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NOTE: a) **Declaration of Councillors and Officers Interest is made at the time the item is discussed.**

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Serpentine Jarrahdale Shire will be held on Monday, 26th March 2012 in the Council Chambers, 6 Paterson Street, Mundijong – commencing at 7.00pm.

Joanne Abbiss
CHIEF EXECUTIVE OFFICER
23 March 2012

AGENDA

1. **ATTENDANCES & APOLOGIES (including Leave of Absence):**
2. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:**

Dr Sheila Twine, 25 Millbrook Close, Jarrahdale

Mr President, Councillors, I would like to ask some questions regarding the Focus Group Community Consultation for Rural Land Use held on Wednesday 22nd February at the Atwell Pavilion, in Mundijong.

Background

This important future 'Rural Land Use' event was advertised to take place in the Atwell Pavilion. This is a new Shire building which cost in excess of \$1,000,000 and is equipped with a large air-conditioned, dividable meeting room. The meeting actually took place in the older building adjacent on a very hot evening. This building has no air-conditioning so officers had arranged tables outside.

As staff were taking down comments, it was apparent that this was a difficult task as there is no exterior lighting. Staff were unable to read back for attendees what they had written down as it was too dark.

This situation left me feeling that the 40 or so residents who attended were not able to fully give their views on the Rural Land Use options. *(Fortunately, the SJ Shire had provided take-aways for the recording of views at a later time)*

My question is in three parts

Q1 Why was the venue changed from the advertised Atwell pavilion to an entirely unsuitable area? *(In the past, use of the building by Community groups or Shire has been minimal, because of equipment, clothing and general items strewn about.)*

A1 The venue was filled with gym and other sporting equipment. Although officers discussed whether or not to move it, they were concerned that moving the equipment would either cause injury to someone or that they would damage the equipment whilst moving it. Officers then set up the tables outside on the verandah of the Mundijong Pavilion due to the heat of the evening. The lighting was not ideal but the workshop participants were understanding and provided many valuable ideas for the Rural Strategy.

Q2 Is the Atwell Pavilion a Shire facility, which is used by the Centrals Football Club and

netballers/basketballers, and is hired out under a booking system controlled by the Shire to other users or is it exclusively in the hands of the Centrals/sporting users?

- A2 The building has been designed for use by sporting and other users. The building cannot be made available for hire as there is no hire fee applicable in the current fees and charges schedule in the 2011/12 adopted budget.
- Q3 How much rent does the Centrals Sporting club pay for use of the two buildings and the oval, and what proportion of the running costs does this represent?
- A3 The Senior Football Club pay \$2,299 (ex GST) and the Junior Club pay \$726 (ex GST). As a percentage of running costs, this represents 1.71% for the Senior Football Club and 0.54% for the Junior Club.

Ian Blevin –Assesment Number A25200 Lowlands Road, Mardella

- Q1. Having moved to SJ Shire in the mid 1990's, I am increasingly dismayed with the erosion of social order and social standards since that time. As the sub-division of valuable "green-belt" farmland has blindly progressed, so there has been a boom in the development of housing estates and combined population increases. Having personally never suffered a robbery in the SJ prior to the year 2003, my family, living on a relatively secluded rural property have since that time been subjected to five robberies, the most recent on New Year's eve last year. The aggression of the robbery demonstrated by the utter chaos and physical damage caused to our home has for once really made our family think about our safety and the very real issue of a rapidly rising crime rate in this particular Shire. Needless to say, that in addition to the "bad taste" and the loss of faith in the "social good" that remains afterwards, it has also had an effect upon my children and their confidence (or lack of it) to sleep in the bedroom facing the road or to enjoy the uninhibited freedom of our farm.

Additionally, the ever increasing incidence of hooning, wherein tyre skid marks and "donuts" are prevalent at most of our major road junctions is testament to the total lack of respect for community, for the rules applicable to driving on registered or gazetted roads and for this community. No doubt, unfortunately, at some stage such activity will result in further injury and potentially cost the lives of innocent drivers inadvertently caught up in it. What happens to the perpetrators is quite frankly not a matter of concern to me. We are sick to the stomach of it all.

As a hard working family, we pay our Federal and State Government imposed taxes and our Local Government imposed rates. We are law abiding citizens. If the law forbids us to take the law into our own hands, what exactly are the various levels of Government doing about ensuring our protection? May I respectfully request a response to this clear and simple question from any or all of the Shire President and the local police sergeant? As SJ Shire planners have facilitated our sub-division and the ensuing adolescence, so "unplanned-for" turbulent times have arrived! There is no humour left in this topic – a time for real action has arrived.

- A1. The Serpentine Jarrahdale Shire's Community Safety and Crime Prevention Plan 2009-2012 was developed with the assistance of key community leaders, community groups, residents and businesses. The plan is nearing completion and a new plan will be developed next financial year.

The Community Safety and Crime Prevention Steering Committee with the assistance of the Shire's part-time Community Development Officer (Community Safety) have built up a strong partnership with the local Mundijong Police. Mundijong Police have in turn encouraged community assistance in crime prevention initiatives by promoting community newsletters, Neighbourhood Watch and E-Watch programs.

Community assistance has aided local police on numerous occasions to apprehend offenders. Office of Crime Prevention community profiles for the Shire, indicate that the total number of recorded crimes actually decreased between 2007 and 2010. An increase in police numbers at Mundijong Police Station in April/May 2010 produced an increase in the number of offenders apprehended and processed through the court system for all types of offences.

In March 2011 local police reported a decrease of 12.7 per cent in reported crimes with a 27.9 per cent decrease in Burglary Offences, however, there has at times been spikes of particular crimes in some areas from time to time.

In your letter you raised the issue of trail bikes and hoon drivers within the Shire. This is a widespread challenge throughout metropolitan Western Australia. Police and rangers experience difficulty identifying offenders and strongly rely on local resident's information to assist them. This issue is especially difficult within this Shire as the total land area consists of 904 square kilometres. It is therefore difficult for officers to be in all places at all times.

The key to achieving better results in community safety and crime prevention is through a commitment to working together more effectively and to this end you are encouraged to attend monthly Neighbourhood Watch/E-Watch meetings which are held on the last Thursday of each month at the Shire commencing at 6.30pm. This will enable you to have direct dialogue with the Officer in Charge of the Mundijong Police station and to be informed of any developments in the community safety area. Your input and interest in community safety issues is invaluable.

Joe Stokman – 1409 Karnup Road, Serpentine

- Q1 Can Council explain to me under the term "Public Authority". Any other person or body whether corporate or not, who or which, under the authority of a written law administers or carries on for the benefit of the state a social service or public utility.
- A1 Council's Town Planning Scheme No. 2 states that the term Public Authority has the same meaning given to it in and for the purposes of the Act, being the Planning and Development Act 2005. The Act defines 'public authority' as
*"(a) a Minister of the Crown in right of the State;
(b) a department of the Public Service, State trading concern, State instrumentality or State public utility;
(c) any other person or body, whether corporate or not, who or which, under the authority of a written law, administers or carries on for the benefit of the State, a social service or public utility;"*
- Q2 Is Council after a financial gain to have an Optus Tower 100 metres away from my property?
- A2 No
- Q3 Why did Council offer another site to Optus before the application on my property was refused?
- A3 The Council has not offered another site to the proponent.
- Q4 Why did Council not offer the scheme to be amended so it was possible to build the tower on our property?

-
- A5 The opportunity for a Town Planning Scheme Amendment was identified as a potential avenue for the landowner and/or the applicant to explore. It is understood that Optus discounted this option, due to the inherent risks and timeframes involved. A Scheme Amendment ultimately requires approval by the Minister for Planning.
- Q5 Why did the application take so long?
- A5 The Shire provided numerous opportunities for the applicant to submit additional information in support of the application. A formal determination on the application was deferred until time such as all reasonable opportunities had been exhausted.
- Q6 Agreement with Simon Wilkes 2 days before his holiday to wait with signing a refusal. The first day of his holiday, Mr Gleeson signed it off. I was waiting and still am for a meeting with the Chief Executive Officer, Mr Gleeson, Mr Moore, Mr Wilson and Mr Wilkes.
- A6 Shire officers have had a number of discussions with the landowner in January and February 2012 about this matter. A meeting was also held with the landowner on 29 February 2012.
- Q7 Where exactly is the site offered by Council to Optus?
- A7 The Council has not offered another site to the proponent.
- Q8 Did Optus/Daly already put in a new DA?
- A8 No new DA has been lodged at this time.
- Q9 Can Council give me examples from public utilities to be used on a farmlet zoned land?
- A9 The Shire is not aware of any specific examples. A number of 'public authorities' are identified in the State Government's Planning Bulletin 94 include, but are not limited to, AlintaGas, Synergy and the Water Corporation.
- Q10 Can Council give me examples from public recreation to be used on farmlet zoned land?
- A10 The Shire is not aware of any such examples.
- Q11 For how much money did Council staff negotiate with Optus to have the tower built on their land?
- A11 Negotiations with Optus were not able to be finalised for the Serpentine Sports Reserve. Council in January 2011 resolved to not support the authorisation of the related application for development approval.
- Q12 What is the minimum lot size for a farmlet lot?
- A12 The minimum recommended size is 4 hectares.

OCM068/02/12 Stuart & Marjorie May – 38 Pruden Road, Whitby

- Q1 Reference the proposed mobile phone tower at 40 Pruden Road, Whitby. We have been following this for four months since September. We had the objection in 13th

October 2012. We missed the February meeting where it was voted 5-4 for it. Is there anything I can do to appeal?

A1 Council has granted planning approval for the development. There are no rights of appeal to residents on Council's decision.

Mrs Bond – PO Box 44, Armadale

Q1 Are the rangers paid to work on weekends? If yes, why don't they respond to calls?

A1 Council's Rangers are only paid a small allowance to monitor phone calls periodically during working hours on the weekend. If they are called out to over the weekend they are paid overtime for this work.

Q2 Do the firebreak variations still apply? If not, why not and what date were they removed?

A2 Firebreak variations still apply. During 2008 – 2009 variations became perpetual once approved by Council. The approved variation to firebreak remains in place as long as the property does not change hands, there isn't any change in legislation, the circumstances on the property don't require change or withdrawal of the variation or the land owner isn't in contravention of Council's firebreak notice.

Q3 Who from Serpentine Jarrahdale Council gave permission for the private addresses of ratepayers to be displayed on the internet?

