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**Minutes of the Ordinary Council Meeting held in the Council Chambers, 6 Paterson Street, Mundijong on Monday, 9 September 2013. The Shire President declared the meeting open at 7.04pm and welcomed Councillors, staff and members of the gallery.**

## **1. Attendances and Apologies (including Leave of Absence):**

### **In Attendance:**

**COUNCILLORS:** B Moore .....Presiding Member  
G Wilson  
D Atwell  
J Kirkpatrick  
S Piipponen  
B Urban

**OFFICERS:** Mr R Gorbunow.....Chief Executive Officer  
Mr A Hart .....Director Corporate and Community  
Mr B Gleeson ..... Director Planning  
Ms Linda Jones..... Personal Assistant to Chief Executive Officer

**APOLOGY:** Mr G Allan ..... Director Engineering

**OBSERVERS:** Nil

Members of the Public - 16  
Members of the Press - 1

## **2. Response to previous public questions taken on notice:**

Colleen Rankin, 33 South Crescent, Byford

In considering amalgamation with the City of Armadale I believe that it does not make economic sense to amalgamate Armadale, one of the fastest growing local governments in Australia with a low rate base, struggling to provide infrastructure and community services to its ratepayers, to the SJ Shire the fastest growing with a very low rate base and very little infrastructure and community services.

The Mayor of the City told the Examiner newspaper recently *“that Armadale would not be prepared to jeopardise its projects upon merging with the SJ Shire. We have a project program that we want to affect including a new civic building that will house a couple of hundred of our staff including a government department. The strategic focus of this new merged Council will be focused on the Armadale strategic centre”*.

My question is, does the SJ Shire Council know what debt the City of Armadale is currently carrying and its projection into the future?

*Response:*

As at 1 July 2013, the level of debt the City of Armadale is carrying is \$18.96 million.

A formal written response has been forwarded to Ms Rankin.

Michelle Rich, 155 Firns Road, Serpentine

In regards to the local government reforms proposed by the state government:

1. Is our Council in favor of amalgamation with the City of Armadale?
2. Is our Council in favor of amalgamation with the Shire of Murray?

*Response:*

The Shire President responded that this matter is on the agenda for tonight's meeting under Urgent Business, when it is expected that Council will reiterate its previous two resolutions with clear reasons why this Council is totally opposed to amalgamation.

A formal written response has been forwarded to Ms Rich.

Jackie Dines, SJ for Peel Committee, 34 Jarrahglen Rise, Jarrahdale

My question tonight is in regards to the report on the SJ website regarding the engagement of a consultant and I quote....

*"We are however continuing our open minded approach to the process, and we are working with the City of Armadale to co-fund the appointment of a consultant to investigate the feasibility of the amalgamation recommendation from the State Government, Cr Moore said."*

- Can the President tell us – does the 'consultant' appointed by the SJ Shire and the City of Armadale have any connection to the State Government amalgamation process or – is recommended by any State Government department?
- Could the President also tell us – what are the terms of reference for this consultant?
- When were they engaged?

*Response:*

The Director Corporate and Community advised that the consultant is an independent, ex-local government person who knows the industry very well and has undertaken consultancy work for both the Shire of Serpentine Jarrahdale and City of Armadale. Essentially the brief is to look at the impacts on both local governments including potential increase in rates, financial viability, governance issues and how all of that would fit into the proposed organisation over the next ten years. The level of detail required is very high because the State Government has given us only two weeks to prepare a report to both Councils and then to the Local Government Advisory Board by the deadline of 4 October 2013.

The Shire President added that the social impact on the community and its resources, such as the Peel Harvey Estuary, also needs to be taken into account.

A formal written response has been forwarded to Ms Dines.

### 3. Public question time:

Public Question/Statement Time commenced at 7.05pm.

David Houseman, 17 Clifton Street, Byford

I have called the Planning Department and forwarded emails seeking information regarding progress in naming of the laneways in Byford. I first called and emailed the department in July and I have not had a response. I am frustrated by this inaction.

The Shire stated the naming process was a priority and would be completed by the end of the last financial year.

1. What progress has been made?
2. Why has the department not responded?

*Response:*

The Director Planning apologised to Mr Houseman and undertook to ensure that he is provided with an update immediately in relation to timeline and ownership of that particular section.

The Director advised that the Shire did engage a consultant in the last financial year to research the history and outline practical options for the Shire in dealing with laneways (rights of way) within Byford. This is a very complex process and the Shire is currently in discussion with the State Department of Lands with respect to transferring laneways still in private ownership to Crown land.

The Shire President requested that feedback is provided to Mr Houseman as a matter of priority and a full briefing on this matter provided to the Councillor Information Day in October 2013.

Margaret Cala, SJ for PEEL Committee, 49 Phillips Road, Karrakup

The Examiner 29 August 2013 in their front page article 'Merger Motions Differ' reported that the City of Armadale has resolved in a confidential item at their last meeting to make a submission to the Local Government Advisory Board foreshadowing the southern part of Serpentine Jarrahdale by ceded to the Shire of Murray.

The same article also made reference to a resolution that the CEO Mr Ray Tame would make an application for grant funding from the Department of Local Government and Communities to fund the submission, set up an implementation committee and fund preliminary planning.

The article went on to say that Mayor Henry Zelones would initiate discussions with the Department and Shire as a sign of good faith and good governance by the City in its approach to reform.

1. In light of the above, has the Council considered the implications these actions and mindset may have already had on the impartiality of the joint study being conducted by the Shire of Serpentine Jarrahdale and City of Armadale on the positives and negatives of amalgamation? Hasn't the City of Armadale in fact pre-empted the outcome of this study and denied any good faith there may have been at the outset? Are the ratepayers of Serpentine Jarrahdale contributing to this now tarnished study?

2. Given the above, will the Shire now either discontinue this submission or request an extension in order to clarify Armadale's apparently hostile attitude?

*Response:*

The Shire President advised that the consultant's preliminary report is due this week and that the consultant is independent, highly renowned and respected in the local government industry. Upon receipt of the consultant's report officers will be a position to formulate an in-depth report to the Ordinary Council Meeting on 23 September 2013. It is acknowledged that the City of Armadale and Shire of Serpentine Jarrahdale may go our separate ways in submissions to the Local Government Advisory Board because of our totally different views.

The Chief Executive Officer added that he and the Directors are currently undertaking research and preparation for what will be a very detailed report to Council on 23 September and submission to the Local Government Advisory Board by 4 October 2013.

Peter Hector, 39 Randell Road, Mundijong

I have a letter from the Minister for Transport and Treasurer saying there is no funding and no intention to change the alignment of the rail line so why has the Shire changed the Rural Strategy Review Plan?

*Response:*

The Director Planning advised that the Officer Recommendation before Council tonight is for the purpose of advertising the Strategy for public consultation. It is acknowledged that not all issues may be dealt with in the draft document but that it provides a clear direction and guidance for future proposals.

The Shire President acknowledged that although there is no government funding currently available for realignment of the rail line, the situation could very well be different in five years time.

#### **4. Public statement time:**

Ross Underwood, Planning Solutions, PO Box 8701, Perth

I understand a considerable amount of time and resources has gone into preparing the Rural Land Strategy. I am here today to discuss a simple matter, which adds to this substantial body of work. I am representing Nino Gangemi, whose land is on the corner of Mundijong Road and Kargotich Road, opposite the proposed West Mundijong Industrial Area. I am here to recognise the practical planning considerations which we think should be taken into account.

Our client's land is well-located. It is adjacent to the West Mundijong Industrial Area which will become a significant employment generator and a short distance to Mundijong town centre. It is also largely unaffected by flooding and is well suited to being developed for a higher and better use. Retaining the land as 40ha farming lots is simply not viable. This is recognised by the Shire's officers who have advised farming lots need to be at least 100ha to be viable. Our client's land is suited for rural living A and B. It provides for such lots in a highly accessible location, with the benefit of being close to employment sources.

We ask that our client's land, east of the drain through the property, be identified as Rural Living A and B.

The land adjacent to Kargotich Road could be better used in synergy with the West Mundijong Industrial Area for light industrial uses, to complement the uses proposed within the industrial area directly opposite. Light industrial uses also provide a good buffer between the industrial area and the rural lots to the west.

We ask that our client's land, west of the drain through the property, be identified as Rural Living A and B.

