

Ordinary Council Meeting

10 November 2021

Agenda

Notice is hereby given of the Ordinary Meeting of Council to be held in the Council Chambers, City of Kwinana Administration Centre commencing at 5:30pm.

Wayne Jack
Chief Executive Officer

Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

Agendas and Minutes are available on the City's website www.kwinana.wa.gov.au

TABLE OF CONTENTS

1	Opening and announcement of visitors	4
2	Welcome to Country and Acknowledgement of Country	4
3	Dedication.....	4
4	Attendance, apologies, Leave(s) of absence (previously approved).....	5
5	Public Question Time.....	5
6	Receiving of petitions, presentations and deputations:.....	5
6.1	Petitions:	5
6.2	Presentations:	6
6.3	Deputations:	6
7	Confirmation of minutes	6
7.1	Ordinary Meeting of Council held on 27 October 2021:.....	6
8	Declarations of Interest (financial, proximity, impartiality – both real and perceived) by Members and City Officers	7
9	Requests for leave of absence	7
10	Items brought forward for the convenience of those in the public gallery	7
11	Any business left over from previous meeting	7
12	Recommendations of committees	7
13	Enbloc reports.....	8
14	Reports - Community	8
15	Reports – Economic.....	8
16	Reports – Natural Environment.....	9
16.1	WALGA Energy Sustainability and Renewals Project Agreement.....	9
17	Reports – Built Infrastructure.....	13
17.1	Amendments to Register of Delegated Authority - Delegation 3.3.2 Subdivision and Development Control	13
17.2	Development Application: Retrospective - Use Not Specified (Customs Yard) – Lot 220 Macedonia Street and Lot 221 Rockingham Road, Naval Base ...	19
17.3	Development Application: Single Dwelling – Lot 50 (1066) Thomas Road, Casuarina	26
17.4	687KWN21 – Kwinana South Bush Fire Station Demolition and Construction	33
18	Reports – Civic Leadership	36
18.1	Services over the Christmas and New Year Period 2021/2022.....	36
19	Notices of motions of which previous notice has been given	40
20	Notices of motions for consideration at the following meeting if given during the meeting	40
21	Late and urgent Business.....	40
22	Reports of Elected Members	40
23	Answers to questions which were taken on notice	40

24	Mayoral Announcements	40
25	Confidential items	40
26	Close of meeting	40

1 Opening and announcement of visitors

Presiding Member to declare the meeting open and welcome all in attendance.

2 Welcome to Country and Acknowledgement of Country

Councillor Barry Winmar to present the Welcome to Country

“Ngullak nyinniny kooralong koora ngullak noitj nidja noongar boodjar. Noongar moort djoorapiny nyinniny nidja ngulla quopadok noongar boodjar kooralong.

From the beginning of time to the end, this is Noongar Country. Noongar people have been graceful keepers of our nation for many, many years.

Ngalla djoorapiny maambart boodjar ngallak bala maambart quop ngalla koort djoorapiny nidja ngalla mia mia nyinniny noongar boodjar.

We respect the earth our mother and understand that we belong to her - she does not belong to us. In all her beauty, we find comfort, wellbeing, and life that creates a home for everyone that has become a keeper of Noongar Country.

Djinanginy katatjin djoorapiny nidja weern noongar boodjar ngalla mia mia boorda.

Look, listen, understand and embrace all the elements of Noongar Country that is forever our home.

Kaya wandju ngaany Barry Winmar Wadjuk Ballardong maaman ngaany koort djoorpiny noonook nidja Noongar boodjar daadjaling waankganiny noitj Noongar Boodjar.

Hello and welcome my name is Barry Winmar and I am a Whadjuk Ballardong man my heart is happy as we are gathered on Noongar country and speaking here on Noongar Country”

Presiding Member to read the Acknowledgement of Country

“It gives me great pleasure to welcome you all here and before commencing the proceedings, I would like to acknowledge that we come together tonight on the traditional land of the Noongar people and we pay our respects to their Elders past and present.”

3 Dedication

Councillor Barry Winmar to read the dedication

“May we, the Elected Members of the City of Kwinana, have the wisdom to consider all matters before us with due consideration, integrity and respect for the Council Chamber.

May the decisions made be in good faith and always in the best interest of the greater Kwinana community that we serve.”

4 Attendance, apologies, Leave(s) of absence (previously approved)

Apologies

Leave(s) of Absence (previously approved):

5 Public Question Time

In accordance with the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*, any person may during Public Question Time ask any question.

In accordance with Regulation 6 of the *Local Government (Administration) Regulations 1996*, the minimum time allowed for Public Question Time is 15 minutes.

A member of the public who raises a question during Question Time is to state his or her name and address.

Members of the public must provide their questions in writing prior to the commencement of the meeting. A public question time form must contain all questions to be asked and include contact details and the form must be completed in a legible form.

Please note that in accordance with Section 3.4(5) of the *City of Kwinana Standing Orders Local Law 2019* a maximum of two questions are permitted initially. An additional question will be allowed by the Presiding Member if time permits following the conclusion of all questions by members of the public.

6 Receiving of petitions, presentations and deputations:

6.1 Petitions:

A petition must -

- (a) be addressed to the Mayor;
- (b) be made by electors of the district;
- (c) state the request on each page of the petition;
- (d) contain at least five names, addresses and signatures of electors making the request;
- (e) contain a summary of the reasons for the request;
- (f) state the name of the person to whom, and an address at which, notice to the petitioners can be given; and
- (g) be respectful and temperate in its language and not contain language disrespectful to Council.

The only motion which shall be considered by the Council on the presentation of any petition are -

- a) that the petition be received;
- b) that the petition be rejected; or
- c) that the petition be received and a report prepared for Council.

6.2 Presentations:

In accordance with Clause 3.6 of the *Standing Orders Local Law 2019* a presentation is the acceptance of a gift, grant or an award by the Council on behalf of the local government or the community.

Prior approval must be sought by the Presiding Member prior to a presentation being made at a Council meeting.

Any person or group wishing to make a presentation to the Council shall advise the CEO in writing before 12 noon on the day of the meeting. Where the CEO receives a request in terms of the preceding clause the CEO shall refer it to the presiding member of the Council committee who shall determine whether the presentation should be received.

A presentation to Council is not to exceed a period of fifteen minutes, without the agreement of Council.

6.3 Deputations:

In accordance with Clause 3.7 of the *Standing Orders Local Law 2019*, any person or group of the public may, during the Deputations segment of the Agenda with the consent of the person presiding, speak on any matter before the Council or Committee provided that:

- (a) the person has requested the right to do so in writing addressed to the Chief Executive Officer by noon on the day of the meeting.
- (b) setting out the agenda item to which the deputation relates;
- (c) whether the deputation is supporting or opposing the officer's or committee's recommendation; and
- (d) include sufficient detail to enable a general understanding of the purpose of the deputation.

A deputation to Council is not to exceed a period of fifteen minutes, without the agreement of Council.

7 Confirmation of minutes

7.1 Ordinary Meeting of Council held on 27 October 2021:

COUNCIL DECISION

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MOVED CR

SECONDED CR

That the Minutes of the Ordinary Meeting of Council held on 27 October 2021 be confirmed as a true and correct record of the meeting.

8 Declarations of Interest (financial, proximity, impartiality – both real and perceived) by Members and City Officers

Section 5.65(1) of the *Local Government Act 1995* states:

A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest —

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Section 5.66 of the *Local Government Act 1995* states:

If a member has disclosed an interest in a written notice given to the CEO before a meeting then —

- (a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before the matters to which the disclosure relates are discussed.

9 Requests for leave of absence

COUNCIL DECISION

###

MOVED CR

SECONDED CR

That Councillor be granted a leave of absence from to inclusive.

10 Items brought forward for the convenience of those in the public gallery

11 Any business left over from previous meeting

12 Recommendations of committees

When the recommendations of a Committee are placed before the Council, the adoption of recommendations of the Committee is to be moved by -

- (a) the Presiding Member of the Committee if the Presiding Member is a Council member and is in attendance; or
- (b) a Council member who is a member of the Committee, if the Presiding Member of the Committee is not a Council member, or is absent; or
- (c) otherwise, by a Council member who is not a member of the Committee.

13 Enbloc reports

Nil

14 Reports - Community

Nil

15 Reports – Economic

Nil

16 Reports – Natural Environment

16.1 WALGA Energy Sustainability and Renewals Project Agreement

SUMMARY:

The City currently has an electricity supply contract with Synergy that expires on 31 March 2022. This current agreement does not include supply from renewable energy sources.

Given the impending expiry of the current agreement, the City was due to commence a procurement process shortly with the view of entering into a new 2 to 3 year agreement.

Through 2021, the Western Australian Local Government Association (WALGA) has progressed the first stage of their Energy Sustainability and Renewables Project, including undertaking a tender procurement process for renewable energy. This project aims to provide a collective of 60 WA Local Governments with a potential shared saving of up to 5 million dollars a year and significantly reduce greenhouse gas emissions in the Local Government sector. Further information on the project can be found within Attachment A “WALGA Energy Framework Offer Document” and Attachment B “Energy Project Award – CEO Address”

Participants in the Tender are being offered provisions for the development of a Local Government Power Purchase Agreement (PPA) following the initial 3-year term. Cooperating with Members within the Sector, the Local Government Steering Group has sought an energy partner to help guide the sector through an uncertain future with the Western Australian energy network. The Tender process has been conducted by WALGA with due consideration for compliance with Local Government (Functions and General) Regulations 1996, internal Local Government Procurement Policies and has been granted authorisation from the Australian Competition and Consumer Commission.

With the adoption of the City’s Climate Change Plan 2021-2026 in March 2021, Council committed to a 5% reduction in its corporate emissions over the next 5 years. Electrical energy consumption currently contributes the overwhelming majority of the City’s current emissions. Signing onto this proposed energy supply contract would enable the City to achieve approximately a 73% reduction in its total emissions, demonstrating the significant environmental benefit of this project.

The City currently spends a total of approximately \$625,000 per annum on electrical energy for eleven contestable sites, to which this agreement would apply, representing 86% of the City’s total electricity use. Modelling has forecast a potential cost saving of up to \$243,000 over the 3-year period of the initial agreement. Modelling also indicated a slight risk of potential cost increase, however, this was considered extremely unlikely due to the City’s consistent and stable energy usage.

In order for the City to enter into the agreement, formal acceptance must be provided to WALGA by 19 November 2021. Due to the estimated total financial expenditure over the term of the agreement, Council approval is required to enter the agreement.

16.1 WALGA ENERGY SUSTAINABILITY AND RENEWALS PROJECT AGREEMENT

OFFICER RECOMMENDATION:

That Council approve the Chief Executive Officer to enter the WALGA Energy Sustainability and Renewals Project agreement as detailed in Confidential Attachment A and Confidential Attachment B.

DISCUSSION:

The WALGA Energy Sustainability and Renewables Project will assist the City in meeting renewable energy and carbon reduction targets set into policy at Local, State and Federal levels of Government levels. Through this project, the Local Government sector is in a unique position to lead the sustainability charge in Western Australia by opting for locally sourced renewable energy derived from Albany Wind Farm, Collgar Wind Farm and Emu Downs Wind Farm. A complete renewable energy adoption from the Sector is the carbon reduction equivalent to planting an additional 14 million trees.

The offer has been designed for integration and encouragement of existing and new Local Government infrastructure or efficiency projects with full flexibility to adapt future joint ventures with other organisations in the community. By collaborating, aggregating, and aligning our energy, renewable and carbon spending, the Sector is best positioning itself as a leading industry sector to achieve net zero energy policy targets.

Entering the agreement will not only significantly reduce the City's emissions but also likely reduce costs. Financial savings of up to 13% have been forecast through collaborative modelling by the City and WALGA. Modelling also identified the potential for a cost increase, however this was found to be extremely unlikely due to the consistent and stable energy usage at the City both recently and historically. Furthermore, it was identified that nearly 30% of all electricity costs are attributable to usage during peak demand periods, and that this could likely be reduced through procedural improvements, further reducing the likelihood of any cost increase eventuating.

The City's participation in the WALGA Energy Sustainability and Renewables Project is listed as Action 4 in the City's Climate Change Plan 2021-2026. With the viability of the project being unknown at the time of the Climate Change Plan's development, a somewhat conservative target of reducing the City's emissions by 5% by 2026 was set. The progression of the project since, including emissions and cost modelling, has demonstrated that entering into the WALGA agreement will produce the most significant emissions reduction in the City's history, up to 73% reduction in total emissions, combined with the high likelihood of reduced costs.

LEGAL/POLICY IMPLICATIONS:

The tender process undertaken by WALGA has been conducted with due consideration for compliance with the *Local Government (Functions and General) Regulations 1996*, internal Local Government Procurement Policies and has been granted authorisation from the Australian Competition and Consumer Commission.

16.1 WALGA ENERGY SUSTAINABILITY AND RENEWALS PROJECT AGREEMENT**FINANCIAL/BUDGET IMPLICATIONS:**

The City currently spends a total of approximately \$625,000 per annum on electrical energy for eleven contestable sites, to which this agreement would apply. Cost modelling has indicated that entering into the agreement will likely reduce annual expenditure by as much as 13% (down to \$544,000 per annum), and a very slight risk of potentially increasing expenditure by up to 9% (up to \$681,000 per annum) under specific, highly unlikely, scenarios.

The cost modelling has indicated that should electricity usage at the City's contestable sites remain stable, the agreement will be effectively cost-neutral. In the unlikely situation that electricity usage notably increases at these sites during the peak monitoring period used to determine part of the pricing structure, then costs would increase for the following financial year. Conversely, costs will be reduced should the usage during this monitoring period be reduced. With electricity usage at these sites having been declining in recent years, combined with further operational efficiency opportunities, it is considered highly likely that the City will, in fact, achieve reduced costs by entering the agreement.

ASSET MANAGEMENT IMPLICATIONS:

No asset management implications have been identified because of this report or recommendation.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS:

The recommendation of this report has the potential to contribute to the built environment by improving environmental quality through significant reduction in greenhouse gas emissions.

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following outcomes and objectives detailed in the Strategic Community Plan and Corporate Business Plan.

Plan	Outcome	Objective
Strategic Community Plan	1. A naturally beautiful environment that is enhanced and protected	1.2 Maintain and enhance our beautiful, natural environment through sustainable protection and conservation
Strategic Community Plan	3. Infrastructure and services that are sustainable and contribute to health and wellbeing	3.1 Develop quality, financially-sustainable infrastructure and services designed to improve the health and wellbeing of the community

16.1 WALGA ENERGY SUSTAINABILITY AND RENEWALS PROJECT AGREEMENT

COMMUNITY ENGAGEMENT:

Catalyse community perception survey data was analysed in the development of the Climate Change Plan 2021-2026, and is relevant to this particular project. Most recently, in October 2020, the Catalyse survey was distributed to 4,000 randomly selected households and received 285 responses to the City's efforts to promote and adopt sustainable practices and respond to climate change. An 83% positive rating was obtained with a performance score of 59 out of 100. This performance score was six points above the industry average of 53, however improvements can be made to reach the industry high score of 71. By signing on to this proposed renewable energy supply agreement, the City would further improve its environmental and financial sustainability and this will be communicated to our community.

17 Reports – Built Infrastructure

17.1 Amendments to Register of Delegated Authority - Delegation 3.3.2 Subdivision and Development Control

SUMMARY:

City Officers area seeking Council support to amend the Register of Delegated Authority - Delegation 3.3.2 Subdivision and Development Control to allow the assessment of a number of planning application types in the interests of efficiency and timely decision making.

The amendments relate to the following: -

1. The permanent delegation by Council for the adoption of Local Development Plans (LDPs) by City Officers. At its 11 November 2020 meeting, Council resolved to temporarily delegate adoption of Local Development Plans (LDPs), and this delegation remains in place for a temporary period ending 11 November 2021. This temporary arrangement has successfully expedited the process for subdivision clearances and the creation of new lots and enabled staff to assess and approve LDPs which are largely standard in type and content.
2. The delegation to City Officers to determine
 - Development applications for land in the Rural Water Resource Zone. It is a historic anomaly that this zone is not treated like all the other zones in the Register of Delegated Authority wherein delegation is issued subject to certain conditions.
 - Development applications involving a building envelope variation. Again, largely for historic reasons, delegation was provided for building envelope variation approvals in the Special Residential and Special Rural zones as this was where they were prevalent. Building envelopes have become more common in Residential zoned areas and including other zones would prevent largely straightforward applications needing to come to Council for a determination.
 - Development applications for “Use Not Specified” in the Local Planning Scheme.

It is recommended that Council approve an amendment to delegation 3.3.2, authorising the Chief Executive Officer (CEO) to assess and determine development applications of the types listed above, and to assess and adopt LDP's, on an ongoing basis. The CEO may then elect to sub-delegate such authority to officers, including the Manager Planning and Development, Coordinator Statutory Planning and Senior Planning Officer.

17.1 AMENDMENTS TO REGISTER OF DELEGATED AUTHORITY - DELEGATION 3.3.2 SUBDIVISION AND DEVELOPMENT CONTROL

OFFICER RECOMMENDATION:

That Council:

Amend delegation 3.3.2 of the *Register of Delegated Authority 2020/21*, as detailed in Attachment A to include authority for the Chief Executive Officer to determine applications for the following items:

- Development applications for land in the Rural Water Resource Zone;
- Development applications for building envelope variations;
- Development applications for a “Use Not Specified” under the Local Planning Scheme; and,
- Local Development Plans.

NOTE – AN ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

DISCUSSION:

Local Planning Strategy

This Report addresses the following Strategic Directions and actions outlined in the City's draft Local Planning Strategy: -

Strategic Direction	Actions
Diversifying Employment To create diverse employment opportunities for local residents and maintain sustained economic growth by ensuring that suitable services employment land is available.	38 Investigate options for an integrated development process across the City of Kwinana administration (Planning, Building, Health, Environment, Communities and Engineering) to integrate and streamline social, economic and environmental processes and considerations across the agency.
INFRASTRUCTURE Transport To create a well-connected community with a safe, high quality, integrated, multi-modal transport network that makes it easy, safe and convenient for our community to access activity centres, schools, services recreation and entertainment facilities.	74 Manage land use and development through local planning controls to minimise conflict between infrastructure and sensitive land uses.

Background

Sections 5.42 and 5.44 of the *Local Government Act 1995* (The Act) as well as other relevant legislation such as the *Planning and Development Act 2005*, grant Council the ability to delegate certain local government functions to the CEO, Officers or Committees to exercise.

17.1 AMENDMENTS TO REGISTER OF DELEGATED AUTHORITY - DELEGATION 3.3.2 SUBDIVISION AND DEVELOPMENT CONTROL

Such delegations are recorded in the *Register of Delegated Authority 2020/21* with or without conditions, specifically to section 3.3.2 - subdivision and development control. Please refer to Attachment A.

Amendments to the delegated authority arrangements are intended to facilitate timely processing of applications, to avoid unnecessary applications to Council, and to improve consistency for development assessment processes. The objective is to ensure that Council is focussing time and resources to strategic decisions with broader implications rather than site specific issues that in many instances are operational in nature.

Local Development Plans (LDPs)

The purpose of an LDP is to provide a set of standards to facilitate final development of houses and other structures within a particular stage of a new greenfields development site. LDPs are adopted at the end of the subdivision process, after structure planning and subdivision processes have been determined by Council and the Western Australian Planning Commission (WAPC).

In October 2020 Council resolved to provide temporary delegation to the City's Chief Executive Officer (CEO) to make determinations on new LDPs and amendments for 12 months. Elected Members were to be consulted regarding significant Local Development Plans. This power was sub-delegated to the Director, City Development and Sustainability, in an effort to address the increased workload from pandemic development grants and recovery stimulus during the past year.

The interim delegation measure is considered a success and has resulted in improved efficiency and timeliness for approvals. It should be noted that 13 LDPs have been approved under delegated authority during the past year with the vast majority applying standard provisions and requirements as a part of the process. Once submitted all LDPs during the last year were reported to council as part of the DCDS monthly Significant Applications memo whereby Councillors are afforded the opportunity to contact City officers to discuss or even 'call in' where appropriate. No LDP were queried during this time.

Even though the burst of subdivisional activity associated with the pandemic grant incentives has eased, there is still considered to be significant benefit with retaining the delegation on a permanent basis. Elected Members would still be consulted on significant Local Development Plans and the discretion still applies for City Officers to place the application to Council for its determination if considered appropriate. It is recommended that the delegation arrangement for LDPs be re-confirmed and the "temporary" arrangements be made permanent.

Development Applications in the Rural Water Protection Zone

The Register of Delegated Authority does not identify any delegation arrangement specific to the Rural Water Protection Zone. However, this was a simple historic omission arising from creation of this zone in 2006, and it was not a deliberate exclusion.

17.1 AMENDMENTS TO REGISTER OF DELEGATED AUTHORITY - DELEGATION 3.3.2 SUBDIVISION AND DEVELOPMENT CONTROL

The land use table in the Local Planning Scheme refers to *Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy* (SPP2.3) for land use permissibility and land use definitions applicable in this zone. It is recommended that the power to determine applications for land in the Rural Water Protection Zone be added as a separate item of delegated authority, to accurately reflect the scheme and policy requirements. For additional assurance Councillors will be notified of DA's for land in the Rural Water Resource Zone that trigger advertising and will be required to determine any such applications should five or more substantiated submissions be received.

SPP2.3 defers to Water Quality Protection Note 25 Land use compatibility tables for public drinking water source areas prepared by the Department of Water and Environmental Regulation (DWER). This note provides guidance on land uses and activities within public drinking water source areas (PDWSAs) to protect drinking water quality and public health. Tables 1, 2 and 3 of the Water Quality Protection Note identify whether subdivision, land uses and activities are suitable within the Ground Water Mound Area. An extract from the Water Quality Protection Note is included for reference as Attachment B.

Development Applications for Building Envelope Variation in the Residential Zone

A building envelope is a specific portion of a site which is permitted to be cleared and buildings constructed within. This typically occurs as a tree preservation measure, or to establish expectations for building setbacks, on large sites. The City already uses a robust set of standards to assess each variation to an existing building envelope under the Local Planning Scheme and Local Planning Policies.

Table 1A of the Register of Delegated Authority 3.3.2 indicates that delegation is provided for building envelopes in the Special Residential and Special Rural zones only. The reason for this arrangement is historic, as the two specified zones did historically contain the majority of lots with building envelope requirements. However, as a wider variety of lots are subject to a building envelope, it is considered appropriate to adjust the delegation arrangements to match. It is not considered appropriate to require a Council Report for every development (e.g. shed, carport, swimming pool or on-site effluent system) which may encroach outside an existing building envelope.

A recent example of this is the development application for a carport and building envelope variation in the Residential Zone which presented to Council for determination (approved via council decision 478 on 11 August 2021). This was a relatively simple development application capable of determination by City Officers rather than putting the application to Council (with the extended timeframes this can cause).

