

TABLE OF CONTENTS

1.	Attendances and apologies (including leave of absence):	2
2.	Response to previous public questions taken on notice:	2
3.	Public question time:	2
4.	Public statement time:	4
5.	Petitions and deputations:.....	5
6.	President’s report:.....	6
7.	Declaration of Councillors and officers interest:.....	7
8.	Receipt of minutes or reports and consideration for recommendations:.....	7
9.	Motions of which notice has been given:	8
	OCM129/08/15 Local Planning Policy No. 59 – Public Art Policy for Major Developments (SJ1148)	8
	OCM130/08/15 Metropolitan Region Scheme Amendment – Watkins Road, Shanley Road and Lupino Street, Mundijong – Various Lots (SJ471).....	11
	OCM131/08/15 Lot 10 (#7) Cousens Street, Jarrahdale – Proposed Shed and Verandah (P02974/03).....	15
	OCM132/08/15 Lot 116 (#16) Cunningham Drive, Oakford – Proposed Shed Extensions (P00344/07).....	19
	OCM133/08/15 Lot 101 (#2131) South Western Highway, Jarrahdale – Proposed Shed (P02719/04)	23
	OCM134/08/15 Proposed Byford Town Centre Structure Plan Modification (Major) – Lot 5 (# 34) Abernethy Road, Byford (P01686/04).....	32
	OCM135/08/15 Lot 2239 (#8) Rivose Crescent, Darling Downs – Proposed Shed (P11068/01)	37
	OCM136/08/15 Lot 48(#22) Lefroy Street, Serpentine–Retrospective Additions to existing ‘Single Dwelling’ and proposed ‘Outbuilding’ (Shed) (P02541/01).....	41
	OCM137/08/15 Lots 487,611, & 615 Arnold Road, Serpentine-Initiation of Proposed Scheme Amendment No.192-Rezoning from ‘Rural’ to ‘Rural Living A’ (SJ348)	45
	OCM138/08/15 Lot 53 (#6) Barge Drive, Byford– Proposed Retrospective Dam and Dome Structure (P04847/05).....	55
	OCM139/08/15 Lot 1 Roman Road, Mundijong – Retrospective Animal Enclosure and Outbuilding (P03889/01).....	62
	OCM140/08/15 Consideration of Various Local Planning Policies (SJ1105; SJ1106; SJ1114; SJ1151; and SJ1152)	66
	OCM141/08/15 Request for Tender RFT02-2015 Programmed Bulk Waste Collection (SJ1846)	74
	OCM142/08/15 Scrivener Road Gravel Reserves Draft Management Plan(SJ510).....	76
	OCM143/08/14 Christmas Function and Christmas Closure 2015 (SJ513)	78
	OCM144/08/14 Schedule of Ordinary Council Meetings 2016 (SJ513)	80
10.	Information Reports:	82
11.	Urgent Business:	82
12.	Councillor questions of which notice has been given:	82
13.	Closure:	82

Minutes of the Ordinary Council Meeting held in the Council Chambers, 6 Paterson Street, Mundijong on Monday 10 August 2015. The Shire President declared the meeting open at 7.00pm and welcomed Councillors, staff and members of the gallery.

1. Attendances and apologies (including leave of absence):

In Attendance:

Councillors: K Ellis Presiding Member
S Piipponen
J Kirkpatrick
S Hawkins
B Urban
J Erren
B Moore
J Rossiter
G Wilson

Officers: Mr R Gorbunow Chief Executive Officer
Mr A Hart Director Corporate and Community
Mr G Allan Director Engineering
Mr D van der Linde Acting Director Planning
Ms K Peddie Executive Assistant to the CEO

Leave of Absence: Nil

Apologies: Nil

Observers: Mr L Long – Acting Planning Manager

Members of the Public – 26

Members of the Press – Nil

2. Response to previous public questions taken on notice:

No questions were taken on notice at Ordinary Council Meeting 27 July 2015.

3. Public question time:

Public question and statement time commenced at 7.01pm

Mrs L Bond, PO Box 44, Armadale, WA, 6112

Question 1:

Do all Councillors agree that the answers to questions at Ordinary Council Meetings are answered correctly and truthfully?

Response:

The Presiding Member is responsible for the accurate answering of all Ordinary Council Meeting questions and is satisfied all questions have been fully answered.

Question 2

Why are the speeding infringements still being paid by the ratepayers of this Shire when you are fully aware it is illegal?

Response:

The Shire does not pay speeding infringements.

Question 3

The BMX track was fully funded, where are the funds for this project?

Response:

The BMX track relocation was not fully funded by the Shire. It was subject to the Shire being successful with a Grant Application from the Department of Sport and Recreation. The Shire was unsuccessful in obtaining that grant, therefore the project was not fully funded.

Mrs M Cala, 49 Phillips Road, Karrakup, WA, 6122

Questions in relation to OCM134/08/2015

Question 1

Have Councillors considered the effect that approval of this application tonight may have upon future hearings involving this Shire within the State Administrative Tribunal?

Response:

Elected members always consider financial interests and resource implications when making a strategic decision. The potential of a State Administrative Tribunal appeal is one of the aspects Councillors take into consideration when assessing their response regarding an application.

Question 2

Will Council explain why is it not necessary to review the whole Town Centre Water Management Strategy as changes in one sector will affect the whole drainage system?

Response:

Council is very much aware that the changes in any section of the multi-use corridor may have a significant impact on the downstream flows. This is one of the reasons why the change was considered major and will be advertised. This will enable all stakeholders to consider the changes and provide their expertise in assessing the modifications.

Question 3

Will Council please explain how the people of this Shire will benefit from the application before them tonight?

Response:

Council has the difficult task of considering the conflicting social, economic and economic advantages and disadvantages of each application. The recommendation before Council is to advertise the changes to the Local Structure Plan to ensure that everyone in the community has the opportunity to provide a submission in this regard.

Mr G May, PO Box 117, Byford, WA, 6122

Questions in relation to OCM138/08/15

Question 1

Why do you keep using high impact when the dam well below 500 kilolitres and at present is three quarters full and winter flow not started yet, is clearly low impact and would not affect downstream users?

Response:

The assessment of the risk of the dam is discussed in the item under the heading Local Planning Policy No 33 – Construction of Dams.

Question 2

Water exits through a fault in the ground on our property and as such we should have the right as the downstream users do, to hold back a small amount of water for house hold supply as we do not have mains water supplied, the water from other supplies is contaminated with mud fines (water is trucked in to supply house)?

Response:

All development applications are assessed on their merit and against relevant legislation, policies, standards and guidelines. A dam is considered a development and

therefore requires a development application. A landowner does not have an inherent right to construct a dam without first seeking planning approval as there are various planning, environmental, engineering and social considerations that must be considered.

Question 3

You have stated that the dome shelter houses sand mining equipment, this is incorrect as it stores and protects our building supplies for renovations (we have building approval) the shelter would have been removed at the end of this approval.

Response:

The Shire was advised in a meeting that the applicant had a sandblasting business and needed a place to store his equipment. The application was for the storage of tools, tractor and cars. No mention was made to the proposed structure being temporary and it has not been assessed as such.

Mr D Miller, on behalf of Lots 102, 103 and 104 South Western Highway, Jarrahdale WA, 6124

Questions in relation to OCM133/08/15

Question 1

In the light of this landowners past practices and in accordance with advice note 2 of the agenda, could I request that the approval to this application for an oversized shed be withheld and to ensure that the application is only re- considered, in conjunction with a future composite application for planning approval for the additional three non-compliant structures on this property.

Response:

The decision that Council faces tonight statutorily only refers to the submitted application. Although the decision can be influenced by what is on the property it needs to only focus on the statutory application before the Council as per the report. The Shire has been made aware of the non-compliant structures on the property and compliance action will follow.

4. Public statement time:

Mrs L Bond, PO Box 44, Armadale, WA, 6112

Being in a position at this time to listen to many of the ratepayers of this Shire the same theme emerges. They are fed up with being ripped off with ever increasing rate hikes and getting nothing in return, projects that don't make provision for the majority, particular groups within this Shire receiving preferential treatment, expenditure that cannot be justified, legal expenses and much of this relating to the persecution of businesses within this Shire, excessive amounts spent on food and drink for various reasons and too many of these of no value to the ratepayers of this Shire.

Senior citizens not provided for and now many cannot attend the ANZAC Day Services because it has been moved to the Glades and they will not be able to attend the Byford and District Country Club (if indeed it goes ahead) because they have no transport.

Ratepayers paying for the self promotion of particular Councillors. Disquiet from the ratepayers is deep and angry and many have stated promises were made to them before moving here and they are still waiting. When is the ratepayer going to be told the truth about this Byford and District Country Club cost to them. Is the overrun on costs at this time around a million dollars, who knows.

There is an ever increasing behaviours of threats to ratepayers in this Shire and a serious lack of privacy with regards to information involving ratepayers when this is being provided to people who have no right to that information and some has been

provided in writing. There can be no justification for this behaviour from any public servant.

Mr G May, PO Box 117, Byford, WA, 6122

Statement in relation to OCM138/08/15

We live on a 30 acre rural property in the Byford hills. We have no water supplied by mains and struggle each year. We have water carted in at our cost. At the rear of our property we have a small spring that for a short time (3 to 4 months) each year flows. We have dug a small dam to hold this water so we can pump it to our house. It is stated in the Shires report that this dam crosses a watercourse this is not true. If a site visit had been done this would have been known.

This dam clearly falls in to the low impact category and as such we have supplied all information required as per Shire guidelines. We note that the department of water was contacted and their response was

‘As the subject lot lies outside the proclaimed area a surface water licence and a permit to construct is not required’

We trust that now the correct facts are known the Shire can support this application.

With regard to the dome shelter this was erected to protect our building supplies and supply a dry place to work while we renovate our house. We do have a building permit in place. The dome shelter will be removed upon completion of these renovations

These two issues should not be grouped and judged together.

Public question and statement time concluded at 7.10pm

5. Petitions and deputations:

5.1 Mr Peter Webb from Peter Webb and Associates to present a deputation regarding item OCM134/08/15 Proposed Byford Town Centre Structure Plan Modification (Major) – Lot 5 (# 34) Abernethy Road, Byford.

I am Peter Webb, acting on behalf of Westbridge Property Group and the landowner, Baywillow Holdings. I am joined this evening by Mr Jason Potalivo (from Westbridge) and Mr Nik Hidding from our office, who may also assist in responding to any queries that Councillors may have. We thank the Shire for its continued support for the processes which we have undertaken with respect to our client’s site.

We note that the Shire’s Planning staff have recommended (in Option 1) that Council approve the advertising request for the modification of the Local Structure Plan subject to three (3) items being submitted and approved by the Shire. Those three (3) items include:

- a. The submission and approval of an updated Local Water Management Strategy for the Multiple Use Corridor on the site;
- b. The submission and approval of a Traffic Impact Assessment; and
- c. Confirmation of the size difference between the existing and proposed areas of all zones across the subject site.

Firstly, we can advise that we have, within the last week, resubmitted engineering information to the Shire to enable the Shire to provide its approval on the first matter. Secondly, Westbridge has recently engaged Transcore (traffic consultants) to prepare and submit the required Traffic Impact Assessment. We expect to provide that to the Shire within the next week or so. We are already aware from preliminary investigations, that the Consultant’s findings will be positive. Thirdly, we can also confirm that the size difference between the existing and proposed areas of all zones across the site has been provided to the Shire’s Manager of Planning.

Therefore, we believe that we have (or are about to) undertaken all that is required of us to progress this proposal to public advertising. By way of background, we note that we are proceeding with this Local Structure Plan process following the Shire's legal advice, which noted that development which is inconsistent with a Local Structure Plan cannot be approved without a formal modification to an Local Structure Plan. For this reason, Joint Development Assessment Panel deferred a decision on our Development Application, until such time as the L Local Structure Plan has been modified. The proposed modification of the Local Structure Plan will enable the (Shire supported) Development Application to be reconsidered following the adoption of the Local Structure Plan.

We recall the Shire's unequivocal support for our proposed development in the past, and we would appreciate your continuing support, moving forward. You may also be aware that the modification of the Local Structure Plan process that we are undertaking, has not been required of an adjacent landowner (representing Coles) who similarly proposed development that was inconsistent with the Local Structure Plan, but yet was not required to undertake a formal modification to the Local Structure Plan. We are not sure why this has not happened. In any event, we are proceeding with the legal requirement to modify the Local Structure Plan before obtaining Planning Approval for our development. Therefore, we ask that you continue supporting us in progressing the various actions required of us to get us to the point where our formal Development Application can be legitimately determined.

You may also be aware that we are subsequently dealing with a range of issues to do with the Development Application for our client's site, including addressing the roundabout proposal by Main Roads at the intersection of Abernethy Rd and San Simeon Boulevard. We have kept the Shire's Executive staff apprised of our actions in that regard. We believe that the Shire is happy with our investigations on this matter to date. In conclusion, we respectfully seek the Council to support the proposed modification to the Local Structure Plan, in order for the deferred Development Application (consistent with the modified Local Structure Plan) to be legitimately determined at a later date. Council's supportive decision tonight will enable the matter to be advertised for comment, before being adopted by the Shire thereafter.

5.2 Mr David Caddy from TPG Town Planning, Urban Design and Heritage and Mr Paul Mcqueen from Lavan Legal from presented a deputation regarding item OCM134/08/15 Proposed Byford Town Centre Structure Plan Modification (Major) – Lot 5 (# 34) Abernethy Road, Byford.

This deputation was not provided for inclusion in these minutes.

5.3 Ms Michelle Rich to present a deputation regarding item OCM142/08/15 Scrivener Road Gravel Reserves Draft Management Plan.

This deputation was not provided for inclusion in these minutes.

6. President's report:

Councillor Appointments

Congratulations to Councillor Hawkins for being appointed to the Development Assessment Panel at the WA Planning Commission and also Councillor Hawkins has passed her Diploma in Local Government. Councillor John Erren has been appointed the very important Board position of the Peel Development Commission which is responsible for Royalties for Regions Grants. Councillor Gary Wilson has been

appointed to the Board of Regional Development Australia Perth and Peel Regions and will advise the Board on Perri Urban matters. Congratulations to all three.