I ask for these two simple requests to be incorporated into the Rural Land Strategy tonight. It is important to get things like this right from the start, and I ask the Council resolve to start with a responsible and practical planning outcome, by incorporating these changes into the RLS.

I have prepared an alternative motion for the Council's consideration, and would be pleased to answer any questions.

*Response:*

The Shire President advised that Council is unable to enter into debate on an item that is on the agenda for tonight's Council meeting. Mr Underwood was permitted to table a copy of a proposed alternate motion for Councillors' information.

Keith Whibley, Byford Glades Residents Association Inc, PO Box 51, Byford

We would like to inform you that at the Masters Hardware sausage sizzle last Saturday we raised over \$1100 towards the play equipment in Percy Park, Mead Street. We have now raised a total in eight weeks over \$2000.

Could Council please speed up the planning application, or give us approval, as we have been told that what we are doing is illegal and people have tried to sabotage our event on Saturday.

We would like to inform Council that there is another Glades Association in progress, developer driven, to work in direct discord and discrimination with our association.

How many associations do we need in the same area of Byford doing the same thing?

Could you please discuss this tonight at urgent business.

*Response:*

The Shire President congratulated the Byford Glades Residents Association Inc on raising this amount of money and advised Mr Whibley that it is highly unlikely that this matter will be discussed under urgent business. The statement will be looked at closely and Mr Whibley contacted as soon as possible.

Public Question/Statement Time concluded at 7.26pm.

## **5. Petitions and deputations:**

Petitions and deputations commenced at 7.27pm.

Joe Algeri, Algeri Planning and Appeals

Mr Algeri provided a verbal presentation relating to Item OCM034/09/13 – Local Planning Policy No 69 Doley Road Precinct Planning Framework, as follows:

The purpose of this deputation is to simply support the officer recommendation for the proposed amendment to Local Planning policy No 69 – Doley Road Precinct, to ultimately be adopted by the Council.

Given that I have no difficulties with the content of the report, my deputation needs only to be very brief.

I note that the policy amendment has now been properly advertised in accordance with scheme requirements and that a significant majority of landowners within the precinct are supportive of the policy change. I remind you that the whole reason this policy came about in the first instance was to facilitate local structure planning in an area where it is inherently difficult given the large number of small land holdings. At the time I had extensive liaison with Simon Wilkes who authored the original policy and this small boundary change will bring to life the very reason the policy was created; so that structure planning can now be undertaken in a coordinated and orderly way.

I remind Council that this is still a very early stage of the planning process and there is still an extensive amount of investigations and subsequent proposals that need to be put forward before we even get close to the resultant development being able to occur. At various points in those processes there will be further opportunity for landowners, affected stakeholders and the broader community to make comment.

I really don't need to waste any of your time stating anything more. I thank you for allowing me to speak and I simply ask that you endorse the officer recommendation. Thank you.

Petitions and deputations concluded at 7.30pm.

## 6. President's report:

This past two weeks has seen a number of significant changes in the Shire of Serpentine Jarrahdale. Council met with the Premier of the State Government, the Hon Colin Barnett and Local MLA Hon Tony Simpson, Minister for Local Government and Communities. The meeting was instigated by our Local Member and we thank him for having the Premier visit us for his first time.

The Premier and Minister listened intently to a pro 'No Amalgamation' stance and answered questions from Councillors as well as asking questions of their own. The meeting was felt by all to be productive and will be followed up by Councils submission to the Local Government Advisory Board by 4 October 2013. The meeting gave Council the opportunity to showcase our community and put forward the five projects Council wishes to put at the forefront of State and Federal Government funding, namely:

- Tonkin Highway through to Southwest Highway south of Mundijong Road;
- Sporting Precinct area in Whitby;
- Jarrahdale Heritage Park development;
- Whitby Falls University Project; and
- West Mundijong Industrial Precinct including rail realignment link.

These projects have 'in principal' support and Council needs to continually push these at State and Federal priorities.

On the weekend we saw the re-election of our Federal Member Don Randall and congratulate him and the Federal Liberal Party on their election and look forward to Mr Randall championing our community needs. There is no doubt both State and Federal funds will be limited in the foreseeable future but we expect both our State

and Federal Members, realising we have the fastest growth in Australia, to make sure our five priorities are at the forefront of any forward projection funding.

You will see T-shirts worn around the community by various community representatives as well as bumper stickers on the back of cars which make the general community more aware of Council's and the community's desire to maintain our unique locality and environment. I encourage you to get on board and lobby the State Government in a concerted but convivial way to ultimately save SJ!

## **7. Declaration of Councillors and officers interest:**

Cr Atwell has declared an interest 'by close association' in Item OCM032/09/13 – Sport and Recreation Precinct Draft Feasibility Study, in that he is Chairman of the Serpentine Jarrahdale Community Sporting and Recreation Group.

## **8. Receipt of minutes or reports and consideration for recommendations:**

### **8.1 Ordinary Council Meeting – 26 August 2013**

**Moved Cr Urban, seconded Cr Wilson**

**That the minutes of the Ordinary Council Meeting held on 26 August 2013 be confirmed (E13/3488).**

**CARRIED 6/0**



## 9. Motions of which notice has been given:

<b>OCM032/09/13</b>	<b>Sport and Recreation Precinct Draft Feasibility Study (SJ1364-02)</b>
Author:	Deon van der Linde – Manager Strategic Planning
Senior Officer:	Brad Gleeson – Director Planning
Date of Report:	7 August 2013
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 <i>Local Government Act</i>

Cr Atwell has declared an interest 'by close association' in Item OCM032/09/13 – Sport and Recreation Precinct Draft Feasibility Study, in that he is Chairman of the Serpentine Jarrahdale Community Sporting and Recreation Group. This declaration of interest will not affect the way Cr Atwell votes on the item.

### Introduction

The purpose of this report is to provide Council with the outcomes of a feasibility study that was undertaken in relation to providing a Regional Recreation and Sporting Precinct within the Shire. Council is requested to receive and endorse the Serpentine Jarrahdale Sport and Recreation Precinct Feasibility Study. Council is also requested to endorse further measures to acquire the preferred land and consider budgets for more detailed design and seed funding to match any possible grants.

### Background:

The community has established the Serpentine Jarrahdale Community Recreation and Sports Group Inc (SJCRSG). A Preliminary Feasibility Study for Proposed Community Sporting and Recreational Precinct 2011 (PFS), and a number of Shire planning documents, including the Community Facilities and Services Plan (CFSP), have identified a number of facilities which need to be created in order for the sporting and community groups to function adequately.

SJCRSG was founded in 2010 by a wide range of sporting and recreational groups, many of whom are already experiencing significant growth in membership without adequate facilities to accommodate for current or future needs. They came together to progress the planning (and urgent land acquisition) for a centrally located multipurpose sporting precinct in the Shire. SJCRSG independently raised funds and undertook a pre-feasibility study to present to Council, seeking 'in principle' support.

This report (PFS) was received by Council and, having identified that further research was required in order to determine the feasibility of the group's proposal, Council resolved to allocate funds to undertake a revised feasibility study including an assessment of alternative sites. Council also resolved to provide a letter of 'in principle' support for the SJCRSG to develop a business plan with a view to building a major community and sports precinct within the Shire.

The Sport and Recreation Precinct Draft Feasibility Study (SRPDFS) seeks to fully address these business plan elements, assessed alternative sites and how the Sport and Recreation Precinct addresses the needs and facilities listed in the CFSP in the context of the Shire's and Club's relative projected growth rate. The SRPDFS study proposes an independent centrally based multipurpose model, but with similar types and quantities of facility provision to the CFSP (which considers shared use options with schools).

The study determines the most appropriate location(s) and combination of facilities to be developed to best service the rapidly growing Shire population.

**Relevant Previous Decisions of Council:**

- OCM130/01/13 - Support for the SJCRSG - Multi Purpose Sporting and Recreation Precinct. Council indicated support for efforts to provide a multipurpose sporting and recreation precinct within the Shire. It identified a preferred site, being various parcels of State Government owned land in the Mundijong Whitby urban cell. It also states that, subject to the findings of the feasibility study, the Shire will request the State Government to transfer the land to the Shire to enable the construction of a multipurpose sporting and recreation precinct on this land.

**Community / Stakeholder Consultation:**

A working group consisting of elected members, Shire officers and members of the SJCRSG have been guiding the process of drafting the SRPDFS.

