <p><i>"Dust management measures will be implemented in accordance with the Project Health, Safety, Environmental and Quality Management Plan and may include:</i></p> <ul style="list-style-type: none">- <i>A minimum provision of one 10,000-litre watercart per five hectares of disturbed land will be maintained, with larger capacity watercarts used where appropriate.</i>- <i>Water supply points, including turkey nests or overhead tanks, will be available to enable rapid refilling.</i>- <i>Emergency and weekend dust control coverage will be provided where required, including access to on-call personnel and equipment.</i>- <i>Soil binding agents (e.g. Dustex or hydromulch) will be applied to exposed and inactive areas, including during weekends and extended non-working periods.</i>- <i>Water carts and fixed watering points.</i>- <i>An additional production bore is currently under construction and will be available for use by March 2026, assisting with dust suppression.</i>- <i>Application of soil binding agents or hydromulch where appropriate.</i>- <i>Cessation of works during adverse weather conditions, including high winds.</i>- <i>Wind fencing will be installed along sensitive boundaries, including Morfontaine Parade and Bayeux Avenue."</i>
<p>City's Comment:</p> <p>Appropriate dust suppression measures outlined in a City approved SDMP and a Construction Site Management Plan (CSMP) will apply prior to earthworks commencing. The SDMP and CSMP must include detailed, objective dust monitoring and management protocols as well as measures for the contractor to clean up or otherwise rectify any third party property impacts attributable to the proposed bulk earthworks.</p>
<p>Recommendation 3:</p> <p>A SDMP and CSMP will be recommended in the event that Development Approval is granted.</p>
<p>Monitoring and Responsiveness:</p> <p>Concerns were raised about dust settling on nearby residential properties and entering homes affecting residential amenity. Concern was expressed about a lack of responsiveness of the contractor regarding cleaning up any residential properties when dust complaints have been lodged.</p>
<p>Applicant's Response:</p> <p><i>"Dust management protocols will be actively monitored, with responsive measures implemented as required to address any issues that arise during construction. These include:</i></p> <ul style="list-style-type: none">- <i>Two dust monitors being installed along the eastern boundary of the earthworks area, adjacent to Morfontaine Parade.</i>- <i>Dust levels will be managed to not exceed 100 µg/m³ averaged over a 24 hour period, consistent with national guidelines.</i>- <i>Early warning and escalation triggers will be used to proactively manage dust.</i>- <i>Initial trigger at 50 µg/m³ to prompt immediate dust suppression.</i>- <i>Secondary trigger at 100 µg/m³ to consider cessation of general site activities.</i>- <i>A third trigger requiring cessation of all site operations except dust control activities if levels reach 100 µg/m³ averaged over one hour.</i> <p><i>The applicant notes that these measures are intended to improve on existing site controls and reduce the potential for dust impacts beyond the site boundary. Dust complaints and incidents will be recorded and managed through the project's communication and compliance systems."</i></p>

Submission (Summarised) (cont...)
<p><u>City's Comment:</u></p> <p>It is important to ensure that the contractor carefully monitors dust levels and proactively manages dust; responds promptly to any dust complaints and rectifies any attributable issues, including over periods when work ceases such as in weekends and public holidays.</p> <p>A SDMP and a CSMP are recommended conditions in the event that Development Approval is granted.</p>
<p><u>Health Impacts and Compliance with Regulations</u></p> <p>Some submissions questioned compliance with relevant legislation such as the <i>Environmental Protection Act 1986</i>, the <i>Public Health Act 2016</i> and the <i>City of Rockingham Sand Drift Local law 2018</i>.</p>
<p><u>Applicant's Response:</u></p> <p><i>The applicant acknowledges concerns raised in relation to public health, air quality and compliance with relevant legislation. All works will be undertaken in accordance with applicable requirements, including the Environmental Protection Act 1986, Public Health Act 2016 and relevant local laws.</i></p> <p><i>Dust mitigation measures will be implemented to ensure emissions are managed to acceptable levels and do not result in unreasonable off-site impacts.</i></p>
<p><u>City's Comment:</u></p> <p>The amended proposal is considered to significantly reduce the risk of airborne emissions and the consequential potential human health impacts.</p> <p>Notwithstanding, the Developer is obliged to comply with all relevant statutory legislation.</p> <p>As mentioned above, if dust complaints are received, the City requires remedial action in accordance with the relevant statutory framework to the Developer to address the cause of concern.</p> <p>An Advice Note reminding the Developer of the need to comply with all relevant legislation will be recommended in the event that Development Approval is granted.</p>
<p><u>Fauna and Environmental Management:</u></p> <p>The area is home to Kangaroos and other native fauna as well as native flora. Concern was raised about the adverse impact on flora and fauna habitat of land clearing for the bulk earthworks.</p>
<p><u>Applicant's Response:</u></p> <p><i>Concerns raised regarding the presence and welfare of native fauna are noted. The applicant confirms that:</i></p> <ul style="list-style-type: none">- <i>Fauna management for the site is currently guided by approved fauna relocation management plans prepared for Stage 1 (WAPC Ref: 160311) and Stage 2 (WAPC Ref: 200577) of the Kennedy Bay Estate.</i>- <i>These plans address fauna identification, relocation protocols, monitoring requirements and compliance with relevant State environmental legislation.</i> <p><i>It is anticipated a Fauna Relocation Management Plan would be required for the Application Area, as a condition of Development Approval.</i></p> <p><i>Any fauna encountered during works will be managed in accordance with these approved plans and under the supervision of suitably qualified personnel, where required.</i></p>
<p><u>City's Comment:</u></p> <p>Most of Lot 3028 is zoned 'Urban' in the MRS whereupon urban development will occur in accordance with an approved Structure Plan, representing change to the natural landscape.</p>

Submission (Summarised) (cont...)
<p>To ensure native fauna is not adversely impacted by the development, fauna management will be required before any earthworks commences. A Fauna Relocation Management Plan would form a condition of Development Approval, if granted.</p> <p>The batters of the borrow pit and some of the proposed UXO survey works are proposed on the adjoining foreshore reserve (Lot 3007) and on Lot 3006, which the WAPC is responsible for approving development over.</p> <p>A Foreshore Management Plan designed to protect and manage the site's environmental assets has been prepared for earlier stages of subdivision, but this does not include the current application area and would need to be updated if the application is approved.</p>
<p>Recommendation 4:</p> <p>The following is recommended in the event that Development Approval is granted:</p> <ul style="list-style-type: none"> · A condition requiring a Fauna Relocation Management Plan to be prepared and implemented; and · A condition requiring an updated <i>Foreshore Management Plan</i> for the proposed bulk earthworks, prepared to the satisfaction of the City of Rockingham in consultation with the Department of Biodiversity, Conservation and Attractions.

b. Consultation with Government Agencies

As some of the earthworks encroach onto land reserved as ROS in the MRS, Development Approval is also required from the WAPC. An application has been lodged which is yet to be determined.

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 2023-2033:

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Plan for sustainable growth - Balance growth while maintaining the identified natural environment*

Aspiration: **4. Economic - A vibrant economy creating opportunities**

Outcome/Objective: *Growing the business economy - Actively support and develop local business growth*

d. Policy

Local Planning Policy No. 3.3.15 - Bulk Earthworks (LPP3.3.15)

LPP3.3.15 sets out the City's policy position when dealing with applications for bulk earthworks to ensure that bulk earthworks are managed to achieve acceptable outcomes, particularly the mitigation of off-site sand and dust movement.

As indicated below the application complies with LPP3.3.15.

Policy Provision	Proposed	Compliance
<p>The City will consider Development Applications for Bulk Earthworks where the following applies:</p> <ul style="list-style-type: none"> · an approved Local Structure Plan has been adopted by the City and endorsed by the Western Australian Planning Commission and where no Subdivision Approval has been granted; or 	<p>The Kennedy Bay Structure Plan has been approved over the southern portion of the estate and stage 1 and 2 subdivision approvals have been granted by the WAPC.</p>	<p>Compliant</p>

Policy Provision	Proposed	Compliance
<ul style="list-style-type: none"> · a Local Structure Plan has not been adopted but the land is zoned 'Urban Deferred' or 'Urban' under the Metropolitan Region Scheme. 	The Kennedy Bay Structure Plan has yet to be approved over the northern Stage 3 portion, however the entire structure plan area is zoned 'Urban' in the MRS.	
Development Applications for bulk earthworks shall include the following information: <ul style="list-style-type: none"> · An Environmental Assessment Report · A completed Site Classification Assessment Chart · The approved Local Water management Strategy · A Pre-works Geotechnical Report · Earthworks Drawings; and · An Indicative Staging Plan. 	The application was submitted with the required information. .	Compliant
Based on the City's Standard Conditions list, the following requirements are likely to be imposed: <ul style="list-style-type: none"> · A Dust Management Plan; · A Traffic Management Plan; · A Stockpile Management Plan; · A Noise and Vibration management Plan; · Copies of any required water extraction Licences. 	A CSMP will be recommended in the event approval is granted that includes: <ul style="list-style-type: none"> · Dust management protocols; · Traffic management measures; · Stockpile management; · Noise and vibration management; and · Evidence demonstrating any water extraction licenses required have been obtained from the DWER. 	Compliant
Dust Management Plans are to be prepared in accordance with the Department of Water and Environmental Regulation ('DWER' formerly 'Department of Environment and Conservation') Guidelines and will be assessed against the following: - <ol style="list-style-type: none"> (i) site classification (in accordance with the DWER Guidelines); (ii) type of wetting agents and proposed interval of use; (iii) what/if nearby roads will be swept clean of dust/sand and on what interval; (iv) the size of the area being worked at any one time; 	As above and noted. A Sand and Dust Management Plan is recommended in the event approval is granted.	Compliant

Policy Provision	Proposed	Compliance
(v) type and location of any wind barrier fencing; (vi) what environmental monitoring will be undertaken, how many monitors and their location, what factors will be measured and the acceptable levels; (vii) further to point (vi) above, the mitigation response in the event that the 'acceptable levels' are exceeded; and (viii) proposed stabilising techniques and frequency they will be undertaken.		

Site Risk Assessment/Classification

The applicant has prepared a site risk assessment for dust management in accordance with the document titled *A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities*, Department of Environment and Conservation (March 2011).

The site risk assessment/classification is important to determine the level of dust management and monitoring required for the site.

For a site that is generating uncontaminated dust, such as land development sites, the site classification chart in Appendix 1 is used for assessing site risk. Appendix 1 also details the provisions and contingency arrangements for dust management which apply to each site classification score. High and medium-risk projects will require more stringent management and monitoring of dust and other contaminants.

The following site classifications apply based on an assessment score which considers the nature of the site, relative to site area disturbance, proximity to sensitive premises and nuisance:

Site Classification 1 - under 199;

Site Classification 2 - 200 to 399;

Site Classification 3 - 400 to 799; and

Site Classification 4 - over 800.

The original Development Application for Bulk Earthworks had a Score of **672** and a Site Classification 3, and where construction occurs during a dry period (1 October to 31 March) the site classification will automatically become a Classification 4 site, which is a high risk project.

The applicant's revised proposal for Bulk Earthworks has been reassessed. The Site Classification has reduced from 4 to 3 and the Score has reduced to **462**, meaning that risk is reduced accordingly.

The risk of dust nuisance, however, is reduced when the area of disturbed works is smaller and the works are undertaken during favourable periods outside the period from 1 October to 31 March, when climatic conditions are generally less favourable and the risk of dust and amenity impacts is greatest.

Sheet 1: Site classification assessment chart

Part A. Nature of site

Item	Score options				Allocated score
1. Nuisance potential of soil, when disturbed	Very low 1	Low 2	Medium 4	High 6	4
2. Topography and protection provided by undisturbed vegetation	Sheltered and screened 1	Medium screening 6	Little screening 12	Exposed and wind prone 18	6
3. Area of site disturbed by the works	Less than 1ha 1	Between 1 and 5ha 3	Between 5 and 10ha 6	More than 10ha 9	9
4. Type of work being done	roads or shallow trenches 1	roads, drains and medium depth sewers 3	Roads, drains, sewers and partial earthworks 6	Bulk earthworks and deep trenches 9	9
TOTAL score for Part A					28

Part B. Proximity of site to other land uses

Item	Score options				Allocated score
1. Distance of other land uses from site	More than 1km 1	Between 1km and 500m 6	Between 100m and 500m 12	Less than 100m 18	12
2. Effect of prevailing wind direction (at time of construction) on other land uses	Not affected 1	Isolated land uses affected by one wind direction 6	Dense land uses affected by one wind direction 9	Dense/sensitive land uses highly affected by prevailing winds 12	12
TOTAL score for Part B					24

SITE CLASSIFICATION SCORE (A X B) = 672

14. Site Classification Assessment Chart Submitted with the Original Application

Appendix 1: Site risk assessment/classification for activities generating uncontaminated dust

Sheet 1: Site classification assessment chart

Part A. Nature of site

Item	Score options				Allocated score
1. Nuisance potential of soil, when disturbed	Very low 1	Low 2	Medium 4	High 6	4
2. Topography and protection provided by undisturbed vegetation	Sheltered and screened 1	Medium screening 6	Little screening 12	Exposed and wind prone 18	6
3. Area of site disturbed by the works	Less than 1ha 1	Between 1 and 5ha 3	Between 5 and 10ha 6	More than 10ha 9	3
4. Type of work being done	roads or shallow trenches 1	roads, drains and medium depth sewers 3	Roads, drains, sewers and partial earthworks 6	Bulk earthworks and deep trenches 9	9
TOTAL score for Part A					22

Part B. Proximity of site to other land uses

Item	Score options				Allocated score
1. Distance of other land uses from site	More than 1km 1	Between 1km and 500m 6	Between 100m and 500m 12	Less than 100m 18	12
2. Effect of prevailing wind direction (at time of construction) on other land uses	Not affected 1	Isolated land uses affected by one wind direction 6	Dense land uses affected by one wind direction 9	Dense/sensitive land uses highly affected by prevailing winds 12	9
TOTAL score for Part B					21

SITE CLASSIFICATION SCORE (A X B) = 462

15. Site Classification Assessment Chart Submitted with the Amended Application

e. **Financial**

Nil

f. **Legal and Statutory**

Planning and Development Act 2005 (PDA)

Under section 157 of the PDA, subdivision works are exempt from requiring Development Approval where the works are proposed under a Subdivision Approval issued by the WAPC.

Development Approval is required as the proposed UXO surveys and bulk earthworks in Stage 3 are outside an approved subdivision.

The works related to the filling of the lots in Stage 2 will be assessed further by the City as part of the subsequent detailed engineering works approval (i.e. roads, drainage etc.) required under the relevant WAPC subdivision approvals.

A Development Application has been submitted to the WAPC for approval of works within the adjoining ROS. The WAPC will determine their application pending a recommendation from the City.

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

Clause 67 of Schedule 2 of the LPS Regulations outlines the matters to which the Local Government is to have due regard when considering an application for Development Approval. Where relevant, these matters have been discussed throughout this Report or addressed below.