Development Applications for a "Use Not Specified" under the Local Planning Scheme

The Local Planning Scheme allows for assessment of development applications which propose the use of land for a particular purpose which is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes. Understandably, this circumstance is not included on the zoning table in the Scheme and was also left out of the delegation arrangements.

Several applications have required determination at a meeting of Council due to the land use being beyond the set of definitions included in the Scheme, regardless of whether these are simple or low impact proposals. This is exacerbated by the age of the City's Local Planning Scheme's 2 and 3 which are now 30 years old. As a result, a number of the definitions listed in the scheme are not meeting contemporary need and land use.

17.1 AMENDMENTS TO REGISTER OF DELEGATED AUTHORITY - DELEGATION 3.3.2 SUBDIVISION AND DEVELOPMENT CONTROL

A contemporary example is the development application presented to Council as an agenda item to this Council Meeting (Item No 17.2) for the “Use Not Specified” (Customs Yard) at Lot 221 (1375) Rockingham Road and 220 (26) Macedonia Street Naval Base. This is a Use Not Specified' which fits the zoning and general amenity/locality for which it is proposed and can be assessed at City Officer level rather than being referred to Council.

This can be corrected with the adoption of the new Local Planning Scheme 4, currently in the process of being prepared by the City for adoption by the Western Australian Planning Commission (WAPC). In the interim, it is recommended that Council provide delegation to City Officers to determine applications for ‘uses not specified’. A “use not specified” is already subject to a comprehensive consultation process during assessment but the delegation should be on the condition that any proposal which attracts five or more submissions of objection is referred to Council for its determination.

It is recommended that the delegation arrangements be updated to permit a “use not specified” to be determined under delegated authority.

LEGAL/POLICY IMPLICATIONS:

The authority and requirement for development applications falls within the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* – Schedule 2, Part 8 Clause 68. The Regulations refer to the “local government” approving/refusing the application. On this basis, the delegation rests with Council unless delegated.

The authority and requirement for LDPs falls within the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* – Schedule 2, Part 6 Clause 52. The Regulations refer to the “local government” approving/refusing the LDP. On this basis, the delegation rests with Council unless delegated.

FINANCIAL/BUDGET IMPLICATIONS:

There are no direct financial implications related to this report.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications related to this report.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS:

There are no direct environmental or public health implications related to this report.

17.1 AMENDMENTS TO REGISTER OF DELEGATED AUTHORITY - DELEGATION 3.3.2 SUBDIVISION AND DEVELOPMENT CONTROL

STRATEGIC/SOCIAL IMPLICATIONS:

This recommendation will support the achievement of the following outcome and objective detailed in the Strategic Community Plan and Corporate Business Plan.

Plan	Outcome	Objective
Strategic Community Plan	A naturally beautiful environment that is enhanced and protected	1.2 Maintain and enhance our beautiful, natural environment through sustainable protection and conservation
Strategic Community Plan	Visionary leadership dedicated to acting for its community	5.3 Provide a high standard of customer service with the community as priority
Corporate Business Plan	A well planned City	4.4 Create diverse places and spaces where people can enjoy a variety of lifestyles with high levels of amenity

COMMUNITY ENGAGEMENT:

There are no community engagement implications as a result of this report

3.3.2 Subdivision and development control

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Schedule 2 – Part 10 - Clause 82(1) Delegations by local government
Express Power or Duty Delegated:	Town of Kwinana Town Planning Scheme No. 2 Town of Kwinana Town Planning Scheme No. 3 <i>Planning and Development Act 2005</i> Part 7 Planning Control Areas Part 8 Improvement Plans and Schemes Part 13 Enforcement and Legal Proceedings
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to: <ol style="list-style-type: none"> 1. Determine applications for Planning Approval in regards to development including change of use and variations to development standards; 2. Make objections or recommendations in respect of Subdivision Applications to the West Australian Planning Commission, including recommendations for the imposition of subdivision conditions; 3. Make recommendations for approval or refusal of development within Planning Control Areas; 4. Determine applications for variations to previously approved Planning Applications; and 5. Give a written direction in accordance with section 214 of the Planning and Development act 2005 to the owner or any other person undertaking a development. 6. Determine applications for land in the Rural Water Resource Zone. 7. Determine applications for a "Use Not Specified" under the Local Planning Scheme. 8. Determine applications to adopt Local Development Plans.
Council Conditions on this Delegation:	Conditions: <ol style="list-style-type: none"> 1. The authority is only to be exercised for those uses or other applications specified in: Table 1 - Use Classes; and Table 1A Use Classes for Other Applications. 2. May determine variations to Planning Applications including Planning Applications previously approved by resolution of Council, that are of a minor nature and if amended, would not substantially change the development approved and for which no objection has been received during advertising (if applicable).

	<p>3. Prosecutions The authority to proceed with any prosecution under the Planning and Development Act 2005 must be approved by the Chief Executive Officer prior to commencement.</p> <p>Exceptions: Excluding variations to Planning Applications as stated in Condition (2) above, this delegation does not include the following:</p> <ul style="list-style-type: none"> • The acceptance of mediated outcomes or determinations of s.31 reconsiderations for appeals lodged with the State Administrative Tribunal • Local Planning Policies including amendments • Major development within the Town Centre
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

<p>Sub-Delegate/s: <i>Appointed by CEO</i></p>	<p>Coordinator Statutory Planning Director City Development and Sustainability Manager Planning and Development Senior Statutory Planning Officer</p>
<p>CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	<p>1. The authority is only to be exercised for those uses or other applications specified in: Table 1 - Use Classes; and Table 1A Use Classes for Other Applications.</p> <p>2. May determine variations to Planning Applications including Planning Applications previously approved by resolution of Council, that are of a minor nature and if amended, would not substantially change the development approved and for which no objection has been received during advertising (if applicable).</p> <p>Any variation to a planning approval for which a prior resolution by Council applies, must be preceded by a memo to Council prior to any determination being made.</p> <p>3. Prosecutions The authority to proceed with any prosecution under the Planning and Development Act 2005 must be approved by the Chief Executive Officer prior to commencement.</p> <p>4. In relation to the exercise of delegation under the Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2:</p>

	<p>Part 4 – Clause 18; Part 5 – Clause 34; and Part 6 – Clause 50.</p> <p>Council must be notified of the advertising of the application in the form of a memorandum prior to the commencement of advertising.</p> <p>Exceptions: Excluding variations to Planning Applications as stated in Condition (2) above, this delegation does not include the following:</p> <ul style="list-style-type: none"> • The acceptance of mediated outcomes or determinations of s.31 reconsiderations for appeals lodged with the State Administrative Tribunal • Local Planning Policies including amendments • Major development within the Town Centre • In relation to a 'Use Not Specified', when five submissions raise substantiated objections. • In relation to the Rural Water resource Zone, when five submissions raise substantiated objections and/or refusal of an application. <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	<p><u>City of Kwinana Policies</u></p> <ul style="list-style-type: none"> • Advertising 'SA' and City Planning Scheme Amendment • Ancillary Accommodation • Compliance with Conditions of Planning Approval • Design Guidelines for Medium Density Development • Development within Cockburn Sound Catchment • Development within Special Rural Zones • Development within the Industrial Zones • Development within the Special Residential Zones • Latitude 32 Redevelopment Area Development Control • Referral for Proposals to Adjoining Local Authorities • Referral of Various Development Application to WA Planning Commission and Dept of Environment, Water and Catchment Protection • Residential Development • Standard Conditions for Subdivisions • Standard Conditions for Planning Approval • Strata Titles • Telecommunications Installation • Special Residential and Special Rural Zone • Street Naming
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register. 2. In relation to Condition (2) above, any variation to a planning approval for which a prior resolution by Council applies, must

	<p>be preceded by a memo to Council prior to any determination being made.</p> <p>3. Local Development Plans - Elected Members are to be consulted regarding significant Local Development Plans, in the form of a memo prior to any determination being made.</p>
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Table 1A - Use classes for other applications

Use Class	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	Comments
Other Applications													
Building Envelope Variations	D	D	D	D	D	D	D	D	D	D	D	D	In accordance with TPS No. 2

Table 1 Compatibility of subdivision of land within public drinking water source areas

This table provides the department's recommendations for minimum lot sizes for a subdivision, based on the **existing zoning** (not the proposed zoning). Subdivision of land often results in an intensification of land uses and activities. This intensification increases the risks to drinking water quality and public health. For this reason, the department does not recommend significant subdivision within PDWSAs.

This table **is not to be used** to support rezoning of land to provide for more intensive land uses and activities (e.g. Table 1 gives a 2 ha minimum for special rural areas, but this does not mean that a rural area should be rezoned to special rural to accommodate 2 ha lots).

This table does not exempt proposals from complying with other planning requirements. For example, it does not allow approval of smaller lot sizes than those prescribed under planning schemes.

Current zoning Refer to the relevant local planning scheme	P1 areas For condition numbers, refer to 'Conditions' heading on page 33	P2 areas	P3 areas	Guidance information Click on the link to access the document, or see <i>References</i>
Rural/small rural holdings/agriculture				<ul style="list-style-type: none"> • WQPN 6: Vegetation buffers to sensitive water resources • WQPN 9: Community drinking water sources: protection and management • WQPN 24: Land filling with inert materials • WQPN 38: Priority 3* (P3*) areas • WQPN 51: Industrial wastewater management and disposal • WQPN 70: Wastewater treatment and disposal – domestic systems • WQPN 83: Infrastructure corridors near sensitive water resources • WQPN 84: Rehabilitation of disturbed land in PDWSAs • Brochure: Construction depots near sensitive water resources • Better urban water management (Western Australian Planning Commission) • Guidelines for district water management strategies • Developing a local water management strategy • Stormwater management manual • Public parkland planning and design guide (Department of Local Government, Sport and Cultural Industries)
- to a lot size of 4 ha or greater	Incompatible	Compatible, with conditions (2, 5, 20)	Acceptable	
- to a lot size less than 4 ha	Incompatible	Incompatible (31)	Incompatible (31)	
Rural residential/rural living				
- to a lot size of 2 ha or greater	Incompatible	Compatible, with conditions (1, 5, 15, 20)	Compatible, with conditions (1, 5, 15, 20)	
- to a lot size between 1 and 2 ha	Incompatible	Incompatible	Compatible, with conditions (1, 5, 15, 20)	
Urban/residential or urban deferred	Incompatible	Incompatible	Acceptable (1, 26, 37)	
Industrial and commercial	Incompatible	Incompatible	Compatible, with conditions (1, 26, 37, 38)	

Table 2 Compatibility of land uses and activities for the protection of water quality within public drinking water source areas

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information Click on the link to access the document, or see <i>References</i>
	For condition numbers, refer to 'Conditions' heading on page 33			
AGRICULTURE				
Agriculture – extensive ^a				
- non-irrigated perennial pasture, non-irrigated floriculture, dry land cropping (e.g. cereal crops)	Incompatible	Compatible, with conditions (6, 11)	Acceptable	<ul style="list-style-type: none">• WQPN 1: Agriculture – dryland crops near sensitive water resources• WQPN 17: Floriculture activities near sensitive water resources• WQPN 50: Soil amendment using industrial by-products• WQPN 96: Pest animal management in PDWSAs• WQPN 101: Tropical agriculture• RWN 1: Water quality in broadacre farming
- pastoral purposes ^b and rangelands leases	Refer to specific land use			<ul style="list-style-type: none">• WQPN 35: Pastoral activities within rangelands
- stock grazing	Incompatible (except on pastoral leases (6, 7, 19, 21))	Compatible, with conditions (6, 7, 11, 19, 21)	Acceptable	<ul style="list-style-type: none">• WQPN 53: Dam construction and operation in rural areas• RWN 1: Water quality in broadacre farming• Stocking rate guidelines for rural small holdings: Swan Coastal Plain and Darling Scarp Western Australia (DPIRD)
Agriculture – intensive ^c				
- aquaculture (fish, crustaceans and plants)	Incompatible	Compatible, with conditions (9, 19, 23)	Compatible, with conditions (9, 19, 23)	<ul style="list-style-type: none">• WQPN 2: Aquaculture• WQPN 39: Ponds for stabilising organic matter• WQPN 53: Dam construction and operation in rural areas
- floriculture	Incompatible	Incompatible (32)	Compatible, with conditions (6, 9, 11, 13, 19, 23)	<ul style="list-style-type: none">• WQPN 17: Floriculture activities near sensitive water resources

^a Extensive land uses require limited additional inputs to support the land use beyond those supplied by nature. For example, feed supplements for grazing animals are only used during drought periods or during the final preparation of stock for the market.

^b In accordance with the *Land Administration Act 1997* pastoral purposes means: the commercial grazing of authorised stock; agricultural, horticultural or other supplementary uses of land inseparable from, essential to, or normally carried out in conjunction with the grazing of authorised stock, including the production of stock feed; activities ancillary to the activities mentioned in the clauses above.

^c Intensive land uses require regular inputs to support the desired land uses; for example, irrigated agriculture, application of agricultural chemicals and non-forage animal feeding.

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information
	For condition numbers, refer to 'Conditions' heading on page 33			Click on the link to access the document, or see <i>References</i>
<ul style="list-style-type: none"> - market garden ^d - turf farm 	Incompatible	Incompatible	Compatible, with conditions (6, 9, 11, 13, 19, 23)	<ul style="list-style-type: none"> • WQPN 22: Irrigation with nutrient-rich wastewater • WQPN 31: Subsoil monitor drains and water recovery sumps • WQPN 33: Nutrient and irrigation management plans • WQPN 50: Soil amendment using industrial by-products • WQPN 90: Organic material storage and recycling • WQPN 96: Pest animal management in PDWSAs • WQPN 101: Tropical agriculture • Brochure: Fertiliser application on pasture or turf near sensitive water resources • Code of practice for environmentally sustainable vegetable and potato production in Western Australia and Best environmental practices for environmental sustainable vegetable and potato production in Western Australia: A reference manual (Potato Growers Association of WA Inc.) • WA environmental guidelines for the establishment and maintenance of turf grass areas (DBCA)
<ul style="list-style-type: none"> - hydroponic plant growing 	Incompatible	Compatible, with conditions (6, 9, 11, 19, 23, 29)	Compatible, with conditions (6, 9, 11, 19, 23)	<ul style="list-style-type: none"> • WQPN 19: Hydroponic plant growing • WQPN 22: Irrigation with nutrient-rich wastewater
<ul style="list-style-type: none"> - orchard – fruit growing - nursery ^e – plant production only, excludes <i>Garden centre</i> - viticulture (vineyard) – wine and table grapes - olive plantation - irrigated pasture - truffle farming 	Incompatible	Compatible, with conditions (6, 9, 11, 13, 19, 23, 29)	Compatible, with conditions (6, 9, 11, 13, 19, 23)	<ul style="list-style-type: none"> • WQPN 22: Irrigation with nutrient-rich wastewater • WQPN 32: Nurseries and garden centres • WQPN 33: Nutrient and irrigation management plans • WQPN 34: Orchards near sensitive water resources • WQPN 50: Soil amendment using industrial by-products • WQPN 53: Dam construction and operation in rural areas • WQPN 90: Organic material storage and recycling • WQPN 96: Pest animal management in PDWSAs • WQPN 101: Tropical agriculture • Environmental management guidelines for vineyards • WA environmental guidelines for the establishment and maintenance of turf grass areas (DBCA)
<i>Rural pursuit/hobby farm</i>	See relevant land use(s)			

^d Applies to the commercial production (or area greater than 0.2 ha) of horticultural crops (e.g. vegetables, flowers and fruit crops) grown in contact with the ground. Does not apply to cereal, oil seed crops or perennials (e.g. orchards, vineyards, nuts); or any crop grown separate from contact with soils in the natural environment (e.g. hydroponics). For these, please refer to the relevant land use or activity.

^e A place where young trees or plants are grown for transplanting, for use as stocks for budding or grafting, or for sale. See also *Garden centre* if applicable.

Land use or activity	P1 areas	P2 areas	P3 areas	Guidance information
<i>Italics show local planning scheme categories, see Appendix A</i>	For condition numbers, refer to 'Conditions' heading on page 33			Click on the link to access the document, or see <i>References</i>
ANIMAL FACILITIES				
<i>Animal husbandry - intensive</i>				
<ul style="list-style-type: none">- feedlot- intensive outdoor livestock holding	Incompatible	Incompatible	Compatible, with conditions (6, 9, 11, 13, 19, 21, 28)	<ul style="list-style-type: none">• WQPN 39: Ponds for stabilising organic matter• WQPN 53: Dam construction and operation in rural areas• WQPN 90: Organic material storage and recycling• Guidelines for the environmental management of beef cattle feedlots in Western Australia (DPIRD)
<ul style="list-style-type: none">- piggery ^f	Incompatible	Incompatible	Incompatible	
<ul style="list-style-type: none">- poultry farm – free range	Incompatible	Incompatible	Compatible, with conditions (6, 9, 13, 19, 21)	
<ul style="list-style-type: none">- poultry farm – housed	Incompatible	Compatible, with conditions (6, 9, 13, 19, 21)	Compatible, with conditions (6, 9, 13, 21)	<ul style="list-style-type: none">• WQPN 96: Pest animal management in PDWSAs• Environmental code of practice for poultry farms in Western Australia (Western Australian Broiler Growers Association & Poultry Farmers Association of WA)
<i>Animal establishment</i>				
<ul style="list-style-type: none">- animal saleyard- stockyard ^g	Incompatible	Incompatible	Compatible, with conditions (6, 9, 19, 21, 28)	<ul style="list-style-type: none">• WQPN 80: Stockyards• WQPN 90: Organic material storage and recycling
<ul style="list-style-type: none">- apiary	Compatible, with conditions (13)	Acceptable	Acceptable	
<ul style="list-style-type: none">- cattery	Incompatible	Compatible, with conditions (6, 9, 19, 21)	Acceptable	<ul style="list-style-type: none">• General conditions for using apiary authorities on crown land in WA (DBCA)
<ul style="list-style-type: none">- dairy shed	Incompatible	Incompatible*	Compatible, with conditions (6, 9, 13, 19, 21, 28)	
				<ul style="list-style-type: none">• WQPN 39: Ponds for stabilising organic matter• WQPN 53: Dam construction and operation in rural areas• Code of practice for dairy shed effluent in WA (Western Dairy)• Effluent and manure management database for the Australian dairy industry (Dairying for Tomorrow)• Fert\$mart program (Dairying for Tomorrow)

^f Any building, enclosure or yard, in which one or more pigs are kept, bred, reared or fattened for purposes of trade (Government of Western Australia 1952).

^g This does not include stockyards which are occasionally used for animal husbandry. These types of stockyards are considered *compatible, with conditions* in P1, P2 and P3 areas where the main land use (i.e. stock grazing) is already approved.

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information
	For condition numbers, refer to 'Conditions' heading on page 33			Click on the link to access the document, or see <i>References</i>
- dog kennel	Incompatible	Compatible, with conditions (6, 9, 19, 21)	Acceptable	<ul style="list-style-type: none"> • WQPG 25: Waste management of kennel operations within the Jandakot UWPCA
- equestrian centre ^h	Incompatible	Incompatible (33)	Acceptable	<ul style="list-style-type: none"> • WQPN 53: Dam construction and operation in rural areas • WQPN 81: Tracks and trails near sensitive water resources • WQPN 82: Bridle trails near sensitive water resources • WQPN 90: Organic material storage and recycling • WQPG 13: Environmental guidelines for horse facilities and activities • Brochure: Managing horses in semi-rural environments • Stocking rate guidelines for rural small holdings (DPIRD)
- stable ⁱ	Incompatible	Compatible, with conditions (6, 19, 21)	Acceptable	
<i>Veterinary centre</i> ^j	Incompatible	Compatible, with conditions (1, 6, 9, 13, 19, 21, 24)	Compatible, with conditions (1, 6, 9, 21, 24)	<ul style="list-style-type: none"> • WQPN 65: Toxic and hazardous substances: storage and use
COMMERCIAL				
<i>Amusement parlour</i>	Incompatible	Incompatible	Acceptable (1)	
<i>Art gallery</i>	Incompatible	Incompatible	Acceptable (1)	
<i>Betting agency</i>	Incompatible	Incompatible	Acceptable (1)	
<i>Bulky goods showroom</i>	Incompatible	Incompatible	Compatible, with conditions (1, 13, 16, 24)	
<i>Child care premises</i>	Incompatible	Incompatible	Acceptable (1)	
<i>Cinema/theatre</i>	Incompatible	Incompatible	Acceptable (1)	
<i>Convenience store</i>	Incompatible	Incompatible*	Acceptable (1)	

^h Includes land or buildings dominantly used for the showing, competition or training of horses; and riding schools.

ⁱ Includes any land, building or structure used for equine (e.g. horses, asses, mules and donkeys) housing, keeping, feeding and associated activities.

^j See also kennel, stable and cattery if applicable.

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information Click on the link to access the document, or see <i>References</i>
	For condition numbers, refer to 'Conditions' heading on page 33			
<i>Exhibition centre</i>	Incompatible	Incompatible (35)	Acceptable (1)	
<i>Freeway service centre</i>	Incompatible	Incompatible	Compatible, with conditions (1, 13, 24)	• WQPN 49: Service stations
<i>Funeral parlour</i>	Incompatible	Incompatible	Acceptable (1)	
<i>Garden centre</i> ^k	Incompatible	Incompatible*	Acceptable	• WQPN 32: Nurseries and garden centres • WQPN 90: Organic material storage and recycling
Home employment				
- <i>family day care</i>	Incompatible	Compatible, with conditions (2, 4)	Acceptable	• WQPN 55: Swimming pools • WQPN 70: Wastewater treatment and disposal – domestic systems
- <i>home business</i>	Incompatible	Compatible, with conditions (2, 10)	Acceptable	
- <i>home occupation</i>	Compatible, with conditions (2, 10, 16)	Compatible, with conditions (2, 10)	Acceptable	
- <i>home office</i>	Compatible, with conditions (2, 10, 16)	Compatible, with conditions (10)	Acceptable	
- <i>home store</i>	Incompatible	Compatible, with conditions (1, 10, 16)	Acceptable (1)	
- <i>rural home business</i>	Incompatible	Compatible, with conditions (2, 10, 16)	Acceptable	
<i>Liquor store – small; liquor store – large</i>	Incompatible	Incompatible	Acceptable (1)	
<i>Market</i>	Incompatible	Incompatible	Acceptable (1)	

^k The definition of a 'garden centre' includes a nursery (see Appendix A). If the land use is a nursery only, please refer to 'nursery' heading in this table.