The Department of Sport and Recreation, Department of Planning, Department of Housing, Department of Health and the Department of Lands are all aware of the initiative. Discussions with these departments has commenced in relation to the possibility of transferring the land required to construct this facility.

The Department of Sport and Recreation has been involved in the majority of working group meetings in this regard. Section 15.1 appendices also shows the outcomes of a successful online questionnaire run by the consultants that included more than 200 responses from a diverse range of interested community members.

**Comment:**

The SRPDFS assesses a number of key aspects of the current and future situation regarding sport and recreation in the Shire. It also provides a concept Masterplan for a Sport and Recreation precinct in Mundijong.

The stated purpose of the study that the consultants prepared is to assess the sustainability of the proposal and make recommendations in terms of:

- A more detailed analysis of the current and future facility needs of the different sporting codes against current and imminently planned facilities' capacities to support the expected growth in population and sporting participation.
- The impact that any staged introduction of new facilities may have on existing facilities and service providers.
- Determining the possible location(s) for sporting precincts with recommendation on a preferred location.
- Determining the most sustainable delivery and management model.
- Investigate and recommend sustainable commercial enterprises that complement the facility to provide an income stream to assist in running the facility.
- Forecast utilisation patterns.
- Intended fees and changes for use.
- Operating income and expenditure.
- How the proposal addresses or provides alternatives for the Shire's CFSP, District Structure Plans and policy framework.

The report assesses these aspects under the following headings:

1. Strategic Justification – Background to the study, the scope of the study, the methodology and the State and Local Government legislation and policies pertaining to the study.
2. Organisational Philosophy – The Shire and Sporting Group vision is summarised in this section.
3. Demand Drivers and Projections – A demographic analysis, community consultation, various trends regarding sport, recreation and open space is presented.
4. Gap Analysis and Community Consultation – Audit of the Shire facilities, commercial facilities and investment proposal.
5. Facility Location Options – An overview of the proposed site and alternatives that have been considered.
6. Concept Design / Masterplan – Adequacy of the current provision of facilities in the Shire, the shortfall, proposed facilities in Mundijong with the rationale behind the need. The spatial layout of the sporting precinct and staging of the proposed facility is also considered.
7. Financial Considerations – The financial aspects of the implementation of the concept Masterplan both in terms of capital and operationally are evaluated.
8. Management Considerations – The options regarding how the precinct may be managed are provided.
9. Risk Assessment – The risks in the process are identified and possible mitigation measures discussed.
10. Sustainability – A summary of actions to ensure that the facility is sustainable is discussed.
11. Implementation – An implementation plan is proposed.
12. Funding Opportunities – Various funding opportunities are discussed.
13. Club Survey Findings Report – The outcomes of a survey of the general public regarding sport and recreation in the Shire.

The report identifies a preferred site to locate the facilities and also provides a Masterplan for the site. Furthermore the report provides the framework for the management of the risks and the facility itself that will allow the governance issues to be addressed when the funding becomes available.

#### Options and Implications

Council has the following options:

Option 1: Receive and endorse the SRPDFS, continue to negotiate to acquire the preferred land and provide funding for detailed studies and to match possible grants.

Option 2: Make modifications to and/or further recommendations regarding the SRPDFS and request it to be resubmitted to Council in the near future.

Option 1 is recommended.

#### **Conclusion**

The consultant has completed the SRPDFS. The outcome of the feasibility study provides a Masterplan for the preferred site that will form the basis for further detailed design work but also provides the evidence required to negotiate with the relevant State agencies regarding the acquisition of the site. The study also provides a detailed analysis of the demand drivers and projections and community support for the precinct and also shows how the Sporting and Recreation Precinct will alleviate the gap in existing facilities now and into the future. Council can now pursue the commencement of implementation of the Serpentine Jarrahdale Sport and Recreation Precinct.

**Attachments:**

- [OCM032.1/09/13](#) – SRPDFS (IN13/14816)

**Alignment with our Strategic Community Plan:**

Objective 3.2	Appropriate Connecting Infrastructure
	Complete feasibility work for, and begin development on a multi-purpose Regional Sports Facility

**Statutory Environment:**

Metropolitan Region Scheme  
Town Planning Scheme No 2  
*Land Act*

**Financial Implications:**

The financial aspects that Council will need to consider are provided in the SRPDFS (section 7 Financial Considerations and section 12 Funding Opportunities).

The capital cost to complete the facility is estimated at around \$85 million. This does not include the costs to acquire the land as an assumption was made that the land would be provided at no cost to the Shire by the State Government.

Operational and maintenance costs will vary depending on the final mix of activities. An estimated yearly cost for maintenance is included in the report.

Possible sources of revenue to cover the initial capital costs are discussed in the report (section 12) and the models to recoup operational expenses are considered in section 7.2.1 under revenue opportunities.

The report also shows a staged approach to the facility that allows the financial burden to be spread over a number of years. Although the overall costs will be higher than if the precinct was developed all at the same time, the staging process will be a more practical approach to the implementation of the project.

The capital costs and operational costs will have a significant impact on Council. Alternative sources of revenue to construct the facility will need to be found whether through private enterprise or State Government grants and loans. Initially at least Council will also be required to carry the operational costs and maintenance costs of the facility.

**Voting Requirements:** Simple Majority

**Officer Recommendation:**

Moved Cr Wilson, seconded Cr Kirkpatrick  
That Council:

1. Receive and endorse the Sport and Recreation Precinct Draft Feasibility Study as at OCM032.1/09/13.

2. Continue lobbying on a political level and with State Government agencies to acquire the land required for the Sport and Recreation Facility at no cost to Council.
3. Prepare consultation sessions with the sporting groups in the Shire, both affiliated and not affiliated with the Serpentine Jarrahdale Community Recreation and Sports Group and the general community regarding the feasibility study and the implementation of the Sporting and Recreation precinct.
4. Consider providing the necessary budget for the schematic design and detailed design of the Serpentine Jarrahdale Sport and Recreation Precinct in the 2014/15 budget.
5. Consider providing further funding in the 2014/15 budget that can be used as seed funding to match any possible grants received to enable the staging as per OCM032.2/09/13.
6. Submit grant applications to relevant funding bodies when and where these funding opportunities become available to facilitate the project.

**Amendment:**

Cr Urban gave notice of his intention to move an amendment to Part 3. of the Officer Recommendation, as follows:

Moved Cr Urban, seconded Cr Moore

3. Prepare consultation sessions with the Serpentine Jarrahdale Community Recreation and Sports Group Inc.

**LOST 4/3**

The vote was recorded 3 For and 3 Against the amendment. The Presiding Member used his casting vote and the amendment was LOST 4/3.

**OCM032/09/13 COUNCIL DECISION / Officer Recommendation:**

**Moved Cr Wilson, seconded Cr Kirkpatrick**

**That Council:**

1. **Receive and endorse the Sport and Recreation Precinct Draft Feasibility Study as at OCM032.1/09/13.**
2. **Continue lobbying on a political level and with State Government agencies to acquire the land required for the Sport and Recreation Facility at no cost to Council.**
3. **Prepare consultation sessions with the sporting groups in the Shire, both affiliated and not affiliated with the Serpentine Jarrahdale Community Recreation and Sports Group and the general community regarding the feasibility study and the implementation of the Sporting and Recreation precinct.**
4. **Consider providing the necessary budget for the schematic design and detailed design of the Serpentine Jarrahdale Sport and Recreation Precinct in the 2014/15 budget.**

- 5. Consider providing further funding in the 2014/15 budget that can be used as seed funding to match any possible grants received to enable the staging as per OCM032.2/09/13.**
- 6. Submit grant applications to relevant funding bodies when and where these funding opportunities become available to facilitate the project.**

**CARRIED 6/0**

<b>OCM033/09/13 Rural Strategy Review 2013</b>	
Author:	Peter Varelis – Senior Strategic Planner
Senior Officer:	Brad Gleeson – Director Planning
Date of Report:	7 August 2013
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 <i>Local Government Act</i>

Proponent:	Shire of Serpentine Jarrahdale
Owner:	Various
Town Planning Scheme No. 2 Zoning:	Various
Metropolitan Region Scheme Zoning:	Various

### Introduction

The purpose of this report is for Council to consider the Department of Planning's (DOP) assessment of the Rural Land Strategy (RLS) and a revised Rural Strategy Review 2013 (the Strategy) for the purposes of requesting confirmation to advertise from the DOP.