Matters to be considered	Officer Comment
<i>(g) Any local planning policy</i>	The application is consistent with LPP3.3.15.
<i>(h) Any structure plan that relates to the development</i>	<p>The WAPC has yet to finally approve the northern portion of the structure plan area.</p> <p>Bulk earthworks are consistent with the 'Urban' under the MRS and 'Development' zone under the City's TPS2, where at a future point residential development is expected to occur.</p>
<p><i>(n) The amenity of the locality including the following -</i></p> <ul style="list-style-type: none"> <i>(i) environmental impacts of the development</i> <i>(ii) the character of the locality;</i> <i>(iii) social impacts of the development.</i> 	<p>The amended proposal significantly reduces the physical extent of earthworks and restricts the timing so as not to occur in summer when the south-westerly winds prevail. This in itself is considered a significant action to help reduce the risk of dust and impact on residential amenity. The various dust suppression actions proposed include real time dust monitoring and related contingency actions and work site stabilisation over a much smaller bulk earthworks area, allow the developer to undertake a more pro-active approach to mitigating dust in the short and long term.</p> <p>The City considers that collectively the measures proposed provide a more robust approach to protecting residential amenity.</p> <p>Some of the submitter concern relates to how the contractor has responded in the past to cleaning up the dust from affected residential properties. To address this concern, a condition is recommended that includes the requirement for the contractor to respond promptly to complaints and address any dust that is attributable to this Development Application.</p> <p>Overall, it is considered that any impacts on residential amenity can be mitigated via appropriate conditions should Development Approval be granted.</p>
<i>(o) The likely effect of the development on the natural environment</i>	To manage the impacts of land clearing and protect the environmental values, conditions are recommended in the event Development Approval is granted that require a Fauna Relocation Management Plan, an updated Foreshore Management Plan, coupled with a Construction and Site Management Plan to be prepared and implemented prior to works commencing.
<i>(q) The suitability of the site for development taking into account...soil erosion ...or any other risk.</i>	The soils of the subject site comprise sandy material that can become airborne in windy conditions if not managed effectively. It is considered that the risk of soil erosion and consequential dust emission has been considered in the most effective way possible in the amended application. Appropriate conditions are recommended in the event Development Approval is granted.

Matters to be considered	Officer Comment
<i>(t) The amount of traffic likely to be generated</i>	The proposal is unlikely to generate any significant traffic on the local road network as the proposed works are internal. No exportation or imported fill is proposed.
<i>(w) The history of the site where the development is located.</i>	The site has a history of generating dust complaints. In terms of the revised Development Application, it is considered that the impact of dust from the amended proposal is reduced.
<i>(y) Any submission received on the application</i>	Duly considered in the Consultation section above.

Town Planning Scheme No.2 (TPS2)

The land is zoned 'Development' in TPS2, where the purpose of this zone is to

- “(a) Identify areas requiring comprehensive planning prior to subdivision and development.*
- (b) To coordinate subdivision, land use and development in areas requiring comprehensive planning.”*

Clause 3.2.4

If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the Use Classes (as is the case with this proposal), the Local Government may:

- “(b) determine that the proposed use may be consistent with the objectives and purposes of the particular zone and thereafter follow the advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval; or*
- (c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.”*

While the WAPC has not yet approved the Structure Plan where the bulk earthworks is proposed, it is considered that granting Development Approval in the interim will not compromise future planning outcomes or be contrary to orderly and proper planning principles.

It is considered that this Development Application is generally consistent with the zone objectives and can be considered for Development Approval.

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 / Program/Project management / Natural Environment : High and Extreme Risks
 Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The amended proposal is generally compliant with the City’s TPS2 and requirements applying to Bulk Earthworks.

The primary concern with this application is the ability of the landowner to effectively manage dust generated by bulk earthworks, particularly in light of recurring dust issues identified within the submissions. Dust impacts have previously occurred on completed, Titled lots that remain undeveloped, as well from subdivision works currently underway. Ordinarily, building construction follows the issue of Titles, which tends to limit the duration of dust nuisance, however, there are various stages subject to earthworks at the same time which has prolonged dust impacts.

Any compliance actions relating to dust will be managed through conditions of Development Approval and the City will continue to work closely with the landowner’s contractor to ensure appropriate dust management measures are implemented.

It is acknowledged that there is no single measure capable of entirely eliminating dust impacts within the Kennedy Bay Development Area. Rather, risk can only be mitigated through careful site planning, staging and active management practices. This could prompt the developer to consider slowing down the pace of land development through only planning earthworks to occur outside of the unfavourable months from October to March.

When considering this Development Application, it is important to put the impacts of the proposed Bulk Earthworks into perspective, as follows:

- The subject land forms part of the Kennedy Bay Development Area, its zoned 'Urban' under the MRS and 'Development' under the City's TPS2;
- Subdivisional earthworks have been occurring within Kennedy Bay at an accelerated pace, however, this is in line with existing Subdivision Approvals and Development Approvals issued;
- The Applicant has submitted a revised proposal that responds to City and submissioner concerns by significantly reducing the physical extent of the proposed earthworks;
- The applicant has committed ('where practicable') to limit the time of year that the earthworks are proposed to periods when weather conditions are more favourable;
- Reducing the UXO survey extent, it retains more vegetation cover over the northern part of the development area in Stage 3 which will reduce the potential for dust generation; and
- In addition, various practical dust mitigation measures have been outlined in the application documentation, which include a new ground water source, higher flow rates of water for water carts, hydro mulching, dust monitoring stations and other associated measures. These matters will be included in the CSMP, recommended as a condition of Development Approval.

On balance, weighing up the concerns of submitters against the merits of the revised proposal and giving due regard to relevant planning considerations, conditional Development Approval is recommended for the amended Bulk Earthworks and Unexploded Ordnance Survey.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** the application for Bulk Earthworks and Unexploded Ordnance Survey on Lot 3028 Tidal Drive, Port Kennedy seeking Development Approval in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the submitted application received on 16 October 2025 and revised plans received on 27 January 2026.

Committee Recommendation

That Council **APPROVES** the application for Bulk Earthworks and Unexploded Ordnance Survey on Lot 3028 Tidal Drive, Port Kennedy seeking Development Approval in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the submitted application received on 16 October 2025 and revised plans received on 27 January 2026, subject to the following conditions:

1. All development must be carried out in accordance with the approved plans as listed below, including any amendments to those plans as shown in red:
 - Bulk Earthworks Plan, Drawing No. 6441-ET-200, Rev C; dated 22 January 2026;
 - Borrow Pit Earthworks Plan, Drawing No.6441-ST-205, Rev A, dated 27 January 2026; and
 - UXO Clearing Plan, Drawing No. 6441-00-SK02, Rev B, dated 1 October 2025.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. This decision constitutes development approval only and is valid for a period of 2 years from the date of approval. If the development is not substantially commenced within the period specified, the approval shall lapse and be of no further effect.

3. 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 and/or if substantiated complaints are received.
4. Prior to works commencing, a Construction and Site Management Plan must be submitted and approved by the City of Rockingham, which shall address, but not be limited to, the following matters:
 - Hours of construction and work;
 - Temporary fencing and signage;
 - Site access and construction traffic management;
 - Erosion and dust management, including measures for the contractor to promptly clean up or rectify any surrounding properties as may be required that are impacted by dust from the development during the construction period;
 - Management of stormwater;
 - Management of stockpiles of topsoil and stripped vegetation;
 - Fuel, chemical and waste management;
 - Management of construction noise and vibration;
 - Management of any contaminated fill;
 - Fauna management;
 - Evidence demonstrating any water extraction licenses required have been obtained from the DWER.
 - Protection of remnant vegetation on Lot 3028 unaffected by the bulk earthworks;
 - Public communication and complaint handling procedures, including contact details of essential personnel; and
 - Ongoing monitoring of dust emissions including remediation actions as required.

The Construction and Site Management Plan outcomes shall be derived from the specific requirements set out in Condition No.6.

The approved Construction and Site Management Plan is to be always implemented and adhered to during the site works, to the satisfaction of the City of Rockingham.

5. Bulk earthworks associated with this approval are prohibited over the period commencing 1 October to 31 March (inclusive).
6. Prior to works commencing:
 - (i) a Sand and Dust Management Plan is to be submitted to and receive approval from the City of Rockingham.
 - (ii) a Fauna Relocation Management Plan (**FRMP**) is to be prepared for and approved by the City of Rockingham. The FRMP, once approved by the City of Rockingham, must be implemented to the satisfaction of the City.
 - (iii) an updated Foreshore Management Plan for the proposed bulk earthworks is to be provided to the City of Rockingham for review and approval in consultation with the Department of Biodiversity, Conservation and Attractions to ensure the protection and management of the site's environmental assets.
 - (iv) a fence restricting vehicle access to the foreshore (Lot 3006) is to be constructed along the boundary to protect native vegetation.
 - (v) an assessment survey for UXO is to be undertaken to determine if a remediation survey is required, as this property is on a site where records confirm a history of numerous UXO finds or heavy residual fragmentation. If no evidence of UXO is found, no further action is required. If evidence of UXO is found, a remediation survey is to be completed to locate and remove any UXO within the bulk earthworks area, to the satisfaction of the Department of Fire and Emergency Services.

The management plans may be included as Appendices in the Construction and Site Management Plan required in Condition No.4 above.

FOOTNOTES

- Note 1: *If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.*
- Note 2: For uncleared areas within the proposed UXO survey area and the area of proposed bulk earthworks footprint the clearing of native vegetation is controlled under the *Environmental Protection Act 1986* and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*. The applicant should contact the Department of Water and Environmental Regulation for further advice regarding the clearing of native vegetation.
- Note 3: In accordance with clause 2.1.2 of Town Planning Scheme No.2, the application over Lot 3006 and 3007 is exempt from requiring Planning Approval from the City.
- Note 4: The Applicant is reminded of the need to comply with all relevant laws and regulations, including but not limited to the *Planning and Development Act 2005* and the *Environmental Protection Act 1986* and any associated regulations for the duration of the development authorised by this approval.

Committee Voting (Carried) - 5/0

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Rudman
Cr Jecks
Cr Robertson

Council Members voting against the motion:

Nil

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

Not Applicable

Planning and Development Services Directorate Planning Services



Report number / title:	PD-007/26	Revocation of Local Planning Policies - Rockingham Strategic Centre
File number:	LUP/1265	
Applicant:		
Owner:		
Author:	Mr Tristan Fernandes, Manager Major Planning Projects	
Other Contributors:		
Date of Committee meeting:	16 February 2026	
Previously before Council:	24 August 2010 (PD78/8/10); 24 April 2012 (DPD-003/12 and DPD-004/12); 24 September 2013 (DPD-006/13); 25 November 2014 (PDS-094/14); 24 March 2015 (PDS-024/15); 27 September 2016 (PDS-062/16)	
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:	<ol style="list-style-type: none"> 1. Local Planning Policy No 3.2.1 - Development Policy Plan City Centre Sector; 2. Local Planning Policy No 3.2.2 - Development Policy Plan Smart Village Sector; 3. Local Planning Policy No 3.2.5 - Development Policy Plan Waterfront Village Sector; 4. Local Planning Policy No 3.2.6 - Development Policy Plan Northern Waterfront Sector; 5. Local Planning Policy No 3.2.8 - Development Policy Plan Campus Sector; 6. Local Planning Policy No 3.2.9 - Development Policy Plan Eastern Sector; and 7. Local Planning Policy No 3.2.12 - Development Policy Plan Southern Gateway Sector. 	
Maps / Diagrams:	<ol style="list-style-type: none"> 1. Previous Framework Plan and Sectors (2009) 	
Site:	Various	
Lot Area:		
LA Zoning:	Strategic Centre	
MRS Zoning:	Centre	

Purpose of Report

For Council to consider revoking the following Local Planning Policies following the approval of the Rockingham Strategic Centre Precinct Structure Plan:

- *Local Planning Policy No 3.2.1 - Development Policy Plan City Centre Sector;*

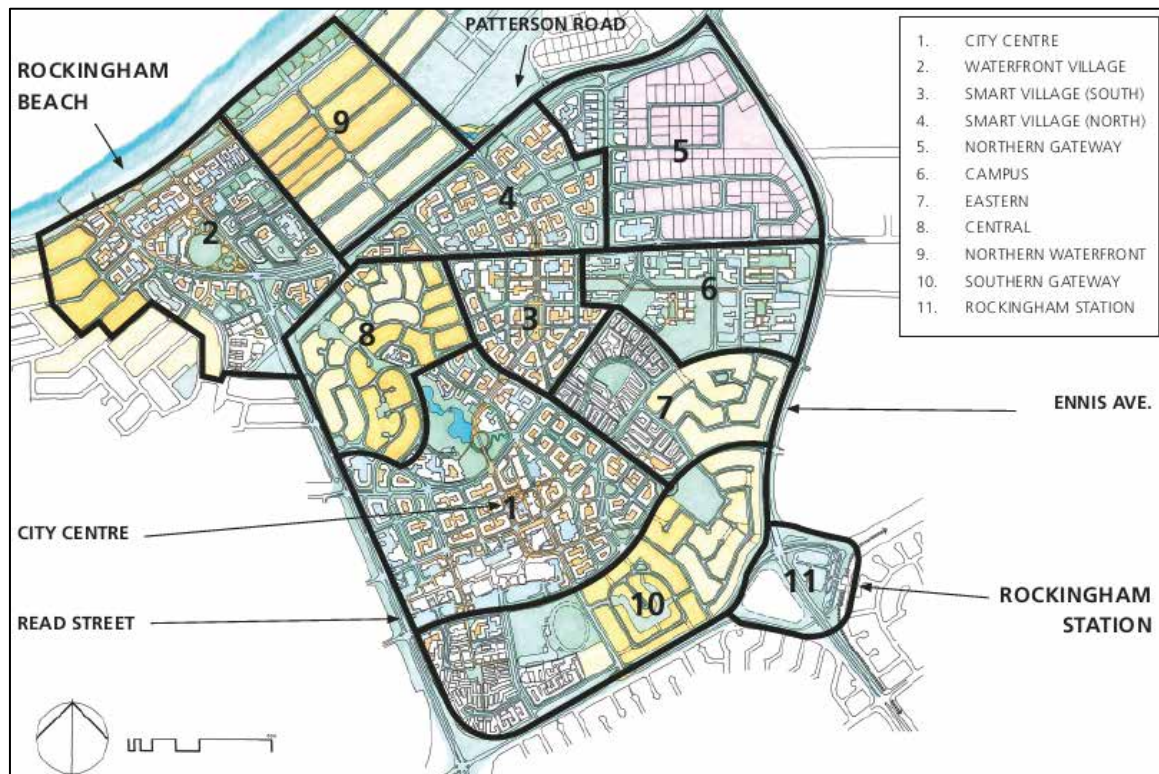
- *Local Planning Policy No 3.2.2 - Development Policy Plan Smart Village Sector;*
- *Local Planning Policy No 3.2.5 - Development Policy Plan Waterfront Village Sector;*
- *Local Planning Policy No 3.2.6 - Development Policy Plan Northern Waterfront Sector;*
- *Local Planning Policy No 3.2.8 - Development Policy Plan Campus Sector;*
- *Local Planning Policy No 3.2.9 - Development Policy Plan Eastern Sector; and*
- *Local Planning Policy No 3.2.12 - Development Policy Plan Southern Gateway Sector.*

Background

Rockingham Strategic Metropolitan Centre - Centre Plan (2009)

In September 2009, the Council endorsed the Centre Plan, Strategic Planning Reports (Volumes 1 and 2) as the 'Centre Plan for the Rockingham Strategic Metropolitan Centre' (at the time referred to as the 'Rockingham Primary Centre' and now 'Rockingham Strategic Centre').