A3 If you are referring to the public questions at an Ordinary Council Meeting, these are a public record that forms part of the minutes and are displayed on the Shire website.

3. PUBLIC QUESTION TIME:

4. PUBLIC STATEMENT TIME:

5. PETITIONS & DEPUTATIONS:

6. PRESIDENT'S REPORT:

7. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

8. RECEIPTS OF MINUTES OR REPORTS AND CONSIDERATION FOR RECOMMENDATIONS:

8.1 Ordinary Council Meeting – 12 March 2012

The [attached \(E12/1551\)](#) minutes of the Ordinary Council Meeting held on 12 March 2012 be confirmed.

9. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN:

OCM097/03/12 OAKFORD RURAL ECONOMIC LIVING AREA – METROPOLITAN SCHEME AMENDMENT (A2089.)	
Author:	Louise Hughes – Senior Planner
Senior Officers:	Simon Wilkes - Executive Manager Planning Brad Gleeson - Director Development Services
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

Proponent: Landvision
 Owner: Kargotich Industries Pty Ltd
 Date of Receipt: 10 November 2011
 Lot Area: 180ha
 Town Planning Scheme No. 2 Zoning: Rural
 Metropolitan Region Scheme Zoning: Rural

EXECUTIVE SUMMARY

The Shire has received a request to support an amendment to the Metropolitan Region Scheme (MRS), for an area in the Oakford locality and for the land to be rezoned from Rural to Urban under the MRS. Council is not the decision-making authority with respect to amendments to the MRS, with that responsibility resting with the Western Australian Planning Commission (WAPC). Council is required to consider the merits of the proposal and advise both the proponent, WAPC and any other relevant persons of its support (or otherwise) for the proposal. Accordingly, the matter is presented to Council for formal consideration.

The site is situated on the southern side of Thomas Road, south of its junction with Nicholson Road. It comprises 180ha of Rural land and is proposed to be rezoned with a view to providing a Rural Economic Living Area (RELA). The vision of the RELA is to provide sustainable living options at the same time as meeting the increasing need for residential development and associated infrastructure and services. A concept plan indicates the site may comprise a commercial village centre, village housing, services such as public open space, recreation and education facilities and retaining a rural hinterland for food production and recreational pursuits. The concept plan is provided for information and illustrative purposes only and shall not form part of the MRS Amendment.

The details of the precise form of development which may be undertaken on the site will be established through the subsequent planning processes should the MRS amendment be progressed by the WAPC. Such subsequent planning processes would include, but not be limited to:

- An amendment to the Shire's Town Planning Scheme No. 2 (TPS 2)
- A local structure plan
- Relevant local planning policies.

Each of these steps would require considerable technical documentation to be provided, as supporting documentation, and will need to be progressed through extensive opportunities for public consultation. In the context of the documentation that has been submitted to the Shire, the local planning framework and the regional planning framework, it is considered that there is sufficient merit in the proposed amendment to the MRS.

RELEVANT PREVIOUS DECISIONS OF COUNCIL

Whilst there is no previous decision in relation to an application for rezoning, Council in May 2008 resolved to provide in-principle support for the rural village concept.

Council in July 2011 considered the finalisation of Local Planning Policy (LPP) 51 – Oakford Rural Economic Living Area Planning Framework, with a view to setting out the processes which need to be followed in pursuing the rezoning and development of the area.

COMMUNITY / STAKEHOLDER CONSULTATION

MRS amendments are required to be progressed in accordance with the requirements set out in the *Planning and Development Act 2005* and the *Town Planning Regulations 1967*. The statutory processes require that extensive stakeholder engagement be progressed by the WAPC following the initiation of the amendment. Public advertising needs to be progressed for a minimum period of 90 days, with all submissions needing to be formally considered and reported on.

The MRS amendment process is outlined in an attachment to this report. A copy of Development Control Policy 1.9 (Amendments to Region Schemes) from the WAPC is also provided with attachments.

LPP 51 *Oakford Rural Economic Living Area Planning Framework* (LPP51) was advertised to the community and surrounding landowners, to provide an open, transparent and clear framework for the consideration of proposals submitted to the Shire.

REPORT

Proposal

The proposal relates to the rezoning of Precincts 1 and 2 (part) identified in LPP51, from Rural to Urban under the MRS. In terms of the planning process, the application is the first step in the statutory process as set out in LPP51 and gives an opportunity to consider the suitability of the land in question to be rezoned to facilitate future development.

Council is asked to consider whether the principle of rezoning the land is acceptable and provide a recommendation to the WAPC. The applicant has provided information in relation to how the land could be developed in the future which should be viewed as a concept plan providing indicative details only; it is not suggesting that this is the only way in which the land could be developed. The benefits of providing a concept plan include:

- The opportunity to see in plan form where development could be undertaken;
- It provides an indication of the residential density of development which could be achieved, the type of facilities in terms of retail, commercial and community provisions which could be available.
- An indication of how the built form could be integrated into the surrounding land;
- The opportunity to identify potential issues in relation to the provision of services such as water, drainage and transport routes;
- The opportunity to discuss which issues could be addressed and those which could potentially present problems in terms of developing the site;

The suitability of the concept plan is not a consideration at this stage in the process; it is a useful tool in assisting the decision making process in terms of whether the land is considered to be suitable for future development.

The WAPC in Planning Bulletin 5 provides further guidance on this matter, with relevant extracts provided below:

“2.6 It is also occasionally the practice of local authorities to bind concept plans or preliminary subdivision designs into rezoning amendment documents. These sometimes are intended to form part of the Scheme (e.g. a “Subdivision Guide Plan” in the case of a Special Rural Zone). Often, however, the plans are only included for information.”

And

“It is, therefore, recommended that clear statements be placed on plans which are intended for information only stating that they do not form part of the proposed amendment and have been included for information only to indicate how the development/ subdivision of the land might occur in the future. The statement should also advise that separate approvals are necessary for the subdivision and development of land which may result in changes to the plan displayed with the amendment”

Accordingly, it is recommended that any concept plan included in the rezoning document clearly depict its inclusion as being for ‘illustrative purposes only’ or similar. A copy of the concept plan is provided with the attachments.

Comment

Directions 2031

Directions 2031 is a high level spatial framework and strategic plan by the WAPC that establishes a vision for future growth of the metropolitan Perth and Peel region. It provides discussion on the metropolitan structure, the local population housing and job targets, managing growth and developing the activity centre concept.

The State Government has identified in conjunction with a number of statutory bodies that the growth of Perth is anticipated to reach 3.5 million beyond 2031. Having identified this level of growth, strategic planning is required to identify where the increased population can be accommodated, how it will be serviced in terms of transport and facilities and how it will be integrated into the existing areas.

Consideration therefore needs to be given to the current proposal in the context of ensuring it can contribute to the above requirements in a coherent way, by making best use of land and services. The project aims to incorporate the growth into areas which can be seen as extensions of existing development which are well serviced in terms of utilities and transport connections.

The proposed site is considered to be well sited for the purposes of the long term provision of land suitable for development, due to its proximity to major transport routes. There are other considerations such as the ability to service the site, which consultation to date has identified are likely to raise issues which will need further investigation and clarification, but do not render the land unsuitable for consideration for future development.

Jandakot Structure Plan

The Jandakot Structure Plan by the WAPC identifies the land in question as “*long term urban*” – specifically that it is seen as being suitable for development of a small rural village in the long term. For the purposes of the plan, long term is identified as being more than 10 years – the report was adopted in 2007. The proposed rezoning is considered to be in

accordance with this time frame, as it will take a number of years for the process to be completed.

The Jandakot Structure Plan qualifies the suitability of the land by emphasizing that there are site constraints relating to wetland boundaries and drainage issues which will need to be addressed before finally determining the suitability of the site and extent to which it may be developed. However it is important to note that the plan considers the land worthy of inclusion as a suitable location for the provision of development land in the future.

In addition to the above constraints, the Jandakot Structure Plan also emphasizes that the plan which identifies the land uses, is conceptual only and the final decision as to the suitability of any of the identified areas will only be made once further studies have been.

LPP51 - Oakford Rural Economic Living Area Planning Framework

Council's policy was prepared to provide clear guidance on the statutory process which is required to be undertaken in order to rezone land. It identifies a number of precincts which are in the ownership of a number of land owners and provides them with a framework to follow should they consider their land is suitable for future development. The current proposed rezoning is in accordance with the provisions of the policy in terms of the process and studies which have been undertaken in support of the ability of the land to be developed in the future.

Rural Strategy

The Shire's Rural Strategy is currently under review. The aim of the review is to evaluate the current land uses and assesses their viability. This in turn will provide information to determine whether certain uses and zoning should be reviewed to identify the land within the Shire which may be suitable for development or would be better used for the purposes of agricultural production or other rural uses such as mineral extraction. Council at its meeting in December 2011 considered a project plan for the Rural Strategy, as follows:

"SD075/12/11 COUNCIL DECISION

That Council:

- A. Endorse the Project Plan for the Rural Land Strategy as presented in the attachment marked SD075.1/12/11 with the exception of Section 5.3 Suggested Mechanisms: Town Planning Scheme Amendments.*
- B. Supersede the recommended approach outlined in Section 5.3 Suggested Mechanisms: Town Planning Scheme Amendments of the Project Plan as presented in the attachment marked SD075.1/12/11 with part C of this resolution.*
- C. Council places a Moratorium on all Town Planning Scheme Amendments in areas not covered by a District Structure Plan until such time as the Rural Land Strategy Review is complete to the satisfaction of Council in accordance with the Project Brief as presented in the attachment marked SD075.2/12/11.*
- D. Endorse the Project Brief for the next stage of the Rural Land Strategy as presented in the attachment marked SD075.2/12/11."*

The current Rural Strategy has identified the subject site as being capable of development and Oakford is one of the sites selected for a new village. The Strategy qualifies this by stating that a more detailed survey will be required to plan the development of the village and that it is a long term goal. The moratorium established by Council arguably does not apply to the subject proposal, as:

- (a) The amendment is to the Metropolitan Region Scheme
- (b) The subject land is included within a district structure plan area.

The applicant recognizes that further studies will need to be undertaken to determine the precise nature of the development and it is important to note that the scope of this report is

to identify whether the land is capable of being developed and not the exact form which that development may take.

Strategic land use planning

Strategic planning documents at both a Council and state government level are currently the subject of review, including the finalisation of 'Directions 2031' by the WAPC. The applicant recognises the need for increased residential development land in the Perth Metropolitan Area and considers that the proposal is (a) in accordance with current documents, and (b) flexible enough to accommodate possible alternative approaches to planning for Perth's growth. The proposed densities are intended to establish the economies of scale that will be required to justify some of the servicing issues that are likely to arise.