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information
	For condition numbers, refer to 'Conditions' heading on page 33			Click on the link to access the document, or see <i>References</i>
<i>Motor vehicle, boat or caravan sales (sale yard)</i>	Incompatible	Incompatible	Acceptable (1)	<ul style="list-style-type: none"> • WQPN 29: Mobile mechanical servicing and cleaning • WQPN 68: Mechanical equipment wash down
<i>Motor vehicle repair</i>	Incompatible	Incompatible	Compatible, with conditions (1, 13, 24, 28)	<ul style="list-style-type: none"> • WQPN 28: Mechanical servicing and workshops • WQPN 29: Mobile mechanical servicing and cleaning • WQPN 42: Radiator repair and reconditioning • WQPN 68: Mechanical equipment wash down
<i>Motor vehicle wash</i>	Incompatible	Incompatible	Compatible, with conditions (1, 13, 24)	<ul style="list-style-type: none"> • WQPN 29: Mobile mechanical servicing and cleaning • WQPN 68: Mechanical equipment wash down
<i>Nightclub</i>	Incompatible	Incompatible	Acceptable (1)	
<i>Office</i>	Incompatible	Incompatible*	Acceptable (1)	
<i>Restricted premises</i>	Incompatible	Incompatible	Acceptable (1)	
<i>Road house</i>	Incompatible	Incompatible	Compatible, with conditions (1, 13, 16, 24)	<ul style="list-style-type: none"> • WQPN 10: Contaminant spills - emergency response plan • WQPN 49: Service stations
<i>Service station</i>	Incompatible	Incompatible	Compatible, with conditions (1, 13, 16, 24)	<ul style="list-style-type: none"> • WQPN 10: Contaminant spills - emergency response plan • WQPN 49: Service stations
<i>Shop</i>	Incompatible	Incompatible*	Acceptable (1)	
<i>Trade display</i>	Incompatible	Incompatible	Acceptable (1)	
<i>Trade supplies</i>	Incompatible	Incompatible	Compatible, with conditions (1, 13, 16, 24)	<ul style="list-style-type: none"> • WQPN 65: Toxic and hazardous substances: storage and use
<i>Transport depot</i>	Incompatible	Incompatible	Compatible, with conditions (1, 13, 16, 24)	<ul style="list-style-type: none"> • WQPN 10: Contaminant spills - emergency response plan • WQPN 49: Service stations
<i>Warehouse</i>	Incompatible	Incompatible*	Compatible, with conditions (1, 13, 16, 24)	<ul style="list-style-type: none"> • WQPN 7: Chemical blending facilities • WQPN 10: Contaminant spills - emergency response plan • WQPN 65: Toxic and hazardous substances: storage and use

Land use or activity	P1 areas	P2 areas	P3 areas	Guidance information
<i>Italics show local planning scheme categories, see Appendix A</i>	For condition numbers, refer to 'Conditions' heading on page 33			Click on the link to access the document, or see <i>References</i>
EDUCATION				
<i>Educational establishment</i>				
<ul style="list-style-type: none">- community education centre- scientific research institution	Incompatible*	Incompatible*	Acceptable (1)	<ul style="list-style-type: none">• WQPN 22: Irrigation with nutrient-rich wastewater• WQPN 31: Subsoil monitor drains and water recovery sumps• WQPN 33: Nutrient and irrigation management plans• WQPN 65: Toxic and hazardous substances: storage and use• Brochure: Fertiliser application on pasture or turf near sensitive water resources• Public parkland planning and design guide (DLGSCI)• WA environmental guidelines for the establishment and maintenance of turf grass areas (DBCA)
<ul style="list-style-type: none">- primary school- secondary school- tertiary education facility	Incompatible	Incompatible	Acceptable (1)	
Research/scientific study (transient) ¹	Compatible, with conditions (10, 13, 14, 16, 24, 30)	Compatible, with conditions (13, 14, 16, 24, 30)	Compatible, with conditions (13, 14, 16, 24, 30)	
FOOD AND DRINK PREMISES				
<i>Fast food outlet</i>	Incompatible	Incompatible	Acceptable (1)	
<i>Lunch bar</i>	Incompatible	Incompatible*	Acceptable (1)	
<i>Reception centre</i>	Incompatible	Incompatible	Acceptable (1)	<ul style="list-style-type: none">• WQPN 79: Rural restaurants, cafés and taverns near sensitive water resources• Brochure: Fertiliser application on pasture or turf near sensitive water resources
<i>Restaurant/café</i>	Incompatible	Incompatible (35)	Acceptable (1)	
<i>Tavern/small bar</i>	Incompatible	Incompatible	Acceptable (1)	
FORESTRY				
Seed collecting	Compatible with conditions (13)	Acceptable	Acceptable	<ul style="list-style-type: none">• Seed industry standards (RIAWA)• Seed notes for Western Australia (DBCA)
Native forest harvesting	Compatible, with conditions (10, 19)	Compatible, with conditions (19)	Acceptable	<ul style="list-style-type: none">• WQPN 22: Irrigation with nutrient-rich wastewater• WQPN 31: Subsoil monitor drains and water recovery sumps

¹ Includes transient scientific research or study, such as wildlife tracking and vegetation surveys, that does not involve any permanent facilities or structures.

Land use or activity	P1 areas	P2 areas	P3 areas	Guidance information
<i>Italics show local planning scheme categories, see Appendix A</i>	For condition numbers, refer to 'Conditions' heading on page 33			Click on the link to access the document, or see <i>References</i>
<i>Tree farm</i>	Compatible, with conditions (6, 9, 10, 11, 19, 29)	Compatible, with conditions (6, 9, 11, 19, 29)	Acceptable	<ul style="list-style-type: none">• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources• WQPN 33: Nutrient and irrigation management plans• WQPN 84: Rehabilitation of disturbed land in PDWSAs• WQPN 96: Pest animal management in PDWSAs• WQPN 121: Plantations in PDWSAs• Code of Practice for timber plantations in Western Australia (FPC)• Forest management plan 2014-2023 (DBCA)
INDUSTRY				
<i>Fuel depot</i>	Incompatible	Incompatible	Compatible, with conditions (13, 24)	<ul style="list-style-type: none">• WQPN 10: Contaminant spills - emergency response plan• WQPN 52: Stormwater management at industrial sites• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources
<i>Industry</i> <ul style="list-style-type: none">- bulk chemical storage/handling- chemical manufacture/formulation- dry cleaner- dye work- laboratory- photo processor- concrete batching/cement products- fertiliser manufacture/bulk storage- motor and machinery wrecker	Incompatible	Incompatible	Compatible, with conditions (1, 6, 9, 13, 16, 24, 26, 28)	<ul style="list-style-type: none">• WQPN 7: Chemical blending facilities• WQPN 10: Contaminant spills - emergency response plan• WQPN 26: Liners for containing pollutants using synthetic membranes• WQPN 27: Liners for containing pollutants using engineered soils• WQPN 28: Mechanical servicing and workshops• WQPN 42: Radiator repair and reconditioning• WQPN 51: Industrial wastewater management and disposal• WQPN 52: Stormwater management at industrial sites• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources
<ul style="list-style-type: none">- heavy industry- metal production/finishing- pesticide operator depot- petroleum refinery	Incompatible	Incompatible	Incompatible	<ul style="list-style-type: none">• WQPN 65: Toxic and hazardous substances: storage and use• WQPN 68: Mechanical equipment wash down• WQPN 90: Organic material storage and recycling• WQPN 93: Light industry near sensitive waters
<ul style="list-style-type: none">- mineral processing	See <i>Mining and mineral processing</i>			<ul style="list-style-type: none">• Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998 (Government of Western Australia)
<i>Industry – light</i>	Incompatible	Incompatible	Compatible, with conditions (1, 9, 13, 16, 24, 26)	

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information Click on the link to access the document, or see <i>References</i>
	For condition numbers, refer to 'Conditions' heading on page 33			
Industry – prescribed premises ^m (unless otherwise specified in this table)	Incompatible	Incompatible	Incompatible	
<i>Industry – primary production</i>				
- <i>abattoir</i>	Incompatible	Incompatible	Incompatible	• WQPN 98: Rural abattoirs
- animal product rendering - tannery - wool scour	Incompatible	Incompatible	Incompatible	
- farm supply centre - manure stockpiling/processing	Incompatible	Incompatible*	Compatible, with conditions (6, 9, 13, 19, 22, 26, 28)	• WQPN 90: Organic material storage and recycling • WQPN 26: Liners for containing pollutants using synthetic membranes • WQPN 27: Liners for containing pollutants using engineered soils • WQPN 39: Ponds for stabilising organic matter
- beverage processing - <i>brewery</i> - dairy product factory - food processing -	Incompatible	Incompatible	Compatible, with conditions (1, 9, 13, 19, 24, 28)	• WQPN 39: Ponds for stabilising organic matter • WQPN 41: Private drinking water supplies • WQPN 73: Wineries and distilleries • Effluent and manure management database for the Australian dairy industry (Dairying for Tomorrow)
- composting/soil blending – commercial - forestry products processing – chip mill - pulp/paper - timber preservation - wood/fibre works	Incompatible	Incompatible	Compatible, with conditions (6, 9, 13, 19, 22, 24, 26, 28)	• WQPN 39: Ponds for stabilising organic matter • WQPN 90: Organic material storage and recycling • Guideline: Better practice composting (under development)
- milk transfer depot ⁿ	Incompatible	Incompatible	Compatible, with conditions (9, 13)	
<i>Winery, distillery or cidery</i> (includes wine tasting facilities)	Incompatible	Incompatible* (8, 28)	Compatible, with conditions (9, 13, 24, 28)	• WQPN 41: Private drinking water supplies • WQPN 73: Wineries and distilleries

^m As listed in Schedule 1 of the Environmental Protection Regulations 1987.

ⁿ A site where milk is further processed before distribution.

Land use or activity	P1 areas	P2 areas	P3 areas	Guidance information
<i>Italics show local planning scheme categories, see Appendix A</i>	For condition numbers, refer to 'Conditions' heading on page 33			Click on the link to access the document, or see <i>References</i>
Works depot °	Incompatible	Incompatible	Compatible, with conditions (6, 9, 13, 16, 24)	<ul style="list-style-type: none">• WQPN 10: Contaminant spills – emergency response plan• WQPN 28: Mechanical servicing and workshops• WQPN 29: Mobile mechanical servicing and cleaning• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources• WQPN 65: Toxic and hazardous substances• WQPN 68: Mechanical equipment wash down• Brochure: Construction depots near sensitive water resources
INFRASTRUCTURE				
Energy infrastructure				
- electricity substation	Compatible, with conditions (10, 13, 24, 28)	Compatible, with conditions (13, 24, 28)	Compatible, with conditions (13, 24, 28)	<ul style="list-style-type: none">• WQPN 10: Contaminant spills – emergency response plan• WQPN 26: Liners for containing pollutants using synthetic membranes• WQPN 27: Liners for containing pollutants using engineered soils• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources
- gas pipeline (bulk supply)	Compatible, with conditions (13)	Compatible, with conditions (13)	Acceptable	<ul style="list-style-type: none">• WQPN 10: Contaminant spills – emergency response plan• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources
- gas storage and pressure control works	Compatible, with conditions (10, 13, 24)	Compatible, with conditions (13, 24)	Compatible, with conditions (13, 24)	<ul style="list-style-type: none">• WQPN 83: Infrastructure corridors near sensitive water resources• Brochure: Construction depots near sensitive water resources
- powerline	Compatible, with conditions (6, 10, 24)	Compatible, with conditions (6, 24)	Acceptable	
- power station – fuel-based energy production (e.g. coal, gas, diesel, plant or animal waste biomass)	Incompatible	Incompatible	Incompatible	
- solar energy production	Compatible, with conditions (10, 13, 24)	Compatible, with conditions (13, 24)	Acceptable	<ul style="list-style-type: none">• WQPN 10: Contaminant spills – emergency response plan• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources
- wind farm	Compatible, with conditions (10, 13, 24)	Compatible, with conditions (13, 24)	Acceptable	<ul style="list-style-type: none">• Brochure: Construction depots near sensitive water resources

^o Permanent or temporary depot for a range of works which may include (but is not limited to) municipal, road, construction or infrastructure projects.

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information
	For condition numbers, refer to 'Conditions' heading on page 33			Click on the link to access the document, or see <i>References</i>
Telecommunications infrastructure	Compatible, with conditions (10, 13, 24)	Compatible, with conditions (13, 24)	Acceptable	<ul style="list-style-type: none">• WQPN 10: Contaminant spills – emergency response plan• WQPN 83: Infrastructure corridors near sensitive water resources• Brochure: Construction depots near sensitive water resources
Transport infrastructure				
- aircraft landing strip (for emergency purposes)	Compatible, with conditions (6, 10, 13, 24)	Compatible, with conditions (6, 13, 24)	Compatible, with conditions (6, 13, 24)	<ul style="list-style-type: none">• WQPN 10: Contaminant spills – emergency response plan• WQPN 28: Mechanical servicing and workshops• WQPN 29: Mobile mechanical servicing and cleaning• WQPN 44: Roads near sensitive water resources• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources• WQPN 83: Infrastructure corridors near sensitive water resources• WQPN 84: Rehabilitation of disturbed land in PDWSAs• Brochure: Construction depots near sensitive water resources
- airport	Incompatible	Incompatible	Compatible, with conditions (6, 13, 24)	
- railway	Compatible, with conditions (6, 10, 24)	Compatible, with conditions (6, 24)	Acceptable	
- railway station	Incompatible	Incompatible	Compatible, with conditions (6, 24)	
- road	Compatible, with conditions (37)	Compatible, with conditions (37)	Acceptable (37)	
Wastewater infrastructure				
- sewerage – gravity sewer	Incompatible	Incompatible	Acceptable	<ul style="list-style-type: none">• WQPN 10: Contaminant spills – emergency response plan• WQPN 83: Infrastructure corridors near sensitive water resources
- sewerage – pressurised pipeline	Incompatible	Compatible, with conditions	Acceptable	
- wastewater pipeline and pump station	Incompatible	Compatible, with conditions (28)	Compatible, with conditions (28)	<ul style="list-style-type: none">• WQPN 26: Liners for containing pollutants using synthetic membranes• WQPN 27: Liners for containing pollutants using engineered soils• WQPN 39: Ponds for stabilising organic matter
- wastewater treatment plant	Incompatible	Incompatible	Compatible, with conditions (13, 22, 24, 28)	
- wastewater treatment pond	Incompatible	Incompatible	Compatible, with conditions (13, 22, 24, 28)	
Water infrastructure				
- drinking water treatment plant	Compatible, with conditions (24, 28)	Compatible, with conditions (24, 28)	Compatible, with conditions (24, 28)	<ul style="list-style-type: none">• WQPN 44: Roads near sensitive water resources• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information Click on the link to access the document, or see <i>References</i>
	For condition numbers, refer to 'Conditions' heading on page 33			
- drinking water supply pipeline	Compatible, with conditions	Compatible, with conditions	Acceptable	• WQPN 83: Infrastructure corridors near sensitive water resources • Stormwater management manual • Better urban water management (WAPC)
- stormwater infrastructure	Compatible, with conditions	Compatible, with conditions	Acceptable	
MEDICAL AND HEALTH				
<i>Consulting rooms</i>	Incompatible	Incompatible*	Acceptable (1)	• WQPN 10: Contaminant spills – emergency response plan
<i>Hospital</i>	Incompatible	Incompatible	Compatible, with conditions (1, 13, 16)	
<i>Medical centre</i>	Incompatible	Incompatible	Acceptable (1)	
MINING, MINERAL PROCESSING AND PETROLEUM ^P				
Acid-rock drainage pond	Incompatible	Incompatible	Compatible, with conditions (9, 13, 24)	• WQIS (in prep): <i>Mineral exploration in PDWSAs</i> • WQPN 10: Contaminant spills – emergency response plan • WQPN 15: Extractive industries near sensitive water resources • WQPN 24: Land filling with inert materials • WQPN 40 (in prep): <i>Mineral exploration in PDWSAs</i> • WQPN 56: Tanks for fuel and chemical storage near sensitive water resources • WQPN 84: Rehabilitation of disturbed land in PDWSAs • WQPG 1 (mining): Overview • WQPG 3 (mining): Liners for waste containment • WQPG 4 (mining): Installation of minesite groundwater monitoring bores
- Exploration ^q and prospecting ^r - Industry – crushing and screening - <i>Industry – extractive</i> - <i>Mining operations</i> - Mineral processing – crushing and screening	Outside protection zones:			
	Compatible, with conditions (9, 10, 12, 13, 14, 19, 22, 24, 26, 28, 41)	Compatible, with conditions (9, 12, 13, 14, 19, 22, 24, 26, 28, 41)	Compatible, with conditions (9, 12, 13, 14, 19, 22, 24, 26, 28, 41)	
	Inside protection zones:			
	Incompatible	Incompatible	Incompatible	
Mineral processing – with chemicals	Incompatible	Incompatible	Incompatible	

^p These land uses are administered through the [Administrative Agreement between the Department of Mines, Industry Regulation and Safety and the Department of Water and Environmental Regulation](#).

^q To explore for minerals as authorised pursuant to section 66 of the *Mining Act 1978* (DWER & DMIRS 2021).

^r To prospect for minerals as authorised pursuant to section 48 of the *Mining Act 1978* (DWER & DMIRS 2021).

Land use or activity	P1 areas	P2 areas	P3 areas	Guidance information
<i>Italics show local planning scheme categories, see Appendix A</i>	For condition numbers, refer to 'Conditions' heading on page 33			Click on the link to access the document, or see <i>References</i>
Oil or gas exploration and production (conventional)	Compatible, with conditions (9, 10, 12, 13, 14, 24, 28, 39)	Compatible, with conditions (9, 12, 13, 14, 24, 28, 39)	Compatible, with conditions (9, 12, 13, 14, 24, 28, 39)	<ul style="list-style-type: none">• WQPG 5 (mining): Minesite water quality monitoring• WQPG 6 (mining): Minesite stormwater• WQPG 7 (mining): Mechanical servicing and workshop facilities• WQPG 8 (mining): Laboratory waste discharge• WQPG 9 (mining): Acid mine drainage• WQPG 10 (mining): Above-ground fuel and chemical storage• WQPG 11 (mining): Mine dewatering• Guidelines for the protection of surface and groundwater resources during exploration drilling (DMIRS)
Oil or gas exploration and production (hydraulic fracture stimulation)	Incompatible (27)	Incompatible (27)	Incompatible (27)	<ul style="list-style-type: none">• www.hydraulicfracturing.wa.gov.au (Government of Western Australia)
Pipelines for petroleum and chemically treated slurries	Compatible, with conditions (12, 13, 24)	Compatible, with conditions (12, 13, 24)	Compatible, with conditions (12, 13, 24)	<ul style="list-style-type: none">• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources• WQPN 83: Infrastructure corridors near sensitive water resources
Tailings storage facility				
- from mineral processing with chemicals	Incompatible	Incompatible	Incompatible	<ul style="list-style-type: none">• WQPG 2 (mining): Tailings facilities
- from physical separation processes	Compatible, with conditions (9, 13, 22, 24, 28)	Compatible, with conditions (9, 13, 22, 24, 28)	Compatible, with conditions (9, 13, 22, 24, 28)	<ul style="list-style-type: none">• WQPG 3 (mining): Liners for waste containment
<i>Workforce accommodation</i>	Incompatible*	Incompatible*	Compatible, with conditions (2, 9, 11, 13, 16, 24, 28)	<ul style="list-style-type: none">• WQPN 9: Community drinking water sources – protection and management• WQPN 41: Private drinking water supplies
RECREATION AND COMMUNITY				
All types of recreation facilities on crown land ^s	Refer to Operational policy 13: Recreation within public drinking water source areas on crown land			
Circus, fair ^t	Incompatible	Compatible, with conditions (6, 11, 13, 16, 21, 24, 34)	Compatible, with conditions (6, 11, 13, 16, 21, 24, 34)	
<i>Club premises</i>				

^s Crown land refers to all land except alienated land and includes reserved and leased crown land, land owned or vested in government agencies, tidal waters, reclaimed land, river beds and lakes.

^t If this recreational facility or event is on crown land, please refer to 'Recreation on crown land' heading instead.

Land use or activity	P1 areas	P2 areas	P3 areas	Guidance information
<i>Italics show local planning scheme categories, see Appendix A</i>	For condition numbers, refer to 'Conditions' heading on page 33			Click on the link to access the document, or see <i>References</i>
- health, fitness or leisure centre	Incompatible	Incompatible	Acceptable (1)	
- sporting or recreation club rooms	Incompatible	Incompatible*	Acceptable (1)	
Community purpose				
- community hall	Incompatible	Incompatible	Acceptable	
Recreation park/oval ^P	Incompatible	Incompatible (32, 36)	Compatible, with conditions (6, 9, 11, 16, 23, 34, 37)	<ul style="list-style-type: none">• WQPN 22: Irrigation with nutrient-rich wastewater• WQPN 31: Subsoil monitor drains and water recovery sumps• WQPN 33: Nutrient and irrigation management plans• Brochure: Fertiliser application on pasture or turf near sensitive water resources• Public parkland planning and design guide (DLGSCI)• WA environmental guidelines for the establishment and maintenance of turf grass areas (DBCA)
Recreation – private				
- amusement park	Incompatible	Incompatible	Compatible, with conditions (1, 6, 11, 13, 16, 24)	<ul style="list-style-type: none">• Public parkland planning and design guide (DLGSCI)• WA environmental guidelines for the establishment and maintenance of turf grass areas (DBCA)
- aquatic facility/public swimming pool ^u	Incompatible	Incompatible (36)	Compatible, with conditions (6, 9, 11, 13, 16)	<ul style="list-style-type: none">• WQPN 55: Swimming pools• WQPN 65: Toxic and hazardous substances
- bridle trails ^v	Incompatible	Compatible, with conditions (13)	Compatible, with conditions (13)	<ul style="list-style-type: none">• WQPN 82: Bridle trails near sensitive water resources
- golf course	Incompatible	Incompatible (36)	Compatible, with conditions (1, 6, 9, 11, 16, 23, 24)	<ul style="list-style-type: none">• WQPN 22: Irrigation with nutrient-rich wastewater• WQPN 31: Subsoil monitor drains and water recovery sumps• Brochure: Fertiliser application on pasture or turf near sensitive water resources• WA environmental guidelines for the establishment and maintenance of turf grass areas (DBCA)

^u As defined in the Health (Aquatic Facilities) Regulations 2007, Part 1, number 5.

^v If this recreational facility or event is on crown land, please refer to 'All types of recreation on crown land' heading instead.