The Centre Plan sets out a broad planning framework and provides general direction for the preparation of more detailed Local Planning Policies (LPP's), or Development Policy Plans, which guide development requirements and planning considerations for each of the 11 Sectors. Each sector contained a unique context and objectives for development outcomes (see Figure 1)



1. Previous Framework Plan and Sectors (2009)

In November 2009, the Western Australian Planning Commission (WAPC) endorsed the Centre Plan Reports as the basis for strategic planning decision making for the Rockingham Strategic Centre.

Since the adoption of the Centre Plan, seven (7) LPP's were prepared and adopted by the Council (see attachments). The timeline of approvals for the implementation of the local planning framework is set out as follows:

September 2009 Council Adoption of Centre Plan Volumes 1 and 2.

November 2009 WAPC Endorsement of Centre Plan Volumes 1 and 2.

The WAPC directed the City to prepare all necessary changes to its Policy framework, TPS2 and the Metropolitan Region Scheme (MRS).

August 2010	Council Adopted the 'City Centre' (Sector 1) LPP.
February 2011	Amendment No.91 to TPS2 was approved, establishing 'Primary Centre – City Centre' zone. The Amendment set up the Scheme to define the entire Strategic Centre as the 'Primary Centre', not as a single zone, but comprising up to eight (8) individual 'Primary Centre' zones based on the Sectors in the Centre Plan.
April 2012	Council Adopted 'Waterfront Village' (Sector 2) and 'Smart Village - South' (Sector 3) LPP's.
September 2012	Amendment No.113 to TPS2 was approved, establishing the 'Primary Centre - Waterfront Village' and 'Primary Centre Urban Village' zones.
September 2013	Council Adopted 'Northern Waterfront' (Sector 9) LPP.
July 2014	Amendment No.129 to TPS2 was approved, establishing the 'Primary Centre - City Living' zone.
November 2014	Council Adopted 'Campus' (Sector 6) LPP.
March 2015	Council Adopted 'Eastern' (Sector 7) LPP.
September 2015	Amendment No.140 to TPS2 was approved, establishing the 'Primary Centre Campus' zone.
February 2016	MRS Amendment 1278/57 was Approved by the WAPC, expanding the 'Central City Area' zone to incorporate the Eastern, Northern Waterfront, Smart Village North, Southern Residential and Waterfront Village Sectors. Amendment No.141 to TPS2 was introduced, establishing the 'Primary Centre Campus' zone.
September 2016	Council Adopted the 'Southern Gateway' and 'Rockingham Station' (Sectors 10 and 11) LPP's.

Three Sectors (Leeuwin, Northern Smart Village and Northern Gateway) had work either planned or not finalised by the time the review of the Centre Plan was due to commence. In this regard, the Rockingham Strategic Centre Precinct Structure Plan addresses these areas, or in the case of the Northern Gateway Sector, will be addressed outside the planning processes for the Strategic Centre.

Details

In January 2026, the City's new Rockingham Strategic Centre Precinct Structure Plan was approved by the Department of Planning, Lands and Heritage.

The Precinct Structure Plan has been prepared to provide a consolidated and contemporary planning instrument to guide the consideration of future capital works, subdivision, zoning and development within the Strategic Centre for the next 10 years.

The approved Precinct Structure Plan stipulates that it supersedes the previous 2009 'Centre Plan' and its accompanying LPP's.

As such, a formal process is now required to revoke the now superseded LPP's, as all new development will be assessed in accordance with the new planning framework.

Implications to Consider

- a. **Consultation with the Community**
Nil
- b. **Consultation with Government Agencies**
Nil

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Strategic Community Plan 2023-2033:

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Built infrastructure meets current and future community needs - Plan build and maintain current and future assets*

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: *Quality Leadership - Ensure accountable and transparent governance*

Quality Leadership - Promote the City as a place for the future

Sustainable Local Government - Optimise City resources

Sustainable Local Government - Continual improvement

d. Policy

Local Planning Policies are planning instrument under the *Planning and Development (Local Planning Schemes) Regulations 2015*. A LPP can be prepared by a local government in respect of any matter related to the planning and development of the Scheme area and must be based on sound town planning principles. It may address either strategic or operational considerations in relation to the matters to which the policy applies.

The LPP's do not form part of a Local Planning Scheme but are recognised as matters to be given due regard to in consideration of applications for development approval and are to be reviewed at least every five years to ensure they remain relevant and in line with sound town planning principles.

e. Financial

Nil

f. Legal and Statutory

Planning and Development (Local Planning Schemes) Regulations 2015

Pursuant to clause 6 of the deemed provisions incorporated into TPS2, a LPP may be revoked by a notice of revocation prepared by the local government and published in accordance with clause 87.

cl 6 - Revocation of local planning policy

A local planning policy may be revoked —

(a) by a subsequent local planning policy that —

(i) is prepared in accordance with this Part; and

(ii) expressly revokes the local planning policy;

or

(b) by a notice of revocation —

(i) prepared by the local government; and

(ii) published by the local government in accordance with clause 87.

cl 87 - Requirements for making documents available to public

(4) If the document is a notice and the local government considers that it is appropriate in the circumstances for the notice to be published in a newspaper, the local government must also ensure that the notice is published in a newspaper circulating in the relevant locality in the local government district.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks

Nil

Comments

The suite of LPPs prepared to support the previous Centre Plan have been superseded by the Rockingham Strategic Centre Precinct Structure Plan and are now redundant. The assessment of development applications will now defer to the provisions contained within the new Precinct Structure Plan.

To ensure the City's Local Planning Framework remains contemporary and simple to administer, it is recommended that the Local Planning Policies referenced within the Officer Recommendation be revoked.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **REVOKES**:

1. Local Planning Policy No 3.2.1 - Development Policy Plan City Centre Sector;
2. Local Planning Policy No 3.2.2 - Development Policy Plan Smart Village Sector;
3. Local Planning Policy No 3.2.5 - Development Policy Plan Waterfront Village Sector;
4. Local Planning Policy No 3.2.6 - Development Policy Plan Northern Waterfront Sector;
5. Local Planning Policy No 3.2.8 - Development Policy Plan Campus Sector;
6. Local Planning Policy No 3.2.9 - Development Policy Plan Eastern Sector; and
7. Local Planning Policy No 3.2.12 - Development Policy Plan Southern Gateway Sector.

Committee Recommendation

That Council **REVOKES**:

1. Local Planning Policy No 3.2.1 - Development Policy Plan City Centre Sector;
2. Local Planning Policy No 3.2.2 - Development Policy Plan Smart Village Sector;
3. Local Planning Policy No 3.2.5 - Development Policy Plan Waterfront Village Sector;
4. Local Planning Policy No 3.2.6 - Development Policy Plan Northern Waterfront Sector;
5. Local Planning Policy No 3.2.8 - Development Policy Plan Campus Sector;
6. Local Planning Policy No 3.2.9 - Development Policy Plan Eastern Sector; and
7. Local Planning Policy No 3.2.12 - Development Policy Plan Southern Gateway Sector.

Committee Voting (Carried) - 5/0

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Rudman

Cr Jecks
Cr Robertson

Council Members voting against the motion:

Nil

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

Not Applicable

Asset Services Operations and Fleet Services



Report number / title:	AS-002/26	WALGA Quote WQ25/26-44 - Supply of One (1) Truck Mounted Sweeper
File number:	WQ25/26-44	
Proponent/s		
Author:	Mr Tony Bailey, Manager Operations and Fleet Services	
Other Contributors:	Mr James Fawcett, Acting Fleet Management Supervisor	
Date of Committee Meeting:	16 February 2026	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role :	Executive	
Attachments:		
Maps/Diagrams:		
Site:		
Lot Area:		
LA Zoning:		
MRS Zoning:		

Purpose of Report

To provide Council with details of the submissions received for WQ25/26-44 - Supply of One (1) Truck Mounted Sweeper, document the results of the quote assessment and make recommendations regarding award of the quote.

Background

Quote WQ25/26-44 was sent out via the WALGA eQuote system to a panel of preferred suppliers on Tuesday, 1 September 2025. Quotes closed at 2pm, Wednesday 24 September 2025 and were publicly opened immediately after the closing time. Agreement was made between the City of Rockingham (**City**) and all quoters to extend the pricing validity period beyond the three (3) calendar months to provide sufficient time for quoters to provide a demonstration plant for the purposes of assessment.

Details

A panel as approved by the Director Asset Services in compliance with Executive Standard - Purchasing of Goods and Services, undertook an extensive evaluation process.

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

Quoter	Level of Service	Performance and Experience of Supplier	Price Considerations	Total Score	Rank
	20 Pts	20 Pts	60 Pts	100 Pts	
Bucher Municipal	15.3	17.8	51.4	84.5	1
Rosmech Sales & Service Pty Ltd	10.0	18.8	52.2	81.0	2
Mike Trace Engineering Sales and Services Pty Ltd (Iveco truck option)	12.0	8.0	60.0	80.0	3
Superior Pak	15.2	7.8	56.9	79.9	4
Mike Trace Engineering Sales and Services Pty Ltd (Volvo truck option)	12.0	8.0	59.9	79.9	4
Enviropath	14.7	7.8	52.1	74.6	6
Stg Sales Pty Ltd	8.8	8.0	46.5	63.3	7

This is a lump sum contract which does not allow for a price variation due to rise and fall or a variation in the Consumer Price Index for Perth Western Australia.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Strategic Community Plan 2023-2033:

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: *Quality Leadership - Ensure accountable and transparent governance*

d. Policy

In accordance with Executive Standard - Purchasing of Goods and Services, for purchases above \$250,000, a public tender process is not required to be conducted where the supply of goods or services is to be obtained through the WALGA Preferred Supplier Program 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 11(2)(b).

e. Financial

The recommended submission of \$545,000 is in accordance with the approved Budget.

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 \$250,000 unless sub regulation (2) states otherwise'.

In accordance with *the Local Government (Functions & General) Regulations 1996*, Part 4 - division 2 Section 11 subsection (2)(b).

Sub regulation (2) - 'Tenders do not have to be publicly invited according to the requirements of this Division if –

Sub regulation (2)(b) the supply of the goods or services is to be obtained through the Council Purchasing Service of Western Australian Local Government Association (**WALGA**).

Therefore, a tender exemption applies to WALGA's Preferred Supply Contracts, and local governments are not required to go to public tender when purchasing from WALGA's arrangement, irrespective of contract value or length.

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 / Program/Project management / Natural Environment: High and Extreme Risks
Financial / Health and Safety: Medium, High and Extreme Risks*

Nil

Comments

Submissions were received from six (6) suppliers being Bucher Municipal, Rosmech Sales & Service Pty Ltd, Mike Trace Engineering Sales and Services Pty Ltd, Superior Pak, Enviropath and Stg Sales Pty Ltd with Mike Trace Engineering Sales and Services Pty Ltd providing options for Volvo and Iveco trucks.

The Quote qualitative criteria included mechanical, operator and safety assessment, price, availability of spare parts, servicing requirements and environmental performance. Bucher Municipal were able to demonstrate a Bucher/Iveco Maxpowa V65T Truck Mount Road Sweeper along with Rosmech Sales & Service Pty Ltd who demonstrated their Iveco ML160E25 - Scarab Mistral Truck Mount Road Sweeper. All other quoters were unable to supply a unit for operator and mechanical assessment.

Following consideration of the submissions in accordance with the quote criteria, all quoters demonstrated the capability, capacity, resources and personnel to provide the Goods and Services with varying levels of competency which is reflected in the assessment scores.

The Bucher sweeper performed very well in meeting specification requirements, mechanical, operator and safety assessment and also scored highest in the assessment process overall. The Bucher sweeper is therefore considered the best value to the City and is recommended as the preferred quoter.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ACCEPTS** the quote submitted from Bucher Municipal Pty Ltd., 65-73 Nantilla Road, Clayton, Victoria 3168 for WALGA Quote WQ25/26-44 - Supply of One (1) Truck Mounted Sweeper in accordance with the quote documentation for the Supply of one truck mounted sweeper for the lump sum value of \$545,000.

Committee Recommendation

That Council **ACCEPTS** the quote submitted from Bucher Municipal Pty Ltd., 65-73 Nantilla Road, Clayton, Victoria 3168 for WALGA Quote WQ25/26-44 - Supply of One (1) Truck Mounted Sweeper in accordance with the quote documentation for the Supply of one truck mounted sweeper for the lump sum value of \$545,000.

Committee Voting (Carried) - 5/0

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Rudman

Cr Jecks
Cr Robertson

Council Members voting against the motion:

Nil

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

Not Applicable

Asset Services Infrastructure Project Delivery



Report number / title:	AS-003/26	Tender T24/25-26 - Provision of Services for the Redevelopment of the Palm Beach West Boat Ramp
File number:	T24/25-26	
Proponent/s		
Author:	Mr Rob Pollock, Major Infrastructure Project Officer	
Other Contributors:	Mr Ian Daniels, Manager Infrastructure Project Delivery Mr Manoj Barua, Manager Technical Services	
Date of Committee Meeting:	16 February 2026	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role:	Executive	
Attachments:	1. Financial Implications <i>Confidential Attachment as per Section 5.23(4)(c) of the Local Government Act 1995</i>	
Maps/Diagrams:	1. Locality Plan	
Site:		
Lot Area:		

Purpose of Report

To provide Council with details of the Tender submissions received for Tender T24/25-26 - Provision of Services for the Redevelopment of the Palm Beach West Boat Ramp, document the results of the Tender assessment and make recommendations regarding award of the contract.

Background

Tender T24/25-26 - Provision of Services for the Redevelopment of the Palm Beach West Boat Ramp was advertised in the West Australian on Saturday, 15 November 2025. The Tender closed at 2pm, Wednesday, 17 December 2025 and was publicly opened immediately after the closing time.

Details

The site for the works is shown in the below locality plan.



1. Locality Plan

The works comprise of the complete demolition and refurbishment of the Palm Beach West Boat Ramp facility including:

- Demolition of existing ramp;
- Construction of two concrete boat ramp lanes and one jet ski ramp lane and two holding jetties consistent with current standards;
- Re-configuration of rock armour and scour protection;
- Re-configuration of the carpark and ramp access to include a vehicle turning loop, additional reversing lane and designated rigging/ de-rigging bays;
- Realignment of the existing footpath to provide safer pedestrian movements around the boat ramp vehicle access zone; and
- New beach access footpath.

The contract period will commence in March 2026 and is expected to be completed in August 2026.

A panel as approved by the Director Asset Services in compliance with Executive Standard - Purchasing of Goods and Services, undertook Tender evaluations.