Consideration of the proposed amendment by the WAPC will enable formal determinations to be made and ultimately determine whether the area fits into the context of providing for Perth's future growth in the long term. For the matter to be considered formally by the WAPC, Council support is required.

The proposed amendment is considered to be generally consistent with the Shire's current Rural Strategy and Local Planning Policy No. 51. Accordingly, support for the proposed amendment is recommended.

Environmental considerations

The proposal generally recognises the key environmental factors that will need to be considered as part of more detailed planning for the area. A number of minor corrections will need to be made to the documentation. There are surveys which will need to be undertaken in terms of flora, fauna, wetlands and drainage, which is noted by the applicant. It is considered that the issues which have been identified can satisfactorily be addressed through further reports and consultation and should not prevent support of the MRS amendment.

External Agencies

In parallel with the technical review of the proposal by the Shire, initial comment was invited from the Department of Water, the Water Corporation and Main Roads. This is standard practice to ensure that key technical and servicing issues have been identified by proponents and that relevant issues either have or are capable of being addressed through more detailed planning. Comments are below.

1. Department of Water

Comments have been made which identify that a District Water Management Strategy will be required to address the influences the area will have on the surrounding catchment and dynamics of the area, specifically addressing water supply, wastewater, groundwater and surface water collectively. The applicant has confirmed that this is already underway and will be completed prior to finalization of the rezoning process – it is considered appropriate that the water strategy is progressed in parallel with the WAPC consideration of the proposed amendment.

Officers consider that issues relating to water provision, drainage and flooding will need to be identified and addressed, however this can be undertaken as part of the ongoing process and does not preclude consideration of the land for rezoning purposes.

2. Main Roads WA

Main Roads have no objection in principle to the rezoning but consider it should be deferred pending completion of the South Metropolitan and Peel Structure Plan which is likely to result in significant changes to Nicholson Road which runs through the subject site. The applicant acknowledges the likelihood of these changes, but does not consider deferral appropriate as the changes can be incorporated through the ongoing planning process. In addition changes are likely to be made to the status of Thomas Road to the north of the site resulting in an increase in volume and size of traffic using the road. This is likely to trigger the need for a noise assessment to identify and address issues in relation to the future use of the land. The applicant acknowledges and accepts this requirement.

Officers consider that changes to Nicholson Road and Thomas Road will be a relevant factor in the long term development of the site but does not prevent consideration of the MRS amendment.

3. Water Corporation

Concerns have been raised in relation to the degree of consistency with Directions 2031, rezoning of land ahead of a Drainage and Water Management Plan, the provision and servicing of drainage needs, as well as funding issues relating to provision of services on site. In response to these concerns the applicant has acknowledged that they need to be addressed and has stated that they accept the need to pre fund wastewater services in accordance with previous advice from Water Corporation.

Officers consider that the issues raised are valid and require further investigation and research. However these are concerns which will be identified and dealt with in considerably more detail at later stages of the planning process and do not hinder consideration of the MRS amendment. It is important to note that these matters may affect the ultimate design of the development rather than whether the land can be rezoned and the opportunity to fully explore these issues is provided.

Options and Implications

The Shire has been requested to comment on the MRS amendment to rezone the land from Rural to Urban in the MRS and make a recommendation to the WAPC.

The Shire can make a recommendation to support the proposal or that it should not be supported. Should the decision not be supportive of the amendment, consideration will need to be given to the justification for this decision given the long history of discussions between the applicant and the Shire and the decision in 2008 to support the proposal in principle.

Conclusion

The proposed rezoning of the land at Oakford in the MRS has been the subject of discussion for a number of years. Council has historically indicated its support for the proposal in the Rural Strategy, Council's resolution in 2008 and also the development of LPP51, providing the planning framework needed to rezone and develop the land.

The project has been recognised as being a long term project by the applicant who has a clear understanding of the statutory process. Furthermore the applicant is aware that further research and studies will need to be undertaken to address any issues which may be raised as a result of consultation undertaken as part of the ongoing rezoning process in the MRS.

The Shire has been asked to review the proposed rezoning and make a recommendation to the WAPC. As part of this process the proposal has been referred to internal departments of the Shire for technical advice and also to external statutory agencies. The referral of the application has resulted in a number of comments being received. Some of the issues which have been raised relate to the detailed development of the land and the concept of the rural

living village. The concept plan is provided for information and illustrative purposes only and shall not form part of the Amendment.

The consultation with the Shire has been undertaken by the WAPC with a view to establishing whether the land should be considered for urban development. Since the proposal was first put forward to the Shire, considerable changes have occurred in terms of the requirement for development land to accommodate a significant increase in the anticipated population growth of Perth/Peel over the next thirty years.

Given this anticipated increase in growth, it is considered that the proposal should be supported in order that all the relevant factors can be identified, their significance assessed and possible solutions sought. In the event that major issues are identified which cannot be overcome it may be that the land cannot be developed or the development will need to take a different form to that proposed in the concept plan.

On balance it is therefore recommended that the Shire support the rezoning of the land and advise the WAPC accordingly.

ATTACHMENTS

- [OCM097.1/03/12](#) Applicant's report - LPP51 – Oakford Rural Economic Living Area (IN11/16352)
- [OCM097.2/03/12](#) A copy of the concept plan for illustrative purposes only
- [OCM097.3/03/12](#) Report to Council May 2008 (E08/2854)
- [OCM097.4/03/12](#) Initial comments from relevant government agencies
- [OCM097.5/03/12](#) Standard WAPC public information – MRS amendments
- [OCM097.6/03/12](#) WAPC Development Control Policy 1.9 – Amendments to Region Schemes.
- [OCM097.7/03/12](#) Area subject to rezoning request under the Metropolitan Region Scheme
- [OCM097.8/03/12](#) Matrix of issues – in accordance with LPP51

ALIGNMENT WITH OUR PLAN FOR THE FUTURE

The application is for the rezoning of land in the MRS and the means by which the development will take place in future is not for consideration at this stage. The rezoning of the land will facilitate future development and it is considered that this is consistent with the Shire's Plan for the Future for the following reasons:

- The justification for the rezoning is to enable the provision of a rural village with higher density residential development than is normally associated with rural living, supplemented with its own commercial, retail and recreation/community facilities, thereby making it a sustainable and self sufficient concept;
- The provision of a rural hinterland enables residents to benefit from rural pursuits such as agriculture should they wish;
- The location of the site south of Thomas Road facilitates easy access to the Kwinana Freeway, Kwinana Rail Station and Tonkin Highway; and
- The proposal will provide local employment opportunities, beneficial to existing business and those seeking employment.

FINANCIAL IMPLICATIONS

There will be cost implications for Council associated with the consideration of future Town Planning Scheme Amendments and Local Structure Plans. There is the requirement for fees to be paid by a proponent, in the form of an estimate and then an adjustment based by

actual costs; this requirement is established under the Local Government (Planning Fees) Regulations 2009.

Should subdivision and development ultimately proceed in the Oakford Area, there would be significant long term cost implications for Council to consider, including the provision of local government services. The exact timing and magnitude of costs will be dependent on the form and programming of any development proposal.

VOTING REQUIREMENTS

Simple Majority

OCM097/03/12 OFFICER RECOMMENDATION

That Council:

1. **Notes that a proposal has been received for an amendment to the Metropolitan Region Scheme for an area of 180 hectares, and provides in principle support for the proposed amendment as depicted with attachments marked [OCM097.1/03/12](#).**
2. **Notes there are extensive processes in place for future stakeholder engagement, including but not limited to:**
 - (i) **the formal advertising of an amendment to the Metropolitan Region Scheme;**
 - (ii) **the formal advertising of an amendment to the Shire's Town Planning Scheme;**
 - (iii) **the formal advertising of a local structure plan.**
3. **Council formally requests that the Western Australian Planning Commission progress an amendment to the Metropolitan Region Scheme from Rural to Urban, as depicted with attachments marked [OCM097.7/03/12](#).**
4. **Advise the Western Australian Planning Commission of its decision.**
5. **Advise all landowners within and abutting the boundaries of Local Planning Policy No. 51 of its decision.**
6. **Note that a concept plan has been provided, however consistent with the advice contained in WAPC Planning Bulletin 5, Council clearly states that such a plan is intended for information purposes only and shall not form part of the proposed amendment, is the subject of future approval processes and may be subject to change.**

OCM98/03/12 COUNCIL ENDORSEMENT OF THE WEST MUNDIJONG INDUSTRIAL AREA FEASIBILITY STUDY & RECOMMENDATIONS (A2078)	
Author:	Peter Varelis – Senior Strategic Planner
Senior Officers:	Deon van der Linde – Executive Manager Strategic Planning Suzette van Aswegen – Director Strategic Community Planning
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

Proponent: Shire of Serpentine Jarrahdale
 Owner: Various
 Town Planning Scheme No. 2 Zoning: Farmlet / Rural
 Metropolitan Region Scheme Zoning: Rural
 Perth – Peel Sub Region Structure Plan 2009: Industrial

EXECUTIVE SUMMARY

At the Ordinary Council Meeting (OCM) held 22 March 2010, the Council of the Shire of Serpentine Jarrahdale (the Shire) considered the Department of Planning's (DoP) Perth & Peel Region Industrial Land Strategy (the ILS). The ILS is the State Government's road map to the future of industrial land use planning for the Perth and Peel Regions over the next 20 years. The West Mundijong Industrial Area along with the Cardup Business Park were highlighted as strategic industrial and employment nodes within the Shire. More localised studies such as the Mundijong-Whitby District Structure Plan Enquiry by Design and the Shire's Demand Analysis for Employment Generating Land have reinforced the potential and need for future industrial areas within the Shire.

Substantial population growth is anticipated within the Shire over the medium to long term. The Shire is committed to providing sustainable employment opportunities for existing and future residents with an aim of achieving a degree of self sufficiency. In strategically planning for employment opportunities the Shire's officers sought grant funding to assist with a feasibility study to investigate the potential for a future industrial precinct west of the Mundijong town site.

Through grant funding received from the Peel Development Commission and the Shire's contribution in the form of project management, a feasibility study has been completed for the area. The Strategic Planning Department of the Shire during November 2011 awarded the West Mundijong Industrial Area Feasibility Study to Town Planning and Engineering consultants Town-Planning Management Engineering (TME).