New Shopping Hub in Byford

A new open-air shopping precinct is expected to generate around 400 construction and retail jobs in the Byford community. Located on Abernethy Road, the mall will include a mix of specialty retailers, 'eat street' food and beverage tenancies, alfresco dining areas and a full-line Coles supermarket offering customers a world-class shopping experience with a large fresh produce section, full in-store bakery and an in-store butcher.

The full-line supermarket has been designed to span 4,200sqm and will include approximately 300 car parks, nearby street parking and a taxi bay providing greater choice, quality and convenience for Perth's expanding south-eastern region. Western Australia State Property Manager Bruce McCully said the development is expected to generate a large number of new local jobs and will draw locals and visitors to the growing area.

7. Declaration of Councillors and officers interest:

Cr Moore declared a financial interest in item OCM139/08/15, as the owner of the property in the report he has a financial interest and will leave the meeting while this item is discussed.

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

8.1 Ordinary Council Meeting – 27 July 2015

COUNCIL DECISION

Moved Cr Piipponen, seconded Cr Hawkins

That the minutes of the Ordinary Council Meeting held on 27 July 2015 be confirmed (E15/3620).

CARRIED 9/0

9. Motions of which notice has been given:

OCM129/08/15	Local Planning Policy No. 59 – Public Art Policy for Major Developments (SJ1148)
Author:	Lauren Dujmovic – Strategic Planner
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	23 July 2015
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:	Various
Metropolitan Region Scheme Zoning:	Various

Introduction

The purpose of this report is to consider the final adoption of amended Local Planning Policy No. 59 - Public Art Policy for Major Developments (LPP 59).

Background:

The Shire adopted LPP 59 in July 2011 to establish contribution requirements for public art in the development process. The State Government's Percent for Art Scheme is an initiative that commenced in 1989, designed to stimulate greater use of art in the built environment. It requires up to 1% of the construction budget for new works exceeding \$2 million to be contributed for public art. This initiative has been contributing to the social, economic and cultural fabric of the State for the past 25 years and is referred to as the 'best practice' model when commissioning public art. Many local governments have prepared policies that align with the State Government's Percent for Art Scheme. LPP 59 has been reviewed and amended to more closely align with the industry standard contained within the State Government's Percent for Art Scheme.

Relevant Previous Decisions of Council:

OCM049/04/15 – Amended LPP 59 was adopted for the purposes of advertising.

Community / Stakeholder Consultation:

LPP 59 was publicly advertised for a period of 21 days from 30 April 2015 to 21 May 2015. During the advertising period a total of one (1) submission was received.

Comment:

Proposal

LPP 59 was reviewed and amended to more closely align with the industry standard for contribution requirements for public art in the development process. The Public Art Contribution Matrix contained within LPP 59 was proposed to be amended by adjusting the contribution percentage from 2% to 1% and capping the contribution requirement at \$500,000 for projects greater than \$50 million. The reduction to 1% is in line with the industry standard benchmark and aligns with many other local governments. The proposed amended Public Art Contribution Matrix is provided below.

Public Art Contribution Matrix	
	Contribution Required
Less than \$1,000,000	Nil required
\$1,000,000 to \$50,000,000	Public art with a minimum cost of 1% of construction cost; or 1% of construction cost contributed to the public art fund
Greater than \$50,000,000	Public art cost of \$500,000

These proposed amendments to LPP 59 were publicly advertised and during this period, one (1) submission was received. This submission was in objection to the construction cost of \$1 million being the threshold which determines whether developments are required to make a 1% contribution for public art. The submission stated that a construction cost of \$1 million was too low to be deemed a major development.

The State Government's Percent for Art Scheme specifies that developments with an estimated construction cost exceeding \$2 million are required to make a contribution of up to 1% of the total construction cost. It is acknowledged the threshold of \$1 million specified by LPP 59 is less than the \$2 million threshold specified by the State Government's Percent for Art Scheme. However it is noted that the Percent for Art Scheme Guidelines dated February 2015 state that '*projects below \$2 million may incorporate a Percent for Art component at the discretion of the Commissioning Agency*'. Furthermore, many other local governments have adopted local planning policies which require developments with construction costs exceeding \$1 million to make a 1% contribution for public art. The Shire considers that it is reasonable to require developments with a construction cost exceeding \$1 million to contribute 1% of that cost for public art.

Options and Implications

- Option 1 – Finally adopt amended LPP 59 as advertised in *OCM129.1/08/15*.
Option 2 – Not adopt amended LPP 59.

Option 1 is recommended.

Conclusion

It is recommended that amended LPP 59 be finally adopted by Council to better align with the industry standard.

Attachments:

- [OCM129.1/08/15](#) – Amended LPP 59 as advertised (E15/1115)
- [OCM129.2/08/15](#) – Schedule of Submissions (E15/3388)

Alignment with our Strategic Community Plan:

Objective 1.1	Strong Leadership
Key Action 1.1.3	Foster partnerships to deliver key projects and initiatives in conjunction with key stakeholders.
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.

Statutory Environment:

Town Planning Scheme No. 2

Financial Implications:

There are no direct financial implications regarding this matter.

Voting Requirements: Simple Majority

OCM129/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Moore, seconded Cr Wilson

That Council:

- 1. Finally adopt amended Local Planning Policy No. 59 – Public Art Policy for Major Developments as contained within attachment OCM129.1/08/15 in accordance with clause 9.1.1 of Shires Town Planning Scheme 2.**
- 2. Publish a notification of the final adoption of amended Local Planning Policy No. 59 – Public Art Policy for Major Developments once in a newspaper circulating within the Scheme Area in accordance with clause 9.3(c) of Shires Town Planning Scheme 2.**

CARRIED 9/0

OCM130/08/15	Metropolitan Region Scheme Amendment – Watkins Road, Shanley Road and Lupino Street, Mundijong – Various Lots (SJ471)
Author:	Lauren Dujmovic – Strategic Planner
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	23 July 2015
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: Rowe Group
 Owner: Pino Gangemi/Panache Investments Pty Ltd
 Lot Area: 31.2537ha
 Town Planning Scheme No 2 Zoning: Rural
 Metropolitan Region Scheme Zoning: Rural

Introduction

The purpose of this report is to reconsider the request for preliminary comments regarding the proposed Metropolitan Region Scheme (MRS) amendment to rezone various lots in Watkins Road, Shanley Road and Lupino Street, Mundijong (the subject site) from 'Rural' to 'Urban'.

Background:

The proposed MRS amendment was referred to the Shire for preliminary comment by the Department of Planning in January 2014. This matter was considered by Council in July 2014 and it was resolved to not support the proposed MRS amendment. A response was provided to the Department of Planning objecting to the proposed MRS amendment in July 2014. In June 2015, the Department of Planning invited the Shire to provide an updated response on this matter given the time since the original referral and the release of Perth and Peel@3.5million – South Metropolitan Peel Sub-regional Planning Framework. As such, this matter is presented to Council for reconsideration.

Relevant Previous Decisions of Council:

OCM006/07/14 – Council resolved to not support the proposed MRS amendment.

Community / Stakeholder Consultation:

The proposed MRS amendment was previously referred for preliminary comment by the Department of Planning in January 2014. If the Minister consents to public submissions being sought in respect of the proposed MRS amendment, the Western Australian Planning Commission (WAPC) will advertise the amendment in accordance with Part 4 Division 3 Clause 43 of the *Planning and Development Act 2005*.

Comment:

Proposal

The proposed MRS amendment to rezone the subject site from 'Rural' to 'Urban' is to facilitate the development of the subject site.

Planning Framework

The subject site, which is located immediately south east of the Mundijong Whitby District Structure Plan (DSP), is currently zoned as 'Rural' under the MRS and the Shire's Town Planning Scheme No. 2 (TPS 2). The subject site is excluded from the Mundijong Whitby DSP and has been identified under the Shire's Rural Strategy Review 2013 as 'Subject to Future Investigation'. The WAPC have recently released the draft Perth and Peel@3.5million suite of documents which includes the draft South Metropolitan Peel Sub-

regional Planning Framework. This Framework will be finalised to become a sub-regional structure plan which will provide guidance to State and local government on residential and industrial development as well as supporting infrastructure. The subject site has been identified as 'Urban Expansion' under the draft South Metropolitan Peel Sub-regional Planning Framework.

Environmental and Health Considerations

The environmental considerations contained within the proposed MRS amendment can be summarised by the following description. The central portion of the site is identified as having a 'moderate to low' risk of acid sulphate soils (ASS) occurring within three metres of the ground surface with the remainder of the site identified as having no risk of ASS. The site has been largely cleared with very little remnant vegetation occurring, other than strips of vegetation adjacent to Medulla Brook and several scattered trees. There is no conservation significant flora or ecological communities, Local Natural Areas, reserves or conservation areas occurring within the site at present. There is a low likelihood of any State and Federally protected fauna species occurring within the site or accessing the site for significant habitat purposes. There are no 'Registered' Aboriginal heritage sites or non-indigenous heritage sites within the subject site.

Rationale of Proposed MRS Amendment

The site is considered to be suitable for some form of appropriate development as it is in close proximity to the existing Mundijong Town site and its associated facilities, services and employment opportunities. It is a large consolidated land holding, has excellent regional connectivity and is capable of being serviced by extensions to existing infrastructure. The southern boundary of the subject site will effectively be formed by an east-west regional road connection to South Western Highway. This regional road would separate the subject site from the 'Rural' areas to the south, providing a logical boundary.

Proposed Concept Plan

A concept plan for the proposed MRS amendment area has been prepared by the applicant to support the rezoning and provide an indicative outline of the future urban development at the subject site. Residential development is proposed at the subject site which is to include a variety of densities ranging from R10-R40. Based on the concept plan, a yield of 387 dwellings is proposed to potentially be accommodated at the site. Higher densities are proposed adjacent to Medulla Brook and to the north of the site and lower densities are proposed to abut areas affected by possible noise emitting infrastructure. Development at the subject site is expected to create an additional 4,500 vehicle per day trips. The concept plan is only indicative and demonstrates how the site may potentially be developed. It does not statutorily bind Council to any specific subdivision or development outcome. Should the proposed MRS amendment be progressed, there will be further in the subsequent stages of planning (local structure plans and subdivisions). This may provide Council with an opportunity to formally influence more detailed subdivision and development outcomes.

Discussion

There are a number of strategic aspects that need to be considered in the assessment of the proposed MRS amendment. These aspects include the following:

- The subject site was identified for 'future investigation' under the Rural Strategy Review 2013, adopted by Council in July 2014. The subject site was identified for 'future investigation' as the future potential of this land for some form of development was recognised. However, the Rural Strategy Review 2013 is currently with the WAPC and is yet to be finally endorsed.
- The WAPC have released the draft South Metropolitan Peel Sub-regional Planning Framework which identifies the subject site as 'Urban Expansion'. This draft document is currently being publicly advertised and submissions will need to be considered before it can be finalised.

- The subject site is strategically located in close proximity to the planned urban areas in Mundijong Whitby and the existing and planned services and facilities associated with this area.
- The subject site is well-connected and the planned regional road connection to South Western Highway creates a logical boundary between the proposed 'Urban' rezoning at the subject site and the 'Rural' land to the south.
- The strategic planning which informed the Mundijong Whitby DSP identified sufficient land supply for the short to medium term, with the subject site being excluded from the Mundijong Whitby DSP area.
- The Shire is currently in the early stages of implementing the Mundijong Whitby DSP and at this point in time, rezoning additional 'Urban' land is not a high priority.
- The potential impact of the proposed 'Urban' rezoning on the hydrology of the area should be considered further given the proximity of the Medulla Brook to flood plain.
- There is concern about the concept of small residential lots in an area of aesthetic beauty.
- There are general concerns about the provision of services to the area.

Options

Option 1: Support the proposed MRS Amendment.

Option 2: Support the proposed MRS Amendment with modifications.

Option 3: Not support the proposed MRS Amendment.

Option 3 is recommended

Attachments:

- [OCM130.1/08/15](#) – Metropolitan Region Scheme Amendment – Rural to Urban – Watkins Road, Shanley Road and Lupino Street, Mundijong – Various Lots – Copy of Request to Department of Planning (IN14/316)
- [OCM130.2/08/15](#) – Location Plan (E14/3095)
- [OCM130.3/08/15](#) – Concept Plan (E14/3096)
- [OCM130.4/08/15](#) – Request from the Department of Planning to provide updated comments (IN15/12003)

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

Statutory Environment:

- Planning and Development Act 2005
- Metropolitan Region Scheme
- Town Planning Scheme No. 2

Financial Implications:

Urbanisation and development within the Shire will result in indirect financial cost implications for Council. The implementation of the proposed MRS amendment will result in increased demand for the provision of services provided by the Shire.