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

Tenderer	Level of Service	Understanding Tender Requirements	Price Considerations	Total Score	Rank
	40 Pts	30 Pts	30 Pts	100 Pts	
Jetty & Marine Constructions Pty Ltd	31.8	24.6	30.0	86.4	1
D.B. Cunningham Pty Ltd T/A Advantearing - Civil Engineers	33.5	25.8	26.1	85.4	2
Neo Civil Pty Ltd	20.9	18.3	29.5	68.7	3

The Tender assessment requires that Local Content is considered with the following outcome:

Tenderer	Original Score	Local Content	Total Score	Rank
	100 Pts	5 Pts	105 Pts	
Jetty & Marine Constructions Pty Ltd	86.4	2.5	88.9	1
D.B. Cunningham Pty Ltd T/A Advantearing - Civil Engineers	85.4	3.0	88.4	2

This is a lump sum contract which does not allow for a price variation due to rise and fall or a variation in the Consumer Price Index (CPI) for Perth Western Australia.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Nil

c. Strategic Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Strategic Community Plan 2023-2033:

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Built infrastructure meets current and future community needs - Plan build and maintain current and future assets*

d. Policy

In accordance with Executive Standard - Purchasing of Goods and Services, for purchases above \$250,000, 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).

In accordance with Executive Standard - Purchasing of Goods and Services, Local Content was assessed as part of the Tender assessment

e. Financial

The financial implications are shown in the confidential attachment.

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 \$250,000 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 / Program/Project management / Natural Environment: High and Extreme Risks
 Financial / Health and Safety: Medium, High and Extreme Risks*

Nil

Comments

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 Jetty & Marine Constructions Pty Ltd (JMC) is considered the best value to the City of Rockingham (**City**) and therefore recommended as the preferred Tenderer.

JMC has demonstrated strong capability and relevant experience as both a head contractor and a specialist sub-contractor on comparable marine infrastructure projects across Western Australia.

Their demonstrated operating systems and processes allow for tight control over sequencing, quality, and delivery of the construction program. Such control is particularly valuable within the project's constrained timeframe, as it minimises the risk of delays and supports more efficient project management.

Overall, JMC's resources, experience and methodology present a clear advantage to the City and contribute to a lower-risk delivery pathway for the project.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ACCEPTS** the Tender submitted from Jetty & Marine Construction Pty Ltd of 16 Mews Road, Fremantle, for Tender T24/25-26 - Provision of Services for the Redevelopment of the Palm Beach West Boat Ramp - as per the confidential attachment to this Report.

Committee Recommendation

That Council **ACCEPTS** the Tender submitted from Jetty & Marine Construction Pty Ltd of 16 Mews Road, Fremantle, for Tender T24/25-26 - Provision of Services for the Redevelopment of the Palm Beach West Boat Ramp - as per the confidential attachment to this Report.

Committee Voting (Carried) - 5/0

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Rudman

Cr Jecks
Cr Robertson

Council Members voting against the motion:

Nil

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

Not Applicable

Asset Services Infrastructure Project Delivery



Report number / title:	AS-004/26	Tender T25/26-57 - Provision of Services for the Mundijong Road Rehabilitation from Kwinana Freeway to St Albans Road, Baldivis
File number:	T25/26-57	
Proponent/s		
Author:	Mr Gurjinder Gill, Supervisor Civil Projects	
Other Contributors:	Mr Ian Daniels, Manager Infrastructure Project Delivery	
Date of Committee Meeting:	16 February 2026	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role:	Executive	
Attachments:		
Maps/Diagrams:	1. Locality Plan	
Site:		
Lot Area:		

Purpose of Report

To provide Council with details of the Tender submissions received for Tender T25/26-57 - Provision of Services for the Mundijong Road Rehabilitation from Kwinana Freeway to St Albans Road, Baldivis, document the results of the Tender assessment and make recommendations regarding award of the contract.

Background

Tender T25/26-57 - Provision of Services for the Mundijong Road Rehabilitation from Kwinana Freeway to St Albans Road, Baldivis was advertised in the West Australian on Saturday, 22 November 2025. The Tender closed at 2pm, Wednesday, 17 December 2025 and was publicly opened immediately after the closing time.

Details

The section of Mundijong Road from 280 east of Kwinana Freeway to St Albanas Road has been identified for rehabilitation and strengthening of the pavement – this section is shown in the below locality plan.



1. Locality Plan

The scope of work under this contract includes:

- (a) Profiling and Resurfacing of the east bound lane.
- (b) Profiling and Foam Bitumen stabilisation of west bound lane to strengthen the existing road pavement.

Traffic Management - It is likely that Mundijong Road between Kwinana Freeway and St Albans Road will be fully closed during the works.

The contract will commence in late March 2026 and is expected to be completed by June 2026.

A panel as approved by the Director Asset Services in compliance with Executive Standard - Purchasing of Goods and Services, undertook Tender evaluations.

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

Tenderer	Level of Service	Understanding Tender Requirements	Price Considerations	Total Score	Rank
	30 Pts	30 Pts	40 Pts	100 Pts	
Stabilised Pavements of Australia Pty Ltd	26.3	24.3	38.0	88.6	1
HIWAY WA Pty Ltd	26.0	25.2	37.0	88.2	2
MACS Australia Group Pty Ltd	19.2	23.7	40.0	82.9	3
WCP Civil Pty Ltd	23	15.3	38.1	76.4	4
Fulton Hogan Industries Pty Ltd	20.3	20.3	29.0	69.6	5

The Tender assessment required that Local Content is considered with the following outcome:

Tenderer	Original Score	Local Content	Total Score	Rank
	100 Pts	5 Pts	105 Pts	
Stabilised Pavements of Australia Pty Ltd	88.6	2	90.6	1
HIWAY WA Pty Ltd	88.2	1	89.2	2

This is a lump sum contract which does not allow for a price variation due to rise and fall or a variation in the Consumer Price Index (CPI) for Perth Western Australia

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Strategic Community Plan 2023-2033:

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Built infrastructure meets current and future community needs - Plan build and maintain current and future assets*

d. Policy

In accordance with Executive Standard - Purchasing of Goods and Services, for purchases above \$250,000, 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

The recommended submission of \$839,731 is in accordance with the approved Budget. The 2/3 project cost is funded through the Metropolitan Regional Road Group (MRRG) funding scheme and 1/3 is funded by the City of Rockingham.

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 \$250,000 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 / Program/Project management / Natural Environment: High and Extreme Risks
 Financial / Health and Safety: Medium, High and Extreme Risks*

Nil

Comments

Tenderers were required to supply information addressing level of service, including demonstrated relevant industry experience, available resources, qualified personnel and quality accreditation systems, in addition to an understanding of Tender requirement, including methodology for undertaking the works, considerate critical requirements and project risks.

Following consideration of the submissions in accordance with the Tender assessment criteria, Stabilised Pavements of Australia Pty Ltd and HIWAY WA Pty Ltd demonstrated a high level of previous experience in similar road rehabilitation projects for Local Governments. They also demonstrated their capability, capacity, resources and personnel to undertake the works and provided a competitive price, a detailed method statement and schedule highlighting their understanding of the works.

All Tenderers demonstrated a capability to undertake the works, however, the submission received from Stabilised Pavements of Australia Pty Ltd is considered the best value to the City of Rockingham and therefore recommended as the preferred Tenderer.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ACCEPTS** the Tender submitted from Stabilised Pavements of Australia Pty Ltd, 97 Poole Street, Welshpool, WA 6106 for Tender T25/26-57 - Provision of Services for the Mundijong Road Rehabilitation from Kwinana Freeway to St Albans Road, Baldivis in accordance with the Tender documentation for the lump sum price of \$839,731.

Committee Recommendation

That Council **ACCEPTS** the Tender submitted from Stabilised Pavements of Australia Pty Ltd, 97 Poole Street, Welshpool, WA 6106 for Tender T25/26-57 - Provision of Services for the Mundijong Road Rehabilitation from Kwinana Freeway to St Albans Road, Baldivis in accordance with the Tender documentation for the lump sum price of \$839,731.

Committee Voting (Carried) - 5/0

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Rudman
Cr Jecks
Cr Robertson

Council Members voting against the motion:

Nil

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

Not Applicable

Corporate and Community Development Committee

Community Development Community Safety and Support Services



Report number / title:	CD-001/26	Amendment to Composition of Community Safety and Support Services Advisory Group
File number:	COM/55-10	
Proponent/s:		
Author:	Mr Matt Lewis, Coordinator Community Safety and Support Services	
Other Contributors:	Ms Mary-Jane Rigby, Manager Community Safety and Support Services	
Date of Committee meeting:	17 February 2026	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:	1. Community Safety and Support Services Advisory Group minutes - 4 December 2025	
Maps / Diagrams:		
Site:		
Lot Area:		

Purpose of Report

To consider a recommendation from the Community Safety and Support Services Advisory Group (**CSSSAG**) to amend the membership to remove the requirement for the representative from the Western Australian Police Force (**WAPOL**) to be the Officer in Charge (**OIC**) at Rockingham Police Station.

Background

At the 22 October 2024 Ordinary Council Meeting, Council approved an amendment to the CSSSAG membership as follows:

That Council APPROVES the amendment to the composition of the Community Safety and Support Services Advisory Committee to include one representative from the WA Police, Officer in Charge Rockingham Police Station.

Details

The requirement for the WAPOL representative on the CSSSAG to be a specific officer from Rockingham Police Station has presented a number of challenges over the past 12 months.

When the incumbent OIC is unavailable, the officer attending the meeting does so on behalf of the OIC and therefore does not have voting rights. The recent resignation of the OIC at Rockingham Police Station from the CSSSAG, along with the recent opening of the Baldivis Police Station, presents an opportunity to amend the composition of the CSSSAG to include a representative from WAPOL. This change will ensure that either the OIC or other delegate from the Baldivis or Rockingham Police Stations can be an approved member of the CSSSAG with voting rights, without the need to formally seek Council approval each time a change in OIC occurs. It also provides the opportunity for either the OIC or approved delegate from Baldivis or Rockingham Police Stations to attend the meetings, depending on the topics being discussed at the time.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

The OIC of Baldivis and Rockingham Police Stations were both consulted on the proposed amendment, with no objections received.

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 2023-2033:

Aspiration: **1. Social - A family-friendly, safe and connected community**

Outcome/Objective: *Community health and wellbeing - Reinforce a strong sense of safety*

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: *Quality Leadership - Provide community communication and facilitate engagement opportunities*

d. Policy

The proposed amendment to the membership of the CSSSAG is in accordance with Council Policy – Governance and Meeting Framework.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

Amending the composition of the CSSAG, to appoint a WAPOL representative to the group rather than limiting membership to the OIC of Rockingham Police Station, will ensure continuity of WAPOL attendance as a voting member and enable representation from either the Rockingham or Baldivis Police Stations.

This item was presented to the Community Safety and Support Services Advisory Group at its meeting on Thursday 4 December 2025 where it was supported without change.

Voting Requirements

Simple Majority

Community Safety and Support Services Advisory Group Recommendation

That Council **AMENDS** the composition of the Community Safety and Support Services Advisory Group to include a representative from the Western Australian Police Force, Rockingham or Baldivis Police Stations.

Officer Recommendation if Different to Community Safety and Support Services Advisory Group Recommendation

Not Applicable

The Officer's Reason for Varying the Community Safety and Support Services Advisory Group Recommendation

Not Applicable

Committee Recommendation

That Council **AMENDS** the composition of the Community Safety and Support Services Advisory Group to include a representative from the Western Australian Police Force, Rockingham or Baldivis Police Stations.

Committee Voting (Carried) – 5/0

Council Members voting for the motion:

Cr Liley
Cr Buchanan
Mayor Buchan

Cr Hudson
Cr Crichton

Council Members voting against the motion:

Nil

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

Not Applicable

Community Development Community Safety and Support Services



Report number / title:	CD-002/26 Mental Health Advocacy
File number:	CSV/3675
Proponent/s:	
Author:	Ms Mary-Jane Rigby, Manager Community Safety and Support Services
Other Contributors:	Ms Elaine Jensen, Community Development Officer (Community Support Services)
Date of Committee meeting:	17 February 2026
Previously before Council:	
Disclosure of Interest:	
Nature of Council's role:	Advocacy
Attachments:	1. Community Safety and Support Services Advisory Group minutes - 4 December 2025
Maps / Diagrams:	
Site:	
Lot Area:	

Purpose of Report

To seek Council approval to include advocacy for the increased provision of funding and infrastructure toward specialist and preventative mental health services for the Rockingham region on the City of Rockingham (**City**) Advocacy Position Register.

Background

The spectrum of Mental Health Services is very broad ranging from community based prevention programs, to the very acute levels of care required to support people living with mental illness. The State and Federal Government are primarily the responsible tiers of government to fund these services.

The ongoing demand for mental health related infrastructure and services has been a recurring topic of discussion at the Community Safety and Support Services Advisory Group (**CSSSAG**) meetings since 2019. At its 10 April 2025 meeting, CSSSAG received presentations on mental health within the Rockingham community, including data from the City's Community Support Services Mapping Report (2023), Rockingham headspace and Rockingham/Kwinana Adult Mental Health (Department of Health). These presentations reaffirmed the need for additional State and Federal funding and infrastructure for mental health services in Rockingham.

Details

The Community Support Service Mapping Report (2023) defines mental health as the capacity to interact with people and the environment, and the ability to negotiate the social interactions and challenges of life, without experiencing undue emotional or behavioural incapacity.

The role for local government in mental health is primarily in wellbeing with a focus on supporting initiatives that aid community members along with raising community awareness of available support services. The City does this through the delivery of actions within Community Plan Strategies such as the Health and Wellbeing Strategy, Children and Young People's Strategy, Seniors Strategy and the Community Safety and Support Services Strategy. In addition, the City provides community facilities such as libraries and recreation centres to enhance community livability, providing opportunities for community participation in a wide and diverse range of hobbies and interests aimed at enhancing community wellbeing. Further, the city works to develop strategic partnerships to understand local needs and gaps to support advocacy for increased services where appropriate.

The funding of direct service provision for mental health providers and the delivery/operation of relevant infrastructure is primarily the remit of State and Federal governments. Service providers are reporting chronic under-resourcing in this area to meet the growing needs of Rockingham residents.