Since the appointment of TME the following has occurred:

1. Extensive consultation with Shire technical staff, industry personnel, landowners, DoP, Department of Transport (DoT) and other relevant state agencies;
2. Desktop investigations and recommendations from an environmental, hydrological, infrastructure, servicing and land use perspective.
3. Compiling of the West Mundijong Industrial Area Feasibility Study; and
4. A presentation to Council at the March Policy Forum.

The primary objective of this report is to:

1. Present the findings and recommendations of the feasibility study to Council;

2. Seek Council endorsement of the feasibility study and recommendations;
3. Seek Council support to progress the next stages recommended in the feasibility study;
4. Seek Council support for senior officers to present the feasibility study to the Infrastructure Coordination Committee of the Western Australian Planning Commission with the intention of highlighting the need to expedite the extension of Tonkin Highway and realignment of the freight line.

RELEVANT PREVIOUS DECISIONS OF COUNCIL

SD120/03/10 This decision of Council endorsed the DoP Industrial Land Strategy and further progression of industrial land investigations.

COMMUNITY / STAKEHOLDER CONSULTATION

The Shire of Serpentine Jarrahdale is committed to a very high standard of consultation with residents and other stakeholders in the development of planning initiatives.

Accordingly, consultation has formed a significant component of the industrial feasibility assessment for West Mundijong. Broadly the objectives of the consultation process have been:

- To inform land owners of the purpose of the feasibility assessment;
- To identify land owner intentions with specific reference to industrial development; and
- To liaise with a range of government agencies in order to understand particular issues likely to be associated with industrial development at West Mundijong.

The following key groups were consulted:

- Landowners;
- Pure Steel Lane Residents; and
- State Government agencies.

The Shire's Local Planning Policy No. 27 'Stakeholder Engagement in Land Use Planning' was instrumental in guiding the consultation process for the West Mundijong Industrial Area Feasibility Study.

A full copy of the West Mundijong Industrial Area 'Consultation Outcomes Report' is attached as Appendix 2 of the West Mundijong Feasibility Study located under the 'Attachments' section of this report.

REPORT

Background

The primary intention of the study was to determine the optimum location, size, opportunities, constraints and risks involved with establishing an industrial area west of the Mundijong town site. The site has been earmarked for industrial development by the Perth & Peel Industrial Land Study and the West Australian Planning Commissions - Directions 2031. The DoP has also indicated that much attention should be given to the employment

self-sufficiency of urban developments. This has become critical to the Shire since Byford has already started to substantially develop and there is an expectation that Mundijong-Whitby will commence within the next two to five years and employment generation will be of the utmost importance.

More localised studies such as the Mundijong District Structure Plan Enquiry by Design Workshops and the Demand Analysis for Employment Generating Land have reinforced the need for the establishment of an industrial area in the Shire.

Broadly the study has undertaken the following:

- a) Determined the optimum location of the development;
- b) Determined the optimum size of the development;
- c) Analysed the Regional and Local context of the development, taking into consideration the following key elements:
 1. Establishment of an intermodal transport hub within the precinct;
 2. Potential links to the Kwinana Port, Rail Linkages, Tonkin and South Western Highway;
 3. Opportunities / Constraints of rerouting the freight rail in conjunction with the Tonkin Highway extension.
- d) Identified the opportunities / constraints presented by the development and outlined further recommendations in the following key areas:
 1. Environmental
 2. Hydrological
 3. Servicing
 4. Infrastructure
 5. Indicative Land Use / Demand
- e) Made recommendations as to the funding and feasibility of the development with specific reference to staging and statutory implementation.

The details of each of these outcomes is outlined in detail in the feasibility study located under the 'Attachments' section of this report.

Key Recommendations

This section of the report discusses the implications and requirements of the key recommendations of the study.

Statutory Recommendations / Opportunities

1. To decisively attract and progress employment opportunities within the Shire it is recommended that the site be rezoned to the 'industrial' zone of the Metropolitan Region Scheme (MRS) through an MRS scheme amendment. This would require the facilitation and progression of studies outlined in Table 1 of the feasibility study.
2. It is recommended that the Shire request funding which has been made available for the implementation of the ILS from the Infrastructure & Policy Department at the DoP to progress elements associated with the MRS scheme amendment.
3. Work amicably and cooperatively with landowners to facilitate minimal subdivision under the current Town Planning Scheme No. 2 (TPS 2) zonings in order to facilitate the proper an orderly development of the Industrial Estate. Ad hoc rural residential and lifestyle subdivision is a risk to the progression of the proposed development.

4. Take the appropriate measures to initiate a TPS2 amendment to insert a 'Development Zone' over the recommended investigation area to facilitate further detailed levels of localised planning.
5. Include the investigation area as a Strategic General Industrial Site in the Shire's 2012 Rural Land Strategy Review. It is recommended that details associated with the site be subject to the statutory approval process.
6. Manjedal Brook which traverses the site is identified as an Area of Natural Beauty No. 33 under Appendix 13 of the Shire's TPS2. Through detailed planning and in accordance with the provisions of TPS2 is recommended that the Manjedal Brook be incorporated as an 'ecological corridor' that continues to provide a natural and valuable drainage function for the district.

Strategic Recommendations / Opportunities

1. Actively further progress the location and feasibility of the Tonkin Highway extension to South Western Highway, Freight Rail Realignment, and Passenger Rail Service to Mundijong-Whitby with the DoP and DoT. The intermodal facility is of significant strategic significance not only to West Mundijong but also the State. The Shire is recommended to progress the planning for the area having due consideration for the intermodal possibility and collaboratively progress the facility and infrastructure requirements with the DoP and DoT.
2. Continue to strategically plan for optimum employment self sufficiency by promoting industries that necessitate a high number of employees.

Consultation Recommendations / Opportunities

1. Seek funding from the DoP to progress elements of the MRS scheme amendment associated with noise impacts from general industrial and intermodal facilities in response to concerns raised by landowners during consultation.
2. Maintain an informative relationship with landowners and continue discussions surrounding conditional support for the development.
3. Continue to include and engage with residents of Pure Steel Lane having due consideration to staging and land use succession with an endeavour to enable industrial development to occur with the retention of dwellings wherever possible.

Environment Recommendations / Opportunities

1. Seek funding from the DoP to progress elements of the MRS scheme amendment associated with noise modelling / impacts having due consideration for the retention and integration of dwellings wherever possible.
2. If immediate funding or resources are available, actively progress elements of the MRS scheme amendment associated with State and Commonwealth environmental referrals. If the studies associated with the amendment process are staged, this work should be undertaken subsequent to the noise modelling / impact assessments.

Wetland & Hydrology Recommendations / Opportunities

1. Seek the opportunity through detailed planning to retain and enhance existing drainage features as ecological corridors within the development area.

2. As a priority and with funding sought from the DoP progress a preliminary land fill feasibility assessment to understand the economic viability of developing the land in light of its geological features highlighted through the feasibility study.

Infrastructure Recommendations / Opportunities

1. Continue to actively progress matters with state government agencies to expedite the progression of the Tonkin Highway extension to South Western Highway, Freight Rail Realignment, and Passenger Rail Service to Mundijong-Whitby.. Including significant input and due consideration of this study when finalising the Perth and Peel Regions Freight Terminal Plan.
2. Given the significance of the infrastructure associated with West Mundijong it is recommended that the Shire fully explore cost and resource sharing possibilities for further investigations at West Mundijong.
3. Pending outcomes of the Perth and Peel Region's Freight Terminal Plan ensure subsequent structure planning includes provision for an intermodal freight facility at West Mundijong.

Industry Recommendations / Opportunities

1. Through further detailed planning actively promote the opportunities for recycling uses taking advantage of transport infrastructure and access to the urban, industrial and rural population.
2. Through further detailed planning actively promote opportunities for water treatment facilities taking advantage of the industrial estate and surrounding urban development.
3. At more detailed stages of planning partner with existing industries in the locality to promote agri-business industries with potential linkages to the poultry farming enterprises in the locality. It is estimated that around 50% of Western Australia's chicken meat is grown within the boundaries of the Shire of Serpentine Jarrahdale.
4. Continue to actively progress matters with state government agencies to expedite the progression of the Tonkin Highway extension to South Western Highway, Freight Rail Realignment and Passenger Rail Service to Mundijong-Whitby.

Appropriateness of Development

As part of the early phases of the feasibility study the West Mundijong area was assessed against the internationally accepted set of criteria outlined for land intended for industrial development in the state government's Industrial Land Needs Study. A detailed assessment of West Mundijong against the criteria is outlined in the 'Appropriateness of West Mundijong for Industrial Development' section of the feasibility study.

Recommendations / Opportunities

1. Acknowledge that subject to addressing noise, drainage, environmental approvals and fill considerations, the location of West Mundijong for industrial development meets internationally accepted criteria for industrial land development.

ATTACHMENTS

[OCM098.1/03/12](#) *West Mundijong Industrial Area Feasibility Study (IN12/2879)*

[OCM098.2/03/12](#) *West Mundijong Industrial Area Feasibility Study Project Management Schedule*

A copy of the Project Management schedule showing the process utilised to produce the West Mundijong Industrial Area Feasibility Study.

ALIGNMENT WITH OUR PLAN FOR THE FUTURE

An assessment against the Shire's Plan for the Future (PFF) identifies that the West Mundijong Industrial Area best aligns with the 'Sustainable Growth' objective of the PFF. The development proposes to align with the following key actions:

1. Attract appropriate industrial, commercial and retail developments;
2. Foster products that produce renewable energy, products and services;
3. Ensure strategy, policy and land use planning for appropriate industries; and
4. Ensure sustainable growth through the provision of suitable employment industries.

As part of responsibly planning for future urban and rural populations it is vital that strategic industrial and employment nodes are identified in the Shire with planned medium to long term development horizons.

STATUTORY ENVIRONMENT

Planning and Development Act 2005, Perth – Peel Sub Region Structure Plan 2009 and Town Planning Scheme No. 2 (TPS 2).

FINANCIAL IMPLICATIONS

Through consultation with the DoP it has been made apparent that funding is readily available in this financial year to progress elements associated with the MRS scheme amendment. Officers request Council support in continuing to seek access to this funding to progress this project at the earliest available opportunity.

The first elements of the MRS amendment are estimated to cost as follows:

Stage 1:

- Noise Assessment: Approx. \$15,000
- Drainage & Fill Feasibility Assessment: Approx. \$15,000

The funding for these studies is anticipated to come from opportunities made evident by the DoP. Although these funding opportunities are not guaranteed the recommendations of this feasibility study put the project in good order.