Voting Requirements: Simple Majority

OCM130/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Urban, seconded Cr Erren

That Council:

- 1. Not support the Metropolitan Region Scheme Amendment to rezone Lot 47 (No. 29) Watkins Road, Lot 12 (No. 1) Watkins Road, Lot 180 Shanley Road, Lot 11 (No. 2) Shanley Road, Lot 97 Lupino Street, Lot 120 on Plan 226157; and Part Lot 106 on Plan 110626, Mundijong from “Rural” to Urban”.**
- 2. Notify the Western Australian Planning Commission in response to their 15 June 2015 request for revised preliminary comments in this regard.**

CARRIED 9/0

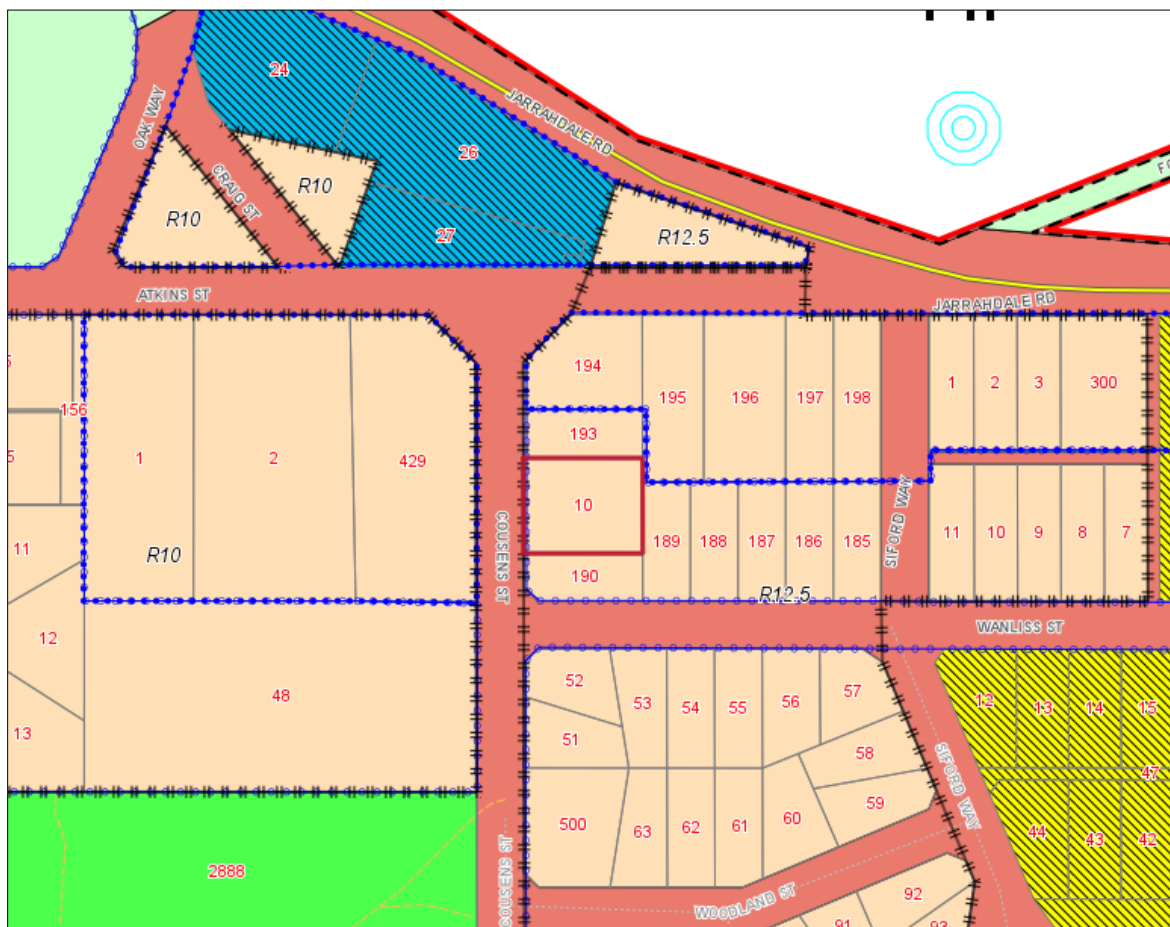
OCM131/08/15	Lot 10 (#7) Cousens Street, Jarrahdale – Proposed Shed and Verandah (P02974/03)
Author:	Marcel Bridge – Planning Officer
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	13 July 2015
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Proponent: Janice O’Rourke
 Date of Receipt: 16 June 2015
 Lot Area: 2024m²
 Town Planning Scheme No 2 Zoning: ‘Residential’
 Metropolitan Region Scheme Zoning: ‘Urban’

Introduction

The purpose of the report is to consider the development application for a shed and open verandah on Lot 10 (#7) Cousens Street, Jarrahdale.

The application is being presented to Council for consideration as Shire officers do not have delegations to consider applications which do not comply with Local Planning Policy 17 (LPP 17) – Residential and Incidental Development (Wall Height)



Locality Map

Background:

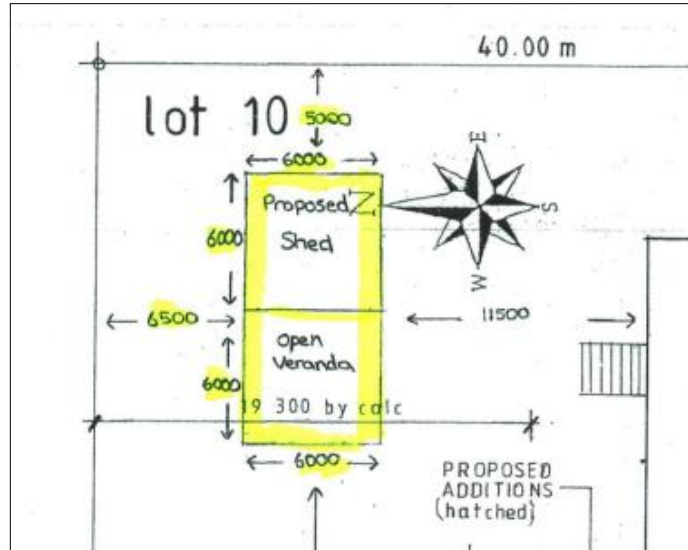
Existing Development:

The site is currently developed with an approved single dwelling.

Proposed Development:

The proposal is for a 6m x 6m shed (36m²), with a wall height of 3.0 metres and ridge height of 3.5 metres.

The proposed shed will feature an open verandah extension 6m x 6m to the west elevation of the proposed shed.



Open Verandah Extension

Relevant Previous Decisions of Council:

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

Community / Stakeholder Consultation:

This application has been referred as follows:

Community and Stakeholders:

As per section 6.3 of the Serpentine Jarrahdale Town Planning Scheme No 2 (TPS 2) the adjoining landowners have been notified of the proposed application and provided with an opportunity to comment. No submissions were received.

Statutory Environment:

- Metropolitan Regional Scheme
The site is zoned 'Urban' under the Metropolitan Region Scheme
- State Planning Policy 3.1 Residential Design Codes
- Shire of Serpentine Jarrahdale Town Planning Scheme No 2
The site is zoned 'Residential'
- Local Planning Policy 17 - Residential and Incidental Development (LPP17)
- Jarrahdale Heritage Precinct

Financial Implications:

There are no direct financial implications regarding this matter.

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

Planning Assessment:

Size of Development

In terms of LPP 17 – Residential and Incidental Development, the maximum floor area should not exceed 10% of the area of the lot or 60m² (whichever is the smallest). The proposed shed (measuring 36m²) complies with the maximum floor requirements of LPP 17 – Residential and Incidental Development.

The proposed shed meets the ridge height requirements, however the wall height of 3m exceeds the maximum permissible height of 2.88m (by 120mm). Given the lot size and the scale of the variation it is considered that the minor variation will not have any detrimental impact to the streetscape or to the visual amenity of the adjoining land owners.

Jarrahdale Heritage Precinct

In reference to the Shire of Serpentine Jarrahdale TPS 2, Clause 5.16 Jarrahdale Heritage and Townscape Policy Precinct main object, *'is to ensure that the Precincts historic and townscape significance, is to ensure retention of the character of the Precincts as a whole and the buildings within the Precincts.'*

The proposed shed is considered to be compliant with the use of neutral and similar colours to the existing dwelling and additions on the property. The proposed shed is to be constructed of Colorbond with colours consisting of Classic Cream and Heritage Green.

Setbacks

The Residential Design Codes state that development within R12.5 density code requires a minimum rear setback distance of 6.0 metres.

The proposed shed has been sited to have minimal impact on vegetation, existing buildings and adjoining land owners and is proposed to be setback 5.0 metres. As such the 1 metre variation is deemed to comply with the Residential Design Codes 3.1.

Options and Implications:

With regard to the determination of the application for planning approval under Town Planning Scheme No 2, Council has the following options:

Option 1: Council may resolve to approve the application subject to conditions.

The approval of the application will not result in a negative impact on the amenity or character of the area.

Option 2: Council may resolve to refuse the application.

Refusal of the application may result in an appeal to the State Administrative Tribunal which may not be able to be successfully argued.

Option 1 is recommended.

Conclusion:

The proposal will provide for an outbuilding for the applicant to use for domestic purposes. It is considered that the building design, location and scale are consistent with buildings within the site and surrounding precinct. For these reasons the proposal is deemed not to have any impact on the residential amenity.

Attachments:

- [OCM131.1/08/15](#) - Locality Plan, Floor Plan and Side Elevations (IN15/11898)

Voting Requirements: Simple Majority

OCM131/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Wilson, seconded Cr Urban

That Council approves the application for a shed and open verandah submitted by Janice O'Rourke on Lot 10 (#7) Cousens Street, Jarrahdale, subject to the following conditions:

- a. All storm water shall be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is not permitted.**
- b. The shed shall not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain.**
- c. Only the colours and materials identified on the Schedule of Materials and Finishes, attached to and forming part of this approval, are to be used unless the prior written approval of the Shire is obtained for an alternative.**
- d. The shed is not to be used for any commercial or industrial purpose (including home occupation), the parking of commercial vehicles or the stabling of horses or other livestock unless the written approval of the Shire has first been obtained.**
- e. All existing native trees on the subject lot and adjacent road verge shall be retained and shall be protected from damage prior to and during construction unless subject to an exemption provided within Town Planning Scheme No. 2 or the specific written approval of the Shire has been obtained for tree removal either through this planning approval or separately.**

Advice Notes:

- a. If the development, is not substantially commenced within two years of the date of this approval, the approval will be deemed to have expired.**
- b. With regard to condition (b) contact Council's Health Services for setbacks and requirements to other systems.**
- c. The Shire's Town Planning Scheme requires separate approval for the clearing of native vegetation in many instances if approval for this is not given above.**

CARRIED 9/0

OCM132/08/15	Lot 116 (#16) Cunningham Drive, Oakford – Proposed Shed Extensions (P00344/07)
Author:	Heather Carline – Planning Officer
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	13 July 2015
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: Mr B Gray
 Owner: Mr and Mrs Preedy
 Date of Receipt: 22 May 2015
 Lot Area: 20 000m² (2ha)
 Town Planning Scheme No 2 Zoning: 'Rural Living B'
 Metropolitan Region Scheme Zoning: 'Rural'

Introduction

The purpose of the report is to consider the development application for extensions to an existing shed on Lot 116 Cunningham Drive, Oakford.

The proposal is presented to Council as the Shire’s officers do not have delegation to determine the application due to the combined overall floor area of outbuildings on the site exceeding the recommendations of Local Planning Policy 17 (LPP 17) – Residential and Incidental Development.



Locality Map

Background:

The site is located within Oakford and measures 20 000m² (2ha) in area. Cunningham Drive lies to the north of the site with Kargotich Road running alongside the western boundary of the site.

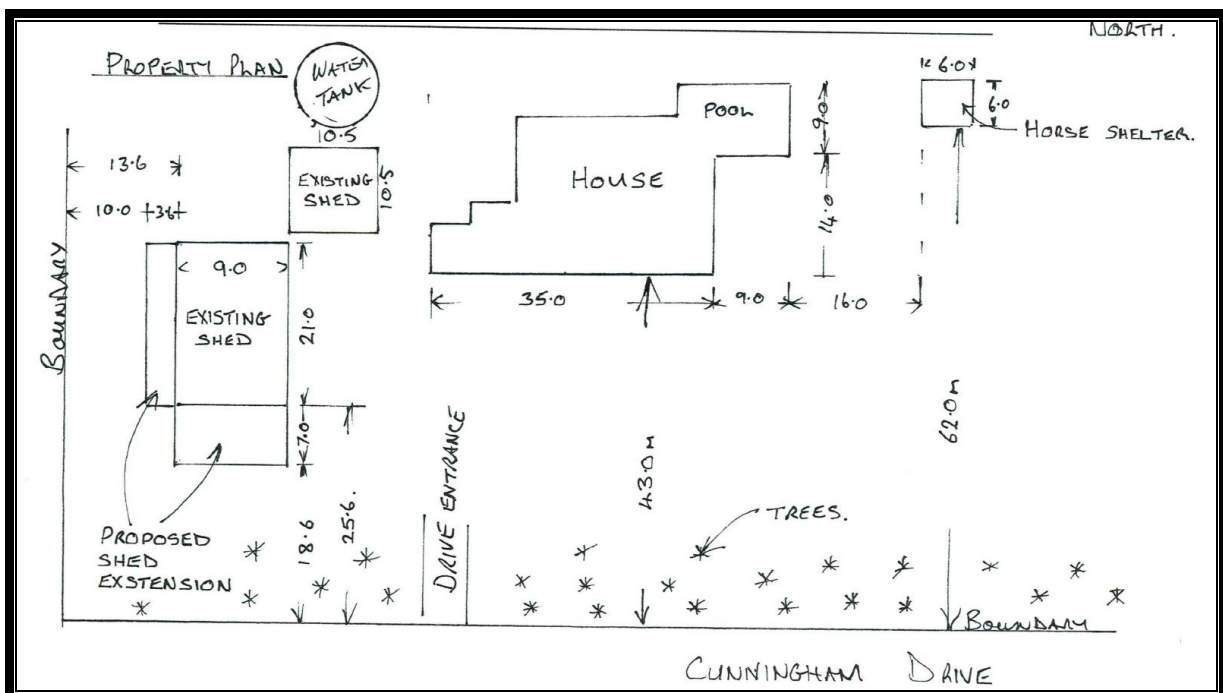
Existing Development:

The site currently comprises of a single dwelling with two outbuildings located to the east of the proposed shed. There is a horse shelter located to the centre of the site and the boundary treatment consists of established vegetation.

Proposed Development:

The proposal involves extending the largest of the two sheds to the north and east elevations. The extension to the north elevation would measure 7m x 9m, this would front onto Cunningham Drive. It would be open to the side elevations and partially clad to the front.

It is also proposed to extend the shed to the eastern side elevation. This side extension would measure 3.6m x 21m and be constructed using colorbond with cladding to match that of the existing structure.



Property Plan

Relevant Previous Decisions of Council:

The existing shed that is proposed to be extended was approved under delegation on 11 February 2010 (P00344/04).

The other smaller shed adjacent to the shed subject to this application was approved under delegation on 21 August 2009 (P00344/02).

Community / Stakeholder Consultation:

Community Consultation:

The application was referred to the adjoining property to the east as required by LPP17 – Residential and Incidental Development. To date no submission has been received.

Statutory Environment:

- Metropolitan Region Scheme
The site is zoned 'Rural' under the Metropolitan Regional Scheme
- Shire of Serpentine Jarrahdale Town Planning Scheme No 2
The site is zoned 'Rural Living B' under the Town Planning Scheme No 2.

- Local Planning Policy 17 - Residential and Incidental Development

Financial Implications:

There are no direct financial implications regarding this matter.