Data presented at the April 2025 CSSSAG meeting that reaffirms the need to advocate for increased funding for mental health services in Rockingham included:

- The five-year average rate per 100,000 Rockingham residents diagnosed with a mental health concern was approximately 20.2% (27,406) in 2020-21.
- Rockingham has higher rates of mental health illness (including depression and anxiety) - at 11.2% compared to the State (8.3%) and Australia (8.8%). (ABS 2021)
- Suicide rates in Rockingham (16 people per 100,000) is higher than surrounding areas in the Perth South Primary Health Network (excluding Mandurah which has the highest) and the State (14.2 people per 100,000) between 2018-2022
- Referral requests for mental health services are exceeding service capacity. As an example, in 2024, the Adult Community Mental Health Service which operates from Rockingham General Hospital (**RGH**) received 6,620 referrals and had capacity to accept 1,306 of these. The Older Adult Community Mental Health Service which also operates from RGH, received 550 referrals and had capacity to accept approximately half of these.
- The overall rate of mental health occasions of service was higher for Rockingham-Kwinana Health District residents compared to WA State occasions of service. There was a total of 350,290 mental health occasions of service for the Rockingham-Kwinana Health District between 2018-2022. There was a total of 7,757 mental health hospitalisations for Rockingham-Kwinana health district residents from 2019-2023.
- The RGH in-patient Mental Health Unit is the smallest metropolitan unit in Western Australia. It provides 20 adult beds including four locked units and 10 older adult mental health beds, four of which are locked. In 2024, there were 690 admissions for the adult mental health unit and 124 admissions for the older adult mental health unit.
- RGH provides Hospital in the Home (HITH) services for mental health needs. In 2024, 545 patients were supported through this service.
- The severity and complexity of mental health presentations has significantly increased, resulting in clinical services limited to supporting the most acutely unwell individuals and non-clinical services supporting individuals with acute concerns that are typically outside their remit. Non-clinical services are therefore experiencing decreased capacity to deliver prevention and early intervention services. As an example, headspace Rockingham, which is focused on brief and early intervention services for young people aged 12-25 years, reported from October 2024 – December 2024, 27% of referrals were outside of the scope of service due to the severity of presentations.
- In the period 1 July 2024 - 30 June 2025, the ALIVE Suicide Prevention Service, which supports individuals 17 years and older who are at low to moderate risk of suicide or self-harm, supported 190 clients and had 1,595 contacts including therapeutic interventions, case management and liaison.

The Rockingham Kwinana Mental Health Advocacy Network have indicated some specific areas of focussed need being:

1. Increase funding to the Rockingham General Hospital Mental Health Unit for beds and staff for the acute level of care.
2. Allocate additional funding to increase the number of sub-acute beds at the Rockingham General Hospital.
3. Allocate funding for a Mental Health Outreach Service focused on homelessness.
4. Allocate increased funding to the Medicare Mental Health Program to enable a facility to be built within the City of Rockingham.
5. Increase funding for peri-natal mental health services.
6. Increase funding for the 360 ALIVE program across the Peel and Rockingham Kwinana (PaRK) region
7. Allocate funding for infant child and adolescent mental health services in Rockingham aligned with National taskforce
8. Increase funding to primary prevention mental health initiatives focused on Children, Youth, Seniors Families, Men, Culturally and Linguistically Diverse, Gender Diverse and First Nations people.

Implications to Consider

a. Consultation with the Community

The increasing demand and need for mental health services has continually been raised by the community and stakeholders during the development of the City's Community Plan Strategies, including the Community Safety and Support Services, Early Years, Children and Young People, Seniors' and Health and Wellbeing strategies.

b. Consultation with Government Agencies

The City is represented on several professional interagency networks that have all identified the need for improved advocacy for mental health services across the region. These are:

- Rockingham Kwinana Mental Health Advocacy Network;
- Peel, Rockingham and Kwinana Suicide Prevention Network;
- Rockingham headspace Consortium;
- Mandurah Kwinana Rockingham Homelessness Improvement Team; and
- South Metropolitan District Leadership Group.

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 2023-2033:

Aspiration: **1. Social - A family-friendly, safe and connected community**

Outcome/Objective: *Community health and wellbeing - Strengthen community health and wellbeing*

Outcome/Objective: *Accessible services – Adapt services to meet changing community need*

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: *Quality Leadership - Active advocacy for the community*

The Community Safety and Support Services Strategy 2022-2027 has a specific action to introduce a social and emotional wellbeing pillar to the City's Advocacy Plan to address identified areas. Advocacy for increased mental health services aligns with this action.

d. Policy

The City's Advocacy Position Register represents matters out of the scope of control of local government, but which Council seeks to promote on behalf of the community. The register is maintained in accordance with the Governance and Meeting Framework.

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 / Program/Project management / Natural Environment : High and Extreme Risks

Financial / Health and Safety : Medium, High and Extreme Risks

Nil

Comments

The Community Safety and Support Services Strategy 2022 – 2027 has a specific action to introduce a social and wellbeing advocacy pillar. The inclusion of mental health advocacy on the City's Advocacy Position Register aligns with this action. In addition, the Community Support Services Mapping Report (2023) reinforces the need to advocate for mental health service provision locally, including:

- Advocacy for further investment in resourcing the personalised support that some individuals require in order to navigate complex systems.
- Collective advocacy on system challenges including gaps in mental health services and facilities.
- Holistic mental health support including consideration for centralised points offering comprehensive and low barrier early intervention for mental health, including mental health support services.

It is therefore recommended that Council adopts a formal advocacy position in an endeavour to improve the critical shortfalls currently being experienced in mental health service in the Rockingham region.

This item was presented to the Community Safety and Support Services Advisory Group on Thursday 4 December 2025 where it was supported without change.

Voting Requirements

Simple Majority

Community Safety and Support Services Advisory Group Recommendation

That Council **ADVOCATES** for an increase in funding and infrastructure for clinical and preventative mental health services in the Rockingham region.

Officer Recommendation if Different to Community Safety and Support Services Advisory Group Recommendation

That Council **ADVOCATES** to both the State and Federal Government for an increase in funding and infrastructure for clinical and preventative mental health services in the Rockingham region.

The Officer's Reason for Varying the Community Safety and Support Services Advisory Group Recommendation

The minor change in recommendation wording is to clearly specify who the City will be advocating to for funding.

Committee Recommendation

That Council **ADVOCATES** to both the State and Federal Government for an increase in funding and infrastructure for clinical and preventative mental health services in the Rockingham region.

Committee Voting (Carried) – 5/0

Council Members voting for the motion:

Cr Liley
Cr Buchanan
Mayor Buchan

Cr Hudson
Cr Crichton

Council Members voting against the motion:

Nil

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

Not Applicable

Community Development Community Infrastructure Planning Services



Reference No & Subject:	CD-003/26 Aqua Jetty Stage 2 Concept Design
File No:	CPR/1367
Proponent/s:	
Author:	Mr Ian Daniels, Manager Infrastructure Project Delivery
Other Contributors:	Mr Michael Holland, Director Community Development
Date of Committee Meeting:	17 February 2026
Previously before Council:	22 February 2022 (CD-006/22), 12 December 2023 (AS-025/23) 26 November 2024 (CD-038/24)
Disclosure of Interest:	
Nature of Council's Role:	Executive
Attachments:	
Maps/Diagrams:	<ol style="list-style-type: none">1. Aqua Jetty current aerial photo2. Aqua Jetty Stage 2 Overall Site Plan3. Aqua Jetty Stage 2 High Level Concept Plan
Site:	Lot 533 Warnbro Sound Avenue and Lot 532 Swallowtail Parade, Warnbro
Lot Area:	8.9ha

Purpose of Report

To seek Council endorsement of the Aqua Jetty Stage 2 Concept Design and funding prior to the project proceeding to schematic design.

Background

The Aqua Jetty (**AJ**) is a District-level aquatic and leisure facility serving a catchment radius of over 10 km and a population between 75,000 and 150,000. Since opening in 2003, it has provided aquatic, fitness, sporting, social and crèche services to the City of Rockingham (**City**) community and visitors.

The following is a summary of the history analysis and planning for the facility since 2010.

2010 – Needs & Feasibility Study. This identified the need for expansion to meet forecast population growth.

2017 – Internal Aquatic Facilities Study: This assessed future planning considerations, design standards, usage, program capacity and industry trends. It recommended progression of facility expansion (Aqua Jetty Stage 2).

2018 – Updated Needs Assessment & Feasibility Study. This expanded on the information provided in 2017. It determined that both the aquatic and dry-side infrastructure required upgrades to maintain service levels and support population growth.

The above supported the City in securing **\$10 million** through the WA Recovery Plan Funding Program.

2021–2023 - Design Process and Tender Outcome.

The original consultant team progressed concept and detailed design through to a construction tender which went to market in September 2023. At the Special Council Meeting on **12 December 2023**, given the significant budget shortfall, Council resolved:

That Council:

1. *DECLINE all the tenders for T23/24-39 – Construction of Stage 2 of the Aqua Jetty Aquatic facility, as they exceed the current budget allocations; and*
2. *INSTRUCTS the CEO to investigate redesigning Stage 2 in an effort to reduce the construction costs.*

Following Council's resolution instructing the CEO to investigate a redesign, Officers undertook both internal and independent reviews of the project. These reviews assessed the original design and scope to identify opportunities for reducing the project costs, while ensuring project outcomes and community expectations remained central.

A key recommendation of the review was for the City to appoint a new design team to reassess the current design and produce updated designs focused on:

- Identifying design changes that align with project outcomes while minimising costs
- Reviewing and selecting cost-effective materials and construction methodologies
- Examining the building layout to consolidate and relocate spaces where possible to avoid costly future extension works and lowering latent condition risks
- Reducing the rework/refurbishment works required

Based on the above, Council in November 2024 resolved:

That Council APPROVES the development of a project scope to appoint a new design team to undertake a redesign of the Aqua Jetty Stage 2 project.

In August 2025, following a competitive tender process, the City appointed Carabiner Architects to lead a consultancy team responsible for developing a new design for the AJ Stage 2, then preparing the schematic and detailed designs. The AJ Stage 2 high level concept designs have now been finalised along with estimated costings.

To enable the project to continue to the schematic stage both the high-level concept plans and budget need to be approved.

Details



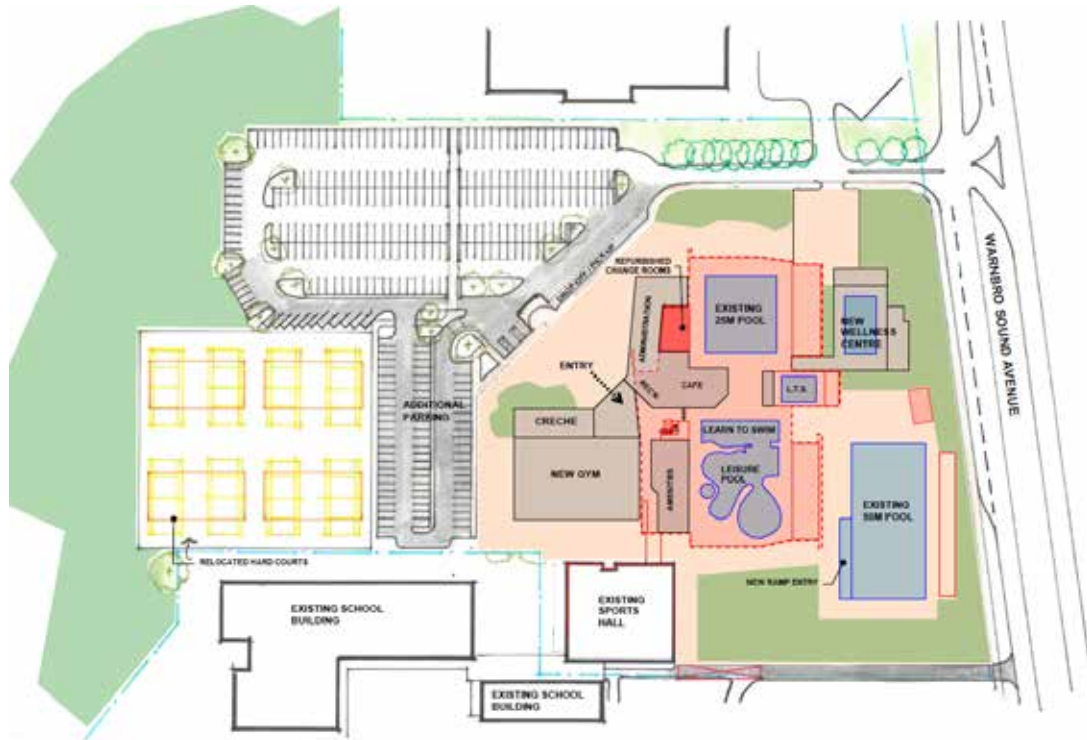
1. Aqua Jetty current aerial photo

Key features of the new design reflect the recommendations from the independent and internal reviews with a focus on minimising construction risk whilst including outcomes from the 2018 Needs and Feasibility Study.

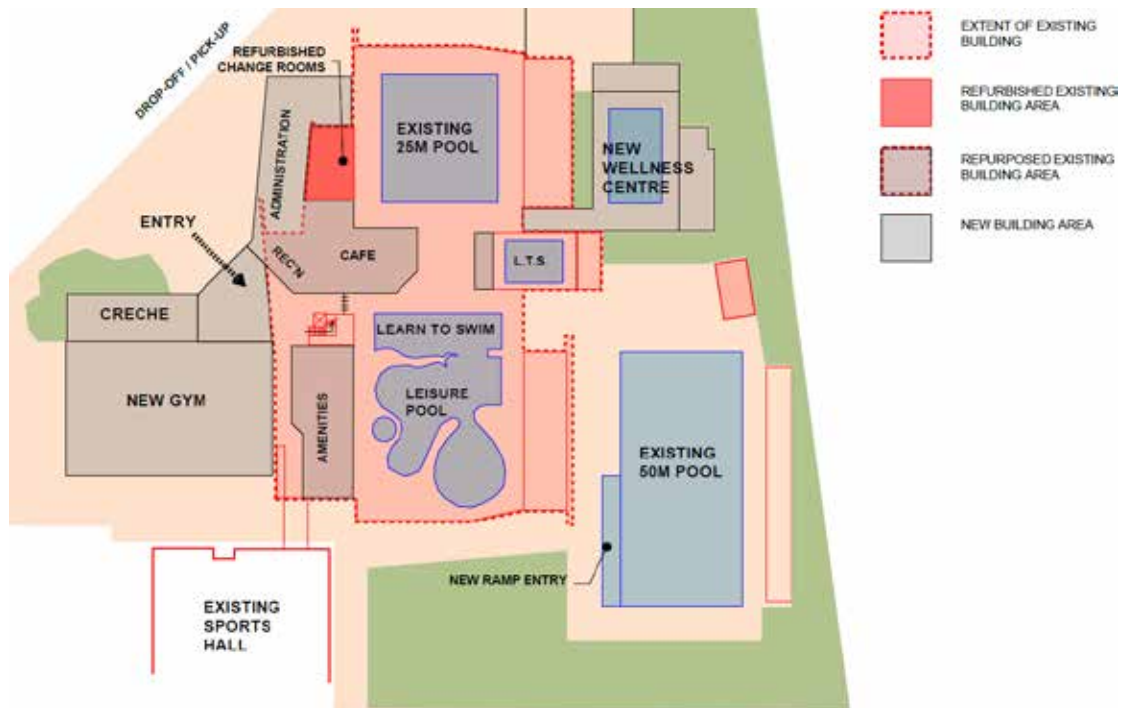
These considerations, together with over \$4m in Asset Management works, have been integrated into the Concept Design. Once delivered, the upgraded AJ will continue to serve as the City's flagship aquatic and leisure facility. Key elements of the concept design include:

- **Wellness Suite:** an accessible and larger hydrotherapy pool, new spa, sauna and steam rooms. This space will also include an adult change facility, storage and universally accessible toilet (UAT). These additions address the current shortage in warm water programmable space within the facility.
- **Water Space:** Reconfigured water bodies to improve functionality, including an expanded learn-to-swim pool that will significantly increase lesson availability and provide additional programmable areas.
- **Water Play:** A redesigned leisure pool featuring new water play areas and interactive elements. The existing water slides, which have high operating and management costs, will be removed.
- **Administration, Reception, Crèche, Café:** A redesigned administration and reception area, with the café and crèche relocated into the central hub. This consolidation enhances customer flow and improves the overall experience for members and visitors.
- **Gym and Group Fitness Spaces:** Substantially larger health and fitness areas, including a 1,000 m² ground-floor gym and expanded group fitness and spin rooms on the first floor. These upgrades increase equipment capacity, improve workout spaces, and support a broader range of programs, enabling higher class volumes and greater member engagement.
- **Change rooms:** refurbishment and extension of the current change facilities adjacent to the leisure pool and 25m pool and gym. Additional change facilities are incorporated throughout to cater for diverse user needs.
- **Water Accessibility:** Improved accessibility across all water bodies, with each pool designed to include either ramp access or a hoist to ensure universal access.