If funding is not available Council will defer the recommendations of the feasibility study until such time as an alternative source becomes available or Council see it as a strategic priority through forward financial planning.

OPTIONS

-
1. Choose to endorse the feasibility study and officer recommendation;
 2. Chose to endorse the feasibility study subject to recommended modifications outlined by Council; or
 3. Chose not to endorse the feasibility study and provide reasons why.

Option 1 is recommended for reasons of employment opportunity, self sufficiency, proper and orderly planning and long term land use viability in perpetuity. The long term viability of urban areas requires the establishment of strategic employment bases within the Shire.

CONCLUSION

The feasibility study demonstrates that industrial development is required and potentially feasible at West Mundijong. However, there are significant catalysts that are required to ensure its viability and feasibility. These catalysts include the potential intermodal facility, freight rail realignment extension of Tonkin Highway and further studies.

The development of the West Mundijong Industrial Area will have a number of matters that will need to be addressed through detailed stages of planning and the progression of the statutory process. It is apparent that the West Mundijong area is of strategic significance to the Shire because of its ability to provide employment for future populations and diversity in future land use.

It is recommended that Council endorse and acknowledge the findings and recommendations of the West Mundijong Industrial Area Feasibility Study.

OCM098/03/12 Officer Recommendation:

That Council:

1. **Endorse and acknowledge the findings and recommendations outlined in the West Mundijong Industrial Area Feasibility Study (the Study) as outlined in attachment marked [OCM098.1/03/12](#).**
2. **Note that a Local Planning Policy will be presented to Council outlining details associated with the suggested Planning Framework for the West Mundijong Industrial Area.**
3. **Provide this resolution and respectfully request that the Department of Planning and Department of Transport expedite matters and funding associated with the Freight Rail Realignment, construction of the Tonkin Highway extension to South Western Highway and extension of the Passenger Rail Service to Mundijong-Whitby as a State priority.**
4. **Support the presentation of the Study in collaboration with the Department of Transport to the Infrastructure Coordination Committee of the Western Australian Planning Commission with the intention of highlighting the importance of the Tonkin Highway extension to South Western Highway, Freight Rail Realignment and the Passenger Rail Service to Mundijong-Whitby.**
5. **Provide a copy of this resolution and access to the Study to landowners in the area.**
6. **Formally thank the Peel Development Commission for their funding assistance for this project.**

OCM099/03/12	AMENDMENT TO LOCAL PLANNING POLICY NO. 27 STAKEHOLDER ENGAGEMENT IN LAND USE PLANNING (A1594)
Author:	Lawrence Man – Senior Planner
Senior Officers:	Simon Wilkes – Executive Manager Planning Brad Gleeson – Director Development Services
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

Proponent: Shire of Serpentine Jarrahdale

EXECUTIVE SUMMARY

As part of a continuous improvement program, the following report seeks to correct an administrative anomaly associated with Local Planning Policy (LPP) No. 27 Stakeholder Engagement in Land Use Planning. At present, the Policy refers to a “Table 2” which was deleted during the adoption stage of the Policy prior to advertising.

Reference to Table 2 is proposed to be removed within the Policy. There are no changes to the material intent, functioning or objectives to the Policy. The proposed amendments will require stakeholder engagement and advertising, and will be presented again to Council for final adoption.

RELEVANT PREVIOUS DECISIONS OF COUNCIL

LPP 27 Stakeholder Engagement in Land Use Planning was presented to Council as Agenda Item SD0123/06/11 at its Ordinary Council Meeting for final adoption on the 22 August 2011.

COMMUNITY / STAKEHOLDER CONSULTATION

The Policy was extensively advertised when it was originally established. Stakeholder engagement in accordance with LPP 27 Stakeholder Engagement in Land Use Planning and Town Planning Scheme No. 2 (TPS 2) will be undertaken should the policy be progressed.

REPORT

Proposal

The following report seeks to correct an administrative anomaly associated with LPP 27 Stakeholder Engagement in Land Use Planning.

At present, the Policy refers to a “Table 2” within Provision 8.1 and 8.2. Table 2 was originally incorporated as part of the policy during its adoption stage but was subsequently removed for the purposes of clarity and ability for implementation. During the operation of this Policy, Shire staff have utilised relevant clauses within TPS 2 to guide stakeholder engagement requirements.

Due to the prevailing operational effectiveness, it is considered that requirements relating to Table 2 are to be removed from the Policy. There are no changes to the material intent, functioning or objectives to the Policy.

By doing so, any proposed “SA” uses listed in Table 1 – Zoning Table of TPS 2 will be advertised in accordance with Clause 6.3 of TPS 2. Any proposed land uses not mentioned in Table 1 – Zoning Table of TPS 2 will also be advertised in accordance with Clause 6.3 of TPS 2.

Procedurally, a Local Planning Policy shall become fully operational after the following procedures have been completed:

- (a) The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, the subject and nature of the Policy and in what form and during what period (being not less than 21 days) submissions may be made.*
- (b) The Council shall review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.*
- (c) Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.*
- (d) Where, in the opinion of the Council, the provisions of any Policy affects the interests of the WA Planning Commission, a copy of the policy shall be forwarded to the Commission*
- (e) The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.*

Options and Implications

Council has options in relation to the progressing this proposed Local Planning Policy amendment and these are detailed as follows:

- Option 1: Adopt the amended Policy and undertake the necessary stakeholder engagement and consider submissions, prior to final adoption; or
- Option 2: Refuse to adopt the amended Policy and maintains the wording of the Policy in its present form.

Option 1 is recommended.

Conclusion

It is recommended that Council adopt the amended Policy to rectify the administrative anomaly. Due to the prevailing operational effectiveness, it is considered that the deletion of references to Table 2 are appropriate and enhance the policy as part of the Shire’s continuous improvement program.

ATTACHMENTS

- [OCM099.1/03/12](#) LPP 27 Stakeholder Engagement in Land Use Planning (E11/4775)

ALIGNMENT WITH OUR PLAN FOR THE FUTURE

The proposed amendment to LPP 27 is aligned with the Shire’s Plan for the Future. The amendment is in accordance with the Shire’s vision for open and transparent governance and decision making.

STATUTORY ENVIRONMENT

- TPS 2
- LPP 27 Stakeholder Engagement in Land Use Planning

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the proposals outlined in this report.

VOTING REQUIREMENTS: Simple Majority

OCM099/03/12 OFFICER RECOMMENDATION

That Council:

1. Amend Local Planning Policy No. 27 – Stakeholder Engagement in Land Use Planning for advertising purposes by deleting the following sentences:
 - (a) *“Table 2 identifies the extent to which advertising of SA uses will be carried out. Where an application is for a land use or within a zone which may be grouped in more than one of the categories mentioned in Table 2, the greater advertising requirement shall be applied”* from Provision 8.1 of the Policy; and
 - (b) *“Table 2 identifies the extent to which advertising of uses not listed will be carried out. Where an application is for a land use or within a zone which may be grouped in more than one of the categories mentioned in Table 1, the greater advertising requirement shall be applied.”* from Provision 8.2 of the Policy.
2. Advertise the amended Local Planning Policy No. 27 – Stakeholder Engagement in Land Use Planning for a period not less than 21 days by way of:
 - (a) A notice being placed in a local newspaper circulating within the district for once a week for two consecutive weeks.
 - (b) A notice being placed in the Shire’s Administration Centre.
 - (c) A notice being placed on the Shire’s internet website.
3. Note that advertising to community groups, government agencies and landowners are not require at this time as the amendment is administrative in nature and does not alter the material intent, policy objectives, nor functioning of this Policy.

OCM100/03/12	AMENDMENT TO LOCAL PLANNING POLICY NO. 47 MUNDIJONG-WHITBY INTERIM DEVELOPMENT (A1792)
Author:	Lawrence Man – Senior Planner
Senior Officers:	Simon Wilkes – Executive Manager Planning Brad Gleeson – Director Development Services
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

Proponent: Shire of Serpentine Jarrahdale

EXECUTIVE SUMMARY

As part of a continuous improvement program, this report seeks to correct an administrative anomaly associated with Local Planning Policy No. 47 (LPP 47) Mundijong-Whitby Interim Development. As with all Local Planning Policies, each are designed to be continuously refined and improved upon to reflect contemporary planning practices. At present, the Policy within Section 2 – Background and Application incorrectly states that applications for development approval or use for a single house is not required.

This is inconsistent with the rest of the Policy which requires development approval for single houses as detailed in Clause 5.2.1 and Table 1 of the Policy. This report seeks to amend the Policy to rectify this error to ensure the intent of the Policy is clearly communicated and any proposed development is consistent with the Mundijong-Whitby District Structure Plan. The proposed amendment will require stakeholder engagement and advertising, and will be presented again to Council for final adoption.

RELEVANT PREVIOUS DECISIONS OF COUNCIL

LPP 47 Mundijong-Whitby Interim Development was presented to Council as Agenda Item SD089/03/11 at its Ordinary Council Meeting for final adoption on the 28 March 2011.

COMMUNITY / STAKEHOLDER CONSULTATION

This Policy was advertised extensively when originally prepared and established. Stakeholder engagement in accordance with LPP 27 – Stakeholder Engagement in Land Use Planning and Town Planning Scheme No. 2 (TPS 2) will be undertaken should the amendment to the Policy be supported by Council.

REPORT

Proposal

The following report seeks to correct an administrative anomaly associated with LPP 47 Mundijong-Whitby Interim Development. At present, the Policy within Section 2 – Background and Application incorrectly states that applications for development approval or use for a single house is not required. This is inconsistent with the rest of the Policy which requires development approval for single houses as detailed in Clause 5.2.1 and Table 1 of the Policy.

This is to be achieved by deleting reference to “for other than a single house” to within Section 2 – Background and Application to correct this error.

By doing so, any proposed development or use within the Urban Development zone prior to the adoption of a Local Structure Plan shall be determined in accordance with Clause 5.18.7 of TPS 2 and LPP 47 to ensure consistency with the objectives of the Mundijong-Whitby District Structure Plan.

This amendment will provide landowners and prospective purchasers with greater clarity associated with their development obligations. This is also aligned with the Shire's preparations for building reform to the Building Act anticipated to be introduced on the 2 April 2012.