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

Planning Assessment:

LPP 17 – Residential and Incidental Development specifically deals with outbuildings. Tables 3.1 and 3.2 of this policy detail the recommended setbacks and sizes of outbuildings within specific zones within the Shire.

Size of Development

LPP 17 - Residential and Incidental Development, states that for acceptable development the recommended total floor area of all outbuildings is 200m².

Currently the existing outbuildings measure 299m², with the proposed additions measuring 139m². This will result in a combined floor area of 438m², 238m² above what is recommended in LPP 17 – Residential and Incidental Development.

LPP 17 – Residential and Incidental Development also sets out requirements for heights of development. It states that in this case the wall height should not exceed 4m and the roof height should not exceed 6m. The height of the proposed shed extensions comply with these height requirements.

The objective of policy LPP17 is to provide for uniformity of residential and incidental development standards, consistent with local needs.

The purpose and intent of the 'Rural Living B' zone is set out in the Shire's Rural Strategy and includes the provision for opportunities for development that maintains rural character and promotes appropriate land management.

In this instance although the proposal would further exceed the floor area of outbuildings, it is not considered that the size of the development alone is contrary to the objectives or the intention of the zoning of the site and therefore should not be in itself a reason for refusal.

Setbacks

Table 3.1 of LPP 17 states that the front and rear setbacks for development should be 20m and the side setback should be 10m.

The proposed shed, as extended, would have a setback to the eastern boundary of 10m. The proposal is a significant distance from the other side boundary. The front setback of the shed, as extended, would be 18.6m a shortfall of 1.4m of the recommended distance as set out in LPP 17.

Impact on Streetscape and Visual Amenity

As acknowledged, the size of the development exceeds the recommended size for outbuildings as set out in LPP 17. In terms of impact on the streetscape, the shed is already located frontward of the main house although it currently complies with the required setbacks.

This area of Cunningham Drive does not have a uniform streetscape. The site is currently screened to the front by vegetation and it is not proposed to remove any of this as part of the

application. The extension to the front of the outbuilding that does not comply with the front setbacks of LPP 17 would be partially unenclosed therefore mitigating the visual 'building bulk' of the structure. It is considered that the reduction in the front setback would not negatively impact on the character and appearance of the streetscape or the visual amenity of the area.

Options and Implications:

With regard to the determination of the application for planning approval under Town Planning Scheme No. 2, Council has the following options:

Option 1: Council may resolve to approve the application with conditions.

The approval of the application will not result in a negative impact on the amenity or character of the area.

Option 2: Council may resolve to refuse the application with reason/s for refusal

Refusal of the application may result in an appeal to the State Administrative Tribunal which may not be able to be successfully argued.

Option 1 is recommended.

Conclusion:

The proposal will provide for a carport for the occupiers caravan and additional storage space. It is considered that the design of the proposal by way of siting, scale and appearance is consistent with buildings within the site and surrounding area. It is also considered that the proposal will not harm the residential amenity of any neighbouring residents.

It is recommended that the proposed shed extensions be approved subject to conditions.

Attachments:

- [OCM132.1/08/15](#) – Elevations, (E15/3322)

Voting Requirements: Simple Majority

OCM132/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Wilson, seconded Cr Hawkins

That Council approves the application from Mr Gray to develop shed extensions at Lot 116 Cunningham Drive, Oakford subject to the following conditions:

- All storm water shall be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is not permitted.**
- The shed is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain.**
- The shed is not to be used for any commercial or industrial purpose (including home occupation), the parking of commercial vehicles or the stabling of horses or other livestock unless the written approval of the Shire has first been obtained.**
- All existing native trees on the subject lot and adjacent road verge shall be retained and shall be protected from damage prior to and during construction unless subject to an exemption provided within Town Planning Scheme No. 2.**

Advice Notes:

- 1. With regard to condition (b) contact Council's Health Services for setbacks and requirements to other systems.**

CARRIED 9/0

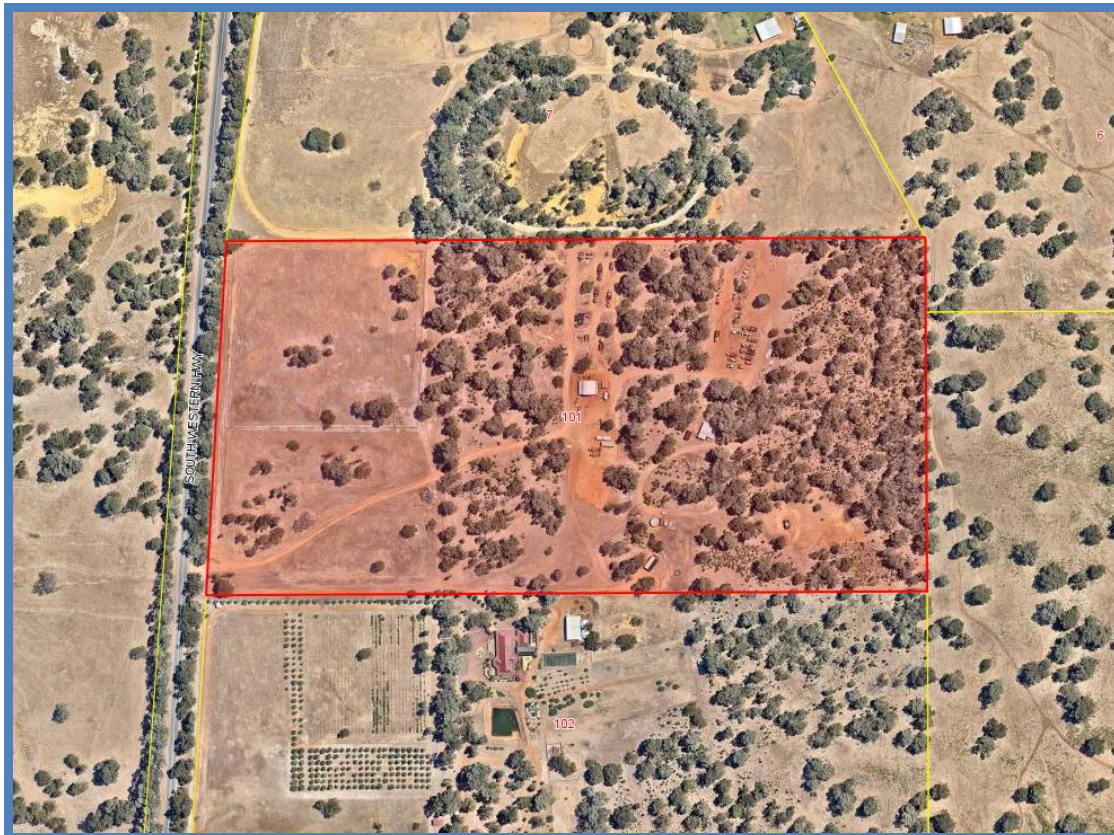
OCM133/08/15	Lot 101 (#2131) South Western Highway, Jarrahdale – Proposed Shed (P02719/04)
Author:	Regan Travers – Senior Planning Officer
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	22 July 2015
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act 1995</i>

Proponent: Neol Selsmark (Granvel Pty Ltd)
 Owner: Granvel Pty Ltd
 Date of Receipt: 19 March 2015
 Lot Area: 20,0695m² (20.0695ha)
 Town Planning Scheme No 2 Zoning: 'Rural'
 Metropolitan Region Scheme Zoning: 'Rural'

Introduction

The purpose of the report is to consider the development application for an 'outbuilding' (shed) on Lot 101 (#2131) South Western Highway, Jarrahdale.

The proposed 'outbuilding' (shed) is being presented to Council to consider as it does not comply with Local Planning Policy 17 (LPP 17) – Residential and Incidental Development (height and size) and in addition has received objections during community consultation.



Aerial Reference

Background

An application seeking planning approval for an oversize and overheight 'outbuilding' (shed) for the purposes of storage and maintenance of mining equipment was refused by Council in May 2003.

A revised planning approval issued in May 2004 for a 500m² (25m x 20m) rural shed (for domestic purposes) subject to a maximum wall height of 6 metres (which was policy compliant at the time), however there was no building permit issued and the planning approval does not appear to have been acted upon.

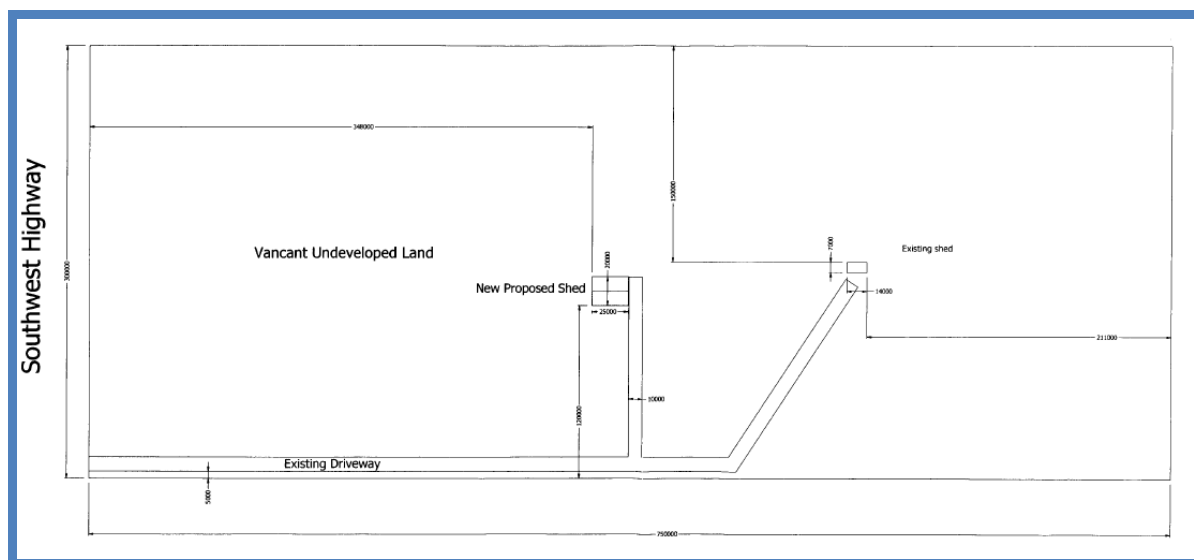
Existing Development:

The site is typical of rural land holdings in the Darling Scarp area, with a mix of heavily vegetated areas and cleared areas which have generally been used for pastoral purposes. There is an existing 'outbuilding' (shed) and an existing 'igloo' structure.

Proposed Development:

The proposal is to construct an 'outbuilding' (shed) to store machinery which is primarily used for maintenance of the property.

The proposed 'outbuilding' (shed) measures 25m x 20m (500m²) has a wall height of 6m and an overall height of 6.6m.



Site Plan

Relevant Previous Decisions of Council

P037/11/03 – Council Refusal of Overheight and Oversize Shed

Community / Stakeholder Consultation

Government Agency Referrals:

- The application was referred to Main Roads Western Australia (MRWA) for its comment, given the subject site directly abuts and takes access from South Western Highway.
- MRWA advised that the proposed development was acceptable.

Community Consultation:

Community consultation was undertaken which resulted in a total of two submissions (one in two parts) raising objection being received from owners of the same adjoining property to the south of the proposed development, being Lot 102 (#2133) South Western Highway.

The objectors have raised the following concerns:

- Concerned that proposed shed will be used to store and maintain heavy industrial and mining equipment
- Noise created by servicing of machinery
- Six (6) metre wall height cannot be hidden

- Not consistent with rural character and amenity
- Concerned of methods of waste disposal (servicing related)
- Health, Safety and Fire risks associated with the development
- Concerned for increasing industrialisation of rural area
- Impact on value of surrounding properties
- History of landowner storing industrial equipment on the subject site.

Concerns regarding use of proposed shed and history of storing industrial equipment.

The submissions raise concerns that the shed will be used to store and maintain heavy industrial and mining equipment which has historically been undertaken on the site.

Applicant Response:

The applicant has advised that in the past work undertaken on the lots has included dismantling earthmoving equipment and preparing it for overseas sales. The applicant confirmed that earthmoving equipment has been stored on the subject site to avoid theft and damage when left on development sites. The applicant has advised that the shed will be used for general storage including 'collectors items', farm equipment and for carrying out maintenance of farm equipment.

Shire Officers Comment:

The Shire officers acknowledge that there is a history of earthmoving equipment being stored on the subject site, and some machines remain on the site. The applicant has advised verbally that his intention is to continue selling off the remaining heavy vehicles and that vehicles which are not being sold are intended to be relocated to industrial zoned land within the Shire.

Given the size of the property, is it expected that machinery and a place to store it is available to landowners. The applicant's justification for the proposed shed is consistent with the rural use of the land. To ensure that the future use of the shed is consistent with the rural nature of the property, should the application be approved Shire officers recommend a condition restricting the use of the shed to domestic purposes only and that no commercial activity is permitted to be undertaken.

Noise created by servicing of machinery

The submissions raised concerns with noise from maintenance activities.

Applicant Response:

The applicant did not provide comments on noise concerns.

Shire Officers Comment:

Shire officers acknowledge that noise is created when maintenance of vehicles is undertaken; however, concerns relating to heavy machinery noise do not directly relate to the proposed development. The applicant has demonstrated the shed is for the purposes of vehicle storage related to the rural use of the subject site. Should the application be approved Shire officers recommend a condition restricting the use of the shed to domestic purposes only and that no commercial activity is permitted to be undertaken in the shed, to avoid levels of noise which would not normally be associated with a rural property.

Six metre height cannot be hidden

The submissions raised concerns that the shed would be visible to the adjoining property to the south.

Applicant Response:

The applicant advised that the location of the shed cannot be seen from South Western Highway and not from adjoining properties. The applicant advised that they are prepared to plant a vegetation screen to increase the visual buffer between the properties.

Shire Officers Comment:

Shire officers agree that the proposed shed location is not visible from South Western Highway, being setback approximately 330 metres and separated by a 100 metre wide buffer of existing vegetation.

Shire officers note that the proposed shed location is over 100 metres from the southern boundary, and it is a further 20 metres to the nearest outbuilding on the adjoining site and a further 10 metres to the main dwelling. Shire officers site visit on the 26 May 2015 indicates that the proposed shed will be visible from the outbuilding on the adjoining property, but due to the undulation of the land did not appear to be visible to the dwelling on the adjoining property.