- **Asset Management:** Replacement and upgrade of mechanical ventilation, pool filtration and pool heating systems.
- **Other Key Design Outcomes:** Increased storage throughout, and additional functional layout improvements to enhance operation efficiency.



2. Aqua Jetty Stage 2 Overall Site Plan



3. Aqua Jetty Stage 2 High Level Design Concept Plan

Implications to Consider

a. Consultation with the Community

Consultation was undertaken during the development of the 2018 Needs and Feasibility Study and during the AJ Stage 2 Concept Design in 2021. Feedback received supported the development of the Concept Design in 2021 and remain part of the project scope and High-Level Design Concept Plans.

To further strengthen the project's focus, a new Lived Experience Working Group has been established to provide feedback on accessibility and inclusion considerations

b. Consultation with Government Agencies

Nil

c. Strategic

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 2023-2033:

Aspiration: 1. **Social - A family-friendly, safe and connected community**

Outcome/Objective: *Connected community - Provide opportunities for community engagement and participation*

Outcome/Objective: *Community health and wellbeing - Strengthen community health and wellbeing*

Outcome/Objective: *Community health and wellbeing - Provide healthy lifestyle opportunities*

Outcome/Objective: *Accessible services - Adapt services to meet changing community need*

Outcome/Objective: *Inclusive community - Build connectivity with our diverse community*

Aspiration: 3. **Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Built infrastructure meets current and future community needs - Plan build and maintain current and future assets*

d. Policy

The AJ Stage 2 Concept Design has been developed in line with the City's Sports and Community Facilities Provision Policy. Specifically, the policy states '*the size and scale of community facilities will be guided by the City's Community Infrastructure Plan hierarchy, a needs assessment and feasibility study*'.

e. Financial

The current high level project cost estimates developed through the concept design process indicate a total project cost of approximately \$62.7 million. This figure includes design, construction, headworks, overheads, contract administration, superintendent fees and contingencies. This estimate assumes construction will commence in 2027 and that the works will be delivered as a single build. The cost estimate has also been reviewed and validated by two independent sources. The City's Business Plan currently provides for a project budget amount of \$40.8M.

The City has been successful in receiving \$10M towards the delivery of this project from the State Government through the WA Recovery Plan. There is also approximately \$9.1M available through developer contribution funds pursuant to State Planning Policy (SPP) 3.6.

f. Legal and Statutory

The AJ Stage 2 concept redesign remains consistent with the requirements of the SPP 3.6 – Development Contributions for Infrastructure, and alignment with the City of Rockingham Town Planning Scheme No 2.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

High Financial, Project Management and Customer Service Risks are involved in this project.

Comments

The AJ Stage 2 Design has been developed to ensure that the facility is better positioned to meet both current and future community expectations. Additionally, the designs also allow increased flexibility in programmable space to ensure that the City's facility management team can optimise the facility to best meet the growing membership base and their requirements.

The current design is less expensive than the original design due to:

- Reduced construction risk and cost by constructing new linked buildings (gym and hydrotherapy) as opposed to undertaking major structural modifications to the existing building.
- Lower likelihood of encountering latent (unknown) conditions in the existing facility, particularly given limited availability of original construction and as-constructed information.

The new areas provide a wide range of health and fitness opportunities for members of the community. These facility and functional improvements will also support increased revenue generation through higher membership capacity and expanded aquatic and dry-program offerings.

The City's project team will continue to work with the architect in order to ensure project outcomes are achieved in line with the consultation findings and functional requirements outlined earlier in this report. This work will be undertaken within the parameters of the Concept Design cost estimate and will involve extensive reviews of schematic and detailed designs, including careful consideration of equipment and material selections. The designs also incorporate more than \$4 million in asset maintenance works identified through the City's Business Plan process. Integrating these works in to the project will deliver long term operational and functional efficiencies.

Subject to Council endorsement of the AJ Stage 2 High Level Concept redesign finalisation of the concept and schematic design works will commence immediately.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **ENDORSES** the Aqua Jetty Stage 2 High Level Concept Designs inclusive of budget implications; and
2. **ADVOCATES** for additional funding to the State and Federal Governments.

Committee Recommendation

That Council:

1. **ENDORSES** the Aqua Jetty Stage 2 High Level Concept Designs inclusive of budget implications; and
2. **ADVOCATES** for additional funding to the State and Federal Governments.

Committee Voting (Carried) – 5/0

Council Members voting for the motion:

Cr Liley
Cr Buchanan
Mayor Buchan

Cr Hudson
Cr Crichton

Council Members voting against the motion:

Nil

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

Not Applicable

15. Report of Mayor

**City of Rockingham
 Mayor's Report**



Report number / title:	MR-001/26	Meetings and Functions Attended by the Mayor and Deputy Mayor
File number:	GOV/85	
Proponent/s:		
Author:	Mayor Lorna Buchan	
Other Contributor/s:	Cr Robert Schmidt, Deputy Mayor	
Date of Council meeting:	24 February 2026	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	

Purpose of Report

To advise on the meetings and functions attended by the Mayor and Deputy Mayor during the period 12 December 2025 to 19 February 2026.

Background

Nil

Details

Date	Meeting/Function
14 December 2025	Larkhill TBAWA Tee Ball Expo Game
15 December 2025	Meeting with UBH Group Meeting with the Director General and Commodore of Australian Naval Nuclear Power Safety Regulator ASA Community Information Session
16 December 2025	Baldivis Primary School Year Six Graduation Council Meeting
17 December 2025	Rivergums Primary School Year 6 Graduation Ceremony Tuart Rise Primary Year 6 Leadership Award Presentation Meeting with the Mayor of the City of Port Adelaide Enfield Opening Ceremony Baldivis Outdoor Recreation Space Governance Review Panel TS Comet Awards Presentation
19 December 2025	Meeting with the local Police District Management Teams Peron Naturaliste Partnership Board Meeting Baldivis Children's Forest Final Event of the Year
20 December 2025	Rockingham Districts Little Athletics Christmas Race
22 December 2025	Rockingham Creative Crafts Christmas Party

Date	Meeting/Function
24 December 2025	Singleton Christmas Parade
30 December 2025	Cockburn Sound Regatta
31 December 2025	New Years Eve Event
12 January 2026	Rockingham Rotary
13 January 2026	Meeting with the Trade & Investment Manager, Energy & Defence, Australia British Consulate-General with the Deputy Mayor
15 January 2026	AUSactive Active X Community Event with the Deputy Mayor Visit to Invisible Illness Meeting with Rockingham Kwinana Chamber of Commerce Rocky Fringe Festival Launch Party
17 January 2026	Flames Community Day
19 January 2026	Visit to Rockingham General Hospital Meeting with Minister Papalia
20 January 2026	Meeting with Rockingham Kwinana Chamber of Commerce and Birchmead
21 January 2026	Tour of Waikiki Private Hospital
22 January 2026	Introduction Meeting with the WA State Manager of the Australian Submarine Agency Meeting with the Trade & Investment Manager, Energy & Defence, Australia British Consulate-General and Sydney based UK Consul for Investment, Infrastructure and Energy
23 January 2026	Meeting with the US Consulate
26 January 2026	Community Citizen of the Year Awards and Citizenship Ceremony Australia Day Event
27 January 2026	Visit to Veolia, Bibra Lake Meeting with the Department of Defence and others regarding Garden Island Highway City of Perth, Annual Electors Meeting with the Deputy Mayor
29 January 2026	Republic of the Marshal Islands' Guardian-Class Patrol Boat Handover Ceremony Meeting with Prendiville Group
30 January 2026	Groovin Vibes at Secret Harbour Foreshore Rockingham City Football Club State League Night Series
31 January 2026	Emergency Services Open Day Golden Bay Town Team
2 February 2026	Award presentation to the Community Citizen of the Year Meeting with the Commanding Officer of Garden Island together with the Deputy Mayor Australian Citizenship Ceremony
3 February 2026	Site visit to Waikiki Zone Substation Meeting with Perth West South Metropolitan Alliance and Professor Patalano from King's College London Councillor Engagement Session
5 February 2026	Meeting with the Premier's Office and the Shire of Serpentine Jarrahdale Annual Electors Meeting
6 February 2026	Meeting with Rockingham Kwinana Chamber of Commerce & WA Defence Review Totally and Partially Disabled Veterans WA Book Launch Catalpa, Fremantle to Freedom Rockingham City Football Club State League Night Series

Date	Meeting/Function
9 February 2026	Visit to Lillah Haven Meeting with the Honorary Consul and Development Associate of the Kingdom of Morocco Civic talk at Tranby College
10 February 2026	Councillor Engagement Session
11 February 2026	Meeting with YouthCARE School Chaplaincy Mayoral speech at The Cruising Yacht Club of WA Rockingham Kwinana Chamber of Commerce Business After Hours Event
12 February 2026	Baldivis Men's Shed Sod Turning
13 February 2026	Advocacy meeting with Ms Magenta Marshall Movie Night at Karnup
14 February 2026	Mary Davies Street Makeover Pop-up Party
15 February 2026	Rockingham City Football Club State League Night Series
16 February 2026	Councillor Engagement Session Planning & Asset Services Committee
17 February 2026	Key Leaders in Business Breakfast Meeting with US Senator and Perth South West Metropolitan Alliance Corporate and Community Committee
18 February 2026	Meeting with the Deputy Premier's Chief of Staff regarding advocacy Governance Review Panel Meeting
19 February 2026	Meeting with Place Developments HATCH, Accelerating the Western Trade Coast, Stakeholder Roundtable

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 / Program/Project management / Natural Environment : High and Extreme Risks

Financial / 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 12 December 2025 to 19 February 2026.

19. Motions of which Previous Notice has been given

Corporate and Community Development Committee

**Corporate Services
 Director and Support**



Report number / title:	CS-001/26	Notice of Motion – Proposed Re-introduction of weekly general waste service
File number:	CPM/120	
Proponent/s:	Cr Dylan Mbanu	
Author:	Mr Michael Yakas, A/Director Corporate Services	
Other Contributor/s:	Mr John Pearson, Director Corporate Services Ms Helen Savage, Senior Projects Officer	
Date of Council meeting:	24 February 2026	
Previously before Council:	16 December 2025 (CS-020/25), 25 March 2025 (CS-002/25), 28 January 2025 (CS-001/25), 17 December 2024 (CS-001/25), 23 July 2024 (CS-018/24), 26 March 2024 (CS-007/24), 25 July 2023 (CS-015/23), 27 June 2023 (CS-015/23), 27 January 2021 (CS-002/21), 27 September 2016 (EP-030/16), 24 February 2015 (EP-003/15), 16 December 2014 (EP-047/14), 27 April 2011 (EP-022/11)	
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:		
Maps/Diagrams:		
Site:		
Lot Area:		

Purpose of Report

To respond to the following Notice of Motion from Cr Mbanu –

*That Council **ADOPTS** that the red bin (general waste) collection be moved back to being collected weekly.*

Background

Notice of Cr Mbanu's proposed motion was provided to the City of Rockingham (**City**) on 28 November 2025 and the following reason/s were given in support –

“For the sake of families and people right across the City of Rockingham. For families that have nappies, people that use sanitary pads (women’s health products) and families that have at least a few children the current red bin collection frequency (fortnightly) is not working.

The majority of people in the City of Rockingham want this change. This is reflected through my inbox which has received hundreds of emails (and counting) requesting the change back to weekly. This is a modest request and one that I urge the Council to deeply consider the level of public support on this issue should not be underestimated, this is the main issue I campaigned on to end up a Councillor, upon review of the results it is clear that there is public support.

I will save counter arguments for the debate part of the Council meeting.”

Details

A Notice of Motion has been submitted by Cr Mbanjo as detailed above. This request accords with clause 3.9 of the City of Rockingham *Standing Orders Local Law 2001*.

FOGO Timeline

On 27 April 2011 the City adopted the City of Rockingham Waste Strategy. This commenced the process of the City assessing conversion from the then current two bin kerbside collection system to a three bin system.

On 16 December 2014 the City endorsed the City of Rockingham 2014 Waste Collection Strategy for the purposes of undertaking community consultation. This document identified the requirement for the City to implement a three bin collection system by 2016/2017. This was done in acknowledgement of the January 2014 Waste Authority Better Bins – Kerbside Collection Guidelines which noted Full Organics and Garden Organics options. This strategy went through full community consultation with details provided in the consultation section of this report.

On 24 February 2015 the City adopted the City of Rockingham 2014 Waste Collection Strategy (post the community consultation).

On the 27 September 2016 the City approved the purchase of bins to support a three-bin waste system involving the supply and delivery of the existing household bin system consisting of 140 litre general waste (red-lid), 240 litre green-waste (green-lid) and 360 litre recyclable waste (yellow-lid) bins.

At the time the City's household two-bin system consisted of a 240 litre general waste bin that was collected weekly and a 240 litre recyclable waste bin collected fortnightly. The introduction of a third bin to the City's waste collection provision in June 2017 was in preparation for providing a Food Organics, Garden Organics (**FOGO**) collection and processing service that is in accordance with the Waste Authority's Better practise FOGO kerbside collection guidelines.

The additional bin and changes to bin capacity effectively increased the total fortnightly service (for the three bins) to an 880 litre service providing an increase from the previous 720 litres two-bin service. The implementation of a FOGO kerbside collection and processing service has subsequently increased the City's waste collection capacity further to a 980 litre services through the green-lid bin being collected weekly and the red-lid bin collection becoming a fortnightly service.

The City is not the first to implement FOGO with 26 other local governments in Perth, Peel and Southwest regions undertaking FOGO kerbside collection. The Department of Water and Environmental Regulation (**DWER**) have confirmed that all of these local governments operate a fortnightly general waste kerbside collection.

A timeline of decision points made by Council from 2011 are as follows:

27 April 2011 (EP-022/11)

That Council:

1. *ADOPT the City of Rockingham – Waste Strategy March 2011,*
2. *WITHDRAW from the South Metropolitan Regional Council within the next 12 months subject to compliance with contractual and membership obligations,*
3. *DEFER consideration of any major capital expenditure, future alliances and partnerships for at least 12 months,*
4. *CONTINUE investigation and analysis of;*
 - *The Moltoni Energy Pty Ltd Waste to Energy proposal*
 - *The Rivers Regional Council Alternate Waste Technology proposal*

- The financial impacts of Federal Government carbon pricing schemes currently under discussion*
- Other emergent waste treatment technologies and opportunities*

16 December 2014 (EP-047/14)

That Council ENDORSE the draft Waste Collection Strategy dated December 2014 for the purpose of undertaking community consultation.