Procedurally, a Local Planning Policy shall become fully operational after the following procedures have been completed:

- (a) *The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, the subject and nature of the Policy and in what form and during what period (being not less than 21 days) submissions may be made.*
- (b) *The Council shall review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.*
- (c) *Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.*
- (d) *Where, in the opinion of the Council, the provisions of any Policy affects the interests of the WA Planning Commission, a copy of the policy shall be forwarded to the Commission*
- (e) *The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.*

Options and Implications

Council has options in relation to the progressing this proposed Local Planning Policy amendment and these are detailed as follows:

- Option 1: Adopt the amended Policy and undertake the necessary stakeholder engagement and consider submissions, prior to final adoption; or
- Option 2: Refuse to adopt the amended Policy and maintains the wording of the Policy in its present form.

Option 1 is recommended.

Conclusion

It is recommended that Council adopt the amended Policy to rectify the administrative anomaly. This will enable all development proposals to be assessed by Council for areas where Local Structure Plans have not been prepared so that the objectives of the Mundijong-Whitby District Structure Plan are not compromised.

ATTACHMENTS

- [OCM100.1/03/12](#) LPP 47 Mundijong-Whitby Interim Development (E11/1713)

ALIGNMENT WITH OUR PLAN FOR THE FUTURE

The proposed amendment to LPP 47 is aligned with the Shire's Plan for the Future. The amendment will ensure any single house developments ensure place and community are respected by respecting the locality's architecture and character.

STATUTORY ENVIRONMENT

- TPS 2
- LPP 27 Stakeholder Engagement in Land Use Planning
- LPP 47 Mundijong-Whitby Interim Development

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the proposals outlined within this report.

VOTING REQUIREMENTS

Simple Majority

OCM100/03/12 OFFICER RECOMMENDATION

That Council:

- 1. Amend Local Planning Policy No. 47 – Mundijong-Whitby Interim Development for advertising purposes by deleting “for other than a single house” within Clause 2 – Background and Application.**
- 2. Advertise the amended Local Planning Policy No.47 – Mundijong-Whitby for a period not less than 21 days by way of:**
 - a) A notice being placed in a local newspaper circulating within the district for once a week for two consecutive weeks.**
 - b) A notice being placed in the Shire's Administration Centre.**
 - c) A notice being placed on the Shire's internet website.**
- 3. Note that advertising to community groups, government agencies and landowners is not required at this time as the amendment is administrative in nature and does not alter the material intent, policy objectives, nor functioning of this Policy.**

OCM101/03/12	CONTROL OF WEEDS COUNCIL POLICY E204 (A1048)
Author:	Chris Portlock, Manager Environmental and Sustainability Services
Senior Officers:	Suzette van Aswegen, Director Strategic Community Planning
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

EXECUTIVE SUMMARY

The Control of Weeds Council Policy E204 needs to be consistent with State government policies and therefore needs to be updated from time to time. Complaints are often received with regard to weeds on private property requiring control. Letters are often sent to individual property owners with weed problems drawing their attention to obligations under legislation and guiding them to methods appropriate for the specific weeds being targeted. Council's decision for the endorsement of this updated policy is requested.

The Control of Weeds Policy has gone through numerous Team 28 and Managers meetings and has had numerous submissions resulting in amendments to the document. The document has also been updated to be consistent with State government policies and now provides links to Florabase. The previous policy was not up-to-date with State legislation and did not link adequately with the State government's Florabase. The Control of Weeds Policy is important as private property owners are often seen or reported to have weed infestations and a letter will often be written and sent to offenders drawing attention to property owner obligations under certain legislation including the Council Weeds Policy. In summary, the revised policy is critical to Shire Officers in doing business and needs to be consistent with State government policies and databases.

RELEVANT PREVIOUS DECISIONS OF COUNCIL

Previous Council decisions relating to the review and revision of this policy include:

Reviewed	SM077/06/02	24.06.02	Ordinary Council Meeting
Reviewed	SM057.2/06/03	23.06.03	Ordinary Council Meeting
Reviewed	SM047/05/04	24.05.04	Ordinary Council Meeting

COMMUNITY / STAKEHOLDER CONSULTATION

No formal community consultation was undertaken / required.

REPORT

The Control of Weeds Council Policy E204 needs to be consistent with State government policies and therefore needs to be updated from time to time. State government agencies, including the Department of Environment and Conservation and the Department of Agriculture and Food Western Australia, and Landcare SJ are partners in weed control strategies. Complaints are often received with regard to weeds on private property requiring control. Complaints come into Environmental and Sustainability Services and letters are often sent to individual property owners with weed problems drawing their attention to their obligations under legislation and guiding them to methods appropriate for the specific weeds being targeted. Environmental and Sustainability Services also provide advice on weed control methods in collaboration with Landcare SJ who have a good brochure entitled Weed it Out. This brochure includes pictures of weeds and methods of controlling specific weeds. Council's decision for the endorsement of this updated policy is requested so that when referring to our Council policy in letters we are confident that it reflects the latest State government policies and is consistent with State government databases.

The Control of Weeds Policy has gone through numerous Team 28 and Managers meetings and has had numerous submissions received by staff which have resulted in amendments and improvements to the document. The document has also been updated to be consistent

with State government agencies and now provides links to Florabase which is a State government database updated regularly by the Department of Environment and Conservation.

The previous policy was not up-to-date with State legislation and did not link adequately with the State Government's Florabase.

The Control of Weeds Policy is important as private property owners are often seen or reported to have weed infestations and a letter will often be written and sent to offenders drawing attention to property owner obligations under certain legislation including the Council weeds policy.

Proposal

The proposal is to put in place a new revised Council Policy for Control of Weeds. This is before Council to receive endorsement of this revised policy.

Sub Section

There are no financial implications or risks other than the importance of being up-to-date with our policies which we regularly use.

Options and Implications

The only options are to not update the Council policy or to remove the policy from the list of Council policies.

Conclusion

In conclusion, the revised policy is critical to Shire Officers in doing business and needs to be consistent with State government policies and databases. The Officer's recommendation is that the new revised policy be adopted and that the old policy be rescinded.

ATTACHMENTS

The new Council Policy for Control of Weeds E204 is attached as [OCM101.1/03/12](#) (E12/1040)

ALIGNMENT WITH OUR PLAN FOR THE FUTURE

This proposal is in alignment with the Plan for the Future in maintaining an updated and current list of relevant policies. In the Natural Environment Vision Category and Biodiversity Focus Area, Action 14.21. Control of weeds through raising awareness and drawing attention to landowners of their weed problems is one of the identified mechanisms to arrest the decline of locally occurring species and communities that are declining and under threat at a local, regional and/or national level from weeds.

STATUTORY ENVIRONMENT

Relevant Policies and Documents

- a) *Agricultural and Related Resources Protection Act 1976*
- b) *Local Government Act 1995*

FINANCIAL IMPLICATIONS

There are no financial implications other than that the cost of weed control increases when no action or little action is taken and weeds become an increasing problem. Early identification and control can often mean local eradication, resulting in no further action required. Long term financial implication/s such as whole of life cycle cost implications of decisions can certainly apply in the case of the Shire's natural area assets. Early detection of introduced weeds and early eradication is very cost effective. The life cycle of a natural area can be totally lost or greatly reduced in value where weeds are not controlled. Fires can also result in areas where weeds have not been adequately controlled, also resulting in financial loss.

VOTING REQUIREMENTS Simple Majority

OCM101/03/12 OFFICER RECOMMENDATION

That Council adopts the updated Council Policy Control of Weeds E204 as per attachment [OCM101.1/03/12](#).

OCM102/03/12 RISK MANAGEMENT COUNCIL POLICY G913 (A1048)	
Author:	Chris Portlock, Manager Environmental and Sustainability Services
Senior Officers:	Suzette van Aswegen, Director Strategic Community Planning
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

EXECUTIVE SUMMARY

The Council decision being requested is to endorse the revised Risk Management Council Policy G913. The old Risk Management Policy is not adequate in that it does not include the important risk assessment matrix which takes into consideration likelihood and consequence. A review has taken place with staff and a new revised policy developed which is more in keeping with State government policy documents and Australian standards. It is also important to appreciate the need for a structured approach including a comprehensive risk management plan as well as the broad nature of the types of risks which exist.

With a new revised Risk Management Plan in line with State and other legislative policies and standards, a better foundation will be in place for the development of a Corporate Risk Management Plan.

RELEVANT PREVIOUS DECISIONS OF COUNCIL

Adopted CGAM050/12/08 15/12/08 Ordinary Council Meeting

COMMUNITY / STAKEHOLDER CONSULTATION

No community consultation was undertaken / required.

REPORT

The reason why this new policy is before Council is so that a Council decision can be considered toward endorsement of the new revised Risk Management Council Policy G913. The old Risk Management Policy is not adequate in that it does not include the important risk assessment matrix. A risk assessment matrix always includes consideration of likelihood and consequence.

A review has taken place with staff with the Team 28 meetings and Managers meetings and a new revised policy has been developed with staff input which is more in keeping with State government policy documents and Australian standards. It is also important to appreciate the need for a structured approach with any risk assessment, including stages to the process of risk management, the need for a comprehensive risk management plan which includes its implementation as well as the broad nature of the types of risks which exist.

With a new revised Risk Management Plan in line with State and other legislative policies and standards, a better foundation will be in place. With this better foundation based on greater appreciation and understanding of risks, the risk assessment process and risk matrix will enable the more likely development of a Corporate Risk Management Plan.

Proposal

The proposal is to put in place a revised Council Policy for Risk Management. This is before Council to receive endorsement of the revised policy.

There are no complexities, problems or issues but many possible benefits from this policy. There are financial impacts associated with this proposal and risks associated with not proceeding with this proposal. Some of the risks and financial implications may be direct and others associated with liability.

Options and Implications

The main options are to do nothing and not introduce the new updated policy, modify the text of the new policy or to endorse the new policy as it is.

CONCLUSION

The Officer recommends that the new revised Risk Management Plan be endorsed. The new policy is in line with State and other legislative policies and standards and provides a better foundation for risk management. With this better foundation based on greater appreciation and understanding of risks, the risk assessment process and risk matrix will enable the more likely development of a Corporate Risk Management Plan.

ATTACHMENTS

The new Risk Management Council Policy G913 is attached as [OCM102.1/03/12](#) (E12/1027)

ALIGNMENT WITH OUR PLAN FOR THE FUTURE

The new Risk Management Policy aligns with the Plan for the Future - Our Council at Work - Process Management, Improvement and Innovation Focus Area.