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information Click on the link to access the document, or see <i>References</i>
	For condition numbers, refer to 'Conditions' heading on page 33			
- motor-sport facility ^w (permanent)	Incompatible	Incompatible	Compatible, with conditions (1, 6, 9, 11, 13, 16, 24, 26)	• WQPN 100: Motor sport facilities near sensitive waters
- paint-balling facility ^w	Incompatible	Incompatible	Acceptable	• WQPN 70: Wastewater treatment and disposal – domestic systems
- rifle/pistol range ^w	Incompatible	Compatible, with conditions (2, 6, 11, 13, 16, 24)	Acceptable	
- tracks and trails (for people) ^w	Compatible, with conditions (13)	Compatible, with conditions (13)	Acceptable	• WQPN 81: Tracks and trails near sensitive water resources
RESIDENTIAL AND ACCOMMODATION				
<i>Bed and breakfast</i> (includes farm stays) within existing residential dwelling on the property	Compatible, with conditions (2, 4, 5, 16, 20)	Compatible, with conditions (2)	Acceptable	• WQPN 9: Community drinking water sources – protection and management • WQPN 41: Private drinking water supplies • WQPN 55: Swimming pools • WQPN 70: Wastewater treatment and disposal – domestic systems • WQPN 88: Rural tourist accommodation
Campground ^w , caravan park, park home park	Incompatible	Incompatible	Compatible, with conditions (1, 6, 11, 16, 28)	
<i>Holiday accommodation</i>	Incompatible	Compatible, with conditions (1, 3, 6, 11, 16, 20)	Acceptable (1)	
<i>Hotel; motel; tourist development</i>	Incompatible	Incompatible	Acceptable (1, 28)	
Dwellings				
- ancillary dwelling ^x	Compatible, with conditions (1, 4, 5, 20)	Compatible, with conditions (1, 4, 5, 20)	Acceptable (1)	• WQPN 41: Private drinking water supplies • WQPN 55: Swimming pools • WQPN 70: Wastewater treatment and disposal – domestic systems
- caretaker's dwelling	Incompatible*	Compatible, with conditions (1, 4, 5, 16, 20)	Acceptable (1)	

^w If this recreational facility or event is on crown land, please refer to 'Recreation on crown land' heading instead.

^x As defined in [SPP 7.3: Residential design codes](#): 'for people who live either independently or semi-independently to the residents of the single house, sharing some site facilities and services without compromising the amenity of surrounding properties'. The ancillary accommodation must meet the requirements specified in section 5.5.1 of SPP 7.3.

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information Click on the link to access the document, or see <i>References</i>
	For condition numbers, refer to 'Conditions' heading on page 33			
- serviced apartment	Incompatible	Incompatible	Acceptable (1)	
- single house ^y , holiday house	Compatible, with conditions (2, 4, 5, 16, 20)	Acceptable (2, 4, 5, 20)	Acceptable (2)	
- grouped dwelling ^z , including aged and dependent persons' dwelling ^{aa}	Incompatible	Incompatible	Acceptable (1)	
STORAGE – TOXIC AND HAZARDOUS SUBSTANCES				
Chemical and fuel storage in above ground tank	Incompatible*	Compatible, with conditions (13, 17, 24, 28)	Compatible, with conditions (13, 17, 24, 28)	<ul style="list-style-type: none">• WQPN 10: Contaminant spills – emergency response plan• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources• WQPN 65: Toxic and hazardous substances
Chemical and fuel storage in underground tank	Incompatible	Incompatible	Compatible, with conditions (13, 17, 24, 28)	
WASTE MANAGEMENT				
Biosolids use and application to land ^{bb}	Incompatible	Incompatible	Incompatible (40)	<ul style="list-style-type: none">• Western Australian guidelines for biosolids management
Recycled water (use of)				
- irrigating recycled water ^{cc} (excludes on-site sewage disposal systems for single dwellings)	Incompatible	Incompatible	Compatible, with conditions (23, 25, 28)	<ul style="list-style-type: none">• WQPN 22: Irrigation with nutrient-rich wastewater• WQPN 33: Nutrient and irrigation management plans• Guidelines for the non-potable use of recycled water in Western Australia (Department of Health)

y As defined in [SPP 7.3: Residential design codes](#): 'a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.' The dwelling must meet the requirements specified in part 5 of SPP 7.3.

z As defined in [SPP 7.3: Residential design codes](#): 'a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above or below another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property.' The grouped dwelling must meet the requirements specified in part 5 of SPP 7.3.

aa As defined in [SPP 7.3: Residential design codes](#): aged person is 'a person who is aged 55 years or over', and a dependent person is 'a person with a recognised form of disability requiring special accommodation for independent living or special care'. The aged or dependent persons' dwelling must meet the requirements specified in section 5.5.2 of SPP 7.3.

bb Biosolids has the same meaning as in the [Western Australian guidelines for biosolids management](#) (Department of Environment and Conservation 2012).

cc Recycled water is defined as water generated from sewage (including greywater, yellow water, black water) or from industry that is treated to a quality where it can be recycled for beneficial uses (Department of Health 2011).

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information
	For condition numbers, refer to 'Conditions' heading on page 33			Click on the link to access the document, or see <i>References</i>
- managed aquifer recharge ^{dd} , water treated to drinking water standard	Compatible, with conditions (18)	Compatible, with conditions (18)	Compatible, with conditions (18)	<ul style="list-style-type: none">Operational policy 1.01: Managed aquifer recharge in WAAustralian drinking water guidelines (NHMRC & NRMCC)Australian guidelines for water recycling (AGWR): Managing health and environmental risks (Phase 1) and (Managing health and environmental risks (Phase 2) – Managed aquifer recharge (Department of Agriculture (Australia)))AGWR: Managing health and environmental risks (Phase 2) – Augmentation of drinking water supplies (Department of Agriculture (Australia))
- managed aquifer recharge ^{dd} , other	Incompatible	Incompatible	Incompatible	
<i>Resource recovery centre</i>	Incompatible	Incompatible	Compatible, with conditions (6, 9, 13, 22, 24, 26, 28)	<ul style="list-style-type: none">WQPN 26: Liners for containing pollutants using synthetic membranesWQPN 27: Liners for containing pollutants using engineered soilsWQPN 30: Groundwater monitoring boresWQPN 65: Toxic and hazardous substancesWQPN 90: Organic material – storage and recycling
<i>Waste disposal facility</i>				
- class I landfill ^{ee}	Incompatible	Incompatible	Compatible, with conditions (6, 13, 22, 24, 26, 28)	<ul style="list-style-type: none">WQPN 24: Land filling with inert materialsWQPN 30: Groundwater monitoring boresWQPN 90: Organic material – storage and recycling
- class II, III, IV or V landfill ^{ff}	Incompatible	Incompatible	Incompatible	<ul style="list-style-type: none">WQPN 111: Landfills for disposal of putrescible materials
- incineration of waste	Incompatible	Incompatible	Incompatible	
- used tyres	Incompatible	Incompatible	Incompatible	
<i>Waste storage facility</i>	Incompatible	Incompatible	Incompatible	
OTHER				
<i>Car park</i> (associated with another land use e.g. office); <i>Commercial vehicle parking</i>	Refer to specific land use			

^{dd} The use of highly treated recycled water to address diminishing drinking water supplies in Western Australia through managed aquifer recharge (also called groundwater replenishment) has been successfully trialled with no social, environmental, health or economic impacts. Managed aquifer recharge involves recharging an aquifer under controlled conditions to store the water for later abstraction or to achieve environmental benefits (as defined in our [Operational policy 1.01: Managed aquifer recharge in Western Australia](#)). Water may be injected or infiltrated into an aquifer in a PDWSA for the purpose of augmenting drinking water supplies.

^{ee} Class I landfill (inert) is category number 63 under the Environmental Protection Regulations 1987 (Schedule 1, Prescribed premises), Class II landfill (putrescible) is category number 64 or 89, Class III landfill (putrescible) is category 64, Class IV landfill (secure) is category 65, and Class V landfill (intractable) is category 66. The types of wastes accepted by each class are as defined in [Landfill waste classifications and waste definitions 1996 \(as amended December 2009\)](#).

^{ff} Class I landfill (inert) is category number 63 under the Environmental Protection Regulations 1987 (Schedule 1, Prescribed premises), Class II landfill (putrescible) is category number 64 or 89, Class III landfill (putrescible) is category 64, Class IV landfill (secure) is category 65, and Class V landfill (intractable) is category 66. The types of wastes accepted by each class are as defined in [Landfill waste classifications and waste definitions 1996 \(as amended December 2009\)](#).

Land use or activity <i>Italics show local planning scheme categories, see Appendix A</i>	P1 areas	P2 areas	P3 areas	Guidance information Click on the link to access the document, or see <i>References</i>
	For condition numbers, refer to 'Conditions' heading on page 33			
Car park only (not associated with another land use e.g. multistorey car park)	Incompatible	Incompatible	Compatible, with conditions (13, 26, 37)	• Stormwater management manual for Western Australia
Cemetery/crematorium	Incompatible	Incompatible	Compatible, with conditions (1, 6, 11, 13, 16, 24)	• WQPN 65: Toxic and hazardous substances
<i>Civic use</i>	Refer to specific land use			
<i>Corrective institution</i>	Incompatible	Incompatible	Compatible, with conditions (1, 6, 9, 11, 16, 28)	• WQPN 9: Community drinking water source – protection and management
Conservation and research project	Compatible, with conditions (10, 13, 16, 24, 30)	Compatible, with conditions (13, 16, 24, 30)	Compatible, with conditions (13, 16, 24, 30)	
Dewatering of soils (for construction purposes)	Compatible, with conditions (9, 10)	Compatible, with conditions (9)	Compatible, with conditions (9)	• WQPN 13: Dewatering of soils at construction sites
<i>Marina; marina filling station</i> (includes freshwater waterways and lakes)	Incompatible	Incompatible	Compatible, with conditions (13, 16, 24)	• WQPN 56: Tanks for fuel and chemical storage near sensitive water resources • WQPN 68: Mechanical equipment wash down
<i>Place of worship</i>	Incompatible	Incompatible	Acceptable (1)	
Toilet block/change rooms	Incompatible*	Compatible, with conditions (1, 16)	Acceptable (1)	• WQPN 70: Wastewater treatment and disposal – domestic systems
<i>Workforce accommodation</i>	See Mining, mineral processing and petroleum			

*This land use is *incompatible* unless special circumstances (see section on page 8) apply. Subject to confirmation of these special circumstances, this land use may be considered to be *compatible, with conditions* if it is directly associated with a primary industry that is *compatible, with conditions* or *acceptable* within the applicable priority area (e.g. a winery to make wine from an existing vineyard or a store to sell commercially produced plants or fruit grown on the same site in a P2 area would be considered *compatible, with conditions*, but a winery or a store on its own would be considered *incompatible*). In these cases, we expect the operator to use best management practices to reduce water quality risks. The types of practices we would expect are discussed in documents listed in the guidance column.

Table 3 Compatibility of land uses in P3* areas

Development proposals in P3* areas should have this department's early involvement to maximise the potential to protect drinking water quality and public health. The department recommends that the following land uses are avoided in P3* areas due to the risks posed to drinking water quality and public health.

The compatibility of all other land uses in P3* areas is the same as for a P3 area (see Table 2). See also WQPN 38: [Priority 3* \(P3*\) areas](#).

Land use or activity <i>Italics show town planning scheme categories, see Appendix B</i>	P3*	Guidance information Click on the hyperlink to access the document, or see <i>References</i>
Airport	Incompatible	
Amusement park	Incompatible	
Aquatic facility/public swimming pool ^a	Incompatible (unless backwash is disposed to reticulated sewerage, which requires a trade waste agreement with the wastewater service provider)	<ul style="list-style-type: none"> • WQPN 55: Swimming pools • WQPN 65: Toxic and hazardous substances
<i>Caravan park, park home park, campground</i>	Incompatible (unless connected to reticulated sewerage)	<ul style="list-style-type: none"> • WQPN 9: Community drinking water sources – protection and management • WQPN 41: Private drinking water supplies • WQPN 88: Rural tourist accommodation
Cemetery	Incompatible	
<i>Hospital</i>	Incompatible	
<i>Educational establishment</i> <ul style="list-style-type: none"> – scientific research institution – tertiary education facility 	Incompatible	
Golf course	Incompatible	
<i>Industry – light, industry – rural, heavy industry, dry cleaner</i>	Incompatible	
Landfill, resource recovery centre, waste disposal facility	Incompatible	
<i>Motor vehicle repair, motor vehicle wash, motor vehicle, boat or caravan sales (sale yard), motor-sport facility (permanent)</i>	Incompatible	
Recycled water (use of) <ul style="list-style-type: none"> – irrigating recycled water – managed aquifer recharge 	Incompatible (unless treated to drinking water standards)	<ul style="list-style-type: none"> • Australian drinking water guidelines (National Health and Medical Research Council) • AGWR: Managing health and environmental risks (Phase 1); Managing health and environmental risks (Phase 2) – Augmentation of drinking water supplies and Managing health and environmental risks (Phase 2) – Managed aquifer recharge (Department of Agriculture, Australia) • Operational policy 1.01: Managed aquifer recharge in WA
<i>Service station, fuel depot</i> ^b , chemical and fuel storage in underground tank, bulk chemical storage/handling (e.g. <i>warehouse</i>)	Incompatible	
Wastewater infrastructure <ul style="list-style-type: none"> – wastewater treatment plant – wastewater treatment pond 	Incompatible	

a As defined in the Health (Aquatic Facilities) Regulations 2007, Part 1, number 5.

b Permanent or temporary depot for a range of works which may include (but is not limited to) municipal, road, construction or infrastructure projects.

17.2 Development Application: Retrospective - Use Not Specified (Customs Yard) – Lot 220 Macedonia Street and Lot 221 Rockingham Road, Naval Base

SUMMARY:

An application has been received for a Retrospective change of use to a 'Use Not Specified – Customs Yard' on Lot 220 Macedonia Street and Lot 221 Rockingham Road in Naval Base (subject lot – see Attachment A). The subject lot is zoned 'Service Commercial' under the City of Kwinana Local Planning Scheme No.2 (LPS2). The subject site is currently in operation with the proposed use and the applicant is seeking retrospective approval.

The land use for a 'Customs Yard' is not listed in LPS2 and therefore the application must be considered as a 'Use Not Specified'. The proposal does not meet the definition of any of the land uses listed within the *Planning and Development Regulations (Local Planning Schemes) 2015 (Regulations)* nor does it fit the definition within any of the land use definitions within LPS2. The use does not meet the definition of a Transport Depot, Public Utility, Warehouse or Open Air Storage given its specialised nature.

The proponent is seeking retrospective approval for the Customs Yard land use in order to operate with a valid approval in place. The proposal is considered to meet the objectives of the Service Commercial zone and the Objectives of Area 14 – Naval Base and is therefore recommended for approval subject to conditions.

OFFICER RECOMMENDATION:

That Council approve a Use Not Specified – Customs Yard at Lot 220 Macedonia Street and Lot 221 Rockingham Road, Naval Base (as per Attachment B), subject to the following conditions and advice:

CONDITIONS:

- 1. The hours of operations for the Customs Yard shall be limited to 7am – 5pm, Monday to Saturday.**
- 2. A minimum of 151m² of the subject site is to be landscaped prior to the occupation of the development and maintained to a high standard thereafter to the satisfaction of the City of Kwinana.**
- 3. All parking of vehicles and storage of containers shall be contained on the lot.**
- 4. The operation of the approved Customs Yard is limited to a maximum of 8 staff on site at any one time.**
- 5. Signage for the development shall comply with the City of Kwinana's Local Planning Policy No. 9: Advertising Signage.**

17.2 DEVELOPMENT APPLICATION: RETROSPECTIVE - USE NOT SPECIFIED (CUSTOMS YARD) – LOT 220 MACEDONIA STREET AND LOT 221 ROCKINGHAM ROAD, NAVAL BASE

ADVICE NOTES:

- 1. If the development the subject of this approval is not substantially commenced within a period of two (2) years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.**
- 2. The Minister for Planning has issued a formal notice extending the deadline for substantial commencement by an additional two (2) years for all applications approved during the current State of Emergency. In effect, this means that the timeframe for substantial commencement is now four (4) years from the date of this determination.**
- 3. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.**
- 4. If the proponent 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.**
- 5. The proponent should ensure the proposed development complies with all other relevant legislation, including but not limited to, the *Environmental Protection Act* and *Environmental Protection (Noise) Regulations 1997*, *Health (Miscellaneous Provisions) Act 1911* and Regulations, *Sewerage (Lighting Ventilation & Construction) Regulations 1971* and the National Construction Code.**

DISCUSSION:

Land Status

Local Planning Scheme No. 2: Service Commercial
Metropolitan Region Scheme: Industry

Local Planning Strategy

This report implements the following Strategic Directions of the City's draft Local Planning Strategy:

- Stimulate economic development and encourage diversification.
- To create diverse employment opportunities for local residents and maintain sustained economic growth by ensuring that suitable serviced employment land is available.

Proposal

The City is in receipt of a retrospective application for a Use Not Specified – Customs Yard Lot 220 Macedonia Street and Lot 221 Rockingham Road, Naval Base (refer to Attachment B). The subject lot is zoned 'Service Commercial' under LPS2.

17.2 DEVELOPMENT APPLICATION: RETROSPECTIVE - USE NOT SPECIFIED (CUSTOMS YARD) – LOT 220 MACEDONIA STREET AND LOT 221 ROCKINGHAM ROAD, NAVAL BASE

The proposal is to change the previously approved land use for a Showroom (Car yard) to a Customs Yard. No changes are proposed to the existing approved office building on the property or the existing hard stand layout. The proposed land use for a Customs Yard is not listed within LPS2 and therefore is required to be considered as a 'Use Not Specified' and be determined by Council.

The Customs Yard operates where vehicles are dispatched at the direction of Federal Customs Officers to deposit and collect containers which have been flagged for customs purposes. The Containers are delivered to site and stored, any other materials are stored inside the existing office and warehouse structure. The business uses fumigation methods to treat containers. The operation has received approval from the Department of Health for the use and operation of chemicals relating to the fumigation treatments required by customs.

The operation of the site will utilise the existing office building for both administrative purposes and associated specialised bio security holding and inspection. The external areas of the site will be dedicated to temporary storage of sea containers for a period of time no longer than 48 hours.

Items/Containers are released once deemed appropriate to do so by a federal customs officer.

Access to the site is taken from Macedonia Street via the existing crossovers onto the property.

A total of 6 staff members will be present on the site at any given time.

The site proposes no additional parking or landscaping to that which was existing prior to the commencement of the use.

Advertising

Clause 4.7 of LPS2 requires all applications for a 'Use not Specified' to be advertised to surrounding landowners for comment. During the advertising period, no submissions were received by the City.

Planning Assessment

Given the application only seeks to alter the land use, consideration is given if the land use can be considered proper and orderly to approve.

Clause 4.7 of LPS2 outlines the requirements for applications for a 'Use not Specified'. This Clause states that if the use of land is not specifically mentioned in the Zoning Table of LPS2, Council is to determine if the proposed use is consistent with the objectives and purposes of the zone. The proposed land use is located within the Service Commercial zone and therefore the application must be assessed against the requirements for development within Division 3 – Commercial Zones - Clause 5.5 of LPS2 and Clause 3.3 – Area 14 Naval Base.

17.2 DEVELOPMENT APPLICATION: RETROSPECTIVE - USE NOT SPECIFIED (CUSTOMS YARD) – LOT 220 MACEDONIA STREET AND LOT 221 ROCKINGHAM ROAD, NAVAL BASE

Clause 5.5.2 of LPS2 states:

The Council's intention in controlling development within the Service Commercial Zone is to;

- (a) Promote in the Service Commercial Zone Showroom uses.*
- (b) Not permit in the Service Commercial Zone Shop uses.*

Although the proposed land use is not a showroom or shop use, it is considered to complement existing uses within the Naval Base region.

The statutory planning requirements for all development within the Service Commercial zone are also listed under Clause 5.5 of LPS2. The planning requirements consider elements such as building setbacks, landscaping and the provision of car parking bays. Considering no physical changes are proposed to the existing approved building on the site, setbacks are not considered as part of this assessment.

The proposed land use presents similarities to other land uses such as Open Air Display, Civic Use, Offices, Public Utility and Warehouse. Given the site does not attract any additional visitors outside of that of the federal government inspectors and vehicles required to move the storage containers. The proposal is considered low impact within a Service commercial zone.

Clause 3.3 – Area 14 Naval Base of LPS2 states the following:

Whereas light industry and service commercial have established and whereas small scale heavy industry (fabrication) has also established and whereas the road access and subdivision layout was not designed for these activities the following planning policy shall apply:

- (a) The predominant use shall be general industry with the limitation that noise, vibration, groundwater pollution, airborne emissions and odours, shall not adversely affect nearby businesses or residents;*

The proposal is considered to satisfy the requirements of Area 14. The proposal does not have an adverse impact on the adjoining properties as all operations are able to be contained on the site, Fumigation and other potential impacts are mitigated through compliance with the Department of Health requirements.

- (b) Subdivision and development shall be supported where in accordance with an overall structure plan (which includes design levels A.H.D.) approved by Council;*

The proposal does not propose any further subdivision or physical development.

- (c) Service road, slip road and side road access shall be established along the Rockingham Road frontage in accordance with the overall structure plan approved by Council and the Main Roads Department;*

The proposal does not propose any access onto Rockingham Road.

17.2 DEVELOPMENT APPLICATION: RETROSPECTIVE - USE NOT SPECIFIED (CUSTOMS YARD) – LOT 220 MACEDONIA STREET AND LOT 221 ROCKINGHAM ROAD, NAVAL BASE

- (d) *Industrial developments shall be designed and constructed so as to minimise their visual impact on the locality and to blend harmoniously with the locality;*

In regards to mitigating any amenity concerns and ensuring that the development minimalizes its visual impact onto Rockingham Road, the applicant on the site plan has provided that containers fronting Rockingham Road be limited to be stacked to 2 containers high only.

- (e) *Subdivision design and works associated with sub divisional development shall be carried out in such a manner as to ensure minimal destruction of existing vegetation considered by Council to be worthy of preservation.*

The application does propose any clearing of vegetation.

Landscaping

A service commercial zone requires 8% landscaping of the lot. The proposal currently from the provided plans provide approximately 105m² (5%) of landscaping for lot 221 and 46m² (2%) for lot 220.

Clause 5.1 of LPS2 allows for the discretion of Council to vary the requirements of the LPS2 where the application is in accordance with Clause 5.1.

- (a) *approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenity of the locality;*

The development is considered to preserve the amenity of the locality through the established landscaping. The landscaping on balance is consistent with the previous approvals. The existing landscaping is high quality, located in the front setback area and two 2 mature trees are intended to be retained.

- (b) *the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and*

The variation is considered not to impact the current occupiers, any future land use of the site or affect the locality. The portion of development falls within a cul-de-sac area isolated from the majority of the Naval Base precinct. The current landscaping provided is of a high-quality nature and contributes to the streetscape of the immediate locality of the area.