### Background:

Council's Rural Strategy has been in place since 1994 with modifications in 2003 and 2006. Council, at the Ordinary Meeting held on 19 December 2011 resolved to endorse a project plan and associated consultant's brief for the preparation of a new RLS. On 27 August 2012 Council considered and resolved to adopt the RLS with modifications for the purposes of advertising and requesting confirmation to advertise from the Western Australian Planning Commission (WAPC) and DOP.

Since Council's resolution on 27 August 2012 the following has occurred:

1. The modified RLS was issued to DOP and WAPC for assessment on 17 September 2012;
2. An assessment of the RLS was received from DOP on 27 February 2013;
3. DOP officers met with Council to discuss their assessment;
4. Shire officers have considered responses to the DOP assessment; and
5. The RLS has been prepared to attend to the issues raised in the DOP assessment for Council's further consideration.

### Relevant Previous Decisions of Council:

- OCM024/08/12 – Draft RLS Adoption for Purposes of Advertising and Request for Confirmation to Advertise from the Western Australian Planning Commission

### Community / Stakeholder Consultation:

#### Preliminary Consultation

Extensive and robust preliminary consultation has occurred to date with the community.

#### Formal Consultation

Once considered satisfactory for advertising by the DOP the formal advertising process is detailed below:

- Council deems the draft RLS satisfactory for advertising and forwards the documentation to the WAPC for certification to advertise.
- Upon receipt of certification from the WAPC the Shire will:
  - Publish a notice of the RLS once for two consecutive weeks in a newspaper circulating in the Scheme area, giving details of:
    - Where the RLS may be inspected; and
    - In what form and during what period submissions may be made;
  - Forward a copy of the RLS to any other person or public authority which, in the opinion of the Local Government, has a direct interest in the RLS, for consideration and advice within a period, being not less than 21 days (90 days is recommended); and
  - Carry out such other consultation as the Shire considers appropriate, including community information sessions in various localities in the Shire.
- After expiry of the period within which submissions may be made and advice given, the Council will:
  - Review the RLS in the light of any submissions made and advice received;
  - Adopt the RLS with such modifications as it thinks fit to give effect to the submissions and advice; and
  - Submit a copy of the RLS to the WAPC for its endorsement.
- If the WAPC endorses the RLS, the local government shall publish notice of the strategy and the endorsement of the WAPC in a newspaper circulating in the Scheme area; and
- A copy of the RLS of the Shire, as amended from time to time, shall be kept and made available for public inspection during business hours at the offices of the Shire and the WAPC.

The RLS will set out the broad direction for the Shire and will guide future subdivision and development applications. Given it also considers subdivision, the RLS requires endorsement of the WAPC.

### **Comment:**

#### Review Process

A project plan was prepared in November 2011 which looked at the existing 1994 Rural Strategy and made recommendations for the next stages. Subsequently Council endorsed the project plan and a consultant's brief for the drafting of a new RLS. Various studies, community consultation and assessments were carried out to determine background information on the Shire's rural areas to establish the foundation for the RLS. The RLS was prepared to address the need to balance urban and rural areas with a view to enhancing the rural areas of the Shire through maintenance of character and facilitating economic activity.

The RLS was endorsed by Council in August 2012 with modifications. The DOP met with Shire officers to discuss the preliminary assessment before it was formally issued to the Shire. At the meeting the Shire outlined:

- The RLS is the primary document to inform the land use component of the future Local Planning Strategy that will draw on other existing and future strategies such as the Activity Centre's Strategy and Urban Growth Management Strategy.
- The Shire's resources are finite and thus the RLS is intended to be the guiding land use planning document for all non-urban or industrial areas. Urban and industrial areas are managed through the use of development zones and structure plans.



- The rationale for introducing new policy areas was to inform the ultimate progression of Town Planning Scheme No 3.
- The aim and instruction from Council is to progress the RLS to public advertising at the earliest possible opportunity.

The DOP responded by raising a number of issues and comments that were outlined in formal correspondence to the Shire dated 22 February 2012. These matters are outlined in the attached document (officer response to DOP).

#### RLS and Local Planning Strategy

Regulations introduced in 1999 require a new Local Planning Scheme to be based on a strategic direction established in a Local Planning Strategy. The Local Planning Strategy encompasses land uses across the entire Shire, including all urban and rural areas. The RLS previously endorsed by Council will be a significant landuse planning document that informs the Shire's future Local Planning Strategy.

In addition to the RLS review, the Shire is also preparing or has prepared the following strategies:

- Activities Centre Strategy (complete)
- Urban Growth Strategy (draft)
- Transportation Strategy (draft)

While the strategies remain separate, there are some overlaps between all three. In this regard, consideration will need to be given to:

- Finalising planning for the identified urban growth areas not considered in the RLS.
- Preparing a Local Planning Strategy that considers the interface and integrated planning of the Shire's rural and urban areas taking into consideration findings of the other strategies.
- Preparing a new Local Planning Scheme that provides a contemporary statutory framework based on the Model Scheme Text to allow for the implementation and finalisation of the new the RLS.
- Review and update Local Planning Policies to reflect current practices and the strategic direction of the Shire.

#### Rural Strategy Review 2013

This current document brings together the key elements of the 1994 Strategy as well as providing further modifications based on a review undertaken during 2011-2013.

The RLS identifies a range of policy areas and policy overlays. This approach has worked well and resulted in the Shire having a clear direction in which to plan for the Shire's rural areas, as well as a document to provide guidance in considering applications for development and subdivision. A similar approach to policy areas has been integrated into this review document, at the advice of the DOP, with the aim of updating the objectives and guidelines according to any changes in policy since the last review.

The RLS will be referred to by Council and the WAPC / DOP, particularly in relation to informing the determination of development applications, provision of advice on subdivision applications, and the initiation of Town Planning Scheme zoning amendments in the Shire's rural areas.

### Federal and State Government Strategic Environmental Assessment

The Federal Government and State Government have formally agreed to undertake a comprehensive strategic assessment of the Perth and Peel Regions of Western Australia. The strategic assessment will be undertaken in accordance with section 146 of the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*.

The strategic assessment will focus on the Perth and Peel regions of Western Australia's Swan Coastal Plain. With the population of the Perth and Peel regions predicted to double in the next 20 - 30 years, the strategic assessment will focus on the impacts of future urban development activities, infrastructure corridors, transportation and basic raw material extraction.

The specific areas impacted by the assessment in the strategy are the areas identified for 'Subject to Future Investigation'. These areas will be further investigated by the WAPC at the release of the strategic environmental assessment in 2014 and further considered in the Shire's Urban Growth Management Strategy.

#### **Attachments:**

- [OCM033.1/09/13](#) – Draft RLS 2012 as endorsed by Council (E12/6619)
- [OCM033.2/09/13](#) – DOP Assessment – RLS 2012 (IN13/3442)
- [OCM033.3/09/13](#) – Officer Response to DOP Assessment (E13/2605)
- [OCM033.4/09/13](#) – Draft RLS Review 2013 (IN13/11435)
- [OCM033.5/09/13](#) – Draft RLS Review 2013 Map (IN13/14994)

#### **Alignment with our Strategic Community Plan:**

Objective 3.1	Urban Design with Rural Charm
Key Action 3.1.1	Maintain the area's distinct rural character, create village environments and provide facilities that serve the community's needs and encourage social interaction.
Key Action 3.1.2	Provide appropriate amenities and accommodation for the Shire's growing population of youth and seniors.
Objective 6.1	Community Wellbeing
Key Action 6.1.1	Provide a range of facilities and services that accommodate different lifestyles and cultures.
Key Action 6.1.2	Use community facilities to provide social interactions for all age groups through appropriate activities and events.

#### **Statutory Environment:**

- *Planning and Development Act 2005*
- *Town Planning Regulations 1967 (as amended)*
- *Town Planning Scheme No 2*

#### **Financial Implications:**

The strategy and associated costs have been budgeted for through the Shire's annual budgeting process.

#### **Conclusion**

It is important that the Shire maintains a focus and renewed energy towards the RLS as it will be the leading strategic document to guide rural land uses in the Shire. The RLS

is presented to Council for the purposes of advertising and requesting certification from the WAPC to advertise for public comment. Whilst it is acknowledged not every issue may be dealt with in the draft documentation, it is important that the Council ensures the continuation of the process to allow these issues to be explored through public advertising and a robust formal dialogue with the community and relevant stakeholders.

#### Options

Option 1: Adopt the RLS for the purposes of public advertising and requesting confirmation to advertise from the WAPC.