Location of proposed shed looking south (adjoining property outbuilding is visible)

Shire officers note that the colour of the shed is proposed to be green, which is consistent with the rural character of the site and is likely to limit its visual presence to neighbouring properties.

The additional wall height of 0.9 metres above the 5m maximum wall height LPP 17 is not significant given the substantial setback to the adjoining property. If the shed had a wall height of 5.0 metres it would be able to be constructed as close as 10 metres to a side boundary. The 100 metre setback is considered sufficient to account for the 0.9m additional height.

To assist in providing a visual buffer between the properties, should planning approval be issued Shire officers recommend a condition requiring a vegetation screen near the southern boundary of the subject lot, which does not impact on fire breaks.

Not consistent with rural character and amenity

The submissions raise concerns that the shed and activities within it will have an adverse effect on their enjoyment of the rural amenity of the scarp area.

Applicant Response:

The applicant has advised that the primary purpose of the shed is to store and maintain machinery which is used for property maintenance.

Shire Officers Comment:

Shire officers are of the opinion that the shed is not inconsistent with the rural character of the area, and believe that in order to maintain a rural property to a high standard, such as to provide and maintain firebreaks, manage livestock etc. requires storage space for rural machinery and area for maintenance.

Properties which are zoned 'Rural' are permitted to be used for a range of agricultural activities, many which require outbuildings either for vehicles associated with farming (harvesters, tractors for hay baling, quad bikes etc.) and as such, large sheds are a common feature on large rural properties.

Concerned of methods of waste disposal (servicing related)

The submissions raised concerns that waste materials (used oil) was being buried in barrels on the subject site.

Applicant Response:

The applicant advised that waste materials have been, and would continue to be disposed via licenced companies such as Wrens or at Shire designated locations.

Shire Officers Comment:

The disposal of waste oil is not directly related to the planning application for a shed.

Health, Safety and Fire risks associated with the development

The submissions raised concerns that activities in the shed could pose risks to the subject site and adjoining properties.

Applicant Response:

The Applicant did not provide comment on risk concerns.

Shire Officers Comment:

The applicant has demonstrated the shed is for storage and maintenance of rural machinery which in turn is used on the subject site. The applicant will have to give consideration to the implications of all activities on the site as a responsible landowner, however these are outside the scope of a planning application.

Concerned for increasing industrialisation of rural area

The submissions raised concern that if approval for the shed was given, it would open the door for further expansion on the future.

Applicant Response:

The applicant has advised that the primary purpose of the shed is to store and maintain machinery which is used for maintenance of the rural property.

Shire Officers Comment:

Shire officers acknowledge that earthmoving equipment has historically been stored and maintained on the subject site and that some earthmoving vehicles remain on the site. However, as the Planning Application has been submitted for a rural shed and not for industrial purposes, it is not considered to have any industrial impacts.

Impact on value of surrounding properties

The submissions raised concerns that the proposed development and associated activities would have a negative impact on the value of their nearby property.

Applicant Response:

The Applicant did not provide a response to property value concerns.

Shire Officers Comment:

The submission has no planning merit and as such is not considered reasonable.

Statutory Environment

- Metropolitan Region Scheme
The subject site is zoned 'Rural' under the Metropolitan Region Scheme.
- Shire of Serpentine Jarrahdale Town Planning Scheme No.2
The subject site is zoned 'Rural' under Town Planning Scheme No.2.
- Local Planning Policy No.8 - Landscape Protection Policy
- Local Planning Policy No.17 – Residential and Incidental Development

Financial Implications

There are no direct financial implications regarding this matter.

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

Planning AssessmentLocal Planning Policy No.17 – Residential and Incidental Development

The Application proposes the following variations to LPP17:

	<i>Maximum Permitted</i>	<i>Proposed</i>	<i>Variation</i>
<i>Wall Height</i>	<i>5.0 metres</i>	<i>5.9 metres</i>	<i>0.9 metres</i>
<i>Roof Height</i>	<i>6.0 metres</i>	<i>6.6 metres</i>	<i>0.6 metres</i>
<i>Combined Floor Area</i>	<i>500m²</i>	<i>746m²</i>	<i>246m²</i>

Wall Height and Roof Height

As discussed in relation to submissions, the additional wall height of 0.9m above the 5m maximum wall height and 0.6 metres above the maximum 6 metre roof height LPP 17 is not significant given the substantial setback to the adjoining property. If the shed had a wall height of 5.0 metres it would be able to be constructed as close as 10 metres to a side boundary. The 100 metre setback is considered sufficient to account for the 0.9m additional height.

To assist in providing a visual buffer between the properties, should planning approval be issued Shire officers recommend a condition requiring a vegetation screen near the southern boundary of the subject lot, which does not impact on fire breaks.

Combined Floor Area

The combined floor area of outbuildings would be 746m² with the proposed shed, which is a 49% increase on the maximum 500m² permitted under LPP 17.

Shire officers have investigated both the 102m² existing shed and the 144m² existing canvas 'igloo' and neither appear to have Building Permits or Planning Approval. Should the planning application be approved, Shire officers recommend the landowner be required to seek and obtain retrospective planning approval for the two existing structures, prior to commencing construction of the new shed.

The 246m² variation to combined 'outbuilding' size is not considered to have significant impact, primarily due to the 20 hectare size of the property and the thick vegetation which screens the structures from most boundaries. The abovementioned recommended condition for the installation of a vegetation screen will further buffer any impacts of the development.

Land Use

Shire officers consider the applicant to have sufficiently demonstrated that the proposed shed will be used appropriately, in providing an undercover area to store and provide maintenance to machinery which is primarily used for ongoing maintenance of the subject site, which is typical of a 'Rural' zoned property. To ensure ongoing compliance with this statement, should Planning Approval be issued Shire officers recommend a condition be added stating that the proposed shed is only to be used for domestic purposes related to the rural use of the land and is not permitted to be used for commercial activities, including but not limited to the storage and maintenance of earthmoving equipment.

Options and Implications

With regard to the determination of the application for planning approval under Town Planning Scheme No. 2, Council has the following options:

Option 1: Council may resolve to approve the application.

Approval of the Shed will not result in a negative impact on the amenity or character of the area.

Option 2: Council may resolve to refuse the application.

Refusal of the application may result in an appeal to the State Administrative Tribunal which may not be able to be successfully argued.

Option 1 is recommended.

Conclusion

Shire officers believe the applicant has sufficiently demonstrated compliance with Town Planning Scheme No. 2 and provided justification for variations which are sought to LPP 17. Subject to ongoing compliance with recommended conditions of planning approval which address any perceived visual impact of the development and its ongoing use for domestic rural purposes, the development does not raise planning concerns and is able to be approved.

Attachments

- [OCM133.1/08/15](#) – Development Application Plans (E15/3149)
- [OCM133.2/08/15](#) – Development Application Justification (IN15/7493)
- [OCM133.3/08/15](#) – Schedule of Submissions (E15/2337)
- [OCM133.4/08/15](#) – Applicant Response to Submissions (IN15/13050)

Voting Requirements: Simple Majority

Cr Piipponen foreshadowed he would move a new motion to refuse the application with conditions, if the motion under debate is lost.

OCM133/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Erren, seconded Cr Moore

That Council approves the application from Granvel Ptd, to develop an 'Outbuilding' (shed) at Lot 101 South Western Highway, Jarrahdale, subject to the following conditions:

- a. The ‘Outbuilding’ (shed) shall not be used for human habitation, commercial or industrial purposes (including home occupation), the parking of a commercial vehicle or the stabling of horses or other livestock.
- b. Prior to lodging an application for a building Permit, the landowner shall submit and be approved by the Director Engineering a landscape plan.
- c. All existing native trees on the subject lot shall be retained and protected from damage during construction.
- d. Only the colours and materials identified on the Schedule of Materials and Finishes, attached to and forming part of this approval, are to be used unless the prior written approval of the Shire is obtained for an alternative.
- e. All storm water shall be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is not permitted.

Advice note:

1. With regard to condition (b) the landscape plan must be drawn to a scale of 1:100 and show the following:
 - a. The location of screening vegetation to the satisfaction of the Shire, so as to provide a visual buffer to Lot 102 (#2133) South Western Highway; and
 - b. The name and mature heights of proposed trees and shrubs.
2. The Landowner is advised that a number of unapproved structures have been identified i.e. 144m² and 102m² outbuildings. To avoid enforcement action being undertaken by the Shire, retrospective applications will have to be submitted and considered by Council.

Lost 1/8

OCM133/08/15 COUNCIL DECISION / Councillor Motion

Moved Cr Piipponen, seconded Cr Erren

That Council refuses the application from Granvel Ptd, to develop an ‘Outbuilding’ (shed) at Lot 101 South Western Highway, Jarrahdale, for the following reasons:

- a. The shed is being used and will continue to be used to store and maintain heavy industrial and mining equipment which has historically been undertaken on the site.
- b. The noise that is and will result from the maintenance activities on site is inconsistent with the rural amenity and will not be in keeping with the use of a rural farm shed.
- c. The additional size and height of the shed (that would not be required if the use was only of a rural nature) would make it visible to the adjoining property to the south.
- d. The shed and activities within it will have an adverse effect on the rural amenity of the scarp area and may pose a risk to the subject site and adjacent properties.
- e. The volumes of waste materials resulting from the maintenance of vehicles on the site will be significant, is not consistent with the rural use and will not be disposed of properly.
- f. The approval of the shed, noting the historical use of the land, would open the door for further “industrial”-type expansion on the future.

Advice note:

1. The Landowner is advised that a number of unapproved structures have been identified i.e. 144m² and 102m² outbuildings. To avoid enforcement action being undertaken by the Shire, retrospective applications will have to be submitted and considered by Council.

Council note:

Whilst Council has considered the Officer Recommendation there is no certainty that the rural shed will be used solely for the storage of plant to maintain the property, due to its size and historical use.

CARRIED 9/0

OCM134/08/15	Proposed Byford Town Centre Structure Plan Modification (Major) – Lot 5 (# 34) Abernethy Road, Byford (P01686/04)
Author:	Regan Travers – Senior Planning Officer
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	20 July 2015
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: Peter Webb and Associates (Nik Hidding)
 Owner: Baywillow Holdings Pty Ltd
 Date of Receipt: 14 July 2015
 Lot Area: 18,157m² (1.8ha)
 Town Planning Scheme No 2 Zoning: 'Urban Development (part Mixed Use, part Highway Commercial, part Public Open Space and part Road Reserve)'
 Metropolitan Region Scheme Zoning: 'Urban'

Introduction

The purpose of the report is to consider a request to amend a portion of the Byford Local Structure Plan (LSP) which falls over Lot 5 Abernethy Road, Byford and determine if the modified Structure Plan is satisfactory for advertising.

Council and the Western Australian Planning Commission (WAPC) have previously approved the LSP for the subject site, however, the applicant has submitted a modified LSP, which if approved, will replace the existing approved LSP.

A Council resolution is required in order to initiate advertising.



Aerial Reference

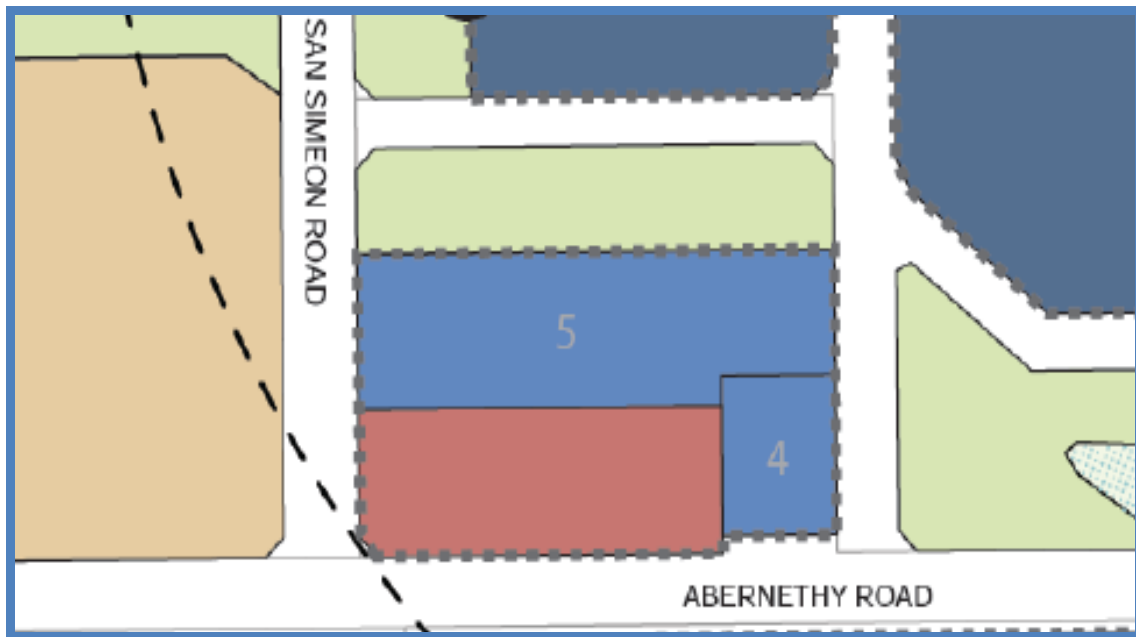
Background:

In December 2011 the WAPC approved the LSP subject to a schedule of modifications.

In February 2013, Council were consulted in respect of a further revised schedule of modifications. Council expressed its position in respect of the matters, resulting in Final Adoption in February 2014.

Existing Local Structure Plan:

The subject site features an existing single dwelling and associated outbuildings. The northern portion of the lot is clear of improvements and Beenyup Brook traverses the site from east to west.



Existing Local Structure Plan Extract

Proposed Major Modification to Local Structure Plan:

The proposed LSP Modification includes the 'Public Open Space', 'Road Reserve', 'Mixed Use' and 'Highway Commercial' zones.



Proposed Local Structure Plan Extract

Public Open Space

The 'Public Open Space' area is proposed to be moved to abut the northern boundary of the site, displacing the east-west road.

Road Reserve

The 'Road Reserve' is proposed to be relocated to the south of the 'Public Open Space' area, to abut the 'Mixed Use' area.

Mixed Use Zone

The 'Mixed Use' zone is proposed to be increased to facilitate the form of the Proposed Development of the site, however the applicant has advised that the floor space is not proposed to increase and it is more to account for service areas, car parking and landscaping.