- (c) *the spirit and purpose of the requirement or standard will not be unreasonably departed from thereby.*

The variation is not considered an unreasonable departure from the Scheme in respect to the matters considered in subclauses (a) and (b).

17.2 DEVELOPMENT APPLICATION: RETROSPECTIVE - USE NOT SPECIFIED (CUSTOMS YARD) – LOT 220 MACEDONIA STREET AND LOT 221 ROCKINGHAM ROAD, NAVAL BASE

Carparking

Given there are no specifications for car parking, the application is assessed in accordance with Clause 6.1 (B) which states:

Where an application is made for Planning Approval and the purpose for which the land or building is to be used is not specified in Table No. 3 the Council shall determine the number of car parking spaces to be provided on the land having regard to the nature of the proposed development, the number of employees likely to be on the site, the prevention of the obstruction of roads and streets, and the orderly and proper planning of the locality and the preservation of its amenities.

In regards to the pre-existing land use and the best land use comparable to the operation of the site, it is considered that a Showroom use is most suitable for determining car parking requirements. Under Table 3 of the Scheme, Showroom, Warehouse, Industry (excluding factory unit building) requires:

4 for up to the first 200m² gross floor area and thereafter 1 for every additional 100m² gross floor area or part thereof

Given the site office has a gross area of 380m². This would require six car bays. The proposal provides 8 car parking bays and is therefore considered to be acceptable. The applicant has provided information that there are only 6 staff on site at any time which is under the proposed 8 bays provided. A condition will be added to the approval to limit the number of employees to 8 persons as per the number of parking bays.

Signage

A condition is also recommended for future signage on the existing building to comply with the requirements of the City's Local Planning Policy 9. No information was provided as part of this application regarding signage and therefore this condition will seek to provide future signage on the site that meets relevant planning requirements.

Conclusion

City Officers are of the view that the proposed change of use application for a Customs Yard is in line with the objectives of the zoning and therefore can be considered. Considering the land use does not present any adverse bulk and requirements out of scale to surrounding land uses it can be deemed acceptable. No physical alterations are proposed to the existing building, where if the use ceases operation it does not restrict the site to the Customs Yard use. The Customs Yard land use is considered to meet all relevant planning requirements as stipulated under LPS2. From an economic growth perspective, this land use encourages diversity in business operations in support of operations in the Kwinana industrial area.

LEGAL/POLICY IMPLICATIONS:

For the purpose of Councillors considering a financial or impartiality interest only, the proponent and owner is ZZ Transport Pty Ltd.

The following strategic and policy based documents were considered in assessing the application;

17.2 DEVELOPMENT APPLICATION: RETROSPECTIVE - USE NOT SPECIFIED (CUSTOMS YARD) – LOT 220 MACEDONIA STREET AND LOT 221 ROCKINGHAM ROAD, NAVAL BASE

Legislation

Planning and Development Act 2005;

Planning and Development (Local Planning Schemes) Regulations 2015

Schemes

Metropolitan Region Scheme;

City of Kwinana Local Planning Scheme No.2

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications as a result of this report.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS:

The proposal has the potential to help improve the following determinants of health

- Socio-economic Factors – Employment and Income.

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following outcome and objective detailed in the Strategic Community Plan.

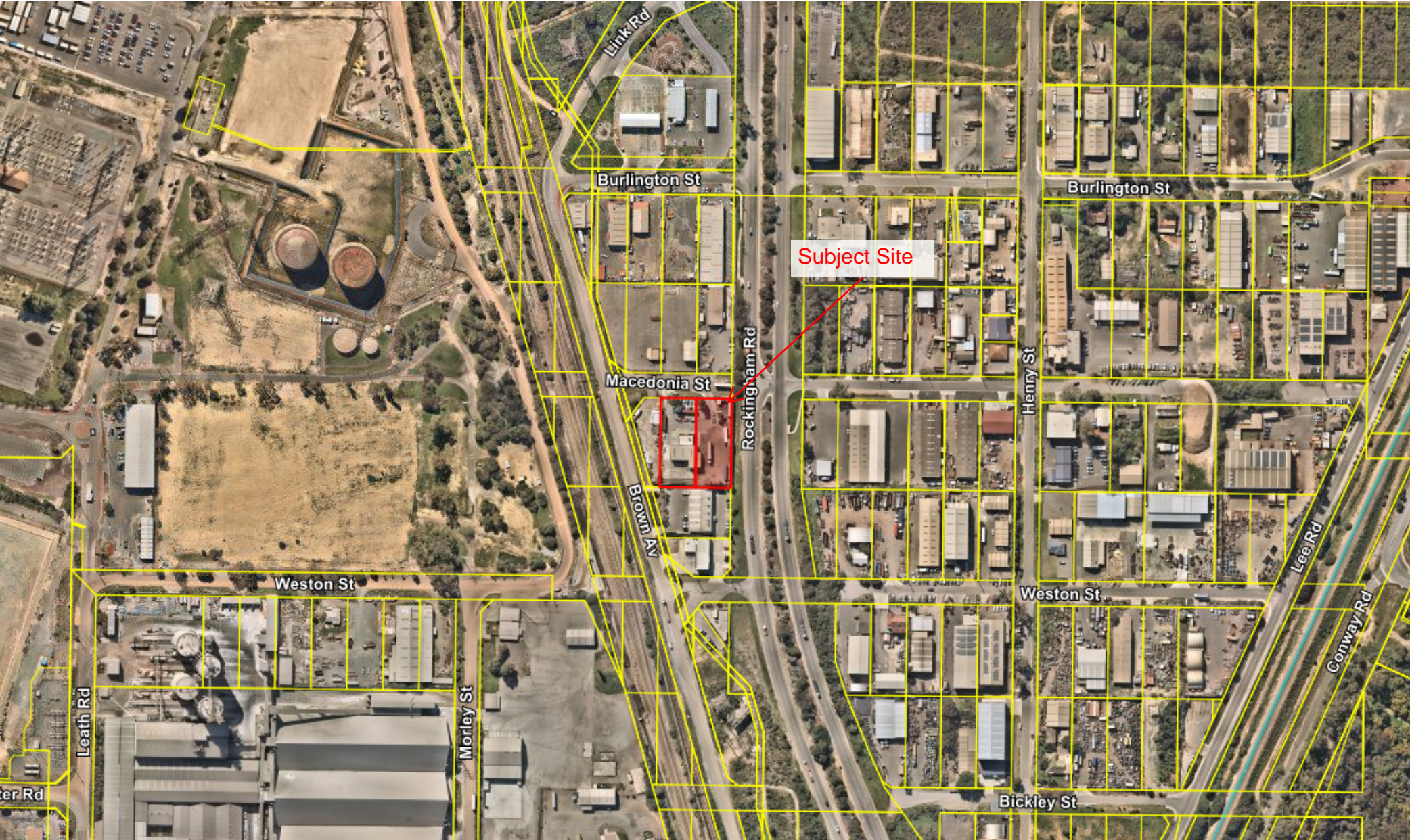
Plan	Outcome	Objective
Strategic Community Plan	A well planned City	4.4 Create diverse places and spaces where people can enjoy a variety of lifestyles with high levels of amenity.

COMMUNITY ENGAGEMENT:

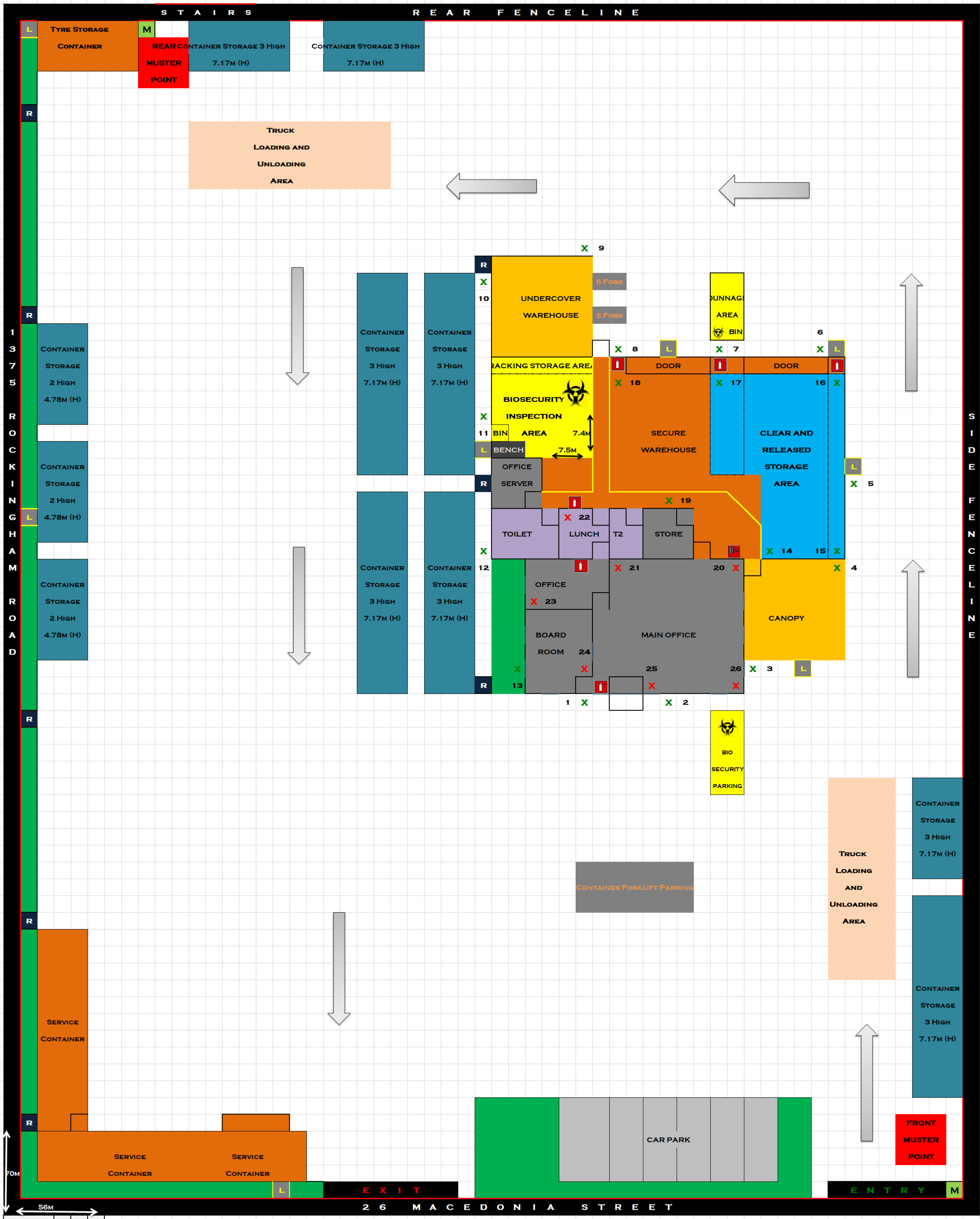
Clause 4.7 of LPS2 requires all applications for a 'Use not Specified' to be advertised to surrounding property owners for comment. The application was advertised for 14 days to all adjoining property owners.

No submissions were received.

Attachment A - Locality Plan



AKBAR LOGISTICS PTY LTD - BIOSECURITY SITE PLAN



SITE KEY

FIRE HOSE

FIRE EXTINGUISHER

MUSTER POINT SIGN

DOOR

WINDOW

MARKED WALKWAYS

ELECTRIC FENCELINE

EXTERNAL LIGHT POINT

GARDEN

REEFER POINT

LARGE RODENT TOXIC X19

SMALL RODENT TOXIC X7

BIOSECURITY AREA

CLEAR AND RELEASED STORAGE AREA

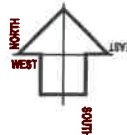
ATTACHMENT B -
DEVELOPMENT PLANS

ATTACHMENT B - DEVELOPMENT PLANS

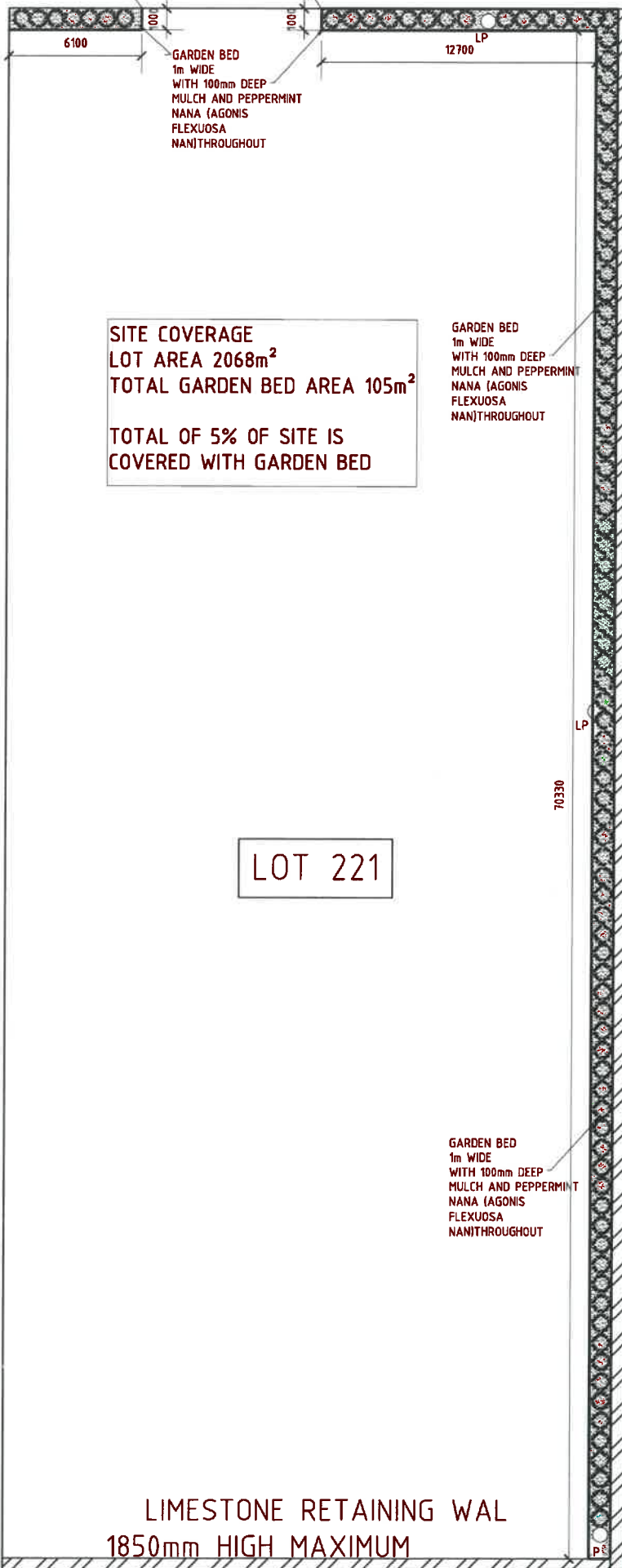
MACEDONIA
STREET

EXISTING
CROSSOVER
TO REMAIN

28.73m



1000



CLIENT:
1375 ROCKINGHAM ROAD,
NAVAL BASE

DATE :14 06 2021
SCALE 1:200
PAGE 1-1



Architectural
Drafting Services

Ivana Sulenta

Business Development Officer

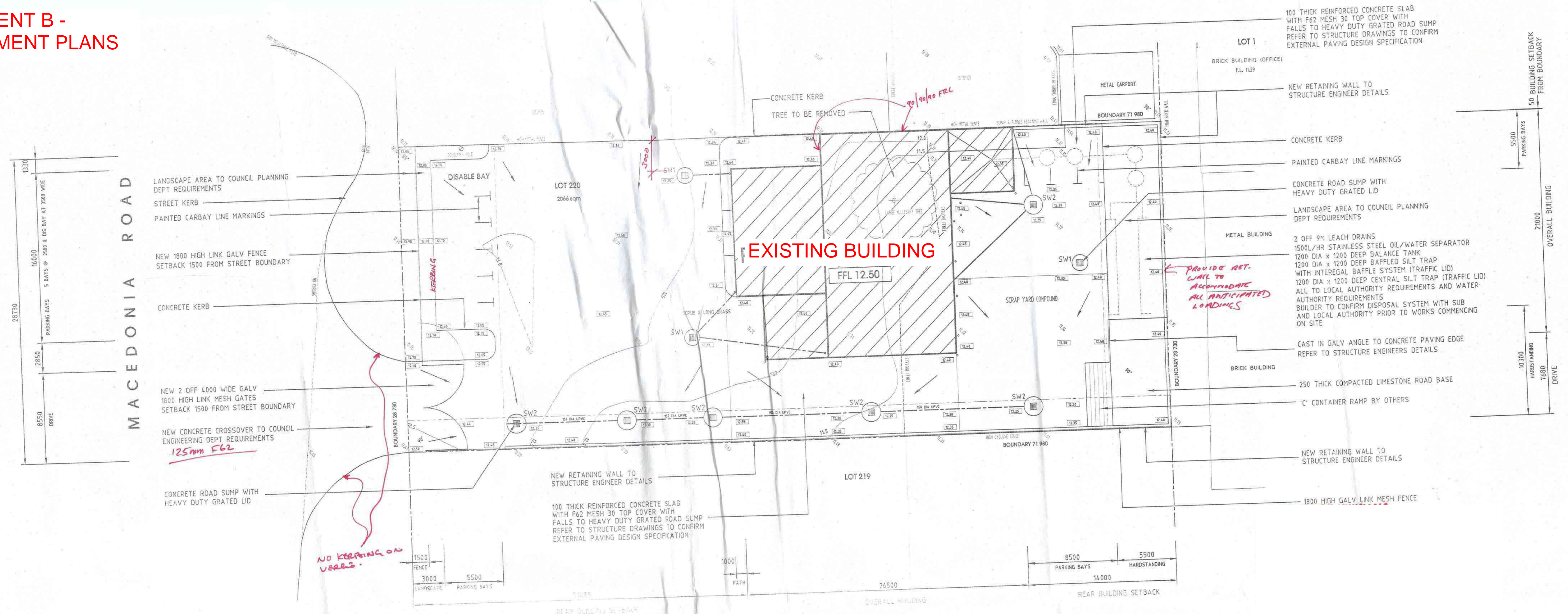
040 530 6727

www.draftingservices.com.au

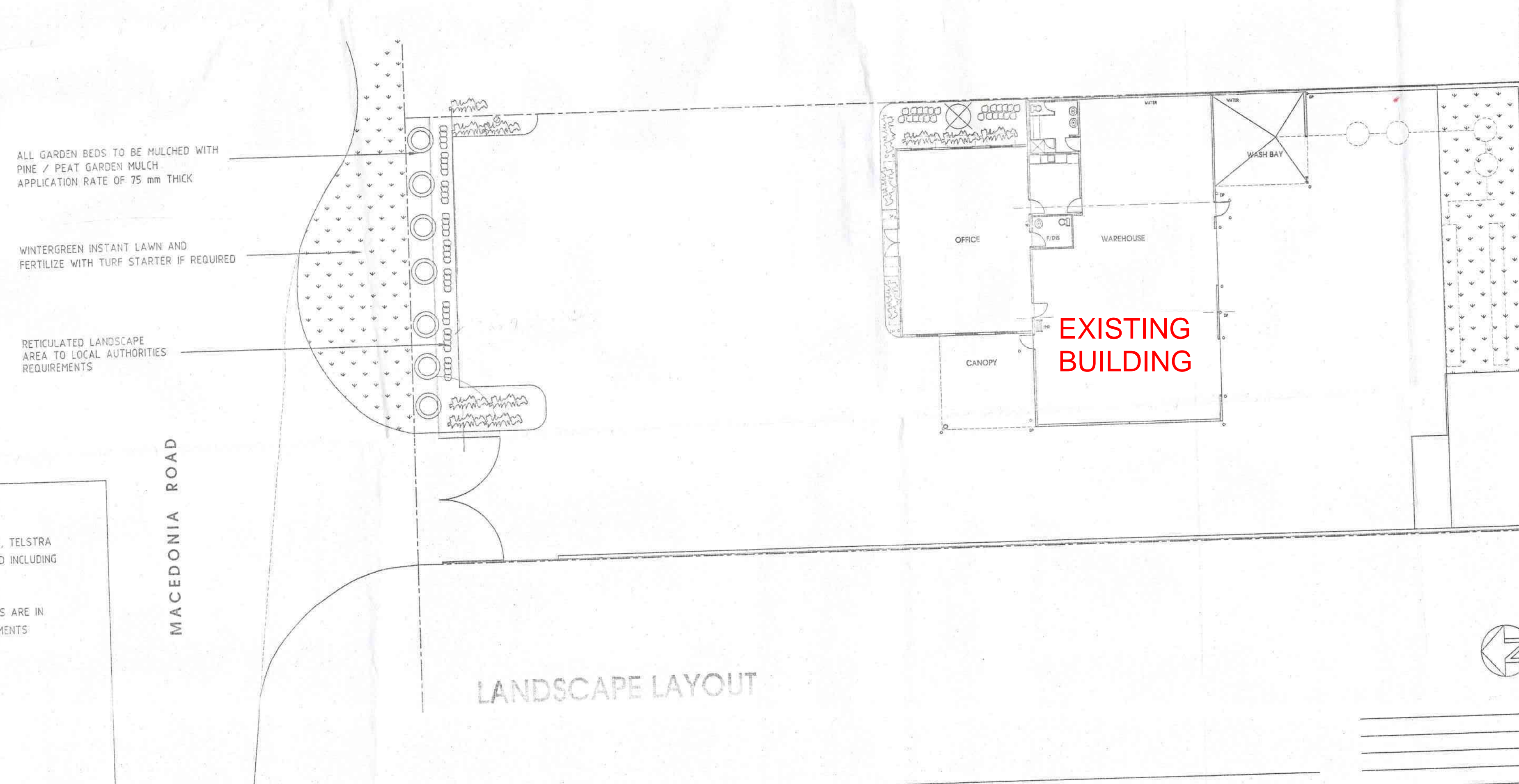
ivanasulenta@yahoo.com
50 Gungahlin Avenue
Canberra ACT 2614






SITE PLAN
SCALE 1:200

ATTACHMENT B - DEVELOPMENT PLANS



SITE PLAN



SYN		NAME	POT SIZE	SPACING
	EC	EUCALYPTUS CITREODORA	15 mm	AS SHOWN
	GPP	GREEN PENCIL PINE	305 mm	AS SHOWN
	RB	ROSEMARY BENEDEN BLUE	150 mm	600 mm
	GT	GREVILLA THELMANIANNA	150 mm	800 mm
	D	COLEONEMA PULCHRUM	150 mm	900 mm