Option 2: Adopt the RLS for the purposes of public advertising and requesting confirmation to advertise from the WAPC.

Option 3: Decide not to adopt the RLS for the purposes of public advertising and advise the WAPC.

**Voting Requirements:** Simple Majority

#### **OCM033/09/13 COUNCIL DECISION / Officer Recommendation:**

**Moved Cr Urban, seconded Cr Moore  
That Council:**

- 1. Adopt the Draft Rural Strategy Review 2013 as outlined in OCM033.4/09/13 for the purpose of advertising.**
- 2. Forward the Draft Rural Strategy Review 2013 as outlined in OCM033.4/09/13 to the Western Australian Planning Commission/Department of Planning for confirmation to advertise.**
- 3. Subject to receiving confirmation from the Western Australian Planning Commission/Department of Planning:**
  - a) publish a notice of the Draft Rural Strategy Review 2013 once for two consecutive weeks in a newspaper circulating in the Scheme area, giving details of:**
    - i) where the document may be inspected; and**
    - ii) in what form and during what period submissions may be made;**
  - b) forward a copy of the Draft Rural Strategy Review 2013 to any other person or public authority which, in the opinion of the Local Government, has a direct interest in the strategy, for consideration and advice within a period, being not less than 90 days;**
  - c) carry out such other consultation as the Shire considers appropriate, including community information sessions in various localities in the Shire.**
- 4. Note that should the Western Australian Planning Commission not provide confirmation to advertise, Council will advertise both the Council endorsed and WAPC modified Draft Rural Strategy Review 2013 as outlined in Point 3 above.**

**CARRIED 6/0**

<b>OCM034/09/13</b>	<b>Local Planning Policy No 69 Doley Road Precinct Planning Framework (SJ1158)</b>
Author:	Deon van der Linde – Manager Strategic Planning
Senior Officer:	Brad Gleeson – Director Planning
Date of Report:	7 August 2013
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 <i>Local Government Act</i>

Proponent: Algeri Planning and Appeals  
 Owner: Various  
 Date of Receipt: 20 December 2012  
 Town Planning Scheme No 2 Urban Development  
 Zoning:  
 Metropolitan Region Scheme Urban  
 Zoning:

### Introduction

Council is requested to support the adjustment of the boundary between Precincts C and D in Figure 2 of Local Planning Policy 69 (LPP 69). This will be achieved through the adoption of LPP 69 - Doley Road Precinct Planning Framework Pursuant to Clause 9.3(b) of Town Planning Scheme No 2 (TPS 2).

### Background:

A proposal was received for a modification to the precinct boundaries in Council's adopted Local Planning Policy 69 - Doley Road Precinct Planning Framework (LPP 69), to allow more detailed planning through the preparation of Local Structure Plans (LSP) to occur. Currently there are four precincts within the LPP 69 area. It is proposed that a minor modification be made to the northern boundary of Precinct C and D to enable the two northernmost lots of Precinct C to be incorporated into Precinct D.

### Relevant Previous Decisions of Council:

- OCM167/03/13 - Council on 25 March 2013, supported formal advertising of the proposal.

### Community / Stakeholder Consultation:

The modification to LPP 69 was advertised for public comment from 25 April to 17 May 2013. Eighteen submissions were received. Only one response was not in favour of the proposal to allow the boundary change.

### Comment:

The Doley Road Precinct is located in the locality of Byford, comprising a total of 43 land parcels and encompassing an area of 119 hectares. The Byford Structure Plan (BSP) has been divided into 12 precincts; the Doley Road Precinct is identified as one. Council has established four sub-precincts for the Doley Road Precinct through the adoption of LPP 69.

A number of landowners have expressed to the Shire a desire to see structure planning in this area progress and provide a framework for future subdivision and development. The objectives of this policy are to:

- guide the orderly and proper planning for the Doley Road Precinct in Byford, so there is a clear framework to enable future subdivision and development;
- clearly identify the matters that need to be addressed at each stage of the planning process, in an open and transparent manner;
- assist stakeholders in understanding the planning system and in turn, assist with landowner initiated planning and development; and
- recognise that the process to enable future subdivision and development requires the engagement of consultants and various stakeholders who potentially may have different expectations.

A proposal from Algeri Planning and Appeals has been received for a minor modification to the precinct boundaries within LPP 69 to allow more detailed planning through the preparation of LSPs to occur. Currently there are four precincts within the LPP 69 area. It is proposed that a minor modification be made to the northern boundary of Precinct C and D to enable the two northernmost lots of Precinct C to be incorporated into Precinct D.

Section 7.12 of LPP 69 states that:

*“Council will not support a local structure plan for any area geographically smaller than those sub-precincts depicted on Figure 2, unless specifically resolved otherwise by Council and progressed as a modification to this policy.”*

#### Original Proponent Justification

The proponent has provided the following information in support of their proposal:

*“Firstly, it will be impractical and expensive for the subject landowner to partake in two separate structure planning processes, particularly when there is no indication that the other landowners on the western side of Warrington Road are willing to participate or contribute to the structure planning for that precinct. Allowing the sub-precinct amendment will allow Mr Vahdat to be instrumental in the commencement of local structure planning for sub-precinct on the eastern side of Warrington Road as he already discussed his intentions with the remaining landowners who are all willing to proceed.*

*This will result in the logical commencement of structure planning for the Doley Road Precinct, compare to say, the middle sub-precinct, which would then have unplanned areas on either side. The Shire should consider this a golden opportunity to finally get ‘the ball rolling’ in the Doley Road Precinct given that the fragmented ownership has hamstrung efforts of individual landowners to activate local structure planning for a number of years.*

*Finally, and most importantly for the Shire, the proposed request will not result in any undue prejudice on the future planning of the west of Warrington Road sub-precinct. The west of Warrington Road sub-precinct will still be of sufficient size to warrant local structure planning and will not create any peculiar, resultant sub-precinct boundaries which will be prejudicial to future planning in anyway.”*

A further letter of support to the modification of LPP 69 was received from Mr T J Goff, as follows:

*“I have subsequently contacted Mr and Mrs Jack Rensen of Warrington Road who had initially sent back to you, the requested form opposing the Precinct boundary change.*

*Mr and Mrs Rensen on consideration of further information no longer oppose the requested precinct boundary change and I confirm this information.*

*All other landowners have no objections to the proposed realignment of the precinct boundary:*

*Mr Kevin Fitzpatrick: Lawrence Way  
Mr Martin Lupkins: Lawrence Way  
Ms Mitra Mottahian: Orton Road  
Mr and Mrs Benvenuti: Orton Road  
Mr and Mrs Goff: Orton Road  
Mr S and Mr J Ward: Warrington Road  
Mrs Margaret Ward: Warrington Road  
Mr and Mrs Jack Rensen: Warrington Road  
Mr Guy Bateman: Warrington Road  
Mr Rob Mellor: Warrington Road  
Ms Jenny Ye: Warrington Road*

*The meeting with your client was informative and subject to the Serpentine Jarrahdale Shire Council Planning Department's support and approval of the precinct boundary change, progress towards a Local Structure Plan is envisaged. Advantages of progress then transmit to the land owners in Precinct 10. Please inform the Serpentine Jarrahdale Shire Council of land owner's agreement and approval is requested and their cooperation appreciated."*

#### Submission

The objection received was raised by an owner who is not ready to start subdivision. The main concern from a planning perspective is that their lifestyle will be compromised when development is initiated. Concerns are that fill will elevate adjacent land by 1 - 2 metres above the natural land level and this will result in higher surrounding ground level. This may cause a problem with drainage. The submitter also indicated that their current lifestyle will be seriously compromised by the siteworks, delivering sand, noise and possible structural issues on their property. The owner is also of the opinion that she should have been informed on these planning issues by the landowner.

The approval of this modification to LPP 69 will not in itself lead to immediate development or subdivision of the land. The policy is simply to facilitate future coordinated planning. The next step would be the preparation, advertising and approval of local structure plans for the revised sub precinct. Following that individual subdivision applications could follow. Appropriate ground levels and drainage related matters would be considered as part of the Local Structure Planning process and/or subdivision applications. They are not matters that need to be considered or resolved as part of this policy.