Highway Commercial Zone

No changes are proposed to the 'Highway Commercial' zone.

The proposed Major Modification to the existing Byford Town Centre LSP facilitates a Development Application (DA) for a Retail complex which is currently deferred from being considered at a Joint Development Assessment Panel (JDAP).

Relevant Previous Decisions of Council:

OCM152/02/13 - Byford Town Centre Local Structure Plan - Proceedings before the SAT
OCM123/02/14 – Byford Town Centre Local Structure Plan – Final Adoption

Community / Stakeholder Consultation:

As a major modification to the LSP, the proposal is required to be advertised in accordance with Clause 6.3 of Town Planning Scheme No. 2 (TPS 2), and Local Planning Policy No. 27 (LPP 27) – Stakeholder Engagement in Land Use Planning.

Statutory Environment:

- Metropolitan Regional Scheme
The site is zoned 'Urban' under the Metropolitan Regional Scheme.
- Shire of Serpentine Jarrahdale Town Planning Scheme No 2
The site is zoned 'Urban Development' under the Town Planning Scheme.
- Byford District Structure Plan
The site is shown as 'Town Centre' on the Byford District Structure Plan and features a 'Public Open Space' corridor running east-west.
- Byford Town Centre Local Structure Plan
The site is shown as portions of 'Mixed Use', 'Highway Commercial', and 'Public Open Space' with an east-west road connection.

Financial Implications:

There are no direct financial implications regarding this matter.

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

Planning Assessment:

Drainage

Given the nature of the land and topography of the area, the drainage requirements for the LSP area are significant which resulted in a public open space provision in excess of the standard 10%.

Prior to advertising of the modification the Local Water Management Strategy will be required to be updated to satisfy any potential drainage issues that may arise from the proposed modification.

The applicant has advised that its hydrologists have confirmed that the realignment of flood management infrastructure related to the 'Public Open Space' area will remain functional when the Town Centre is fully developed. However to ensure that the full drainage network across the Byford Town Centre Structure Plan will work, rather than looking at the subject site in isolation, Shire officers recommend that the Local Water Management Strategy for the entire Town Centre area be updated, prior to the modification being advertised for community and relevant agency comment.

It is recommended that the proposed Local Structure Plan modification be deemed satisfactory for advertising in accordance with clause 5.18.3.2 of the Shire's TPS 2 subject to the required information in relation to drainage being provided.

Mixed Use Zone

The applicant has advised that the 'Mixed Use' portion of the site is proposed to be increased to account for servicing areas, car parking and landscaping, but will not add to the total amount of commercial floor space.

While Shire officers understand the infrastructure requirements of a commercial development, Shire officers recommend that the applicant confirm the difference between the existing and proposed areas of all zones across the subject site and provide an explanation of how floor space is proposed to be managed. This information will facilitate comments during the consultation period and allow for a more complete planning assessment. Shire officers note that it may be required to seek confirmation from a qualified retail consultant during the consultation period.

Traffic Impact

Shire officers note that the relocation of the east-west road to the south of the 'Public Open Space' area means that the adjoining site to the north will no longer be able to gain access from their southern boundary, as depicted on the Byford Town Centre LSP. Whilst Shire officers do not raise any initial concerns with the proposed road relocation due to the short length of the connection and its minor importance in terms of the overall vehicle transport network of the Town Centre, it is recommended that a Traffic Impact Assessment (TIA) be prepared by a suitably qualified consultant and submitted prior to advertising commencing. The TIA will facilitate comments between landowners and servicing agencies.

Options and Implications:

With regard to the determination of the application for planning approval under Town Planning Scheme No. 2, Council has the following options:

- Option 1: Council may resolve that the major modification to the Byford Town Centre Local Structure Plan is not to be advertised until further details have been provided to the satisfaction of the Director Engineering.
- Option 2: Council may resolve to advertise the major modification to the Byford Town Centre Local Structure Plan and commence advertising.

Resolving to advertise the major modification will facilitate community consultation being undertaken.

Option 3: Council may resolve that the modification is not satisfactory for advertising.

Resolving not to advertise the modification will result in the land parcels remaining as is and will necessitate the application currently with the Joint Development Assessment Panel being refused.

Option 1 is recommended.

Conclusion:

Subject to additional information being provided, the proposed major modification to the Byford Town Centre Local Structure Plan is considered to be satisfactory for advertising. The Shire officers understand that the purpose of the proposal is to facilitate a Development Approval over the site.

Attachments:

- [OCM134.1/08/15](#) – Applicant's request to initiate major modification to Byford Town Centre Local Structure Plan (IN15/14471)

Voting Requirements: Simple Majority

OCM134/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Moore, seconded Cr Wilson

That Council:

1. Approves the advertising request submitted by Peter D Webb and Associates on behalf of the landowner Baywillow Holdings Pty Ltd for the modification of the zoning on Lot 5 Abernethy Road, Byford as follows:
 - a. Relocate the 'Road Reserve' further south;
 - b. Relocate the 'Public Open Space' to abut the northern boundary of the property;
 - c. Increase size of 'Mixed Use' zone.
2. Subject to the following, advertises the proposed modified Local Structure Plan in accordance with clause 5.18.3 of the Town Planning Scheme No2:
 - a. The submission and approval by the Director Engineering of an updated Local Water Management Strategy;
 - b. The submission and approval by the Director Engineering of a Traffic Impact Assessment.
 - c. Confirmation of the size difference between the existing and proposed areas of all zones across the subject site.
3. Subject to no objections being received during the advertising period required in (2) above, the modified Byford Local Structure Plan is adopted in accordance with clause 5.18.3.7 of the Shire's Town Planning Scheme No. 2. The adoption date is to be the date of the first Ordinary Council Meeting following the closure date of the advertising period required in (2) above.

CARRIED 6/3

Councillors Urban, Kirkpatrick and Rossiter requested their vote against the motion be recorded

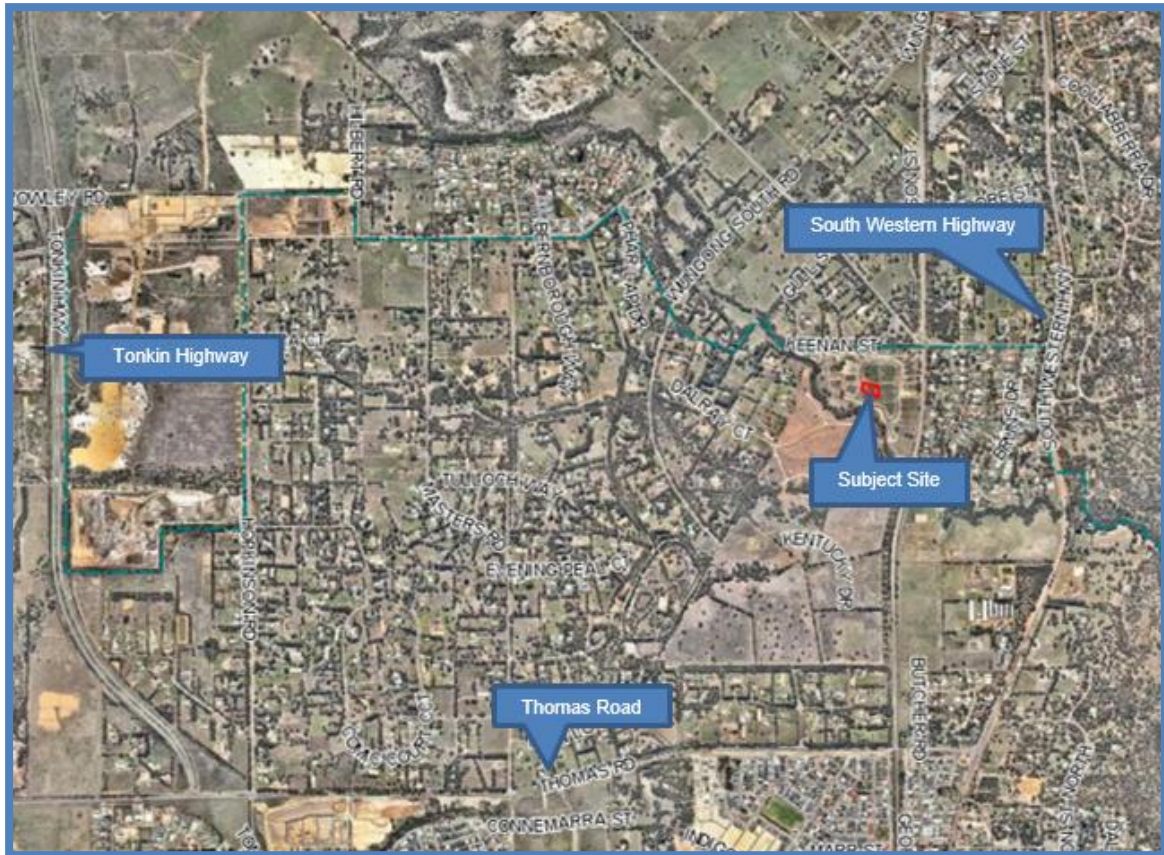
OCM135/08/15	Lot 2239 (#8) Rivose Crescent, Darling Downs – Proposed Shed (P11068/01)
Author:	Regan Travers – Senior Planning Officer
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	20 July 2015
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act 1995</i>

Owner: Steven Miller and Brenda Sheasby
 Date of Receipt: 8 May 2015
 Lot Area: 4043m² (0.4ha)
 Town Planning Scheme No 2 Zoning: 'Rural Living A' (RLA 11)
 Metropolitan Region Scheme Zoning: 'Rural'

Introduction

The purpose of the report is to consider the development application for a shed on Lot 2239 (#8) Rivose Crescent, Darling Downs.

The application does not comply with Local Planning Policy 17 (LPP 17) – Residential and Incidental Development (wall height, floor area). As such Shire officers do not have delegation to consider the application.



Context Plan

Background

Existing Development:

The subject site is currently vacant, with no vegetation thereon.

Proposed Development:

The proposal is to construct a rural shed, measuring 16m x 10m (160m²), a wall height of 4m and a total height of 5.5m.

Relevant Previous Decisions of Council

Nil

Community / Stakeholder Consultation

The application has been advertised as per LPP 17, no submissions have been received.

Statutory Environment

- Metropolitan Region Scheme
The site is zoned 'Urban'
- Shire of Serpentine Jarrahdale Town Planning Scheme No 2
The site is zoned 'Rural Living A'
- Local Planning Policy No.8 - Landscape Protection Policy
- Local Planning Policy No.17 – Residential and Incidental Development

Financial Implications

There are no direct financial implications regarding this matter.

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

Planning AssessmentLocal Planning Policy No.17 – Residential and Incidental Development

The Application proposes the following variations to Local Planning Policy No.17:-

	Maximum Permitted	Proposed	Variation
Wall Height	3.5 metres	4.0 metres	0.5 metres
Roof Height	5.0 metres	5.5 metres	0.5 metres
Combined Floor Area	150m ²	160m ²	10m ²

Wall Height and Roof Height

The additional wall and roof height of 0.5 metres above the permitted height is not significant in the 'Rural Living A' context of the development. The proposed shed is located to the rear of the property, and will be screened from the street when a single dwelling is constructed in the future. In addition, the proposed shed will be screened to the rear of the site by vegetation within the revegetation area as it develops over time. Visual impacts are considered to minimal and typical of outbuilding developments.

Floor Area

The floor area of outbuilding would be 160m², a 7% increase on the maximum 150m² permitted under LPP 17. This is considered to be a minor variation given the subject site is 4,043m² in size. The additional size is unlikely to adversely impact the amenity or character of the area due to the scale and bulk.

Development Outside of Building Envelope

The proposed shed is located wholly outside the approved building envelope of the lot. The applicants' site plan depicts a six (6) metre boundary setback for the shed, which accounts for the six (6) metre wide revegetation area identified on the building envelope plan. Shire officers are concerned that if the shed is built at six (6) metres, it is likely that the batter of the sand pad of the shed will encroach into the revegetation area by up to two (2) metres. To ensure that the revegetation area is not affected by the development during construction, and to provide a sufficient buffer to adjoining properties, Shire officers recommend the shed be setback nine (9) metres, and that this be notated on the site plan. Increasing the setback to nine (9) metres will encroach on the 'non-habitable building envelope' and the 'effluent disposal envelope', however there is sufficient space in both of these areas to allow for minor encroachments.

Options and Implications

With regard to the determination of the application for planning consent under Town Planning Scheme No. 2 (TPS 2), Council has the following options:

Option 1: Council may resolve to approve the application.

Approval of the application will result in the proposal being proceeded, without any negative impact on the surrounding area.

Option 2: Council may resolve to refuse the application.

Refusal of the application may result in an appeal to the State Administrative Tribunal which may not be able to be successfully argued.

Option 1 is recommended.

Conclusion

Shire officers are of the opinion that the applicant has sufficiently demonstrated compliance with TPS 2 and provided justification for variations which are sought to LPP 17. Subject to ongoing compliance with recommended conditions of planning approval which address the visual impact of the development (namely the recommended increase in rear boundary setback to nine (9) metres), the development does not raise planning concerns and is able to be approved.

Attachments

- [OCM135.1/08/15](#) – Development Application Plans (E15/3168)

Voting Requirements: Simple Majority

OCM135/08/15 COUNCIL DECISION / Officer Recommendation

Moved Cr Urban, seconded Cr Piipponen

That Council:

- 1. Approves the application from Steven Miller and Brenda Sheasby, to develop a shed at Lot 2239 (#8) Rivose Crescent, Darling Downs, subject to the following conditions:**
 - a. The outbuilding shall not be used for human habitation, commercial or industrial purposes (including 'Home Occupation'), the parking of a**

commercial vehicle or the stabling of horses or other livestock, unless the written approval of the Shire has first been obtained.