NOTE

WINTERGREEN INSTANT LAWN OVER SOWN
WITH SUN AND SHADE LAWN SEED AND
FERTILIZE WITH TURF STARTER IF REQUIRED

ALL GARDEN BEDS TO BE MULCHED WITH
PINE / PEAT GARDEN MULCH
APPLICATION RATE OF 75 mm THICK

ALL GARDEN AREAS TO HAVE SHEEP
MANURE INCORPORATED TO ENRICH SOIL

ALL LANDSCAPE AREAS TO HAVE RETICULATION
INSTALLED FROM MAINS WATER SUPPLY

ALL ADVANCED TREES TO BE DOUBLED
STAKED WITH 2x50x50x2400 JARRAH
WOOD STAKES

OMEGA ARCHITECTURAL DESIGN
4 CASSEY STREET COMO mb 0418 941133

PROJECT PROPOSED WESTRAC BUILDING MACEDONIA ROAD NAVAL BASE	DRAWN	N.S	SCALE 1:200	REV 1
	DESIGNED	.	DRG No. CAT-A1	
	CHECKED			

NOTE

BUILDER TO ALLOW TO EXTEND POWER, WATER, TELSTRA
& FIRE SERVICES TO SERVICE SITE AS REQUIRED INCLUDING
ALL FEES AND HEADWORKS COSTS

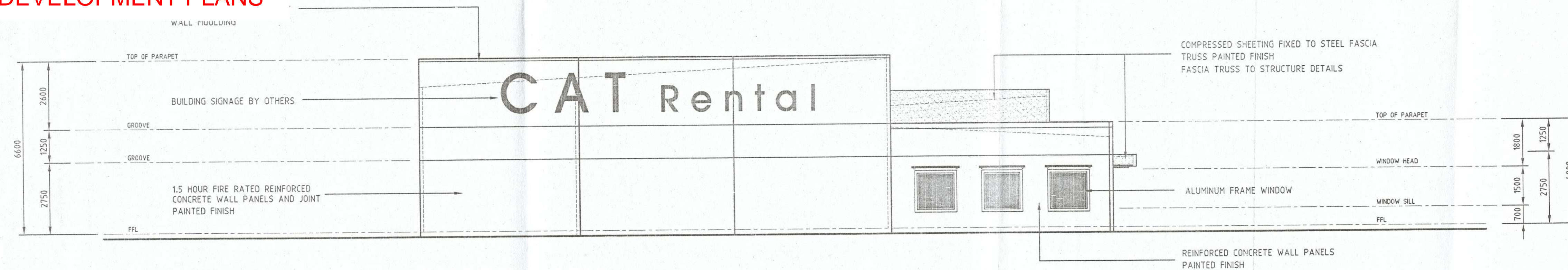
BUILDER TO ENSURE THAT ALL BUILDING WORKS ARE IN
ACCORDANCE WITH LOCAL AUTHORITY REQUIREMENTS
AND RELEVANT AUSTRALIAN STANDARDS

SOAKWELLS

SW1	1500Øx1500 DEEP CONCRETE SOAKWELL WITH HEAVY DUTY GRATED TRAFFICABLE LID
SW2	1300Øx1800 DEEP CONCRETE SOAKWELL WITH HEAVY

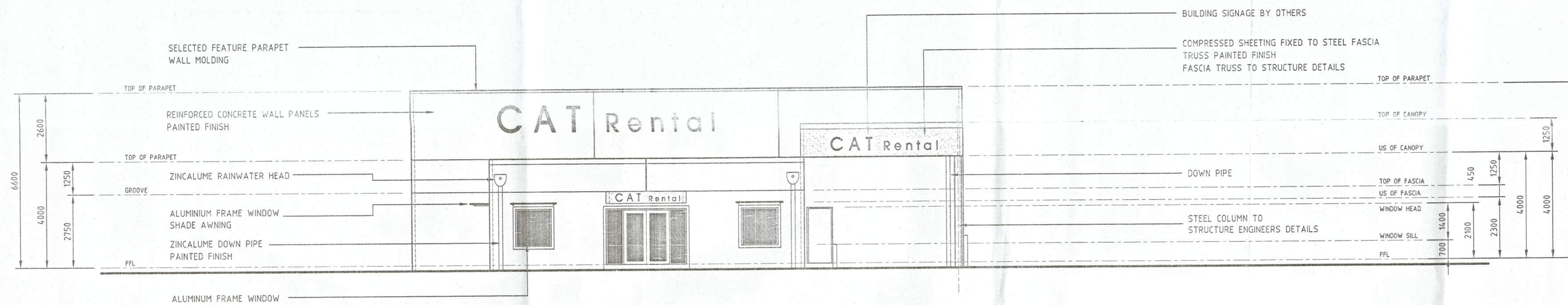
1 13.01.03 ISSUED FOR BUILDING LICENCE

ATTACHMENT B - DEVELOPMENT PLANS

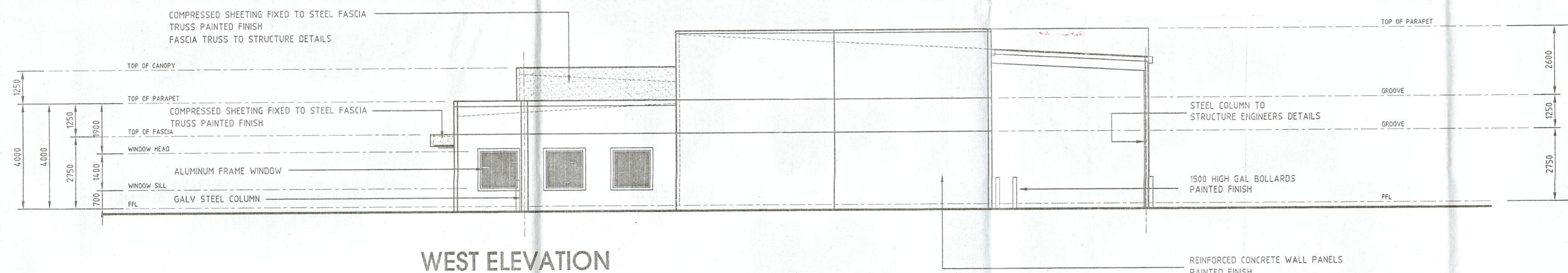


EXISTING BUILDING

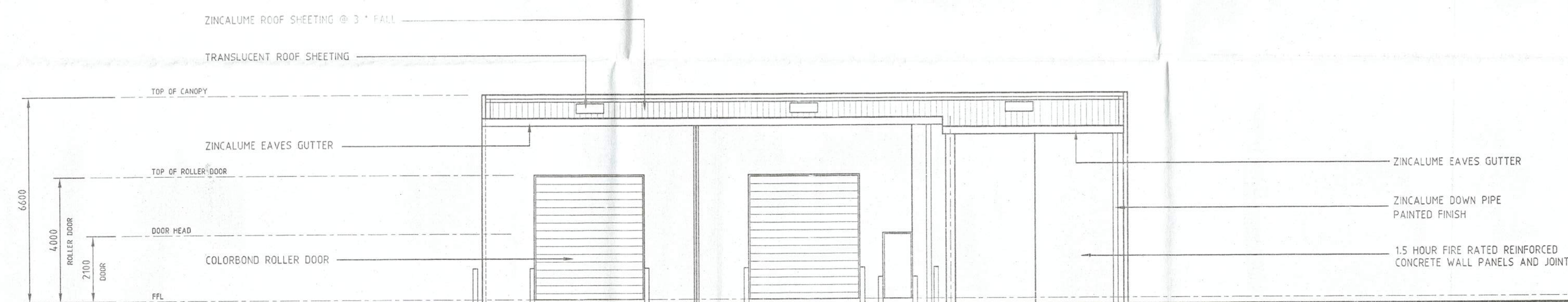
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

ISSUED FOR APPROVAL

ELEVATIONS

1	13.01.03	ISSUED TO CAT RENTAL/BUILDING LICENCE
REV	DATE	DESCRIPTION

PROPOSED WESTRAC BUILDING ROCKINGHAM ROAD NAVAL BASE SCOPE OF WORKS

- REINFORCED CONCRETE WALL PANELS , PAINTED FINISH
- ZINCALUME ROOF SHEETING
- 1800 HIGH GALV LINK MESH FENCE AND GATES
- LANDSCAPING TO LOCAL AUTHORITY REQUIREMENTS

OFFICE FITOUT

- o 50 ANTICOR ROOF INSULATION
- o FULL HEIGHT FLUSH GPOCK BOTH SIDES TO INTERNAL OFFICE PARTITIONS
INTERNAL PAINTING BY OTHERS
- o HOLLOW CORE INTERNAL AND SOLID WATERPROOF EXTERNAL DOORS
WITH STANDARD DOOR HARDWARE (4 OFF KEY LOCK HARDWARE)
- o SUSPENDED PRE FINISHED GYROCK CEILING TILES
- o REVERSE CYCLE DUCTED AIR CONDITIONING

WAREHOUSE FITOUT

- o 2 HIGH BAY MERCURY VAPOUR LIGHT PER WAREHOUSE BAY
- o 3 PHASE OUTLET, 1 OFF 32 & 20 AMP TO WAREHOUSE AND WASHDOWN AREAS
- o 1 ROW TRANSLUCENT ROOF SHEETING PER WAREHOUSE BAY
- o GALV STEEL BOLLARDS TO DOOR OPENINGS

CONSTRUCTION

- o REINFORCED CONCRETE WALL PANELS TO STRUCTURE ENGINEERS DETAILS
- o REINFORCED CONCRETE FLOOR SLAB TO STRUCTURE ENGINEERS DETAILS
- o REINFORCED CONCRETE PAVING TO STRUCTURE DETAILS AND RE SURFACE
PART EXISTING BITUMEN PAVING
- o 40 MM WATER SERVICE SUPPLY
- o FIRE HOSE REEL AND HYDRANTS IN ACCORDANCE WITH BUILDING
CODE REQUIREMENTS

WAH DOWN AREA

- WASH DOWN & DISCHARGE DRAINAGE SERVICES INCLUDING RE CYCLING AND SEPARATION TANKS ALL CONNECTED AND DISCHARGED & DISPOSED OFF IN ACCORDANCE WITH LOCAL AUTHORITY AND WATER AUTHORITY REQUIREMENTS

WORK BY LESSEE

- o COMPUTER SYSTEM AND CABLING
- o OFFICE WINDOW TREATMENT
- o SECURITY SYSTEM
- o TELEPHONE SYSTEM AND CABLING
- o BUILDING SIGNAGE
- o EXTERNAL SECURITY LIGHTING
- o COMMERCIAL GRADE CARPET FLOOR
- o PAINTING TO INTERNAL OFFICE & AMENITIES
WALLS, PARTITIONS AND DOORS
- o 'C' CONTAINER RAMP
- o LOOSE FURNITURE (DESKS, CHAIRS, FRIDGE, M/WAVE)

OMEGA ARCHITECTURAL DESIGN
4 CASSEY STREET COMO mb 0418 941133

PROJECT PROPOSED WESTRAC BUILDING MACEDONIA ROAD NAVAL BASE	DRAWN	N.S	SCALE 1:100	CAT-A4 REV 1
	DESIGNED	.	DRG No	
	CHECKED			

P:\DWGS\M&R\2000\00-515\COATES\CAT-A1.DWG NIC 09-01-03 9:08

17.3 Development Application: Single Dwelling – Lot 50 (1066) Thomas Road, Casuarina

SUMMARY:

The City of Kwinana (the City) has received a development application for a proposed Single Dwelling at Lot 50 (1066) Thomas Road, Casuarina (the subject lot). The location of the subject lot and the proposed plans are provided as per Attachments A to F. The subject lot is zoned Rural Water Resource under the City of Kwinana Local Planning Scheme No.2 (LPS 2). The subject lot is located within a bushfire prone area and is currently vacant with sea containers to the north of the property being used for temporary storage while an approved outbuilding is being built.

The planning application is required as *State Planning Policy 3.7 - Planning in Bushfire Prone Areas* (SPP3.7) which states that proposed dwellings on lots greater than 1100m² require planning approval. The BAL assessment has been reviewed by the City's Fire Consultant and is compliant with the SPP3.7. The application is referred to Council for determination as delegation has not been provided for new developments in the Rural Water Resource zone.

External comments were sought from the Department of Water and Environmental Regulation (DWER) due to the proposal being on land situated within a Priority 2 area of the Jandakot Underground Water Pollution Control Area. The Department did not object to the proposal and provided advice regarding the management of the area which has been included in the advice of the approval.

The proposal is considered to meet all relevant requirements and is recommended for approval subject to conditions.

OFFICER RECOMMENDATION:

That Council approve a Single Dwelling at Lot 50 (1066) Thomas Road, Casuarina (as per Attachments B to F), in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to the following conditions and advice:

Conditions:

1. **A Revegetation Management Plan is required to be prepared and submitted to the City of Kwinana for approval within 90 days from the date of this approval. The Revegetation Management Plan is required for the purpose of coordinating revegetation of cleared areas as identified on the approved site plan.**
2. **The existing sea container on the property shall be removed within 60 days of occupancy of the dwelling.**
3. **The Stormwater drainage from roofed and paved areas to be contained and disposed of on site.**
4. **Prior to occupation, an appropriate effluent disposal system that is designed for long term usage shall be installed for the development to the satisfaction of the City of Kwinana.**

17.3 DEVELOPMENT APPLICATION: SINGLE DWELLING – LOT 50 (1066) THOMAS ROAD, CASUARINA

5. The development hereby approved shall be constructed in accordance with Australian Standard 3959 'Construction of Buildings in Bushfire – Prone Areas'. The development hereby approved shall be constructed in accordance with the construction requirement for BAL-19, as per the recommendation of the Bush Fire Attack Level report prepared by Structerre Consulting Engineers on the 5 October 2021.
6. No further clearing shall take place outside of the nominated Asset Protection Zone identified as per the Bushfire Attack Level Report prepared by Structerre Consulting Engineers (5 October 2021).

Advice Notes:

1. With regard to the Revegetation Plan the applicant is advised to contact the City's Senior Environmental Planner to ensure appropriate measures and a species are included in the plan for to ensure approval.
2. The subject area is located in the Jandakot groundwater area (Wandi sub area) as proclaimed under the *Rights in Water and Irrigation Act 1914*. Any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer, is subject to licensing by the Department of Water and Environmental Regulation.
3. Under section 51C of the *Environmental Protection Act 1986* (EP Act), clearing of native vegetation is an offence unless undertaken under the authority of a clearing permit, or the clearing is subject to an exemption. Information on how to apply for a clearing permit is available from https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Fact_sheets/Fact_Sheet_-_how_to_apply.pdf.
4. The applicant is advised that the proposal is located within the Peel-Harvey catchment and the provisions of the *Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992* and the State Planning Policy SPP 2.1 – The Peel-Harvey Coastal Plain Catchment (SPP2.1) shall apply. Animal Stocking rates apply to this area and should be in accordance with the Department of Primary Industry and Development Western Australia guidelines.
5. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.
6. The Minister for Planning has issued a formal notice extending the deadline for substantial commencement by an additional two (2) years for all applications approved during the current State of Emergency. In effect, this means that the timeframe for substantial commencement is now four (4) years from the date of this determination.
7. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
8. 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.
9. The applicant is advised that this conditional development approval is not a building permit giving authority to commence construction. Prior to any building work commencing on site a Building Permit must be issued and penalties apply for failing to adhere to this requirement.

17.3 DEVELOPMENT APPLICATION: SINGLE DWELLING – LOT 50 (1066) THOMAS ROAD, CASUARINA

- 10. The applicant should ensure the proposed development complies with all other relevant legislation, including but not limited to, the *Environmental Protection Act 1986* and Regulations, *Health (Miscellaneous Provisions) Act 1911* and Regulations, and the National Construction Code.**
- 11. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.**

DISCUSSION:**Land status**

Local Planning Scheme No. 2: Rural Water Resource

Metropolitan Region Scheme: Rural – Water Protection

Local Planning Strategy

The proposed development is consistent with the intent of the draft Local Planning Strategy 2021-2036 (the Strategy). The following Strategic Directions are relevant to this planning application: -

- To identify, permanently protect and enhance Kwinana's natural environment which is critical to the maintenance of ecological processes and biodiversity
- Recognise and strengthen Kwinana's unique cultural, natural and built identity to foster a sense of place. An associated action to this being 'to Introduce provisions into the Local Planning Scheme to prevent intensification of urban development in rural areas and local natural areas, particularly within the Jandakot Groundwater Protection Area'.

Proposal

An application for development approval has been received by the City for a proposed Single Dwelling on the subject lot (refer to Attachments A to F). The proposal would generally be exempt from Planning approval, however, as the lot is greater than 1100m² and within a bushfire prone area, a planning approval is required. The application is also being referred to Council for determination as delegation has not been provided for new developments in the Rural Water Resource zone.

Background

The subject lot is situated within Casuarina and has an area of 4.96ha. It is zoned Rural Water Resource under LPS2 and is located within the Jandakot Groundwater Mound. The subject lot is bushfire prone and is currently vacant with sea containers being used for temporary storage onsite and a pad for a future planned shed. The southern portion of the lot includes a wetland. The site plan indicates that the proposed dwelling has been setback from this wetland to allow for the required Asset Protection Zone, as outlined in the BAL assessment, and 30m buffer which is imposed around all wetlands. The site was subject to the major fires that went through the area at the start of the year. What appeared onsite as clearing was in fact the landowner cleaning up debris after the fire event.

Planning Assessment**Local Planning Scheme No.2 (LPS2)**

The proposed development of a single dwelling is fully compliant with LPS2 and planning approval is only required as the proposal is on a lot in excess of 1100m² in a Bushfire Prone Area.

17.3 DEVELOPMENT APPLICATION: SINGLE DWELLING – LOT 50 (1066) THOMAS ROAD, CASUARINA

Bushfire Prone Area

The subject lot is bushfire prone as identified by the Department of Fire and Emergency (DFES) mapping. The Planning and Development (Local Planning Scheme) Regulations 2015 (Regs) state:

“78B. Application of Part to development

(1) This Part does not apply to development unless the development is —

(a) the construction or use, or construction and use, of a single house or ancillary dwelling on a lot or lots with a total area of 1100 m² or more.”

Therefore, as this proposal is for a single dwelling/house and on a lot greater than 1100m² Planning approval of the development is required and is subject to SPP3.7. The applicant has submitted a BAL assessment for the site demonstrating the proposal meets the requirements of BAL19 (refer to Attachment G) and satisfies SPP3.7. This has been reviewed and supported by the City's Fire Consultant.

Jandakot Water Mound:

The subject lot is located within the Rural – Water Protection zone of the Metropolitan Region Scheme (MRS). Any development proposed within this zone is to be developed in accordance with the *State Planning Policy 2.3: Jandakot Groundwater Protection 2017* (SPP 2.3). SPP 2.3 identifies the subject property as a Priority 2 area under the policy. SPP 2.3 outlines the permissibility of land uses under Clause 6.2 of the policy by referring to the *Water Quality Protection Note no. 25* (Note 25). Note 25 identifies single dwelling to be a compatible land use within the Priority 2 area.

Additionally, as the development is located within a water protection area, DWER were requested to provide comment on the proposal and no objection was raised subject to recommended advice which is included in conditions of approval.

Matters to be considered:

When assessing development applications, the Regs require the following to be assessed.

1. Any approved state planning policy:
 - The proposed development is considered acceptable in accordance with SPP 2.3. Refer to the above assessment against the Jandakot Groundwater Mound.
 - The proposed development is considered to meet the requirements of SPP3.7 – Planning in Bushfire Prone Areas.
2. Compatibility of the development with its setting:
 - The construction of a single dwelling is a standard occurrence throughout the rural area of Casuarina. The only reason planning approval is required is due to the proposed dwelling being on a lot greater than 1100m² within a bushfire prone area.
3. Likely effect of the development on the natural environment or water resources:
 - The proposed development is not considered to create any significant adverse impacts to the natural environment or to the Jandakot Groundwater Mound as determined within this assessment and via the comments received from DWER. Potential environmental impacts have been identified and mitigated via the conditions of approval.

17.3 DEVELOPMENT APPLICATION: SINGLE DWELLING – LOT 50 (1066) THOMAS ROAD, CASUARINA

The conditions of approval include requirements for revegetation of the site to ensure that the vegetation, which was decimated by the bushfires and subsequent clean up of debris, is reinstated to what it was prior to the bushfires. The applicant has been advised to contact the City's Senior Environmental Planner regarding the proposed revegetation.

External authority comments:

External authority	Summary external comments	Planning assessment
DWER	<p>NO OBJECTION</p> <ol style="list-style-type: none"> Under section 51C of the <i>Environmental Protection Act 1986</i> (EP Act), clearing of native vegetation is an offence unless undertaken under the authority of a clearing permit, or the clearing is subject to an exemption. Information on how to apply for a clearing permit is available from DWER's website. Jandakot Underground Water Pollution Catchment Area (UWPCA), declared as a Priority 2 (P2) source protection area, is managed in accordance with the Western Australian Planning Commission's (WAPC) Statement of Planning Policy No 2.3 <i>Jandakot groundwater protection policy</i> and the Water Quality Protection Note 25 - <i>Land use compatibility table for public drinking water source areas</i> (Department of Water (DoW) April 2016). In accordance with the Government Sewerage Policy (Government of Western Australia, 2019), the subject land is located within a sewage sensitive area. As this land is not connected to the reticulated sewerage infrastructure, future development of the proposed lot must adhere to the Policy including the requirement for a secondary treatment system with nutrient removal as well as setback requirements. 	<ol style="list-style-type: none"> Clearing advice is recommended to be imposed as an advice note for the applicant and revegetation plan conditioned. Advice regarding UWPCA has been noted and considered within assessment. Advice note advising applicant that subject lot is located within Jandakot groundwater area. Condition requiring appropriate effluent disposal system has been included in approval.

Conclusion

The application has been assessed in accordance with the provisions of LPS2 and relevant policies. As discussed within this Report, the assessment shows that with appropriate management of the use, potential impacts on the groundwater mound can be limited and bush fire risk addressed. The development is therefore recommended for approval subject to conditions.

17.3 DEVELOPMENT APPLICATION: SINGLE DWELLING – LOT 50 (1066) THOMAS ROAD, CASUARINA

LEGAL/POLICY IMPLICATIONS:

For the purpose of Councilors considering a financial or impartiality interest only, the applicant is BGC Residential and the land owner is Mr Jason Troy Brewer.

The following strategic and policy-based documents were considered in assessing the application:

Legislation:

Planning and Development Act 2005;

Planning and Development (Local Planning Schemes) Regulations 2015

Schemes:

Metropolitan Region Scheme;

City of Kwinana Local Planning Scheme No. 2

Policies:

State Planning Policy 2.3: Jandakot Groundwater Protection 2017

State Planning Policy 3.7 - Planning in Bushfire Prone Areas 2015

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications as a result of this report. The relevant application fee has been paid upon lodgement.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications as a result of this report.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS:

Environmental Implications:

The subject property is located on the Jandakot Groundwater Mound and is categorised as Priority 2 under the Jandakot Underground Water Pollution Control Area. The construction of a single dwelling within this category area is compatible, subject to conditions, in accordance with Note 25, as previously discussed. Additionally, DWER raised no objection to the proposal.