STATUTORY ENVIRONMENT

- Local Government Act 1995
- AS/NZS ISO 31000 Risk Management
- IEC/ISO 31010 Risk assessment techniques
- State Planning Policy “Natural Hazards and Disasters” 3,4
- Planning for Bush Fire Protection Edition May 2010
- Local Planning Policy No.43 Hazards and Natural Disasters
- Local Planning Policy No. 21 Management Plans

FINANCIAL IMPLICATIONS

There are no direct financial implications, however good risk management can result in significant longer term savings.

VOTING REQUIREMENTS Simple Majority

OCM102/03/12 OFFICER RECOMMENDATION

That Council adopts the updated Council Policy Risk Management G913 as per attachment [OCM102.1/03/12](#).

OCM103/03/12	SUMMER COMMUNITY SPORT AND RECREATION FACILITIES FUND SMALL GRANTS APPLICATIONS (A0141-02.)
Author:	Luke Tressler - Community Planning Officer
Senior Officers:	Carole McKee - Manager Community Development Suzette Van Aswegen, Director Strategic Community Planning
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

EXECUTIVE SUMMARY

Two small grant applications have been received for the Department of Sport and Recreation (DSR) Community Sport and Recreation Facilities Fund (CSRFF) Small Grants Summer round which closes on 31 March 2012:

1. Jarrahdale Skate Park Technical design, a Shire application in partnership with the Jarrahdale Community Association which includes a confirmed Locality Funding Program contribution, and
2. Lightweight Motorcycle Club Entrance Construction, a club led application which flags potential (but unconfirmed) funds from the Shire's 2012 Community Funding Program.

Both applications are in line with the theme of the CSRFF and comply with its guidelines.

It is recommended that Council, through its prioritisation process, supports and promotes both of these projects to the DSR with the intention of obtaining funding and seeing these much needed projects completed.

RELEVANT PREVIOUS DECISIONS OF COUNCIL

The Shire had previously applied to the CSRFF program for the Technical Design of the Jarrahdale Skate Park. OCM007/08/11. This was unsuccessful in the October 2011 round due to the fact that funds were not earmarked for the construction phase of the project. Hence the project appeared to suggest uncertainty in terms of implementation. Council is now in a better position to demonstrate the intent to secure funds as options will be presented for Council to consider in the coming months. Further to this, DSR has suggested that what would also add value to our application (if we resubmitted) would be to organise a site tour with the Perth office CSRFF DSR representatives (not just Peel Region) in order to better illustrate the way in which we are working with the community to keep this project moving along, rather than waiting until funds for construction were secured.

COMMUNITY / STAKEHOLDER CONSULTATION

During the site selection phase and the concept design phase of the Jarrahdale Skate Park Project, the Shire undertook extensive community consultation sessions to determine the needs and desires of the Community. This will continue through the next phases of the project.

The Shire has also been liaising with the Light Weight Motorcycle club over a number of years to determine their needs and requirements.

REPORT

Proposal

This item proposes the support and submission to the DSR's CSRFF Summer Small Grants Round. The Guidelines of the grant state that Council must approve and prioritise the projects that are submitted to them prior to them being accepted and approved by the Minister of Sport and Recreation.

Background

The DSR's Community Sport and Recreation Facilities Fund (CSRFF) aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of sustainable, high quality, well-designed and well-utilised facilities.

There are a variety of grants available as part of the program to suit different scales of projects. These are:

- Small Grants, given out bi-annually, with the grant rounds opening in February and July, for projects costing between \$7,500 and \$150,000;
- Annual Grants for projects between \$150,001 and \$500,000 (which is an increase from \$300,000);
- Forward Planning Grants for projects worth \$500,001 or more.

The CSRFF program operates on a reimbursement system. Strict funding conditions apply and applicants need to ensure they are able to carry the full cost of the project for the period between project completion and CSRFF grant payment.

Two submissions have been received for the CSRFF Small Grants Summer round which closes on 31 March 2012:

1. Jarrahdale Skate Park Technical design, a Shire application in partnership with Jarrahdale Community Association which includes a confirmed Locality Funding Program contribution, and
2. Lightweight Motorcycle Club Entrance Construction, a club led application which flags potential (but unconfirmed) funds from the Shire's 2012 Community Funding Program.

Both submissions are in line with the theme of the CSRFF and comply with its guidelines.

It is recommended that Council, through its prioritisation process supports and promotes both of these projects to the DSR with the intention of obtaining funding and seeing these much needed projects completed.

Council has supported the continuation of the Jarrahdale Skate Park Project through funding submissions to the CSRFF on three separate occasions, one of which was unsuccessful. Council has also supported the Light Weight Motorcycle Club's applications to the CSRFF in the past.

Providing funding for the Technical design of the new skate park is a vital step towards providing the young people of Jarrahdale with a quality recreational facility which will increase the health and fitness of our young people. Without funding this project will not happen.

The entrance to the Light Weight Motorcycle Club is continually washed out by the rains and the front gate is also being damaged and so security is becoming an issue. The upgrade of the entrance drive way and the gate will greatly improve the attractiveness of the Club and reduce their maintenance costs which will allow them to spend more of their income on improving their tracks and therefore attract more people to the sport, increasing the health and wellbeing of the community.

Options and Implications

If funding is not granted through the CSRFF alternative means of funding will need to be sought.

Conclusion

Council is requested to support and submit both applications to the DSR’s CSRFF Summer Small Grants round.

ATTACHMENTS

Nil.

ALIGNMENT WITH OUR PLAN FOR THE FUTURE

The CSRFF and both these submissions support the Plan for the Future’s aim of providing improved sporting and recreation facilities with the goal of improving the health and wellbeing of the community.

STATUTORY ENVIRONMENT

Not Applicable

FINANCIAL IMPLICATIONS

The Shire/community contribution for the Jarrahdale Skate Park Project is being provided through confirmed funds from the Shire’s Locality Funding Program Funding. The Light Weight Motorcycle Club application is being supplemented by the Club itself, although they are applying through the Shire’s 2012 Community Funding Program to supplement this.

VOTING REQUIREMENTS Simple Majority

OCM103/03/12 OFFICER RECOMMENDATION

That Council:

1. **Acknowledges that two applications for Community Sport and Recreation Facilities Fund (CSRFF) for Small Grants Summer Round 2012 were received.**
2. **Endorses the two applications received as follows:**

Project	Estimated Project Cost	CSRFF Amount	Applicant Contribution	Other funding sources	Level of Support	Priority
Jarrahdale Skate Park Technical Design	\$14,212	\$4,737	\$9,475		High (well planned & needed by municipality)	1st
Light Weight Motorcycle Club Entrance	\$18,574	\$6,191	\$10,883	\$1,500	High (well planned & needed by municipality)	2nd

OCM104/03/12 MONTHLY FINANCIAL REPORT – FEBRUARY 2012 (A2092)	
Author:	Kelli Hayward – Financial Accountant
Senior Officers:	Casey Mihovilovich – Executive Manager Finance Alan Hart – Director Corporate Services
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act if no interest OR state your interest

RELEVANT PREVIOUS DECISIONS OF COUNCIL

There is no previous Council decision relating to this application/issue.

COMMUNITY / STAKEHOLDER CONSULTATION

No community consultation was undertaken / required.

REPORT

Council adopted the 2011/12 Budget at the Ordinary Council Meeting held on 27 June 2011. The figures provided in this report are compared to the year-to-date budget.

The period of review is February 2012. The municipal surplus for this period is \$7,454,241 compared to a budget position of \$3,835,232. This is considered a satisfactory result for the Shire for this period.

Income for the February 2012 period, year-to-date is \$18,887,060. The budget estimated \$20,857,034 would be received for the same period. The variance to budget is (\$1,969,974).

This variance is made up of the Operating Income which has a variance of (\$153,414); details of all significant variances are provided in the detailed business unit reports, and Capital Income which has a variance of (\$1,816,560). The Capital contributions, grants and subsidies budget has been spread equally over 12 months, and all funds are expected to be received prior to 30 June 2012.

The following graph illustrates actual income to-date compared to the year-to-date budget.

Expenditure for the February 2012 period, year-to-date is \$14,796,713. The budget estimated \$20,038,836 would be spent for the same period. The variance to budget is \$5,242,123.

Currently all major capital project costs have been spread equally over 12 months. Many projects are yet to commence, however funds are expected to be spent prior to 30 June 2012. Details of all other significant variances are provided in the detailed business unit reports.

The following graph illustrates actual expenditure to-date compared to the year-to-date budget.

ATTACHMENTS

Monthly Financial Report is with attachment [OCM104.1/03/11](#) (TRIM E12/1336)

ALIGNMENT WITH OUR PLAN FOR THE FUTURE

This report is a tool for evaluating performance against recognized standards and best practice and meets the needs of the community, elected members, management and staff. It helps the Shire to exercise responsible financial and asset management cognizant of being a hyper-growth council in line with the Plan for the Future.

STATUTORY ENVIRONMENT

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial statement for the preceding year and other financial reports as are prescribed.

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 as amended requires the local government to prepare monthly financial statements and report on actual performance against what was set out in the annual budget.

FINANCIAL IMPLICATIONS

There are no financial implications relating to the preparation of the report. Any material variances that may have an impact on the outcome of the annual budget are detailed in this report.

VOTING REQUIREMENTS Simple Majority

OCM104/03/12 OFFICER RECOMMENDATION

That Council receives the Monthly Financial Report for February 2012, in accordance with Section 6.4 of the Local Government Act 1995.

OCM105/03/12 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)	
Author:	Erin Noble - Finance Officer
Senior Officers:	Alan Hart - Director Corporate Services
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

EXECUTIVE SUMMARY

The Local Government (Financial Management) Regulations 1996 requires the local government to prepare a list of accounts paid by the Chief Executive Officer each month.

RELEVANT PREVIOUS DECISIONS OF COUNCIL

There is no previous Council decision relating to this application/issue.

COMMUNITY / STAKEHOLDER CONSULTATION

No community consultation was undertaken / required.

REPORT

Proposal

In accordance with the Local Government (Financial Management) Regulations 1996 13(1) Schedules of all payments made through the Council's Bank Accounts are presented to the Committee and to Council for their inspection. The list includes details for each account paid incorporating:

- a) Payees name
- b) The amount of the payment
- c) The date of the payment
- d) Sufficient information to identify the transaction

Invoices supporting all payments are available for the inspection of the Committee and Council. All invoices and vouchers presented to the Committee and to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and that the amounts shown were due for payment, is attached and relevant invoices are available for inspection.