24 February 2015 (EP-003/15)

That Council ADOPT the 2014 Waste Collection Strategy dated December 2014

27 September 2016 (EP-030/16)

That Council DELEGATES authority to the Chief Executive Officer to award WALGA Quote W16/17-26 - Supply, Assembly and Distribution of Mobile Garbage Bins (MGB's) for General Waste; Mobile Recycling Bin's (MRB's) for Recyclable Waste and Green Waste; and associated components, subject to the quotation being within the budget.

27 January 2021 (CS-002/21)

That Council ADOPTS the City of Rockingham Waste Plan 2020/2021.

It is important to note that the action 1.4 in the Waste Plan 2020/2021 included the implementation of the better practice three-bin FOGO system in the City of Rockingham by 2025.

27 June 2023 (CS-015/23)

That Council DEFERS Item CS-015/23 Provision of Food Organics and Garden Organics (FOGO) Waste Collection and Processing Service to be presented at a Councillor Engagement Session.

A Councillor Engagement Session occurred on 17 July 2023 and included FOGO information as required by the resolution.

25 July 2023 (CS-015/23)

That Council APPROVES the implementation of a Food Organics and Garden Organics (FOGO) waste collection and processing service for residential properties in accordance with the City of Rockingham's Waste Plan 2020-2031 by the end of June 2025, as detailed in Option 1 of this report.

26 March 2024 (CS-007/24)

That Council NOT SUPPORT the following resolution from the Annual Electors Meeting held on 8 February 2024:

- 1. direct the CEO conduct a thorough review into cost and environmental impact of the current FOGO Policy, as well as whether the current FOGO policy can be changed to adapt itself to be a better fit for all residents of the city of Rockingham.*
- 2. select parts of the current FOGO Policy remain, including but not limited to: The adaptation of food scraps to be disposed of in the green bins.*
- 3. direct the CEO direct stakeholders to seriously consider a "switching of the lids" between the green and red bins in order to give a better balance of rubbish disposals to the people who are directly impacted by this policy, the residents, if they are to keep the current FOGO cycle in place.*
- 4. direct the CEO to consider application for the Better Bins Plus program in order to relieve the cost which as of now has gone up to 25 dollars per household as opposed to the previous 11 dollars per household that was quoted in CS-015/23 in the August OCM.*
- 5. force a motion that the policy be sent out for community consultation be made, not to discourage or sway in favour of FOGO, but gauge communities understanding of FOGO Policy as well as their opinions on what if any part of the FOGO Policy should be adapted.*
- 6. direct the CEO, if no agreement can be made on implementation of these FOGO modifications, that the policy in its entirety be withdrawn and the previous motion CS-015/23 be revoked, citing implementation cost, lack of choice for residents and environmental issues associated with lack of proper information.*

23 July 2024 (CS-018/24)

That Council **ACCEPTS** the tender submitted from Veolia Environmental Services (Australia) Pty Ltd, Level 4, 65 Pirrama Road, Pyrmont NSW, for Tender T24/25-39 – Provision of services for the collection and processing of recyclable material and food organics and garden organics (FOGO) waste in accordance with the tender documentation with the service commencement date of 26 June 2025 for a period of 8 years.

17 December 2024 (CS-001/25)

That Council **DELEGATES** authority to the Chief Executive Officer to award Tender T24/25-87 and enter into a contract for the provision of services for the production and delivery of kitchen caddies to properties within the City of Rockingham subject to the consideration for payment being within the approved budget.

28 January 2025 (CS-001/25)

That Council **ACCEPTS** the tender submitted from Trident Plastics (SA) Pty Ltd, 589 Torrens Road, St Clair, South Australia for Tender T24/25-87 - Provision of services for the production and delivery of kitchen caddies to properties within the City of Rockingham for \$1,398,690 (excluding GST).

25 March 2025 (CS-002/25)

That Council **NOT SUPPORT** the resolution from the Annual Electors Meeting held on 6 February 2025 to continue the red lid bin collection on a weekly basis.

Current State

The City has implemented a Better Practice three-bin FOGO system in accordance with the State Waste Avoidance and Resource Recovery 2030 Strategy (**State Strategy**) and the matter has previously been considered and resolved by Council. This implementation included entering into a long term FOGO collection and processing contract, as well as restructuring the general waste collection service to operate over five days. This change required adjustments to collection schedules for a substantial number of residents.

'Figure 1 – Better Bin Plus: GO FOGO kerbside collection guidelines' (Figure 1) describes the recommended three-bin kerbside collection services that the Waste Authority supports through the provision of funding to local governments that deliver kerbside services that are consistent with the guidelines.

	Residual / General waste Red lid	Co-mingled recycling Yellow lid	FOGO Lime Green lid
Preferred bin volume	80, 120 or 140 litres	240 or 360 litres	240 litres
Preferred collection frequency	Fortnightly	Fortnightly	Weekly
Weekly collection volume	Maximum 70 litres	Minimum 120 litres	Minimum 240 litres
Kitchen asset and consumables			
Kitchen caddies	5 to 8 litres		
Kitchen caddie liners	AS4736-2006 for compostable and biodegradable plastics		

Figure 1 – Minimum service requirements – Better Bins Plus image from Better Bins Plus: Go FOGO Funding Guidelines

The City was successful in securing a funding agreement for \$861,000 with the DWER. The amount of funding received was conditional on the City providing kerbside services to households in accordance with the minimum requirements as set out in Figure 1.

Moving the weekly general waste kerbside collection to fortnightly was a priority to achieving a high performing three bin system. This system was designed to maximise recovery and minimise waste going to landfill.

A once a week collection service of the 140L general waste (red-lid) bin will result in a further increase in collection capacity to 1120L per fortnight. This will result in the City over-servicing on general waste for the majority of households and would not encourage a high performing three bin system. Further, the City would be the only local government, using FOGO, to offer a weekly general waste collection. This would be in direct misalignment to the GO FOGO kerbside collection guidelines and the funding agreement. DWER have advised that reverting from a fortnightly general waste collection to weekly would result in the City having to repay the \$861,000 grant funding.

Since the introduction of FOGO (July to October) over 8,000 tonnes of FOGO waste has been collected. When comparing the 2024 (**GO**) to 2025 (**FOGO**) collections, the FOGO service has diverted more than 3,400 tonnes of waste going to landfill. It is evident that the service is being utilised by the community. Table 1 provides a monthly breakdown of the GO and FOGO waste collected.

Month	2024 GO Quantity (Tonnes)	2025 FOGO Quantity (Tonnes)	Increase (Tonnes)
July	778.35	1,668.09	889.74
August	1,073.73	1,701.37	627.64
September	1,476.34	2,314.97	838.63
October	1,308.88	2,387.04	1,078.16

Table 1: Monthly GO V FOGO Collections (tonnes)

Moreover, since the introduction of FOGO (July to October) the City has experienced a reduction of 3,900 tonnes of general waste. Table 2 provides a monthly breakdown of general waste collected.

Month	2024 Quantity (Tonnes)	2025 Quantity (Tonnes)	Reduction (Tonnes)
July	2,603.25	1,628.20	-975.05
August	2,634.45	1,582.29	-1,052.16
September	2,489.79	1,654.98	-834.81
October	2,679.73	1,613.54	-1,066.19

Table 2: Monthly General Waste Collections (tonnes)

Strategic Community Plan 2023-2033

As part of the major review of the Strategic Community Plan (2023–2033) (**Community Plan**), the City engaged with 4,645 community members, and their feedback was clear: protecting the natural environment, minimising waste and planning for climate change are all top priorities. From this engagement, a new aspiration for the City’s future was established: “Natural Environment - A place of natural beauty where the environment is respected.” Aspiration 2 – Natural Environment is to ensure the City remains a place of natural beauty where the environment is respected through reducing the City’s energy and waste usage, minimising waste and mitigating and adapting to climate change impacts. Reverting to weekly red-bin collection would undermine this aspiration and compromise the environmental gains the current FOGO system offers. Maintaining fortnightly red-bin collection ensures the City meets the community’s waste minimisation aspiration.

The reduction in general waste and diversion from landfill is tracking in line with anticipated estimates. The City anticipated that FOGO would divert approximately 12,500 tonnes of general waste from landfill per annum. This will be impacted if the bin servicing schedule does not assist in driving community behaviour to change their habits around waste disposal.

Waste Levy

The State Government first introduced a landfill levy in 1998 to encourage the diversion of waste from landfill by increasing disposal costs. The intent was to encourage households and local government to adopt better recycling, reuse and recovery systems. If the City chose to not implement FOGO and recycling services, ratepayers would ultimately pay more to dispose of their waste in landfill. For context, the Landfill levy was \$3 per tonne in 1998. By 2025 it has risen to \$88 per tonne and will continually increase to \$97 per tonne by 2029. Without minimising waste and

adopting contemporary recycling and recovery services, the cost of sending waste to landfill will continue to get more expensive.

The landfill levy is charged quarterly. A comparison of the July–September periods for 2024 and 2025 shows a levy reduction of \$469,000 has already been achieved. If the City achieves its projected waste diversion outcomes of 12,500 tonnes, the landfill levy is expected to decrease by approximately \$1.1M for the 2025/2026 financial year.

City Waste Plan

The City has implemented FOGO in direct alignment with the State Strategy 2030. Through its Waste Plan 2021 (**Waste Plan**), the City has the target of increasing its Municipal Solid Waste (MSW) material recovery to 70% by 2030. The State Government has a target of 75%. To achieve this target the Waste Plan identifies a number of actions which includes 'Action 1.4 - Introduce the Better Practice three-bin FOGO system by 2025'. The introduction of a FOGO collection and processing service is one of the most impactful actions in the City's Waste Plan in diverting organic material from landfill.

The Waste Hierarchy

The State Strategy provides a waste hierarchy which is a widely accepted decision-making tool that is set out in Section 5(1)(c) of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act). The waste hierarchy ranks waste management options in order of their general environmental desirability and prioritises waste avoidance. Disposal of waste at landfill is the least desirable treatment due to it recovering the least value from materials and delivering the least environmental benefit. It should only be used when other options are not viable.



Figure 2 - Waste Hierarchy image from Waste Avoidance and Resource Recovery Strategy 2030

The City's Waste Plan includes the goal of achieving a 67% municipal waste material recovery rate in 2025. In the first four months of its implementation the City is achieving 57.8% recovery which has increased from approximately 39% in 2023/2024, prior to FOGO.

Landfills are anaerobic environments, and waste is broken down in an environment without oxygen which produces more methane gas than when waste is disposed of through a FOGO processing facility. By diverting waste through a FOGO processing facility that would have previously ended up at landfill, the waste undergoes a composting process to convert it into a useful soil conditioner product that can be earth cycled back into the environment.

Other Implications

The City has been planning the move to a FOGO service over many years. As part of the FOGO implementation the waste collection service was moved from a six day per week to a five day per week service with an estimated 27,400 properties being impacted by route and area changes. The FOGO and recycling collection service is performed by a contractor, Veolia. Under the waste collection contract Veolia is currently contracted to service properties five days per week. Further, the general waste collection service is performed by the City. Therefore, should Council decide to revert back to a weekly general waste collection service, this will have an impact on the contracted services. The general waste collection could not simply revert to a weekly pick-up as the waste service collection routes and areas have changed. If the Contractor and City collection routes and areas are not aligned this will require households to present their bins on different days of the week.

This is not viewed as a viable option and would cause confusion. It may be possible to have the City's contractor change to a six day per week service; however, this would require a contract change which would result in increased collection costs.

Moreover, the City does not have the fleet capacity or staffing to undertake weekly general waste collections for a five day per week service. Reinstating weekly collections over a five day per week service would require the purchase of three additional waste trucks and the recruitment of six additional drivers. Given the current lead time is approximately 15 months for new trucks, any reinstatement for a five day per week service could not be implemented until at least April 2027.

Whilst the City does not offer an upgrade to the size of the 140-litre bin it does provide the option of purchasing an addition general waste bin, collected fortnightly. The City also offers a concessional general waste bin for larger households (seven or more people residing at a residential property). Since the implementation of the Better Practice three-bin FOGO system 304 out of approximately 58,000 properties have requested an additional bin, this equates to 0.5% of households. Of the 304, 33 have qualified for a concessional general waste bin. The City also has provisions in place to provide an additional general waste bin to residents with a medical or health condition that results in the generation of excessive waste.

Odour management with nappies and personal hygiene products has also been raised as a concern with the introduction of fortnightly general waste collections. The City recognises that community education plays a vital role in the success of Better Practice three-bin FOGO system. The City's website contains a frequently asked questions section on FOGO, which includes responses to odour management. The City continues to run sustainability workshops and waste education pop ups at City events. City officers are also available to meet with residents to provide specific support and guidance.

Implications to Consider

a. Consultation with the Community

Prior to the decision to implement a three bin system full consultation occurred as required by resolution 16 December 2014 (EP-047/14). This resolution considered full organics and garden organics.

During the community consultation process four submissions were received as follows,

No.	Details
1	Two points for serious consideration please. 1. Change from fortnightly recycle bin collection to weekly. This will encourage and increase success of household recycling. Currently a fortnightly pick up results in recyclable items going into normal waste as the recycle bin is usually full within the first week. 2. Increase both bin collection temporarily over the Christmas/New Year period. Perhaps 1 extra scheduled pick up during that period. Perhaps this could be offered as an as needed basis, whereby residents email/text a hotline to request the extra pick up.
2	Would be amazing and useful for either weekly collection of recycling OR bigger recycling bins. Would also love an extra pickup of at least recycling over Christmas (big ask but would be so good)
3	In the strategy, you note that most households do not utilise all of their tip passes. You also note that a certain percentage do. I am one of those that use most of my passes and I believe reducing the number of passes to only 4 multi-use is yet a further erosion of services provided to me. Why not simply change them to 8 or even 6 multi-use passes and that would not penalise the people that DO use them and won't affect the others that don't! You really need to increase the amount of recycling collections or increase the bin sizes as you point out. There are ALWAYS recycling bins in our street overflowing and rubbish blowing around due to over-filled bins. Personally I pay for an extra recycling bin but feel I shouldn't have to and often resort to putting recyclables into general waste just to get rid of stuff!
4	I would like the following considered: A larger general waste bin for household weekly collection (the current green bin size is not sufficient for the weekly waste of 5 people) it's too small and/or the inclusion of a third fortnightly collected red top green waste bin.

In addition to these submissions there were a number of comments on the City's Facebook page regarding the need to increase recycling to weekly collections and additional collections at Christmas.

The community feedback generally supported the need for increased recycling and although the option of increasing the frequency of collections was not proposed, the larger 360 litre recycling bin and largest general waste bin option (140 litre) were implemented to address this issue.

b. Consultation with Government Agencies

Department of Water and Environmental Regulation

DWER endorsed the City's Waste Plan 2021-2031 on 27 May 2021. The Plan includes the introduction of FOGO.