The City's Senior Environmental Planner advised that the vegetation has been decimated by the bushfires and clearing of debris has resulted in the requirement for revegetation. Subsequently, a condition and advice note for revegetation has been included as part of the approval.

17.3 DEVELOPMENT APPLICATION: SINGLE DWELLING – LOT 50 (1066) THOMAS ROAD, CASUARINA**STRATEGIC/SOCIAL IMPLICATIONS:**

This proposal will support the achievement of the following outcome and objective detailed in the Strategic Community Plan and Corporate Business Plan.

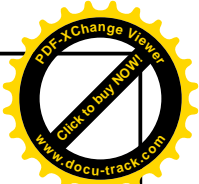
Plan	Outcome	Objective
Strategic Community Plan	A naturally beautiful environment that is enhanced and protected.	1.2 Maintain and enhance our beautiful, natural environment through sustainable protection and conservation.

COMMUNITY ENGAGEMENT:

There are no community engagement implications as a result of this report.

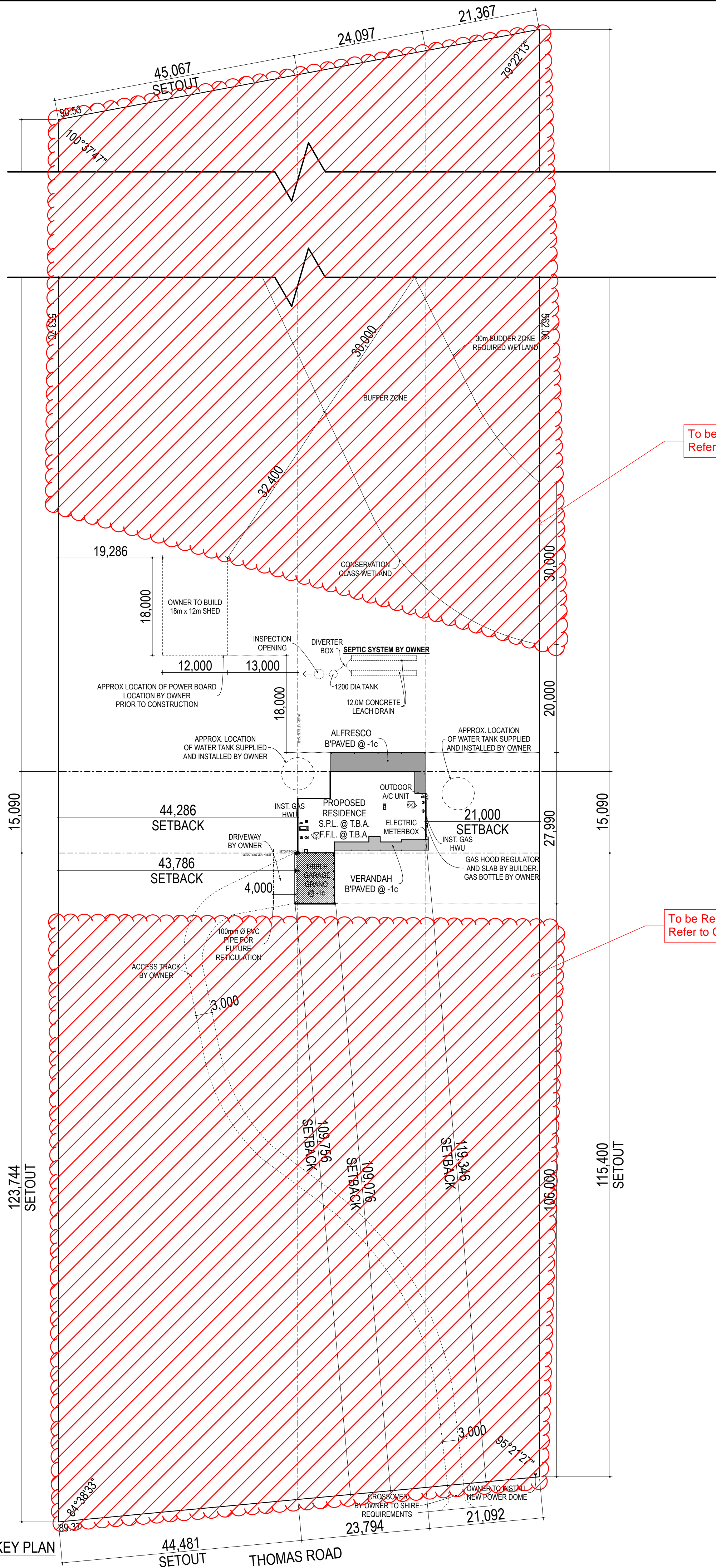
Attachment A: Location Plan





LOT 50 (1066)
49 637.98 SQM

LOT 50 (1066)
49 637.98 SQM



To be Re-vegetated.
Refer to Condition 1

To be Re-vegetated.
Refer to Condition 1

COASTAL CONDITION R3

NOTE:
N1 WIND CLASSIFICATION.
REFER TO ENGINEERS
SPECIFICATION

NOTE
100mm CONCRETE SLAB TO
ENGINEERS DETAIL.

NOTE:
DWELLING TO COMPLY
WITH AS3959 TO BAL
12.5 RATING.

PLUMBING NOTE:
PROVIDE REFLUX VALVE.

NOTE:

- PIER & POST FOOTINGS @ -3c
- GARAGE FOOTINGS @ -3c

NOTE:
ANY REPAIRS/ REMOVAL/
REINSTATING OF FENCING OR
RETAINING WALLS WILL BE THE
RESPONSIBILITY OF THE
OWNER.

NOTE:

OWNER SUPPLIED ITEMS AS INDICATED ON PLANS DO NOT FORM PART OF THIS CONTRACT & BUILDING LICENCE. OWNER TO SEEK APPLICABLE APPROVAL(S) & INSTALL AFTER HANDOVER & PRIOR TO OCCUPATION.

NOTE:
230 CAVITY BRICKWORK THIRD BOND
FINISH EXTERNALLY.

NOTE:
THE HOME OWNER IS SOLELY RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL FUTURE WORKS AND ANY EFFECT IT SHALL HAVE ON THE EXISTING STRUCTURE.

CLIENT:

DATE:

CLIENT:

DATE:

BUILDER:

DATE:

[illegible]

SITE KEY PLAN

SCALENTS

NOTE:
EXACT LOT ANGLE AND
SIZE TO BE CONFIRMED
UPON SURVEY. HOUSE
DESIGN MAY BE
ALTERED.

NOTE:
FINAL DESIGN INCLUDING
NUMBER, SIZE AND POSITION OF
WINDOWS/ DOORS/ WALL
CAVITIES SUBJECT TO CHANGE
UPON RECEIPT OF ACOUSTIC
CONSULTANTS FINAL
ASSESSMENT.

NOTE:

NOISE PACKAGE 'A' PROVISIONS APPLY
SUBJECT TO NOISE REPORT FROM
NOISE CONSULTANT.

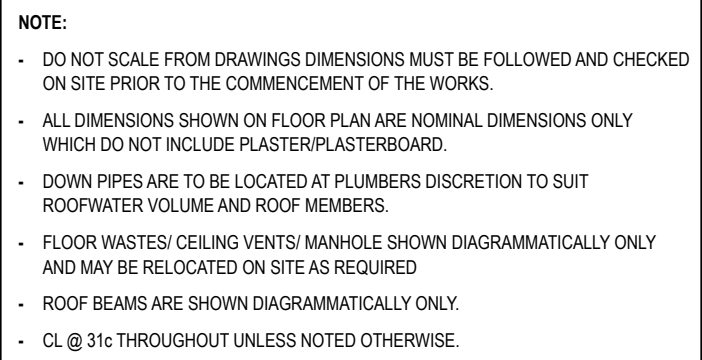
NOTE:
NO ALLOWANCE FOR LEVELS, BANKING,
RETAINING OR DROPPED FOOTINGS. TO BE
CONFIRMED UPON RECEIPT OF SITE SURVEY

NOTE:

HOUSE POSITION SUBJECT TO CHANGE UPON RECEIPT OF SITE SURVEY/CONFIRMATION OF BUILDING ENVELOPE IF APPLICABLE.

NOTE:
ELECTRIC MBOX LOCATION TO BE
CONFIRMED UPON RECEIPT OF SITE SURVEY.

PLANNING:
DESIGN CHANGES MAY BE REQUIRED.
DESIGN IS SUBJECT TO DEVELOPMENT
APPLICATION AND/OR R-CODE VARIATION
APPROVAL:
-SPECIAL RURAL LOT.

[illegible]

STD Drawn By: RC 31.05.17 AMEND 7: ES 08.07.20



Attachment E: Elevation Plan

NOTE:
230 CAVITY BRICKWORK THIRD
BOND FINISH EXTERNALLY.

COLORBOND ROOF ON
24°43'0" (25°) PITCH.

CEILING 2692 (31c+ PLATE)

F.F.L. 0 (0c)

ELEVATION 1

SCALE 1:100

CEILING 2692 (31c+ PLATE)

F.F.L. 0 (0c)

ELEVATION 3

SCALE 1:100

CEILING 2692 (31c+ PLATE)

FL 0 (0c)

SECTION A-A

SCALE 1:100

4,000

BARGE & CAPPING

5,500

SELECTED CLADDING

BARGE
& CAPPING

SELECTED
CLADDING

25c

9c

25c

9c

2c FACE BRICK

2c BRICKSILL

POST

2c BRICKSILL

POST

2c BRICKSILL

POST

2c BRICKSILL

POST

2c BRICKSILL

POST

2c BRICKSILL

POST

POSTS

OBS

12c

2c BRICK
SILL

10c

0c

2c FACE BRICK

10c

0c

2c FACE BRICK

10c

0c

2c FACE BRICK

10c

0c

2c FACE BRICK

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10c

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2c FACE BRICK

10c

0c

2c BRICK SILL

REFER TO SPECIFICATIONS
FOR ROOF MEMBER SIZES & SPACINGS

500 BOXED &
LINED EAVES

BED 4

ROBE

ACTIVITY

WIP

SCUL'RY

KITCHEN

PASS

WIR

ENS

500 BOXED &
LINED EAVES

REFER TO ENGINEERS DETAILS FOR CONCRETE FOOTINGS,
WATERPROOFING, SLAB & SAND PAD REQUIREMENTS

**COMMODORE
HOMES**

67 WALTERS DRIVE, OSBORNE PARK
PH: 9261 1888
REG. BUILDER N°: 9769

REVISION	VO #	DRN	DATE	CHK
PRELIM PLANS		GL	23.03.21	CJ

Sub-contractors to verify all dimensions on site.
STD Drawn By: RC 31.05.17 AMEND 7: ES 08.07.20

CLIENT:.....
DATE:.....
CLIENT:.....
DATE:.....
BUILDER:.....
DATE:.....

CLIENT:
BREWER / HE

ADDRESS:
LOT 50 (#1066)
THOMAS ROAD
CASUARINA

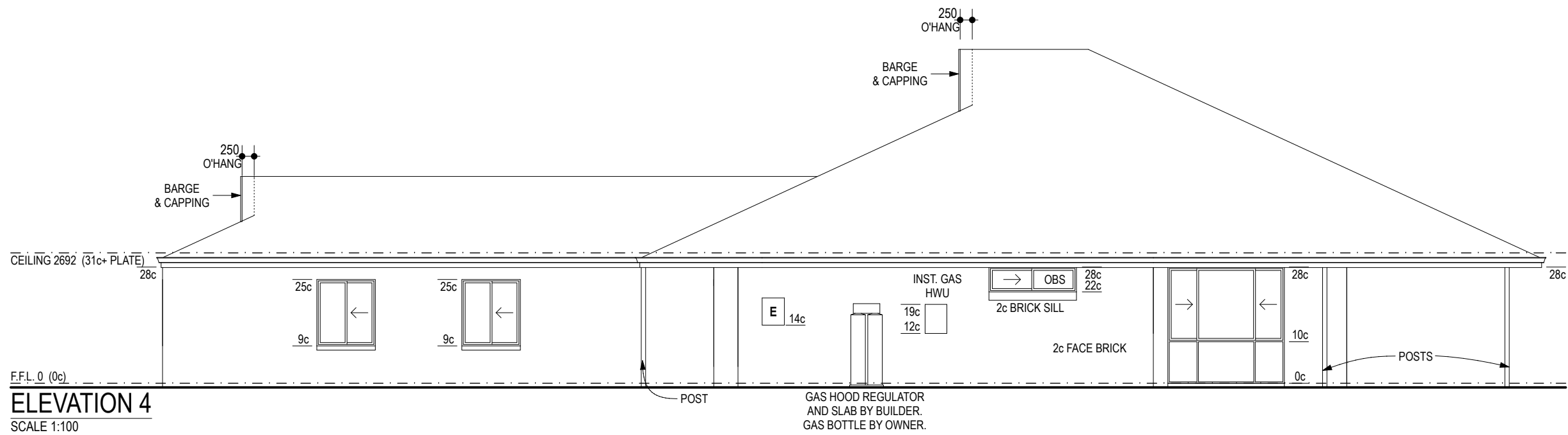
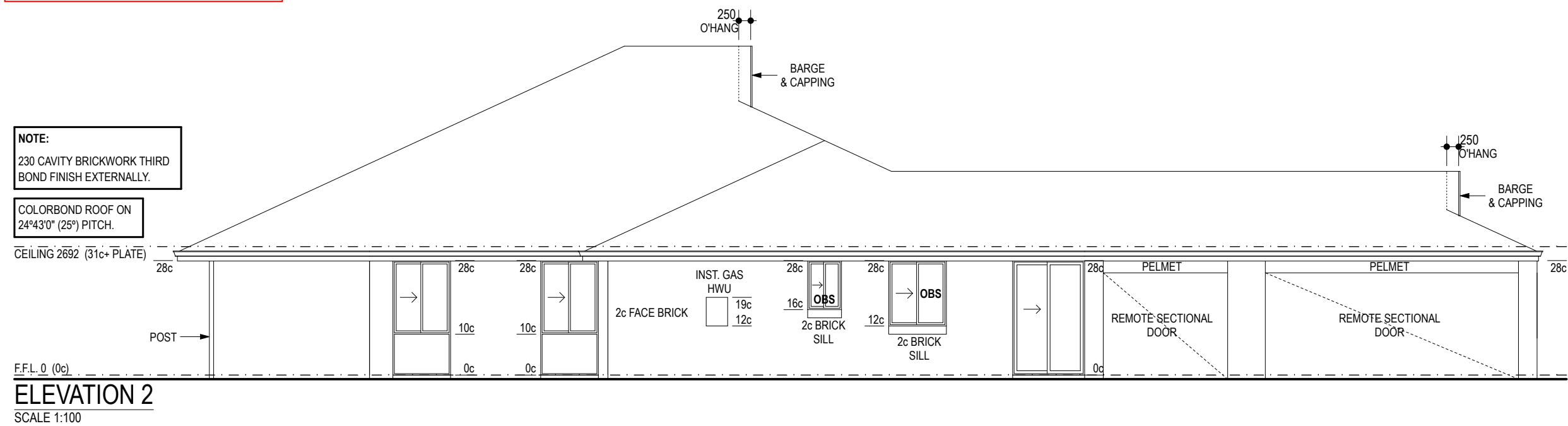
MARGS

BENCHMARK SPEC	
MODEL N°	DATE
47710	23.03.21
MAP REF.	WIND RATING
428 /26 /67	T.B.A
COASTAL CONDITION	ENGINEERS DETAIL
T.B.A	T.B.A
HOME ID	SHEET N°
52207	2 OF 8





Attachment F: Elevation Plan



<div>COMMODORE HOMES</div> <div>67 WALTERS DRIVE, OSBORNE PARK PH: 9261 1888 REG. BUILDER N°: 9769</div>	REVISION		VO #		DRN	DATE	CHK	CLIENT:..... DATE:..... CLIENT:..... DATE:..... BUILDER:..... DATE:.....
	PRELIM PLANS		GL	23.03.21	CJ			
	Sub-contractors to verify all dimensions on site.							

CLIENT:	BREWER / HE
ADDRESS:	LOT 50 (#1066) THOMAS ROAD CASUARINA

MARGS		BENCHMARK SPEC
MODEL N°	DATE	
47710	23.03.21	
MAP REF.	WIND RATING	
428 /26 /67	T.B.A	
COASTAL CONDITION	ENGINEERS DETAIL	
T.B.A	T.B.A	
HOME ID	SHEET N°	
52207	3 OF 8	



AS 3959 Bushfire Attack Level (BAL) Assessment Report

This report has been prepared by a representative from Structerre Consulting Engineers using the Simplified Procedure (Method 1) as detailed in Section 2 of AS 3959 – 2018. All enquiries related to information and conclusion presented in this report must be forwarded to the representative whose details appear below.

Client details	
Client	Commodore Homes
Number	52207 110010

Site Details			
Address	Lot 50 1066 Thomas Rd		
Suburb	Casuarina	State	WA
Local Government	Kwinana		
Building Type	Class 1a		

Report Details	
Job Number	S1002350
Assessment Date	30 June 2021
Report Date/Version	5 October 2021 Version 4


Structerre Consulting Engineers Representative	
Name	Clinton Macdonald
Employee Title	BAL Accredited Practitioner
Signature	
Accreditation No:BPAD47223 Accreditation Expiry Date: June 2022	

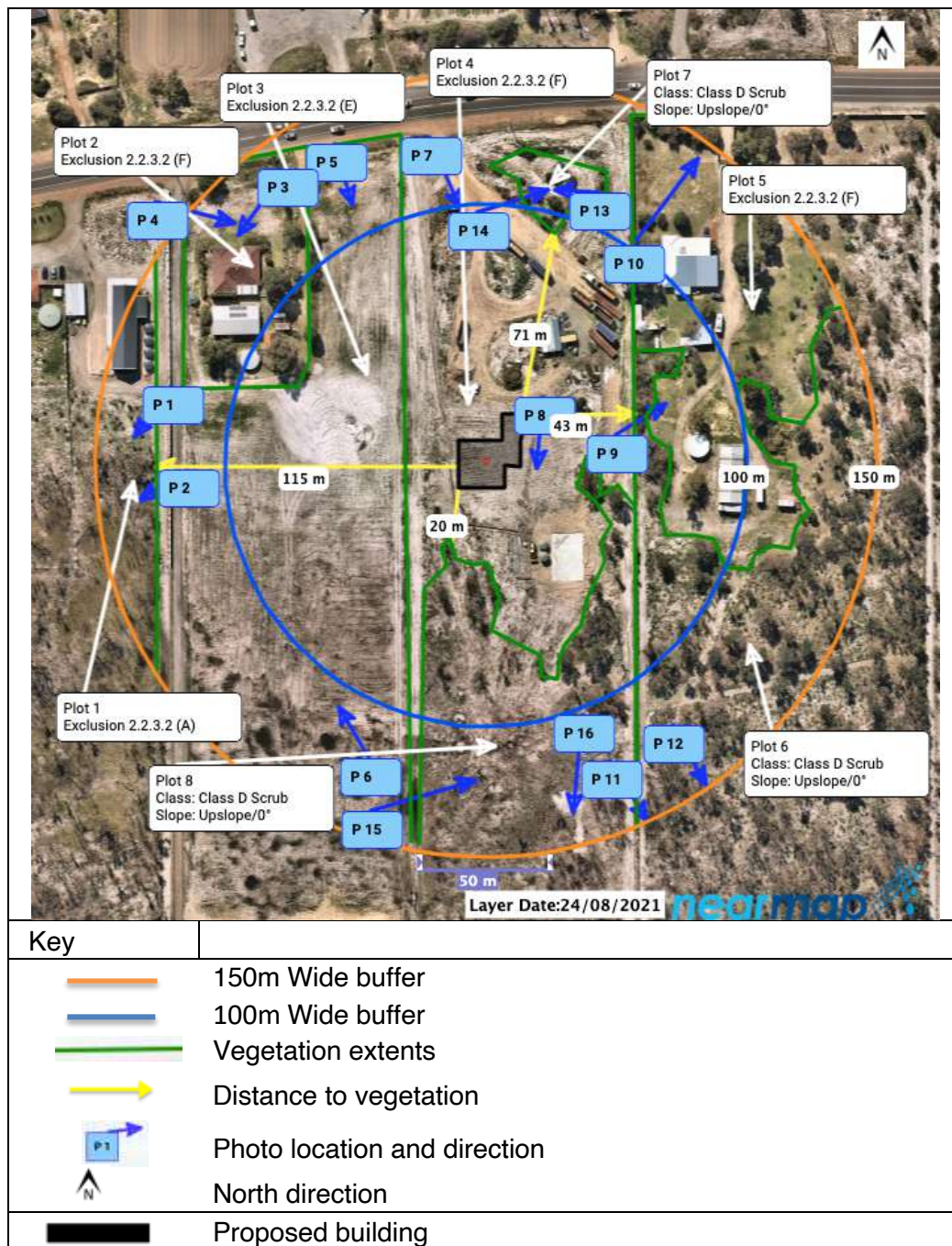


TABLE OF CONTENTS

1.0	SITE ASSESSMENT & SITE PLANS	3
2.0	VEGETATION CLASSIFICATION	4
3.0	RELEVANT FIRE DANGER INDEX.....	12
4.0	POTENTIAL BUSHFIRE IMPACTS	12
5.0	BUSHFIRE ATTACK LEVEL (BAL)	12
6.0	EXPLANATORY NOTES	13
	APPENDIX A: PROPOSED SITE PLAN.....	14

1.0 SITE ASSESSMENT & SITE PLANS

The assessment of this site / development was undertaken for the purpose of determining the Bushfire Attack Level (BAL) in accordance with AS 3959–2018 Simplified Procedure (Method 1).



Note: The 150m radius depicted on the site plan is used to identify any classifiable vegetation from the centroid of the proposed building envelope. Any vegetation greater than 100m from the proposed building envelope is excluded from classification as per AS-3959.

2.0 VEGETATION CLASSIFICATION

All vegetation within 100m of the site/proposed development was classified in accordance with Clause 2.2.3 of AS 3959-2018. Each distinguishable vegetation area with the potential to determine the bushfire level is identified below.

Plot 1 Exclusion 2.2.3.2 (A)	
Description / Justification for Classification	
<p>Exclusion 2.2.3.2 (A), Vegetation of any type that is more than 100 m from the site.</p>	<p>Photo 1</p> 
	<p>Photo 2</p> 

Plot 2 Exclusion 2.2.3.2 (F)

Description / Justification for Classification

Exclusion 2.2.3.2 (F), Private residence with maintained gardens and grassland managed under 100mm in height, with sparse tree overstorey. At the time of the assessment, this area was maintained as low threat vegetation.