#### Evaluation of Options

LPP 69 considered a number of factors in determining the sub-precincts, as outlined below:

- Scale of the precinct – no significant change to the sizes of the precincts;
- Scale of other precincts / LSPs – no significant change to the sizes of the precinct;
- Fragmented ownership of land – The changes allow one landowner to have both his properties in one precinct, land ownership remains the same;
- Need to establish suitable economies of scale, recognising the costs associated with technical investigations to inform the preparation of local structure plans – the boundary modification will allow the proponent to continue with, and possibly more significantly, drive the LSP process.

- General direction of drainage flows, from east to west, across the Byford Area and the general requirement that pre and post development water quantity and quality regimes are maintained – the boundary modification should not have a significant impact on the drainage aspect; and
- Use of existing road reserves – the proposal does not have a significant impact on the road reserves.

Based on the information available, the proposed boundary modification for Precinct C and D of the Doley Road Precinct is supported.

There are two options available to Council, as follows:

Option 1: Resolve to finally adopt LPP 69 and more specifically the precinct map (Figure 2) without further modification.

Option 2: Resolve not to finally adopt LPP 69 and more specifically the precinct map (Figure 2).

It is recommended that Council resolve to finally adopt LPP 69 as modified.

**Attachments:**

- [OCM034.1/09/13](#) - Council report – adoption of LPP 69 (E11/7086)
- [OCM034.2/09/13](#) - LPP 69 (E13/501)
- [OCM034.3/09/13](#) - Proposal from applicant to modify LPP 69 boundary (IN12/12070)
- [OCM034.4/09/13](#) - Submission from landowners re change to LPP 69 (IN13/1559)
- [OCM034.5/09/13](#) - Proposed change to Figure 2 of LPP 69 (E13/344)
- [OCM034.6/09/13](#) - Summary of Submissions (E13/1636)

**Alignment with our Strategic Community Plan:**

Objective 3.1	Urban Design with Rural Charm
Key Action 3.1.1	Maintain the area’s distinct rural character, create village environments and provide facilities that serve the community’s needs and encourage social interaction
Objective 3.2	Appropriate Connecting Infrastructure
Key Action 3.2.1	Ensure development plans are consistent with local priorities and needs, as well as cost appropriate

**Statutory Environment:**

- TPS 2
- LPP 69

**Financial Implications:**

The advertising of LPP 69 is within budget.

**Voting Requirements**

Simple Majority

**OCM034/09/13 COUNCIL DECISION / Officer Recommendation**

**Moved Cr Kirkpatrick, seconded Cr Wilson  
That Council:**

- 1. Note that Local Planning Policy 69 - Doley Road Precinct Planning Framework was advertised for public comment.**
- 2. Note that submissions were received as per the Summary of Submission table in OCM034.6/09/13.**
- 3. Pursuant to Clause 9.3(b) of Town Planning Scheme No 2, finally adopt Local Planning Policy 69 - Doley Road Precinct Planning Framework as per attachment OCM034.1/09/13.**
- 4. Following final adoption of Local Planning Policy 69, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.**
- 5. Provide copies of the policy for public inspection during normal office hours.**

**CARRIED 6/0**



<b>OCM035/09/13</b>	<b>Final Adoption of Amendment No 181 – Rezoning of Lot 564 Scrivener Road, Serpentine from ‘Rural’ zone to ‘Conservation’ Zone (SJ1409)</b>
Author:	Louise Hughes – Manager Statutory Planning
Senior Officer:	Brad Gleeson – Director Planning
Date of Report:	28 August 2013
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 <i>Local Government Act</i>

Proponent:	Ironbark Environmental
Owner:	Paul Lee
Date of Receipt:	11 June 2012
Lot Area:	33.09 hectares
Town Planning Scheme No. 2 Zoning:	Rural Zone
Metropolitan Region Scheme Zoning:	Rural Zone

### Introduction:

To consider final adoption of Amendment No 181 to rezone the subject land from ‘Rural’ to ‘Conservation’ in accordance with the provisions of the Shire’s Town Planning Scheme No 2 (TPS 2).

### Background:

Lot 564 Scrivener Road, Serpentine is located on the Darling Scarp, south east of the Serpentine townsite and approximately 1.5 kilometres off the Scrivener Road/South Western Highway intersection. The site is almost completely vegetated and surrounded by large rural properties and the Serpentine National Park to the north. The property is moderately to steeply undulating, with the western third offering extensive views over the coastal plain.

### Relevant Previous Decisions of Council:

- OCM022/08/13 – Deferred to the next Council meeting on 9 September 2013 to allow further information to be provided to Councillors relating to environmental assessment.
- OCM121/01/13 - Subject to the advice of the Environmental Protection Authority that the amendment is not subject to formal environmental assessment, advertise the amendment.

### Community / Stakeholder Consultation:

Pursuant to section 48A of the *Environmental Protection Act 1986 (EP Act)* and section 81 of the *Planning and Development Act 2005*, the scheme amendment was referred to the Environmental Protection Authority, who advised that the application does not require formal assessment under the EP Act.

The application was subsequently advertised to Government Agencies and adjoining landowners. Thirteen submissions were received none of which objected to the proposed scheme amendment.

**Comment:**

The landowner is seeking to have the property rezoned to 'Conservation' to ensure the site's conservation values are recognised in TPS 2 and offered greater protection in the long term. The site has been managed for conservation for the past 30 years.

The site is almost fully vegetated and has little, if any, capability for agriculture or intensive development. This rezoning submission proposes to limit permitted use classes on the site to Single House and Public Utility and remove the potential for any discretionary uses.

In common with other lands in the 'Conservation' zone, Special Provisions will apply to this site in TPS 2.

**Management Plans**

Two Management Plans were prepared as required under Clause 5.14.6 (b) of TPS 2, one by the landowner's environmental consultant and the second plan from the National Trust of Australia (WA). A flora survey was undertaken by the Shire's Botanist and advice given, as part of Council's support for the Healthy Habitats Stewardship program with landowners.

Rezoning of Lot 564 is consistent with TPS 2, the Shire's Strategic Community Plan, Local Biodiversity Strategy and Biodiversity Incentives Strategy for Conservation on Private Property.

**TPS 2**

The following clauses in TPS 2 apply to all 'Conservation' zone properties and have been used to guide the preparation of the rezoning report:

- 5.14.1 *The purpose and intent of the Conservation Zone is described within the Council's Rural Strategy as amended and adopted by Council and the State Planning Commission dated April 1994.*
- 5.14.2 *A Conservation zone is intended to identify land that has a high conservation significance which includes private land with large stands of relatively intact remnant vegetation, all recognised wetlands of significance and some areas covered by the Department of Environmental Protection System 6 recommendations.*
- 5.14.3 *The private lands identified for conservation in the rural strategy are not intended for acquisition by the Council or State Government agencies. Rather the general aim is to encourage and make it easier for landowners to protect and manage the conservation values present.*
- 5.14.4 *Before including land within the Conservation Zone Council will require the owners of the land to prepare a submission in support of its inclusion and any submission shall include those matters set down in sub-clause 5.9.3 of this Scheme.*
- 5.14.5 *A description of the land included in the Conservation Zone together with the uses permitted and any special provisions relating to the land are set out in Appendix 4D. Such uses will generally be in accordance with the Rural Zone uses but will depend upon site survey and reference to land capability and other planning data. Land uses selected will be on the basis that they will not conflict with, or they will contribute to the significance of conservation values present.*
- 5.14.6 *In addition to the provisions contained in Appendix 4D and other such provisions of the Scheme as may affect it any land which is included in the Conservation Zone shall be subject to the following conditions:*
  - a. *The relevant guidelines contained within the Council Planning Guidelines for Nutrient Management dated May 1994 (as amended) shall apply to the use and development of land.*

- b. A management plan for each Conservation Zone shall be drafted to Council's satisfaction by the landowner with input from other relevant organisations and the land owner's consultant where necessary.
- c. The management plan shall establish the limits for land use and criteria that any development will have to satisfy. The plan will form the basis for site management and future management decisions.
- d. The management plan shall, as appropriate, identify setbacks, buffer zones, and the required conservation management practices and other measures as deemed necessary to achieve a satisfactory standard of protection relative to the significance of conservation values present.

5.14.7 The implementation of a management plan by the landowner is a means of longer term protection for the site and will be accompanied by a reduced Council rating on the land.