The City has been in regular communication with DWER to facilitate the introduction of a FOGO waste collection and processing service at the City in mid-2025.

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 2023-2033:

Aspiration: **2. Natural Environment - A place of natural beauty where the environment is respected**

Outcome/Objective: *Protection of natural environment - Minimise waste*

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: *Quality Leadership - Ensure accountable and transparent governance*

Waste Plan 2021-2031

This item addresses Action 1.4 of the Waste Plan 2021-2031 to 'Introduce the Better Practice three-bin FOGO system' by 2025. The City's Waste Plan 2020-2031 identifies the target of making the FOGO system available to all properties that currently use the GO bin in 2025.

In accordance with Action 1.4 of the Waste Plan 2021-2031 various associated tasks and contract awards have been determined by Council as detailed in the background section of this report

d. Policy

Nil

e. Financial

Reinstating a weekly general waste collection would lead to an increase in collection costs which have not been budgeted for the in 2025/2026 Financial Year.

Weekly Collection (5 days per week)

For a five day per week service, the City estimates an ongoing operational cost increase of approximately \$2.5M per year. In the first year, costs would rise by a further \$2.5M (totalling \$5M) due to the loss of the one-off \$861K Better Bins Plus grant*, the purchase of three additional waste trucks (\$1.4M) and approximately \$250K in communication costs.

Weekly Collection (6 days per week)

The costs associated with reinstating a weekly collection based on a six-day per week service are currently unknown. Contract variations would need to be negotiated with the City's contracted waste service provider to transition the service to six days per week. It is anticipated this would result in increased collection costs. In addition, the City would incur an estimated \$2.2M in additional annual operational costs. In the first year, costs would increase by a further \$1.1M (totalling \$3.3M) due to the loss of the one-off \$861K Better Bins Plus grant* and approximately \$250K in communication costs.

*Discussions with DWER on 2 December 2025 indicated that if the City departs from the FOGO kerbside collection guidelines, reimbursement of the grant would be sought.

Landfill levy

If a weekly general waste collection service was reinstated, the City would be unlikely to meet its waste diversion target. As a result, operating expenditure would increase, as the anticipated reduction in the landfill levy would not be realised.

f. Legal and Statutory

Waste Plan 2021

Section 6.2(2) of the *Local Government Act 1995* requires local governments to have regard to their plans for the future (which include waste plans made under section 40 of the *Waste Avoidance and Resource Recovery Act 2007*).

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 / Program/Project management / Natural Environment : High and Extreme Risks

Financial / Health and Safety : Medium, High and Extreme Risks

Financial Risk - High

The City implemented FOGO in accordance with the Better Bin Plus: GO FOGO kerbside collection guidelines and obtained \$861,000 in funding. These funds have been used, and the City should expect to repay this grant if weekly collections are reinstated.

Moreover, the City will need to allocate additional funds to reintroduce a weekly service this is estimated to be between \$3.3M and \$5.0M in the first year and between \$2.2M and \$2.5M per annum (excluding increases in contractor collection costs).

Comments

The City has been committed to the implementation of FOGO since 2015. It has made substantial operational changes in preparation for the reduction of 12,500 per annum tonnes of kerbside general waste being collected and disposed of at the Miller Road Landfill (MRLF). These operational changes include but are not limited to;

- 1) adjustments to the number and type of operational waste fleet vehicles;
- 2) the modifications that have been made to MRLF staff rostering; and
- 3) the nature and type of services supplied by contractor for FOGO and recycling services.

The City has maintained its position for many years to implement FOGO in alignment with a high-performing system, consistent with the approach adopted by most other local governments. Altering this position at this stage would create significant operational challenges, including budget implications, communication planning, fleet management, staffing, route collection and education resources. Furthermore, a weekly general waste collection service does not align with the principles or objectives of the three-bin best practice FOGO system, nor does it support a state-wide approach to standardise waste collection and management practices. Such a change would result in an inefficient allocation of resources for household kerbside waste collection. Furthermore, no other local government has introduced weekly general waste collections when operating the three-bin FOGO system.

The City acknowledges some households may be facing challenges with the transition to the Better Practice three-bin FOGO system. Households that produce higher volumes of waste have the option to purchase a second general waste bin. Since the introduction of FOGO 304 properties have requested an additional service, 33 being eligible for the concessional general waste service for large households. Reinstating a weekly general waste service would result in substantially higher waste collection costs for all ratepayers, not just those that require additional servicing needs.

The State Government's Waste Strategy and roadmap is currently out for final consultation. FOGO is a prominent part of this review. It includes a target that all Perth and Peel local governments have better practice FOGO by 2030. The City has been informed that this could include a potential future FOGO mandate for the local governments in the Perth and Peel regions.

Reverting to a weekly general waste collection would largely undermine the intent of transitioning to FOGO, reducing both the incentive to minimise waste to landfill and the volume of material available for composting.

While the Better Practice three-bin FOGO system has been operating in the City for less than six months, early indications show positive progress in waste reduction and diversion. The City recognises that the transition to the new collection system represents a substantial change for residents, requiring adjustments to established waste disposal practices. As with any major reform, opportunities to optimise the system and make appropriate refinements will continue to be explored. Given this, implementing significant change by reinstating a weekly general waste collection service at such an early stage in the transition would be premature and is not recommended.

Voting Requirements

Simple Majority

Officer Recommendation

Cr Mbano's Notice of Motion is not supported.

Notice of Motion from Cr Dylan Mbano

That Council **ADOPTS** that the red bin (general waste) collection be moved back to being collected weekly.

Planning and Asset Services Committee

Planning and Development Services Strategic Planning and Environment



Report number / title:	PD-008/26	Notice of Motion - Enforcement of Speed Limits in Shoalwater Islands Marine Park
File number:	PKR/51-5	
Applicant:	Cr Dawn Jecks	
Author:	Mr Tom Foulds, Coordinator Strategic Planning	
Other Contributors:	Mr Brett Ashby, Manager Strategic Planning and Environment	
Date of Committee meeting:	16 February 2026	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Advocacy	
Attachments:		
Maps/Diagrams:	1. Shoalwater Bay Special Purpose Zone	
Site:		

Purpose of Report

To respond to the following Notice of Motion from Cr Jecks:

That Council:

- ADVOCATES** to the State Government for the:
 - Implementation of a program, appropriately funded and resourced, specifically dedicated to the implementation of on water enforcement of speed limits in Shoalwater Bay Special Purpose Zone (wildlife conservation) area during daylight hours on weekends and public holidays from November to April.
 - Program to be set up as a matter of urgency
- DIRECTS** the Chief Executive Officer to write to the Premier, Minister for the Environment, Minister for Transport and Minister for Tourism to progress the above.

Background

Aside from Penguin Island being a major regional tourist attraction, the Little Penguin is a well-known and widely recognised symbol of the City of Rockingham (**City**) and features on the Council Crest and the City's logo. The Penguin Island colony is also genetically distinct to all other colonies in south-western Australia and are therefore globally unique.

The City has contributed funding towards population estimate studies of the Little Penguin colony between 2012 and 2024. In addition to providing ongoing estimates of population size, the research has allowed for a better understanding of the health, ecology and resilience of the colony.

The findings of the last population study, completed in 2024, showed an estimated decline of 95% of the overall population size since the initial baseline study was first undertaken in 2007. Research

suggests that the decline can be attributed to a range of anthropogenic (human led) and natural influences although the exact cause/s are not known.

The Department of Biodiversity, Conservation and Attractions (**DBCA**) is responsible for the management of Penguin Island and the broader Shoalwater Islands Marine Park, and by extension, the resident colony of Little Penguins.

Little Penguin Working Group

DBCA facilitate a twice-yearly Little Penguin Working Group (**LPWG**) meetings between DBCA staff, other State Government agencies, researchers and the City. The LPWG provides key updates on, and discuss matters relating to, the Little Penguins and Penguin Island.

The LPWG was established in late 2020 to discuss the findings of the 2019 population estimate report and commence discussions to address population decline. Since then, the City has been a regular contributor to the Working Group (as an invited guest) and has assisted in the development of a series of actions and identified research and management priorities for the Little Penguins.

Little Penguin Advisory Group

In June 2024, the Council considered a Notice of Motion recommending advocacy efforts to support the sustainability of the Little Penguin colony on Penguin Island. The relevant Report (PD-020/24) included a detailed timeline of the City's actions on Little Penguin conservation to-date. The Council resolved to advocate to the Premier and Minister for the Environment to progress the following actions:

- (i) Preparation and implementation of a Little Penguin Conservation Plan targeted at actions to prevent the ongoing decline, and support recovery of, the Little Penguin colony at Penguin Island;
- (ii) Formation of an independently chaired Little Penguin Advisory Group, comprising scientific experts along with representatives from the Department of Biodiversity, Conservation and Attractions, the Department of Defence, the Department of Primary Industries and Regional Development, the Department of Transport and City of Rockingham; and,
- (iii) Allocation of additional funding by the State Government to the preparation and implementation of the Little Penguin Conservation Plan.

Following a meeting with the Minister for Environment to discuss the Council's June 2024 resolution, in December 2024 the State Government announced that *'the welfare of the Little Penguin colony on Penguin Island continues to be a priority'* and announced the establishment of an independently chaired Little Penguin Advisory Group.

The Little Penguin Advisory Group will identify potential conservation actions, key knowledge gaps and priority research/monitoring activities and areas for collaboration. The Chair is responsible for providing a report to the Director General of DBCA by December 2025 for consideration by Government. It has recently been advised that a two (2) month extension has been granted for the submission of the Report and that it is currently in its 'final edit'.

Recent Measures

Over recent years, the State Government has introduced a range of Little Penguin management measures including:

- Extending the island's winter closure period;
- Not proceeding with plans to build a new Discovery Centre on the island;
- Enforcing island closures on days when the temperature is forecast to exceed 35 degrees;
- Providing water bowls and nest boxes to the penguins;
- Undertaking weed management and rehabilitation of native vegetation; and,
- Reduction of the speed limit in the Shoalwater Bay Special Purpose Zone from 12 knots to 8 knots for safety and environmental reasons (2016).

Details

Notice of Cr Jeck's proposed Motion was provided to the City on 23 January 2026 and the following reason/s were given in support:

"The Penguin Island colony has declined by approximately 95% between 2007 and 2024, due to factors including climate change, watercraft strike and tourism impacts.

According to research by Dr Belinda Cannell, of the deceased penguins collected since 2017, 32% penguin deaths were due to watercraft injury.*

*Back in 2014, the Marine Parks & Reserves Authority did an audit of the Shoalwater Islands Marine Park management plan, and raised concerns that there is no targeted government funding allocated to Department of Fisheries to enable regular patrols and enforce marine park rules and speed limits**.*

There were 800 penguins in 2014. Now only 97 penguins remain.

Even though marine rangers are within the Shoalwater Islands Marine Park carrying out a range of duties, there are still no specifically dedicated resources for on water enforcement of speed limits in Shoalwater Bay Special Purpose Zone (wildlife conservation).

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 2023-2033:

Aspiration 2 - Natural Environment - Protection of natural environment

Aspiration 5 - Leadership - Quality leadership - Active advocacy for the community

**Cannell BL 2025 Population estimate of the Little Penguin colony on Penguin Island during September to November 2024. Report for the City of Rockingham*

*** Shoalwater Islands Marine Park Management Plan 2007-2017 Periodic Assessment Report July 2014*

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Strategic Community Plan 2023-2033:

Aspiration: **2. Natural Environment - A place of natural beauty where the environment is respected**

Outcome/Objective: Sustainable natural green spaces - Preserve and enhance biodiversity

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: Quality Leadership - Active advocacy for the community

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

A Notice of Motion has been submitted by Cr Jecks as detailed above. This request accords with clause 3.9 of the City of Rockingham *Standing Orders Local Law 2001*.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The City has long been committed to advancing the conservation efforts of the Little Penguin colony of Penguin Island. This includes the funding of population studies since 2013 and advocacy to State Government, which has assisted in the introduction of measures being put in place by State Government, as discussed above.

Within the Shoalwater Islands Marine Park, an 8-knot speed limit applies to all motorised vessels in the Shoalwater Bay Special Purpose Zone (wildlife conservation) and Seal Island Sanctuary Zone (refer to Figure 1).



1. Shoalwater Bay Special Purpose Zone

Little Penguins, Australia sea lions and dolphins often swim near the surface and are susceptible to boat strikes. Of the deceased penguins collected since 2017, it was concluded that 32% were due to watercraft injury. There is an increased risk during the peak boating seasons of spring and summer, when recreational boating activities within the penguin's foraging areas are at their highest.

The Special Purpose Zone within the Marine Park provides a high level of protection for wildlife conservation, and is identified via yellow buoys, signage on land, and via the Marine Park's visitor guide (hard copy and digital).

Department of Transport (**DoT**) Marine Safety is the lead agency relating to the patrolling of WA waters, and enforcement of vessel speed limits, with support from WA Water Police. DBCA manage the Shoalwater Islands Marine Park and are therefore able to enforce vessel speed limits specifically relating to special purpose/sanctuary zones. It is noted that the Motion does not seek to amend the existing speed limits but request better enforcement.

The City notes that the implementation of an enforcement program is likely to pose resourcing implications for the State Government, relating to the extension of any current patrol arrangements or the funding of a dedicated vessel and associated storage, staffing and administration.

The Little Penguin Advisory Group's final report will advise Government of new conservation actions aimed at improving the sustainability of the Little Penguin colony, and it is possible that recommendations will cover the matter of recreational watercraft usage within the Marine Park.

Notwithstanding this, the merit of the Motion is recognised and supported subject to minor amendment.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **ADVOCATES** that the State Government immediately fund and resource a program dedicated to the on-water enforcement of speed limits in Shoalwater Bay Special Purpose Zone (wildlife conservation) area during daylight hours on weekends and public holidays from November to April.
2. **DIRECTS** the Chief Executive Officer to write to the Premier, Minister for the Environment, Minister for Transport and Minister for Tourism to progress the above.

Notice of Motion from Cr Jecks

That Council:

1. **ADVOCATES** to the State Government for the:
 - (i) Implementation of a program, appropriately funded and resourced, specifically dedicated to the implementation of on water enforcement of speed limits in Shoalwater Bay Special Purpose Zone (wildlife conservation) area during daylight hours on weekends and public holidays from November to April.
 - (ii) Program to be set up as a matter of urgency
2. **DIRECTS** the Chief Executive Officer to write to the Premier, Minister for the Environment, Minister for Transport and Minister for Tourism to progress the above.

Committee Recommendation

That Council:

1. **ADVOCATES** that the State Government immediately fund and resource a program dedicated to the on-water enforcement of speed limits in Shoalwater Bay Special Purpose Zone (wildlife conservation) area during daylight hours on weekends and public holidays from November to April.
2. **DIRECTS** the Chief Executive Officer to write to the Premier, Minister for the Environment, Minister for Transport and Minister for Tourism to progress the above.

Committee Voting (Carried) - 5/0

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Rudman
Cr Jecks
Cr Robertson

Council Members voting against the motion:

Nil

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

Not Applicable