Photo 3



Photo 4



Plot 3 Exclusion 2.2.3.2 (E)

Description / Justification for Classification

Exclusion 2.2.3.2 (E), Non-vegetated area, cleared of vegetation. Exposed mineral sand site.

Photo 5



Photo 6



Plot 4 Exclusion 2.2.3.2 (F)

Description / Justification for Classification

Exclusion clause 2.2.3.2 F,
 Low threat vegetation, sparse
 outcrops of winter grasses,
 area consists of cleared
 exposed mineral sands.

Photo 7



Photo 8



Plot 5 Exclusion 2.2.3.2 (F)

Description / Justification for Classification

Private residence with grassland managed under 100mm in height, with sparse tree overstorey. At the time of the assessment, this area was maintained as low threat vegetation.

Photo 9



Photo 10



Plot 6 Class D Scrub

Description / Justification for Classification

Consideration has been allowed for regrowth in this area. This area consists of Scrub vegetation typically with continuous horizontal and vertical vegetation structures, greater than 2 metres high. Shrubs greater than 2 metres in height with >30% foliage cover, the understorey may contain grasses and small shrubs resulting in dense continuous vegetation. Shrub vegetation observed as approximately 6 m in height.

Photo 11



Photo 12



Plot 7 Class D Scrub

Description / Justification for Classification

Scrub vegetation with continuous horizontal and vertical vegetation structures, greater than 2 metres high. Shrubs greater than 2 metres in height with >30% foliage cover. Vegetation approximately 3 m in height.

Photo 13



Photo 14



Plot 8 Class D Scrub

Description / Justification for Classification

Consideration has been allowed for regrowth in this area. This area consists of Scrub vegetation typically with continuous horizontal and vertical vegetation structures, greater than 2 metres high. Shrubs greater than 2 metres in height with >30% foliage cover, the understorey may contain grasses and small shrubs resulting in dense continuous vegetation. Shrub vegetation observed as approximately 6 m in height.

Photo 15



Photo 16



3.0 RELEVANT FIRE DANGER INDEX

The fire danger index for this site has been determined in accordance with Table 2.1 or otherwise determined in accordance with jurisdictional variation applicable to the site.

FDI 40 <input checked="" type="checkbox"/> 2.4.5	<input checked="" type="checkbox"/>	FDI 80 <input checked="" type="checkbox"/> 2.4.3	FDI 100 <input checked="" type="checkbox"/> 2.4.2
---	-------------------------------------	---	--

4.0 POTENTIAL BUSHFIRE IMPACTS

The potential bushfire impact to the site / proposed development from each of the identified vegetation areas are identified below.

Plot	Vegetation Classification	Effective slope	Separation	Exclusions	BAL
1	Exclusion	-	115 m	A	LOW
2	Exclusion	-	-	F	LOW
3	Exclusion	-	-	E	LOW
4	Exclusion	-	-	F	LOW
5	Exclusion	-	-	F	LOW
6	Class D Scrub	Upslope/0°	43 m		12.5
7	Class D Scrub	Upslope/0°	71 m		12.5
8	Class D Scrub	Upslope/0°	20 m		19
Exclusions apply to AS3959-2018 pg15 sections 2.2.3.2					

5.0 BUSHFIRE ATTACK LEVEL (BAL)

The Determined Bushfire Attack Level (highest BAL) for the site / proposed development has been determined in accordance with clause 2.2.6 of AS 3959-2018 using the above analysis.

Determined Bushfire Attack Level	BAL - 19
----------------------------------	-----------------

6.0 EXPLANATORY NOTES

A bushfire attack level (BAL) Assessment is a means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact in a bushfire event, and thereby determining the construction measures required for the dwelling.

The methodology used for the determination of the BAL rating, and the subsequent building construction standards, are directly referenced from the Australian Standard AS3959-2018 construction of buildings in bushfire prone areas.

The BAL rating is determined through identification and assessment of the following parameters

- Fire Danger index (FDI) Rating; assumed to be FDI-80 for WA;
- All classified vegetation **within 100m** of the subject building;
- Separation distance between the building and the classified vegetation source/s; and
- Slope of the land under the classified vegetation.

AS3959-2018 has six (6) levels of BAL, based on the radiant heat flux exposure to the building, and also identifies the relevant sections for building construction; this is shown in the table below.

Bushfire Attack Level (BAL)	Classified vegetation within 100m of the site and heat flux exposure thresholds	Description of predicted bushfire attack and levels of exposure	Construction Sections (within AS 3959-2018)
BAL-LOW	See clause 2.2.3.2	There is insufficient risk to warrant specific construction requirements.	4
BAL-12.5	$\leq 12.5\text{kW/m}^2$	Ember attack.	3 & 5
BAL-19	$\geq 12.5\text{kW m}^2$ to $\leq 19\text{kW m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux.	3 & 6
BAL-29	$\geq 19\text{kW m}^2$ to $\leq 29\text{kW m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux.	3 & 7
BAL-40	$\geq 29\text{kW m}^2$ to $\leq 40\text{kW m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux with the increased likelihood of exposure to flames.	3 & 8
BAL-FZ	$> 40\text{kW m}^2$	Direct exposure to flames from fire front in addition to heat flux and ember attack.	3 & 9

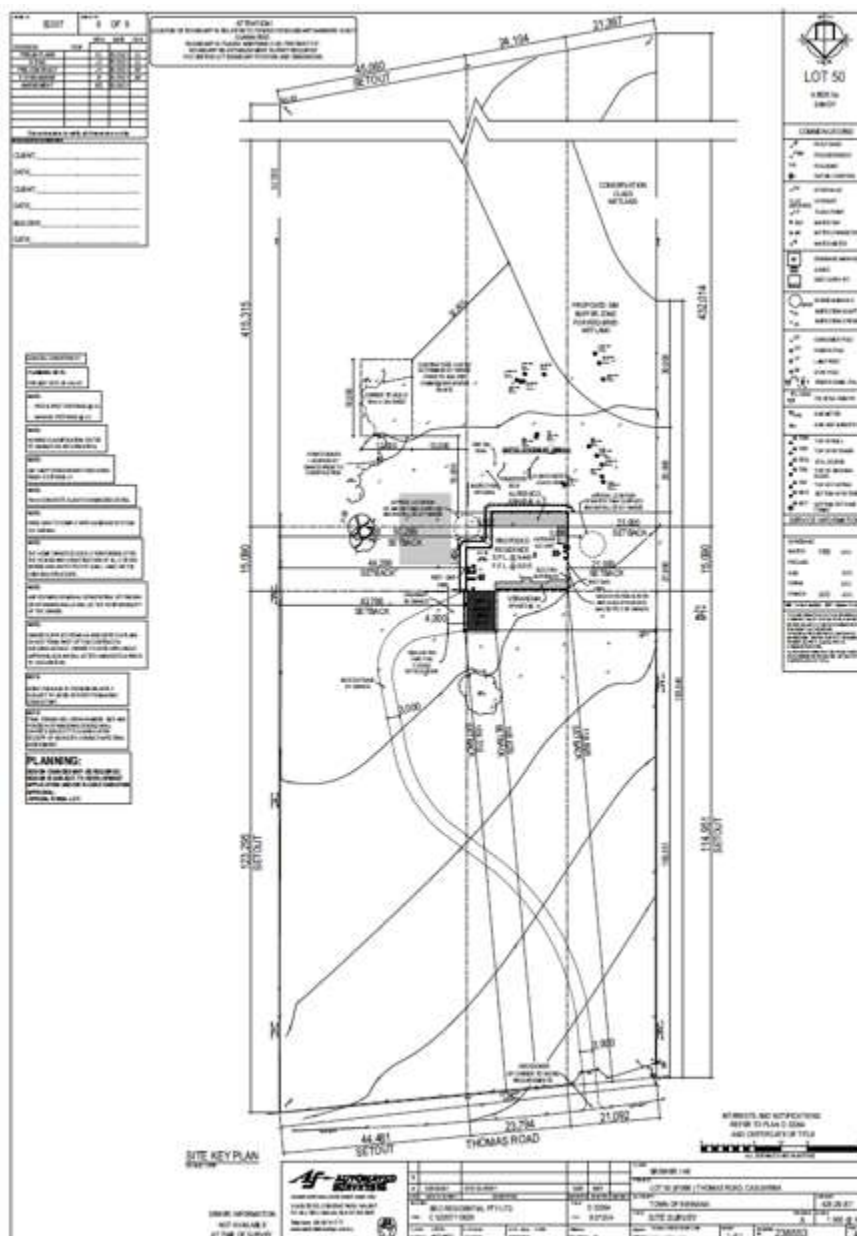
Reference: AS 3959 Construction of buildings in bushfire-prone areas Table 3.1

Please contact this office for a bushfire checklist, this allows for your plans to be cross-referenced with AS3959 Construction of buildings in bushfire-prone areas, to comply with the required upgrades.

APPENDIX A: PROPOSED SITE PLAN

Whilst AS 3959 sets out to improve the performance of buildings when subjected to bushfire attack in a designated bushfire-prone area, it does not guarantee that a building will survive a bushfire event on every occasion.

This assessment has been conducted in conjunction with the site plans provided by the client as provided in Appendix A and is limited to the surrounding environment within 100m of the proposed building at the time of the assessment only.



Determined in accordance with AS3959-2018

This Certificate has been issued by a person accredited by Fire Protection Association Australia under the Bushfire Planning and Design (BPAD) Accreditation Scheme. The certificate details the conclusions of the full Bushfire Attack Level Assessment Report (full report) prepared by the Accredited Practitioner.



Property Details and Description of Works

Address Details	Unit No.	Street No.	Lot no	Street Name / Plan Reference	
		1066	Lot 50	Thomas	
	Suburb			State	Local Government area
	Casuarina			WA	Kwinana
Main BCA class of the building	Class 1a				
Description of the building or works	Single dwelling.				

Determination of the Highest Bushfire Attack Level

AS 3959 Assessment Procedure	Vegetation Classification	Effective Slope	Separation Distance	BAL
Method 1	Class D Scrub	Upslope/0°	20 m	19

BPAD Accredited Practitioner Details

Name: Clinton Macdonald	I hereby declare that I am a BPAD accredited bushfire practitioner 
Company Details: Strutterre Consulting Engineers	
I hereby certify that I have undertaken the assessment of the above site and determined the Bushfire Attack Level stated above in accordance with the requirements of AS 3959-2018.	
	Accreditation No. BPAD47223 <hr/> Signature  <hr/> Date 05/10/2021 <hr/> Authorised Practitioner Stamp

Reliance on the assessment and determination of the Bushfire Attack Level contained in this certificate should not extend beyond a period of 12 months from the date of issue of the certificate. If this certificate was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated certificate issued.

17.4 687KWN21 – Kwinana South Bush Fire Station Demolition and Construction

SUMMARY:

In partnership with the Department of Fire and Emergency Services (DFES), the City has been pursuing the redevelopment of the Kwinana South Bush Fire Station. After a process of consultation and design, a decision was made to replace the existing facility, in order to ensure the brigade would be able to accommodate more modern appliances, as they are rolled out by DFES. In accordance with DFES advice, the City finalised a design, and sought prices through a public tender, with final funding to be determined once a project cost was determined through a tender process.

The City of Kwinana invited Tenders from suitably qualified and experienced contractors for the Kwinana South Volunteer Bush Fire Station Demolition and Construction.

The Request for Tender was advertised in “The Weekend West” newspaper on Saturday, 12 June 2021. The Tender was also advertised on the City’s official website, the City’s public notice boards and issued through the City’s e-tendering portal Tenderlink www.tenderlink.com/kwinana.

The Tender deadline was 2:00 pm, Tuesday, 27 July 2021. The City received eight submissions and these were assessed by City Officers, with their assessment outlined in Confidential Attachment A. City Officers recommend that Council award the tender as per the recommendations of Attachment A.

OFFICER RECOMMENDATION:

That Council:

Award Contract for 687KWN21 – Kwinana South Volunteer Bush Fire Station Demolition and Construction to Shelford Constructions Pty Ltd in accordance with the City’s special conditions of Contract, general conditions of the Contract, the specifications and their Tender submission including their schedule of rates. The total Contract value is \$1,749,926.00 excluding GST, subject to the Chief Executive Officer negotiating an escalation of tendered price, related to the passage of time since the tender closed and the award of tender, to the Chief Executive Officer’s satisfaction.

DISCUSSION:

The evaluation panel comprised of:

- a. A Contracts Officer who evaluated the Tenderers’ submissions in accordance with the compliance criteria provided in the Request for Tender documentation; and
- b. The Manager Asset Management Services, Coordinator Facility Maintenance, Engineering Development Officer and an independent Consultant, who evaluated the Tenderers’ submissions in accordance with the qualitative criteria included in the Request for Tender documentation.

17.4 687KWN21 – KWINANA SOUTH BUSH FIRE STATION DEMOLITION AND CONSTRUCTION

The evaluation panel considered all the submissions and their consolidated score recommended the appointment of Shelford Constructions Pty Ltd for the Kwinana South Volunteer Bush Fire Station Demolition and Construction (the evaluation confidential recommendation report is attached).

As noted above, the advice from DFES was to progress with the procurement process and finalise costings, prior to seeking a variation to the original grant. On this basis, the City tendered the construction of the fire station, with no contract to be awarded if the grant was not varied to cover the additional costs. As per normal tender conditions, the tenderers were required to hold their price for 90 days. Following the determination of a preferred tenderer, City Officers provided DFES with the necessary information to justify the grant variation. Unfortunately, a final decision on the grant was not made until the Tuesday after the last day of the 90 days (the 90 days finished on Friday 29 October 2022). Due to the delays in confirming funding, the preferred contractor was approached and requested to extend their price. Unfortunately, the tenderer was not prepared to hold their price beyond the 90 days. The contractor is prepared, however, to provide evidence of price escalation over the period of the 90 days, in order to negotiate a fair price escalation for the contract. Accordingly, it is recommended that the Council award the tender subject to the CEO negotiating a fair price escalation with the preferred tenderer, and provided the price is still within the budget.

LEGAL/POLICY IMPLICATIONS:

Local Government (Functions and General) Regulations 1996

Purchasing Policy – 2020

FINANCIAL/BUDGET IMPLICATIONS:

Budget Item Name: (where amount will come from)	\$699,600 existing DFES Funding (W14003.8000) \$753,604 additional DFES Funding \$400,000 LRCI Funding
Budgeted Amount:	\$1,853,204
Expenditure to Date:	\$4,830
Proposed Cost:	\$1,749,926 based on tendered price
Balance:	\$98,448

*NOTE: All figures are exclusive of GST

Note that there is the ability to seek a further grant variation, in the case that the final project cost is greater than the original contract (DFES do not allow contingency amounts within their grants).

ASSET IMPLICATIONS:

Demolition of the existing and construction of the new building was not factored into the Long Term Financial Plan or forward works programs prior to funding being granted. The new building will increase operational costs but will reduce maintenance costs in the short term, the new facility will also meeting the Brigades operational needs moving forward.

17.4 687KWN21 – KWINANA SOUTH BUSH FIRE STATION DEMOLITION AND CONSTRUCTION**ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS:****Environmental Implications:**

Design of the extension was undertaken adhering to the requirements of the City of Kwinana's Policy: Green Building - new and renovated Council buildings and to be sympathetic to the surrounding environment.

Public Health Implications:

All works will be undertaken in accordance with all OSH, NCC Regulations and Standards. The site will be fenced off to prevent public access.

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following objectives and strategies detailed in the Strategic Community Plan and/or Corporate Business Plan (D16/3339).

Plan	Outcome	Objective
Strategic Community Plan	Infrastructure and services that are sustainable and contribute to health and wellbeing	Develop quality, financially-sustainable infrastructure and services designed to improve the health and wellbeing of the community

COMMUNITY ENGAGEMENT:

The City has undertaken various forms of engagement with the Casuarina Wellard Progress Association and will continue to keep them advised on the progress of the project.

18 Reports – Civic Leadership

18.1 Services over the Christmas and New Year Period 2021/2022

SUMMARY:

In previous years, the City's Administration Building, City Operations, Banksia Park Retirement Village Office, Bright Futures Children's Services, Community Centres and Zone Youth Space closed over the Christmas and New Year period, with Council approval. There has not been any negative consequences as a result, with vital and emergency services available over these times.

This year, the Christmas period public holidays are on Monday 27 December (in lieu of Christmas Day on Saturday 25 December), Tuesday 28 December (in lieu of Boxing Day on Sunday 26 December) 2021, and the New Year's Day public holiday is Monday 3 January 2022 (in lieu of New Year's Day on Saturday 1 January).

The City of Kwinana staff Christmas function is scheduled to take place from 8am to 10.30am on Wednesday 15 December 2021 with offices at the City's Administration Building, City Operations, Banksia Park Retirement Village, Bright Futures Children's Services, Community Centres, Darius Wells Library and Zone Youth Space closing during this time. The Recquatic Centre will remain open with staff attending the function on a rotational basis.

OFFICER RECOMMENDATION:

That Council:

1. **Approve the closure of the City's Administration Building, City Operations, Banksia Park Retirement Village Office, Bright Futures Children's Services, Community Centres and Zone Youth Space from 12pm Friday 24 December 2021 until Monday 3 January 2022 (inclusive), to be reopened on Tuesday 4 January 2022;**
2. **Approve the closure of the offices at the City's Administration Building, City Operations, Banksia Park Retirement Village, Bright Futures Children's Services, Community Centres, Darius Wells Library and Zone Youth Space closing from 8am to 10.30am on Wednesday 15 December 2021; and**
3. **Note that over the Christmas and New Year period it will be the responsibility of the Chief Executive Officer to ensure staff coverage is in place in the case of an emergency.**

DISCUSSION:

The City has closed its administration building for the Christmas period since 2012. Prior to this, the City retained skeleton staff during this period. Following a review of the relatively low customer access during these days, the City has had a 'full close down' for the last nine Christmas and New Year periods. The Christmas closure is popular with staff, results in minimal impact on customers and enables staff leave to be cleared.

18.1 SERVICES OVER THE CHRISTMAS AND NEW YEAR PERIOD 2021/2022

It is proposed that the City again close for the upcoming Christmas period. It is recommended that the City's Administration Building, City Operations, Banksia Park Retirement Village Office, Bright Futures Children's Services, Community Centres and Zone Youth Space close for the Christmas and New Year period, from 12pm Friday 24 December 2021 until Monday 3 January 2022 (inclusive). The City's Administration Building, City Operations, Banksia Park Retirement Village Office, Bright Futures Children's Services, Community Centres and Zone Youth Space would reopen on Tuesday 4 January 2022.

The Kwinana Recquatic Centre and Kwinana Public Library will remain open at reduced hours over these days but close on the public holidays. The times and dates of these reduced hours will be made available to customers accessing these services. Community Liaison Service hours will operate to coincide with Library operating hours.

Staff would use accrued rostered days off, annual leave, or leave without pay for those days other than specified public holidays. This closure will be an active demonstration to staff of the family friendly workplace and recognition of their efforts.

The City Assist Team will be working normal hours and be available via the emergency, after hours line on the public holidays.

The City of Kwinana staff Christmas function is scheduled to take place on Wednesday 15 December 2021 and Council is requested to endorse the closure of offices at the City's Administration Building, City Operations, Banksia Park Retirement Village, Bright Futures Children's Services, Community Centres, Darius Wells Library and Zone Youth Space from 8am to 10.30am on 15 December 2021 to allow staff to attend. The City of Kwinana staff Christmas function is an opportunity for staff to come together, network and celebrate the year.

It is not anticipated that customer service will be unduly impacted by the proposed closure, as this period has historically been quiet.

Advertising will occur through the local newspapers and social media to inform the community of the times and dates each of the facilities will be open/closed during this period as well as information pertaining to the waste collection days changing (if required).

Legend:

Open	Closed	Public Holiday	Close at midday	Close for 2 & 1/2 hours	
Monday	Tuesday	Wednesday	Thursday	Friday	
13 Dec 2021	14 Dec 2021	15 Dec 2021 Staff Christmas event - 8am to 10.30am	16 Dec 2021	17 Dec 2021	
20 Dec 2021	21 Dec 2021	22 Dec 2021	23 Dec 2021	24 Dec 2021 City admin, City Operations, Banksia Park Retirement Village Office, Bright Futures Children's Services, Community Centres and Zone Youth Space close at 12pm	

18.1 SERVICES OVER THE CHRISTMAS AND NEW YEAR PERIOD 2021/2022

27 Dec 2021 Public Holiday In lieu of 25 Dec 2021	28 Dec 2021 Public Holiday In lieu of 26 Dec 2021	29 Dec 2021 City admin, City Operations, Banksia Park Retirement Village Office, Bright Futures Children's Services, Community Centres and Zone Youth Space closed.	30 Dec 2021 City admin, City Operations, Banksia Park Retirement Village Office, Bright Futures Children's Services, Community Centres and Zone Youth Space closed.	31 Dec 2021 City admin, City Operations, Banksia Park Retirement Village Office, Bright Futures Children's Services, Community Centres and Zone Youth Space closed.
3 Jan 2022 Public Holiday In lieu of 1 Jan 2022	4 Jan 2022 City admin, City Operations, Banksia Park Retirement Village Office, Bright Futures Children's Services, Community Centres and Zone Youth Space re-open.	5 Jan 2022	6 Jan 2022	7 Jan 2022

LEGAL/POLICY IMPLICATIONS:

No legal/policy implications have been identified because of this report or recommendation.

FINANCIAL/BUDGET IMPLICATIONS:

Cost of advertising in local papers is allocated within the Marketing advertising budget.

ASSET MANAGEMENT IMPLICATIONS:

No asset management implications have been identified because of this report or recommendation.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS:

There are no implications on any determinants of health as a result of this report.

STRATEGIC/SOCIAL IMPLICATIONS:

The City of Kwinana has a strong emphasis on being an "Employer of Choice" and being a great place to work and in turn recognising that City employees are one of our most important assets, as well as focusing on retaining the friendly and family feeling in the workplace.

18.1 SERVICES OVER THE CHRISTMAS AND NEW YEAR PERIOD 2021/2022

COMMUNITY ENGAGEMENT:

There are no community engagement implications as a result of this report.

19 Notices of motions of which previous notice has been given

20 Notices of motions for consideration at the following meeting if given during the meeting

21 Late and urgent Business

Note: In accordance with Clauses 3.13 and 3.14 of Council's Standing Orders, only items resolved by Council to be Urgent Business will be considered.

COUNCIL DECISION

###

MOVED CR

SECONDED CR

That Council deal with the items of urgent business as presented in the Addendum to the Agenda.

22 Reports of Elected Members

23 Answers to questions which were taken on notice

Nil

24 Mayoral Announcements

25 Confidential items

Nil

26 Close of meeting