*The incentives for these conservation measures will be a reduction in the general rural rate which shall be set at 50% unless otherwise amended by Council.*

Conclusion

The merit of the proposed scheme amendment has been considered prior to advertising and was deemed to be acceptable. The purpose of the final amendment report is to consider any submissions received during the advertising process and determine whether any modifications are required to the proposed scheme amendment. In view of the fact that there were no objections to the proposal and comments of support have been received, it is considered that the scheme amendment can be finalised without the requirement for modifications. It is therefore recommended that the scheme amendment should be finalised and the scheme text and maps updated accordingly.

**Attachments:**

- [OCM035.1/08/13](#) - Location map (E12/8622)
- [OCM035.2/08/13](#) - Proposed zoning from 'Rural' to 'Conservation' (E13/3541)
- [OCM035.3/08/13](#) - Management Plan for Covenanted Bushland (IN12/14398)
- [OCM035.4/08/13](#) – Schedule of Submissions (E13/2547)

**Alignment with our Strategic Community Plan:**

Objective 1.1.3	Strong Leadership
Key Action 1.1.3	Foster partnerships to deliver key projects and initiatives in conjunction with key stakeholders
Objective 5.2	Responsible Resource Management
Key Action 5.2.1	Protect, restore and manage our landscapes and biodiversity

**Statutory Environment:**

- Metropolitan Region Scheme
- *Planning and Development Act 2005*
- *Town Planning Regulations 1967*
- TPS 2

**Financial Implications:**

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

**Voting Requirements**

Simple Majority

**OCM035/09/13 COUNCIL DECISION / Officer Recommendation:**

Moved Cr Urban, seconded Cr Wilson  
That Council:

1. Resolve pursuant to Section 75 of the Planning and Development Act 2005 that the Shire of Serpentine Jarrahdale Town Planning Scheme No 2 be amended as described below:
  - a. Rezoning Lot 564 Scrivener Road, Serpentine from 'Rural' to 'Conservation' zone and amending the Scheme Map accordingly.
  - b. Adding the following to Appendix 4D – Conservation Zone:

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>3. Lot 564 Scrivener Road, Serpentine</p>	<ol style="list-style-type: none"> <li>1. All development and land use shall be in conformity with the Management Plan adopted by Council dated September 2013 (or as amended) for Lot 564 Scrivener Road, Serpentine.</li> <li>2. The following land uses are permitted:                             <p style="margin-left: 20px;">Use Classes permitted (P):</p> <p style="margin-left: 20px;">Single House</p> <p style="margin-left: 20px;">Public Utility</p> <p style="margin-left: 20px;">All other uses are prohibited.</p> </li> <li>3. Council will not support subdivision of land in those circumstances where the proposed lots will result in the clearing and degradation of the remnant vegetation as identified in the adopted Management Plan.</li> <li>4. The clearing of land is not permitted without the prior approval of the Council. Clearing of land is to provide for permissible land uses referred to under Provision 2 and shall be in conformity with the adopted Management Plan.</li> <li>5. Any proposed development shall be accompanied by a Fire Management Plan approved and implemented to the satisfaction of the Council.</li> <li>6. All development shall be sympathetic with the surrounding landscape amenity, and designed and constructed to the requirements and satisfaction of Council.</li> <li>7. All development shall be connected to an alternative wastewater treatment system as approved by the Council, the Health Department of WA and the Department of Environmental Protection.</li> </ol>

	<b>8. Appropriate fire management measures are to be developed and implemented as part of the adopted management plan for the subject land.</b>
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- 2. Endorse the schedule of submissions in attachment OCM035.4/09/13 prepared in respect of Amendment No 181 to the Shire of Serpentine Jarrahdale Town Planning Scheme No 2.**
- 3. Authorise the signing and sealing of the amendment documentation and the forwarding of the amendment documentation to the Western Australian Planning Commission, along with the endorsed schedule of submissions and steps taken to advertise the amendment, with a request for the endorsement of final approval by the Minister for Planning.**
- 4. Advise those persons who lodged a submission during the comment period of Council's decision.**

**CARRIED 6/0**

<b>OCM036/09/13</b>	<b>Request for Quotation – RFQ02/13 – Thomas Road (South Western Highway to Tonkin Highway), Byford Detailed Civil Design (SJ370)</b>
Author:	Martin Lugod, Senior Infrastructure and Design Engineer
Senior Officer:	Gordon Allan, 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 <i>Local Government Act</i>

**Executive Summary:**

The Shire of Serpentine Jarrahdale requires an experienced consulting engineer to provide detailed civil engineering design services for the proposed dual carriageway construction of Thomas Road between South Western Highway and Tonkin Highway in three (3) stages of design and construction.

Request for Quote RFQ02/13 for Thomas Road (South Western Highway to Tonkin Highway), Byford Detailed Civil Design was advertised in the WALGA Preferred Supplier eQuotes on 25 July 2013. The tender closed at 2.00pm on 9 August 2013. Six (6) quotes were received. It is recommended that Council accept the quote submitted by GHD Pty Ltd to undertake the detailed civil design for the proposed dual carriageway construction of Thomas Road between South Western Highway and Tonkin Highway in three (3) stages of design and construction.

**Relevant Previous Decisions of Council:**

Nil

**Community / Stakeholder Consultation:**

Not Required

**Report:**Quote Intent/Requirements

The Shire requires an experienced consulting engineer to provide detailed civil design engineering services for the proposed dual carriageway construction of Thomas Road between South Western Highway and Tonkin Highway in three (3) stages of design and construction.

This project is noted as having a high complexity as it involves liaison with a large number of regulatory authorities due to the following key infrastructure items located within the project area:

- a) Perth to Bunbury rail alignment;
- b) Western Power substation;
- c) 33kV overhead transmission power poles;
- d) Existing open drainage swales adjacent to the existing road reservation;
- e) High water table;
- f) Major water, high voltage and low voltage crossings, sewer assets plus telecommunications and other underground assets;
- g) Signalised intersection tie-ins and re-designs at the intersection of Tonkin Highway, the intersection of South Western Highway and intersection of Masters Road; and
- h) Existing bridle path on the northern side of Thomas Road.

This project will involve a high level of understanding of road geometry design to Main Roads WA, AUSTRROADS, IPWEA Guidelines and the Shire of Serpentine Jarrahdale standards and requirements. Respondents will need to show their understanding of liaison with regulatory authorities such as Main Roads WA, Western Power, Water Corporation, Telstra and the Public Transport Authority in implementing design and construction methodologies which take into consideration the existing assets within the project area.

#### (a) Evaluation Panel

The submissions were evaluated by:

1. Gordon Allan – Director Engineering
2. Martin Lugod – Senior Infrastructure and Design Engineer
3. Lindsay Hay – Management Accountant

#### (b) Compliant Submissions

Submissions	Compliance Assessment
Lycopodium	Compliant
Cardno	Compliant
Opus	Compliant
GHD	Compliant
WML	Compliant
SKM	Compliant

#### (c) Evaluation Criteria

Criteria	Weighting
Tendered Price	40%
Relevant Company Experience	15%
Key Personnel and Experience	15%
Confirmation of Ability to Adhere to Programme	10%
Understanding of the Scope of Work	20%

#### (d) Scoring Table

Tenderer's Name	Percentage Scores		
	Non Cost Evaluation	Cost Evaluation	Total
	60%	40%	100%
Lycopodium	45%	18%	63%
Cardno	34%	25%	59%
Opus	43%	36%	79%
**GHD	49%	40%	89%
WML	44%	29%	73%
SKM	52%	25%	77%

\*\*Recommended Submission

## Evaluation Criteria Assessment

### 1. Relevant Company Experience

All submissions have experience of similar works carried out.

### 2. Key Personnel Skills and Experience

All submissions have satisfactorily addressed this requirement providing details of the personnel they plan to provide for the contract. Most of the personnel have the skills necessary to execute the design.

### 3. Quoted Price

The price submitted by GHD Pty Ltd is considered to provide good value.

### Summation

GHD has provided a conforming submission that has satisfactorily addressed all the criteria and is proposing an earlier submission of the 15% preliminary drawings.

### Conclusion

GHD has been assessed as being able to meet the requirements of the contract and is recommended to be awarded the contract.