- b. The rear setback shall be increased from 6m to 9m, as indicated on the site plan as per attachment OCM135.1/08/15.**
- c. Only the colours and materials identified on the Schedule of Materials and Finishes, attached to and forming part of this approval, shall be used unless the prior written approval of the Shire is obtained for an alternative.**
- d. All storm water shall be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is not permitted.**

Advice Note:

- 1. It is an offence to reside on the property unless a habitable dwelling has been constructed or Council has approved an application for temporary accommodation. Further information is available from Shire's Health Services Team.**

CARRIED 9/0

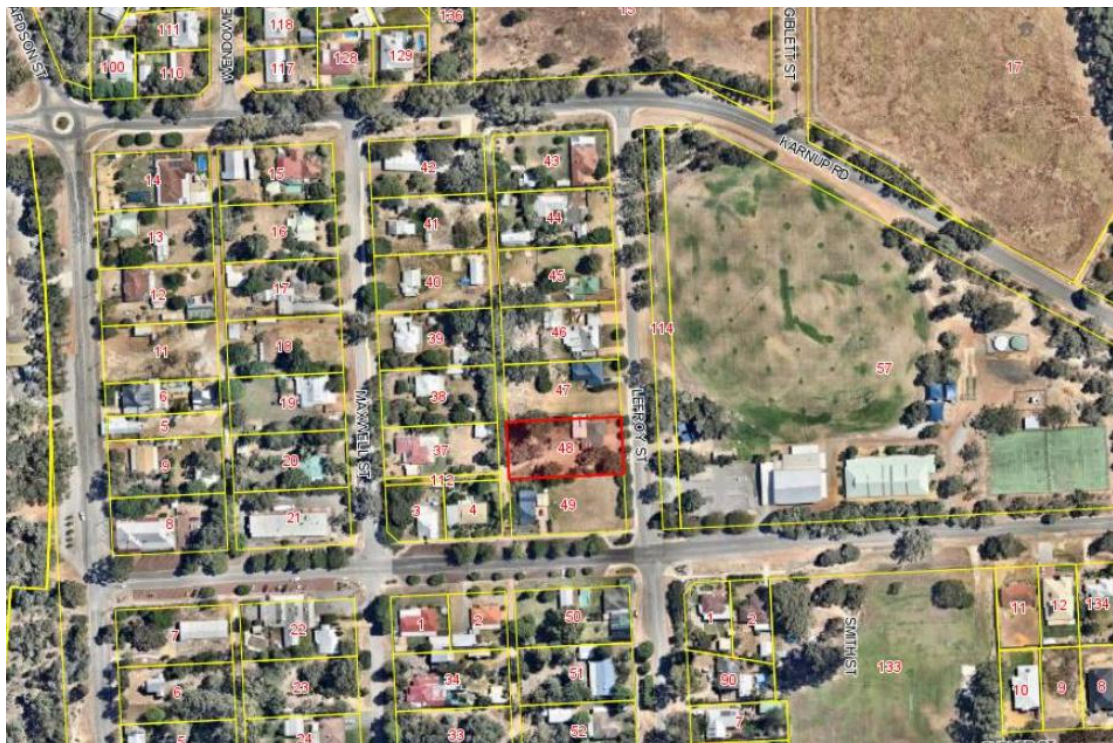
OCM136/08/15	Lot 48(#22) Lefroy Street, Serpentine–Retrospective Additions to existing ‘Single Dwelling’ and proposed ‘Outbuilding’ (Shed) (P02541/01)
Author:	Rob Casella – Planning Officer
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	8 July 2015
Disclosure of Officers 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>

Owner: Michael Koster
 Date of Receipt: 14 April 2015
 Lot Area: 2 028m²
 Town Planning Scheme No 2 Zoning: ‘Urban Development’
 Metropolitan Region Scheme Zoning: ‘Urban’

Introduction

The purpose of the report is for the retrospective consideration of various additions to the existing ‘Single Dwelling’ and a proposed ‘outbuilding’ (shed) on Lot 48 (#22) Lefroy Street, Serpentine (the site).

The application is being presented to Council for consideration as the proposal is not in accordance with the provisions of Local Planning Policy 17 (LPP 17) – Residential and Incidental Development, with specific regard to the proposed floor area and wall height.



Aerial Photograph

Background:

Existing Development:

The site is currently a development in accordance with the residential zone, as per the Draft Serpentine Townsite Local Structure Plan, with a ‘single dwelling’.

The property is also characterised with a number of mature trees scattered around the southern and western boundary.

Retrospective Development

The applicant has identified a number of additional structures that have been extended onto the dwelling, namely the bathroom (4m x 8m) and 'Verandah', which requires Shire approval due to the property being located within the 'Urban Development' zone.

Proposed Development:

The proposal is to construct a 108m² 'outbuilding' (shed) as well as a 60m² carport along the southern side of the existing 'Single Dwelling'.

Relevant Previous Decisions of Council:

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

Community / Stakeholder Consultation:

The application has been referred in accordance with LPP 17. As a result of the consultation two submissions were received, both noting no objection to the proposal.

Statutory Environment:

- Metropolitan Regional Scheme
The site is zoned 'Urban' under the Metropolitan Regional Scheme
- Shire of Serpentine Jarrahdale Town Planning Scheme No 2
The site is zoned 'Urban Development' under the Town Planning Scheme
- Local Planning Policy 17 - Residential and Incidental Development
- State Planning Policy 3.1 – Residential Design Codes

Financial Implications:

There are no direct financial implications regarding this matter.

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

Planning Assessment:

The application has been assessed in accordance with the relevant statutory documents. The site is zoned 'Urban Development' under the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS 2) with no approved Local Structure Plan over the site.

The requirement to prepare a local structure plan is to ensure that the future development of the area is not compromised by certain uses. The proposal is considered to be consistent with the existing use and will not have a negative impact on the future development of the area.

Retrospective Development

The retrospective development that forms part of this application is for the extension of the primary dwelling to create a bathroom measuring 8m x 4m and a verandah measuring 4m x 7m to the rear (west) elevation of the dwelling.

The retrospective development has been assessed using State Planning Policy 3.1 (SPP 3.1) – Residential Design Codes (R-Codes) and deemed compliant.

Proposed Outbuilding:

LPP 17, is generally used to assess applications for sheds with regard to floor area, setbacks and heights. In this regard, the maximum floor area of all (existing and proposed) outbuildings should not exceed 10% of the area of the lot or 60m² (whichever is the smallest). The floor area of the proposed outbuilding and carport exceeds this requirement, having a total area of 168m². In addition the policy prescribes a wall height of 2.4m; the proposed wall height is 2.7m.

Building Design and Location

The shed will be constructed using steel material with a finished colour of paperbark on the walls and a woodland grey finish to the roof. The proposed height is considered to be acceptable in 'Rural' areas and would not impact negatively on the surrounding area.

The proposed outbuilding intends on varying the rear setback to 1.5m in lieu of 6m.

Adjoining the rear of the property is a 5m wide laneway, which subsequently increases the distance of the outbuilding from the nearest adjoining property.

SPP 3.1 prescribes the rear setback of the 'outbuilding' to be 6m. The proposal is for the 'outbuilding' to be located 1.5m from the rear boundary. The Shire officers are of the opinion that the reduced setback will not have a negative impact on the adjoining property due to the two properties being separated by a 5m wide laneway, which would effectively provide a 6.5m separation distance between the proposed 'outbuilding' and the adjoining property boundary.

Options and Implications:

With regard to the determination of the application for planning approval under Town Planning Scheme No. 2, Council has the following options:

Option1: Council may resolve to approve the application subject to conditions.

The approval of the application will not result in a negative impact on the amenity or character of the area.

Option 2: Council may resolve to refuse the application.

Refusal of the application may result in an appeal to the State Administrative Tribunal which may not be able to be successfully argued.

Option 1 is recommended

Conclusion:

The retrospective application for the extensions to the dwelling has been deemed to comply with the relevant provisions of the Residential Design Codes.

However, whilst the proposal for the outbuilding is not directly in line with LPP 17, the application has been considered on its planning merits. As such it is the opinion of the Shire's officer that the proposal will not be detrimental to the amenity or character of the area nor will it prejudice the integrity of the future development of the Serpentine town site.

Attachments:

- [OCM136.1/08/15](#) – Site Plan, floor plan and cross section (E15/3075)
- [OCM136.2/08/15](#) – Summary of submission (E15/1695)

Voting Requirements: Simple Majority

OCM136/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Wilson, seconded Cr Urban

That Council:

- 1. Approves the retrospective application submitted by Michael Koster, for the bathroom and verandah on Lot 48(#22) Lefroy Street, Serpentine, and**
- 2. Approves the application submitted by Michael Koster, for the proposed ‘outbuilding’ (shed) and attached carport on Lot 48 (#22) Lefroy Street, Serpentine, subject to the following conditions:**
 - a. The ‘outbuilding’ (shed) shall not be used for human habitation, commercial or industrial purposes (including ‘home occupation’), the parking of a commercial vehicle or the stabling of horses or other livestock.**
 - b. The development shall not to be located within 1.2 metres of any existing septic tank or 1.8 metres of a leach drain.**
 - c. All storm water shall be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is not permitted.**

CARRIED 9/0

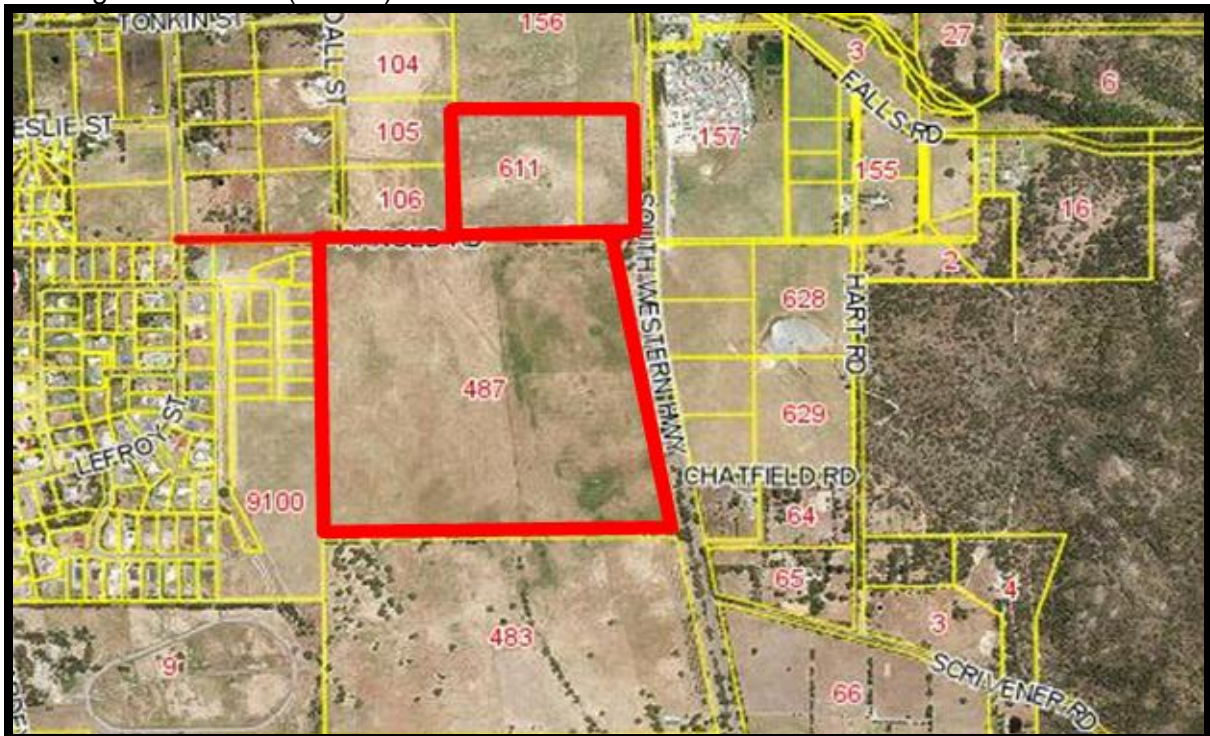
OCM137/08/15	Lots 487,611, & 615 Arnold Road, Serpentine-Initiation of Proposed Scheme Amendment No.192-Rezoning from 'Rural' to 'Rural Living A' (SJ348)
Author:	Helen Maruta – Senior Planning Officer
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	17 July 2015
Disclosure 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: Harley Dykstra
 Owner: Constantino Joseph John Spagnolo
 Date of Receipt: 13 March 2015
 Lot Area: 61.7ha
 Town Planning Scheme No 2 Zoning: 'Rural'
 Metropolitan Region Scheme Zoning: 'Rural'

Introduction

The purpose of the report is to consider a proposed scheme amendment for initiation to rezone lots from 'Rural' to 'Rural Living A' for Lots 487,611 & 615 Arnold Road, Serpentine.

The rezoning proposal has been submitted in accordance with the Shire's Rural Strategy Review 2013 that identified the subject land as "Rural Living A". The Rural Strategy Review 2013 was adopted by Council in July 2014 and is yet to be endorsed by Western Australian Planning Commission (WAPC).



Aerial Reference

Background:

Existing Development:

The subject land cleared of native vegetation is currently used for broad acre cattle grazing.

Proposal

The proposal to amend the Shire's Town Planning Scheme No. 2 (TPS 2) has been submitted as follows:

1. Rezoning Lots 487,611 & 615 Arnold Road, Serpentine from 'Rural' to 'Rural Living A' and amending the scheme map accordingly.
2. Amending the scheme text – 'Appendix 4A – 'Rural Living A' zone' to include special provisions relating to Lot 487,611 & 615 Arnold Road, Serpentine.

The 'Rural Living A' zone permits the subdivision of land into lots of between 4000m² and 1.0 hectare in area. The proposed subdivision guide plan depicts creation of 115 'Rural Living A' lots of approximately 4000m². The subdivision guide plan is intended to demonstrate how the subject land will be subdivided and how it will integrate with the existing and proposed land uses and network movement in the locality.

Relevant Previous Decisions of Council:

There is no previous Council decision relating to this application.

Community / Stakeholder Consultation:

Should Council resolve to initiate the proposed Scheme Amendment, the Scheme Amendment will be progressed as per the *Town Planning Regulations 1967*, and Local Planning Policy No. 27 (LPP 27) – Stakeholder Engagement in Land Use Planning.

Statutory Environment:

- Metropolitan Regional Scheme
The site is zoned 'Rural' under the Metropolitan Regional Scheme
- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2
The site is zoned 'Rural' under the Town Planning Scheme
- State Planning Policy (SPP) 2.1 – Peel – Harvey Coastal Plain Catchment
- Rural Strategy Review 2013

Financial Implications:

There are no direct financial implications regarding this matter.