Conclusion

It is recommended that Council receives the payments authorised under delegated authority and detailed in the list of invoices for period of 21 January 2012 to 20 February 2012, as per attachment Creditor List of Accounts 21 January 2012 to 20 February 2012 including Creditors that have been paid and in accordance with the Local Government (Financial Management) Regulations 1996.

ATTACHMENTS

A copy of the vouchers numbered Chq 42091 – Chq 42184 and EFT 25809 - 26061 totalling \$1,020,259.92 for the period of 21 January 2012 to 20 February 2012 is included with the attachments and marked [OCM105.1/03/12](#) Creditor List of Accounts 21 January 2012 to 20 February 2012.

ALIGNMENT WITH OUR PLAN FOR THE FUTURE

Council's PFTF has placed an emphasis on exercising responsible financial management.

STATUTORY ENVIRONMENT

Section 5.42 and 5.45(2) of the Local Government Act 1995 states that the local government may delegate some of its powers to the CEO. Council have granted the CEO Delegated Authority CG07 – Payments from Municipal and Trust Fund.

Regulation 13 of the Local Government (Financial Management) Regulations 1996 as amended requires the local government to prepare a list of accounts paid by the CEO each month, showing.

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

FINANCIAL IMPLICATIONS

All payments that have been made are in accordance with the purchasing policy and within the approved budget, and where applicable budget amendments, that have been adopted by Council.

VOTING REQUIREMENTS Simple Majority (5)

OCM105/03/12 OFFICER RECOMMENDATION

That Council receives the payments authorised under delegated authority and detailed in the list of invoices for period of 21 January 2012 to 20 February 2012, as per attachment Creditor List of Accounts 21 January 2012 to 20 February 2012 including Creditors that have been paid and in accordance with the Local Government (Financial Management) Regulations 1996.

OCM106/03/12	CONFIDENTIAL ITEM CONSIDERATION OF AN APPROPRIATE MILESTONE FOR THE COLLECTION OF COMMUNITY CONTRIBUTION COSTS (FILE REF A1862)
Author:	L Man – Senior Planner S Wilkes – Executive Manager Planning
Senior Officers:	B Gleeson – Director Development Services
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

OCM106/03/12 OFFICER RECOMMENDATION

Moved Cr , seconded Cr , Cr and Cr

That Council consider rescinding Part 5 of motion OCM058/12/11

Moved Cr , seconded Cr , Cr and Cr

That Council rescind Part 5 of motion OCM058/12/11

Moved Cr , seconded Cr

That Council acknowledge that there is fixed point for a planning proposal to become seriously entertained and that based on the information currently available, an appropriate milestone for the collection of contributions toward community infrastructure should be the commencement of formal advertising of the Byford Community Infrastructure Development Contribution Plan Report and associated Town Planning Scheme Amendment, post review by the Environmental Protection Authority and the Western Australian Planning Commission.

OCM107/03/12 CONFIDENTIAL ITEM REQUEST FOR EXTENSION OF PLANNING APPROVAL AND CONSIDERATION OF DEED OF AGREEMENT FOR PROPOSED STAGING OF APPROVED FAST FOOD/TAKEAWAY SHOP, OFFICE AND SHOP DEVELOPMENT – LOT 101 (#1) BEENYUP ROAD, BYFORD (P05238/02)	
Author:	Michael Daymond – Senior Planner
Senior Officers:	Simon Wilkes – Executive Manager Planning Brad Gleeson – Director Development Services
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

OCM107/03/12 OFFICER RECOMMENDATION

- A. That Council agrees to enter into the deed of agreement with Nile Enterprises Pty Ltd as provided at **CONFIDENTIAL** attachment *OCM107.3/03/12* to satisfy condition 1 of the Planning Approval dated 3 March 2011 for the proposed Fast Food/Takeaway Shop, Office and Shop on Lot 101 (1) Beenyup Road, Byford and authorises the signing of the deed of agreement by the Chief Executive Officer and Shire President.
- B. That Council extends the term of the approval granted for the proposed Fast Food/Takeaway Shop, Office and Shop on Lot 101 (1) Beenyup Road, Byford for a period of 12 months, expiring on 3 March 2014.
- C. That the State Administrative Tribunal and those persons who lodged a submission during the comment period be advised of Council’s decision.

10. INFORMATION REPORTS:

OCM108/03/12	CHIEF EXECUTIVE OFFICER INFORMATION REPORT
Author:	Trish Kursar - Personal Assistant to the Chief Executive Officer
Senior Officers:	Joanne Abbiss - Chief Executive Officer
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

The purpose of this report and associated attachments is to provide information to Councillors relating to recent activity regarding operational matters that need to be reported to Council either through a statutory mechanism or as information. The following details are provided to Councillors for information only.

ATTACHMENTS

- Common Seal Register Report for the month of February [OCM108.1/03/12](#) (E02/5614).
- Policy Forum Agenda February 2012 [OCM108.2/03/12](#) (E11/6843)
- Agenda of the Western Australian Local Government Association (WALGA) South East Metropolitan Zone Meeting for 29 February 2012 [OCM108.3/03/12](#) (IN12/2640)
- Agenda of the Western Australian Local Government Association (WALGA) Peel Zone Meeting for 2 March 2012 [OCM108.4/03/12](#) (IN12/)
- Agenda of the Western Australian Local Government Association (WALGA) State Council Special Meeting for 6 March 2012 [OCM108.5/03/12](#) (IN12/2272)

VOTING REQUIREMENTS Simple Majority

OCM108/03/12 OFFICER RECOMMENDATION

That Council:

1. **Accept the Chief Executive Officer Information Report to 29 February 2012.**

OCM109/03/12	DEVELOPMENT SERVICES INFORMATION REPORT
Author:	Various
Senior Officers:	Jason Robertson – Manager Building Services Tony Turner – Manager Health, Rangers and Compliance Simon Wilkes – Executive Manager Planning Brad Gleeson – Director Development Services
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.

The purpose of this report and associated attachments is to provide information to Councillors relating to recent activity regarding operational matters that need to be reported to Council either through a statutory mechanism or as information. The following details are provided to Councillors for information only.

ATTACHMENTS

- Building - Delegated Authority [OCM109.1-03-12](#)
- Health, Rangers and Development Compliance - Delegated Authority [OCM109.2-03-12](#)
- Planning - Delegated Authority [OCM109.3-03-12](#)
- Statutory Planning Report tabling Scheme Amendments, Local Planning Policies and Local Structure Plans [OCM109.4-03-12](#)

VOTING REQUIREMENTS Simple Majority

OCM109/03/12 OFFICER RECOMMENDATION

That Council accept the Development Services Information Report.

OCM110/03/12	STRATEGIC COMMUNITY PLANNING INFORMATION REPORT
Author:	Various
Senior Officers:	Deon van der Linde – Executive Manager Strategic Planning Chris Portlock – Manager Environmental and Sustainability Services Carole McKee – Manager Community Development Suzette van Aswegen – Director Strategic Community Planning
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.

The purpose of this report and associated attachments is to provide information to Councillors relating to recent activity regarding operational matters that need to be reported to Council either through a statutory mechanism or as information. The following details are provided to Councillors for information only.

ATTACHMENTS

- Strategic Community Planning Activity Reports [OCM110.1/03/12](#)

VOTING REQUIREMENTS Simple Majority

OCM110/03/12 OFFICER RECOMMENDATION

That Council:

1. **Accept the Strategic Community Planning Information Report as per attachment [OCM110.1/03/12](#) for February 2012.**

OCM111/03/12	ENGINEERING SERVICES INFORMATION REPORT
Author:	Various
Senior Officers:	Craig Wansbrough – Project Manager (Water Sensitive Urban Design) Strini Govender – Manager Infrastructure and Design Frank Strever – Manager Operations and Parks Dave Gossage – Manager Emergency Services Richard Gorbunow - Director Engineering
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.

The purpose of this report and associated attachments is to provide information to Councillors relating to recent activity regarding operational matters that need to be reported to Council either through a statutory mechanism or as information. The following details are provided to Councillors for information only.

ATTACHMENTS

- Engineering Services Activity Reports [OCM111.1-03-12](#)

VOTING REQUIREMENTS Simple Majority

OCM111/03/12 OFFICER RECOMMENDATION

That Council:

1. **Accept the Engineering Services Information Report for February 2012.**

OCM112/03/12 CORPORATE SERVICES INFORMATION REPORT	
Author:	Various
Senior Officers:	Alan Hart - Director Corporate Services
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act

DELEGATED AUTHORITY (A0039-02)

23/01/2012	AF-8	Payroll (P Sutton – payroll 20/01/12)	954.09	CM & AH
23/01/2012	AF-8	Payment of EFT25809	422.00	CM & AH
24/01/2012	AF-8	Payment of EFT25810 to EFT25811	28,938.08	CM & AH
25/01/2012	AF-8	Payment of EFT25812 to EFT25860	107,969.32	CM & AH
25/01/2012	AF-8	Payment of Cheque 42091 to 42129	21,178.47	CM & AH
01/02/2012	AF-8	Payment of EFT25861	794.01	CM & AH
02/02/2012	AF-8	Payroll	215772.37	CM & AH
02/02/2012	AF-8	Payment of EFT25862	75.90	CM & AH
02/02/2012	AF-8	Payment of Cheque 42131 to 42148	28,414.20	CM & AH
02/02/2012	AF-8	Payment of EFT25863 to EFT25927	205,411.62	CM & AH
09/02/2012	AF-8	Payment of EFT25928 to EFT25979	166,765.22	CM & AH
09/02/2012	AF-8	Payment of EFT25980 to EFT25981	6747.50	CM & AH
09/02/2012	AF-8	Payment of Cheque 42149 to 42176	27,178.31	CM & AH
09/02/2012	AF-8	Payment of Cheque 42177	270.00	CM & AH
14/02/2012	AF-8	Payment of EFT25982	159.22	AH & BG
16/02/2012	AF-8	Payroll	224,572.24	BG & AH
16/02/2012	AF-8	Payment of EFT25983 to EFT26059	408,880.30	BG & AH
16/02/2012	AF-8	Payment of Cheque 42178 to 42184	17,972.45	BG & AH
20/02/2012	AF-8	Payment of EFT26060	50.00	CM & AH

VOTING REQUIREMENTS

Simple Majority (5)

OCM112/03/12 OFFICER RECOMMENDED RESOLUTION

That Council receive the Corporate Services Information Report for February 2012.

11. URGENT BUSINESS:**12. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:****13. CLOSURE:**