### Attachments:

- [OCM036.1/09/13](#) - Request for quotation RFQ-2 2013 (IN13/14255)
- [OCM036.2/09/13](#) - Survey station summaries (IN13/15118)
- [OCM036.3/09/13](#) - Geotechnical and pavement design (E13/3544)
- [OCM036.4/09/13](#) - Extract of Byford Traditional Infrastructure DCP Report (IN13/14683)
- [OCM036.5/09/13](#) - Flora survey and clearing requirements (IN13/15128)
- [OCM036.6/09/13](#) - Addendum No 1 (IN13/14260)
- [OCM036.7/09/13](#) - Addendum No 2 (IN13/14258)
- **Confidential OCM036.8/09/13** - Consolidated Chairperson RFQ 2 – 2013 score sheet (E13/3402)

### Alignment with our Plan for the Future:

Objective 2.1	Responsible Management
Key Action 2.1.1	Undertake best practice financial and asset management
Key Action 2.1.2	Manage assets and prioritise major capital projects to ensure long-term financial sustainability
Objective 2.4	Business Efficiency
Key Action 2.4.1	Ensure projects and goals are realistic and resourced, and that full costs are known before decisions are made

### Statutory Environment:

In accordance with the *Local Government Act 1995*, Sections 3.57 (1)(2) and *Local Government (Functions and General) Regulations 1996*, Part 4.

### Financial Implications:

The recommended price for the civil engineering design of Thomas Rd contract is within the 2013/2014 budget.



**Voting Requirements: Absolute Majority**

**OCM036/09/13 COUNCIL DECISION / Officer Recommendation:**

**Moved Cr Kirkpatrick, seconded Cr Urban**

**That Council award GHD the contract to provide detailed civil engineering design services for the proposed dual carriageway construction of Thomas Road between South Western Highway and Tonkin Highway.**

**CARRIED 6/0 by Absolute Majority**

<b>OCM037/09/13</b>	<b>Mead Street Byford – Road Safety Audit Report and Corrective Action Report (R0038)</b>
Author:	Gordon Allan – Director Engineering
Senior Officer:	Richard Gorbunow – Chief Executive Officer
Date of Report:	26 July 2013
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 <i>Local Government Act</i>

**Introduction:**

A Road Safety Audit has been conducted on Mead Street Byford. This report summarises the recommendations of that report and the Corrective Action Report and advises of actions proposed by the Shire's Engineering Services.

**Background:**

Mead Street Byford is a 650 metre long road that runs east-west from Soldiers Road to Warrington Road. At the location of the audit it is a sealed, kerbed, 2-lane 2-way divided road with landscaped median. There is natural bush and parkland (Percy's Park) to the south and residential buildings to the north, with embayed parking along the north verge.

A recent crash between a young cyclist and a motorised vehicle in the vicinity of Rubery Way has prompted the Shire of Serpentine Jarrahdale to commission this road safety review to identify if any part of the road infrastructure and environment may have contributed to the cause or the outcome of the crash and to identify if there are any hazards that potentially may contribute to the cause or outcome of crashes in future.

The Road Safety Audit was conducted on 26 July 2013.

**Community / Stakeholder Consultation:**

No community consultation was included during the preparation of the Road Safety Audit Report. Such reports are designed to review only the road and facts related to the road's performance (eg crash statistics) and do not include consultation with other parties. While residents' concerns are a factor in determining Council actions to any issue, they do not impact on the performance of the road from a safety perspective.

**Comment:**

The Road Safety Audit Team carefully examined the section of Mead Street between Warrington Road and Woolandra Drive, including surface conditions, all road features, roadside objects, property boundaries, individual crossovers, drainage and signage.

An inspection of the site revealed that it was unlikely that the road contributed in any significant way to the crash. Sight distances are excellent and there are no roadside hazards. The lanes are wide enough to comfortably accommodate a vehicle and bicycle side-by-side. The incident appears to be solely due to driver / rider error, either the rider alone or in combination with the driver travelling at a higher speed than permitted. The only issue identified was that the road design may encourage higher operating speeds than the general built-up limit of 50km/h. This is further discussed below.

A Corrective Action Report which outlines the recommendations of the Road Safety Audit Report and provides room for the road authority to respond was also included with the Audit Report. The Shire's Engineering Officers reviewed this document and completed the necessary sections of the Corrective Action Report.

The Road Safety Audit Report makes nine (9) recommendations to improve the operation and safety of Mead Street. These are included in the Road Safety Audit Report and the Corrective Action Report. The Corrective Action Report provides Engineering Services response to the recommendations and undertakings by that department to address the most critical of the Audit Report's recommendations. One of these recommendations has already been carried out, namely a Traffic Count to determine the speed of vehicles travelling along Mead Street.

The results of the Traffic Count indicate that the road has a low daily traffic volume (only 414 vehicles per day), but 77% of all drivers are travelling at a speed of over 50km/hr, which is not appropriate for a residential road adjacent to a public open space (POS) with amenities for young children.

### **Conclusion:**

The Shire's Engineering officers have considered the recommendations of the Road Safety Audit Report and plan to implement or investigate the following recommendations to reduce the speed environment whilst maintaining Mead Street's residential servicing requirements.

In summary, the actions to be taken in the short to medium term by the Shire's Engineering Services to address safety on Mead Street include the following:

1. Reduce 'apparent' lane width by installing a 1.5m wide marked cycle lane thereby reducing the marked vehicle lane width to 3.5m.  
*(Note - this may require the installation of Give Way lines at all the intersections to prevent drivers stopping too far forward and encroaching into the cycle lane. The edge line also needs to be broken at every intersection. Liaison with MRWA for detailed design will be required).*
2. Install grab rails at pedestrian crossings to highlight their presence. Grab rails should be coloured in accordance with Main Roads drawing 200531-0008.
3. Install suitable transverse rails to prevent cyclists riding from the park straight out onto the road. Ensure the order of the rails is such that cyclists leave the 'slow point' facing right towards oncoming traffic.
4. Install suitable landscaping to prevent cyclists from circumventing the 'slow point'.
5. Inspect all pedestrian ramps and gaps along the whole length of Mead Street and install Tactile Ground Surface Indicators where they are missing.

A reduction in the road's trafficable width is aimed at reducing the travel speed of vehicles on the road. The installation of the above measures should assist in achieving this objective and should significantly enhance the safety for both drivers and pedestrians in this locality.

In addition to the above actions, the Engineering Department will closely monitor the speed figures for Mead Street on an annual basis to see if the treatments have had the desired effect.

The Shire's Engineering Officers have reviewed the various recommendations in the Road Safety Audit Report, all of which are aimed at reducing the speed environment in Mead Street. In selecting the recommendations the following criteria are addressed:

- Access aims of Mead Street as a residential road
- Cost of the suggested treatments
- Implementation of a number of measures plus progressing further action with MRWA
- Monitoring the success of the measures implemented

**Attachments:**

- [OCM037.1/09/13](#) – Road Safety Audit Report (IN13/13196)
- [OCM037.2/09/13](#) – Road Safety Audit Corrective Action Report (E13/3545)

**Alignment with our Strategic Community Plan:**

Objective 1.1	Strong Leadership
Key Action 1.1.1	Drive a continuous improvement, 'can do' work culture
Objective 1.4	Listening and Learning
Key Action 1.4.1	Incorporate regular community engagement practices into Shire activities
Objective 6.2	Active and Connected People
Key Action 6.2.5	Create a reassuring and safe place to live

**Statutory Environment:**

*Local Government Act 1995*, as amended  
Engineering Standards Australia

**Financial Implications:**

Acceptance by Council of the Road Safety Audit Report's recommendations will result in additional costs to the Shire to enable undertaking the signage, delineation, railings and road calming measures, as outlined in the report's recommendations. Should Council agree to undertake the corrective actions, the cost will be in the order of \$5000.

The cost of preparing the Road Safety Audit Report is \$1980.00.

**Voting Requirements:** Simple Majority

**OCM037/09/13 COUNCIL DECISION / Officer Recommendation:**

Moved Cr Kirkpatrick, seconded Cr Wilson  
That Council:

1. Accept the Road Safety Audit Report for Mead Street and generally agree to the actions and responses outlined in the completed Corrective Action Report, as per attachment OCM037.2/09/13.
2. Undertake modifications to signage and roadside furniture to be funded from the existing Roads Maintenance Budget.
3. Undertake to progress the delineation measures along Mead Street and potential funding with Main Roads Western Australia.

**CARRIED 6/0**

**Council Note:** Council complimented officers on the speed in which this issue has been dealt with.

**10. Information reports:**

Nil

**11. Urgent business:**

Nil

**12. Councillor questions of which notice has been given:**

Nil

**13. Closure:**

There being no further business the Presiding Member declared the meeting closed at 7.58pm.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on 23 September 2013.

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Presiding Member

.....  
Date