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 3.2.3	Enhance streetscapes and public places with vegetation that is natural to the area, sustainable (water wise) and cost effective.

Planning Assessment:

In undertaking its initial assessment, Shire officers are not satisfied that sufficient information with regards to the Local Water Management has been submitted to enable assessment of the land capability to be completed. In that regard Shire officers recommend that the proposal be deemed unsatisfactory for advertising until these matters are resolved.

Metropolitan Region Scheme and Town Planning Scheme No 2

Lots 487,611, & 615 Arnold Road, Serpentine are currently zoned 'Rural' under the Metropolitan Region Scheme (MRS) and 'Rural' under the provisions of the Shire's TPS 2

includes a range of general provisions guiding the development of 'Rural Living A' zoned land. The key provisions are as follows:

- The 'Rural Living A' zone is intended to cater for rural residential development on a range of lots between 4000m² to 1ha in accordance with the objectives and guidelines of the Rural Strategy;
- The provision of a reticulated water supply is required for development on new lots under 2 hectares unless approved by Council and the State Planning Commission;
- The rezoning to be accompanied by a subdivision guide plan that will include building envelopes;
- Building envelopes are not to have an area greater than 1000m² with a setback of 20m from primary street and 10m from all other boundaries;
- Subdivision to be in accordance with the endorsed subdivision guide plan;
- Stormwater drainage is required to be designed to the satisfaction and specification of the Shire; and
- All land designated as public open space or public access way on the subdivision guide plan shall be given up to the Crown, free of cost.

Rural Strategy Review 2013

The subject land is identified as 'Rural Living A' in the Rural Strategy Review 2013. The 'Rural Living A' policy allows for the creation of lot sizes between 4000m² to 1 hectare. The proposal is generally consistent with the key objectives of the rural living policy area. The Rural Strategy Review 2013 is currently with the Western Australian Planning Commission (WAPC) awaiting endorsement.

SPP 2.1 - Peel-Harvey Coastal Plain Catchment

The subject lot is situated within the Peel-Harvey Catchment and as such any proposed intensification of agricultural activities requires consultation with the Department of Environment and Conservation (DEC) and the Department of Agriculture and Food to ensure that the use of the land does not involve excessive nutrient export into the drainage system.

Site characteristics

The subject properties have a total area of approximately 61.7 hectares, located approximately 600 metres north-west of the Serpentine Town site. The site has frontage to Arnold Road which is an unsealed road within a 20m wide road reserve. South Western Highway abuts the land to the east. A significant portion of Lot 615 is within the Metropolitan Regional Scheme (MRS), Primary Regional Road reservation for the proposed future alignment of South Western Highway.

The land to the east of Lot 487 is the Serpentine Green Estate which contains a range of 'Rural Living A' lot sizes between 4000m² to 1.0 hectare lots. The land north, south and east of the subject land consists of cleared pastures and is currently undeveloped. The land to the immediate west of Lot 611 is zoned 'Urban' forming part of the Serpentine urban cell. The Serpentine locality is currently well serviced by 'Rural Living A' lots of around 4000m².

Lot Layout

There is no provision in TPS 2 specifying minimum requirements for lot widths in the 'Rural Living A' zone. All lots as shown in the indicative Subdivision Guide Plan have regular shapes and lots widths of a minimum of 37m. The extent of building envelopes shown on the indicative Subdivision Guide Plan is generally consistent with the requirements in TPS 2 requiring 20m setbacks from the primary road and 10m setbacks from all other boundaries. The Subdivision Guide Plan is indicative only and will require separate assessment and approval.

Drainage

A Local Water Management Strategy for the site was submitted with the application. An initial assessment of the Local Water Management Strategy by Shire officers identified the following key matters of concern:

- Hydraulic modelling for the drainage infrastructure and Hardy's Creek Main Drain was not provided.
- 1-Year, 5-Year and 100-Year Average Recurrence Interval (ARI) Top Water Level and Peak Discharge information was not provided.
- Flood Storage Areas (FSAs) are not proposed. Flood storage is required to be provided in accordance with Water Corporations Rural Drainage Criteria for Mundijong Drainage District. This should be provided in the public realm and designed as dry detention basins.
- Cross-sections for the Hardy's Creek Main Drain or the required FSAs were not provided.
- No consideration was given to internal lot drainage where groundwater perched and minimal infiltration is expected.

To cater for the outstanding drainage requirements it is considered that various lots will need to be changed or reconfigured from the proposed 'Rural Residential' use to 'Public Open Space' and / or 'Drainage'. The envisaged changes are likely to affect lot boundaries, road alignment and eventually the Subdivision Guide Plan. In that Shire officers recommend the proposal be deemed unsatisfactory for advertising until these matters are resolved to the satisfaction of the Shire.

Effluent Disposal

Issues surrounding on-site effluent disposal are a significant consideration in respect to this proposed amendment, as sewer is not available. The groundwater assessment included in the draft scheme amendment identifies that alternate effluent disposal systems will be required in this area. Given and the low lying nature of the site it is recommended that appropriate provisions be incorporated into TPS 2 which addresses the following:

- The requirement for effluent disposal envelopes, separate to building envelopes, of a size of 300m² to be identified at the subdivision stage based on geotechnical investigations outcomes This will be achieved through soil testing to ascertain the most appropriate site on the property for the effluent disposal system; and
- Include a notation to state that the location of the envelopes are indicative only and that building envelopes and effluent disposal envelopes will be required to ensure adequate separation distance to groundwater is achieved. The exact location of these envelopes will be set at subdivision stage based on site assessment.

Public Open Space

Due to the existence of the Hardy's Creek main drain across Lot 487 an area of 'Public Open Space' is proposed along the creek. The subdivision guide plan provides a total of 2.9 hectares of 'Public Open Space'. There is no legislative requirement for 'Public Open Space' and as such the critical purpose of the 'Public Open Space' is as a drainage function. The applicant provided information that the creek will be upgraded to slow and broaden the flow path and improve its ability to retain sediment, nutrients and other contaminants entering it from the project and upstream areas.

Multiple Use Corridor

Multiple use corridors are linear reserves which integrate the multiple purposes of water quantity and quality management, nature conservation and ecological function, and recreational opportunities. The proposed subdivision guide plan does not indicate any

multiple use function within the public open space. It is recommended that the guide plan be upgraded to accommodate multiple use trail (walking / cycling) and emergence path / firebreak along the appropriate side of the reserve in accordance with the Shire's multiple use trails, Local Planning Policy No. 9 (LPP 9) Multiple Use Trails within the Shire of Serpentine Jarrahdale.

Services

Power lines run along Karnup Road to the north of the subject land and parallel to South Western Highway. Existing telecommunications infrastructure is located in the vicinity of South Western Highway and Arnold Road. Existing water mains are located within the northern verge of Turner Street and within the western verge of Rudall Street in the Serpentine Town site. A water main is also located within the southern verge of Karnup Road to the north of the subject property. The applicant provided that the lots will be supplied with scheme water and serviced with underground telecommunications and power.

Road Layout

The proposed subdivision guide plan proposes a series of new 15 meter and 20 meter road reserves providing access to the proposed lots. The proposed road layout is intended to facilitate the implementation of the proposed drainage system. Officers recommend that all the internal access roads longer than 200m should have appropriate traffic management control measures like a splitter Island in accordance with the Liveable Neighbourhood provisions. The pattern of the roads will be further considered at the subdivision stage.

Fire & Emergency Management

The scheme document identifies the subject land as low risk to bushfire due to the land being cleared of vegetation. In addition the applicant does not consider formal assessment of the bushfire risk to be necessary as the area is not within 100metres of an area of bushfire prone vegetation equal or greater than 1ha. The applicant has provided that the estate will be developed with reticulated water, which will enable the provision of fire hydrants and has considered fire hazard to very minimal.

Shire officers are of the opinion that the proposal should have regard to the planning for Bushfire Protection Element 2 with regards to the following matters:

- Compliance with the Planning for Bushfire Protection Element 2: *Vehicular Access A2.1* which requires two access routes connecting to the public road network.
- A 6m wide Emergency Access required at either side of the Public Open Space / Drainage.
- A 6m strategic firebreak to be constructed to the western portion of the site to allow for access.
- There is a requirement for 3m (minimum) perimeter firebreaks where possible immediately inside the property boundaries of properties over 4047m².

Options and Implications:

There are two options available to Council with respect to the proposed scheme amendment, as outlined below:

Option 1. Resolve to initiate the Scheme Amendment.

Option 2. Resolve not to initiate the Scheme Amendment.

Option 1 is recommended

Conclusion:

The rezoning of Lots 487,611 & 615 Arnold Road, Serpentine from ‘Rural’ to ‘Rural Living A’ is in keeping with the intention and direction of the Rural Strategy Review 2013, will be required to conform to the requirements of TPS 2.

Attachments:

- [OCM137.1/08/15](#) – Proposed Scheme Amendment Site Plan(E15/3426)
- [OCM137.2/08/15](#) – Subdivision Guide Plan (E15/3425)
- [OCM137.3/08/15](#) – Scheme amendment Application Document (IN15/5358)

Voting Requirements: Simple Majority

OCM137/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Wilson, seconded Cr Hawkins

That Council:

1. Resolve to initiate, Scheme Amendment No 192, to the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, pursuant to Part 5 of the *Planning and Development Act 2005* as submitted by Harley Dykstra on behalf of the landowner Constantino Joseph John Spagnolo Lots 487,611,615 Arnold Road, Serpentine by:
 - a. Rezoning Lots 487,611 &615 Arnold Road, Serpentine from “Rural” to “Rural Living A”.
 - b. Amending the Scheme Map by delineating Lots 487,611 & 615 Arnold Road, Serpentine within the ‘Rural Living A’ zone and identifying it as RLA30.
 - c. Inserting in Appendix 4(A) ‘Rural Living A’ Zone the following:
 - i. Including Lots 487,611 &615 Arnold Road, Serpentine in Appendix 4A – Rural Living A zone and including the appropriate details in Appendix 4A of the Scheme as follows:

APPENDIX 4A – RURAL LIVING A ZONE

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA	30	Lots 487, 611 & 615 Arnold Road, Serpentine	1. Within the Rural Living A zone the following land uses are permitted, or are permitted at the discretion of the Council – <i>Use Classes Permitted (P)</i> Single House Public Recreation Public Utility <i>Discretionary Uses (AA)</i> Ancillary Accommodation Home Occupation Home Business All other uses are prohibited.

			<ol style="list-style-type: none"> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health and has a phosphorous retention capacity appropriate for the site which conforms to relevant Department of Environment Regulation and Department of Water provisions. 3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the sub divider or landowner obtaining the prior written consent of the Council, where such vegetation is identified as structurally unsounded by an accredited arboriculturalist or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways or to accommodate an approved use. 4. Prior to the clearance of the subdivision, the sub divider shall prepare a Building Envelope and Effluent Disposal Envelope Plan to the satisfaction of Council, with the location of the envelopes being determined based on geotechnical investigations undertaken by the sub divider. The effluent disposal envelopes are to be separate from the building envelopes and are to be 300m² in size. All buildings and effluent disposal systems to be located within the respective building envelopes and effluent disposal envelopes defined on the approved Building Envelope and Effluent Disposal Envelope Plan unless otherwise approved in writing by the Council. 5. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specification of the Council which shall show site contours, proposed pad level, approved re-vegetation areas, existing trees
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				<p>and strands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>6. The sub divider shall prepare and implement a Landscape and Vegetation Management Plan to the satisfaction of Council, in accordance with the Subdivision Guide Plan and the approved scheme amendment report.</p> <p>7. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Western Australian Planning Commission for whole or part of the area.</p> <p>8. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it and the requirements of clause 5.9.3.</p> <p>9. The sub divider is to place a notification on the title of each lot advising potential purchasers that their property may be subject to periodic inundation in storm and flood events. In addition, purchasers are to be advised that direct storm water connection into the Shire’s roadside drainage system is not permitted.</p> <p>10. The sub divider is to place a notification on the title of each lot advising potential purchasers of the minimum pad height requirements for future dwellings and effluent disposal systems to ensure that an adequate separation distance to groundwater is maintained. The minimum pad heights are to be determined through geotechnical investigations undertaken by the sub divider.</p>
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				<p>11. The sub divider is to place a covenant on the title of each lot abutting South Western Hwy preventing direct vehicular access to and from South Western Hwy.</p> <p>12. A Section 70A Notification being placed on lots abutting South Western Highway, advising prospective purchasers that the lots may be affected from noise traffic.</p> <p>13. Prior to subdivision the developer shall appoint a suitably qualified person, to assess and report on potential noise impacts affected by traffic from South Western Highway. The report shall include noise contours and proposed noise ameliorations such as noise barriers and construction methods required to achieve practicable noise reduction targets in accordance with SPP5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning.</p> <p>14. A Multiple Use Corridor within property shall be constructed by the sub divider prior to the subdivision clearance in accordance with the endorsed Subdivision Guide Plan.</p>
				<p>15. The sub divider shall prepare and implement a Fire and Risk Management Plan, including construction of the emergency access ways, the strategic firebreak/multiple use trail network depicted on the endorsed Subdivision Guide Plan, water supplies and equipment and other fire management requirements deemed necessary, to the specification and satisfaction of Council and the Fire and Emergency Services Authority of Western Australia.</p>

2. Subject to:

- a. The submission and approval by the Director Engineering of a revised Local Water Management Strategy.**

- b. Modification of the subdivision guide plan to indicate the location of strategic firebreaks, emergency access, to the satisfaction of the Director Engineering.**
- 3. Forwards Scheme Amendment No. 192, to the Environmental Protection Authority for comment, pursuant to Section 81 of the *Planning and Development Act 2005*.**
- 4. Subject to the Environmental Protection Authority direction under section 48A(1)(c), advertise Scheme Amendment 192, pursuant to Regulation 25 (2) of the *Town Planning Regulations 1967* (as amended) for a period of 42 days.**
- 5. Subject to no objections being received during the advertising period required in (4) above, Scheme Amendment 192 is adopted by Council pursuant to clause 25(2)(n) of the *Town Planning Regulations 1967* (as amended). The adoption date is to be the date of the first Ordinary Council Meeting following the closure date of the advertising period required in (4) above.**

CARRIED 9/0

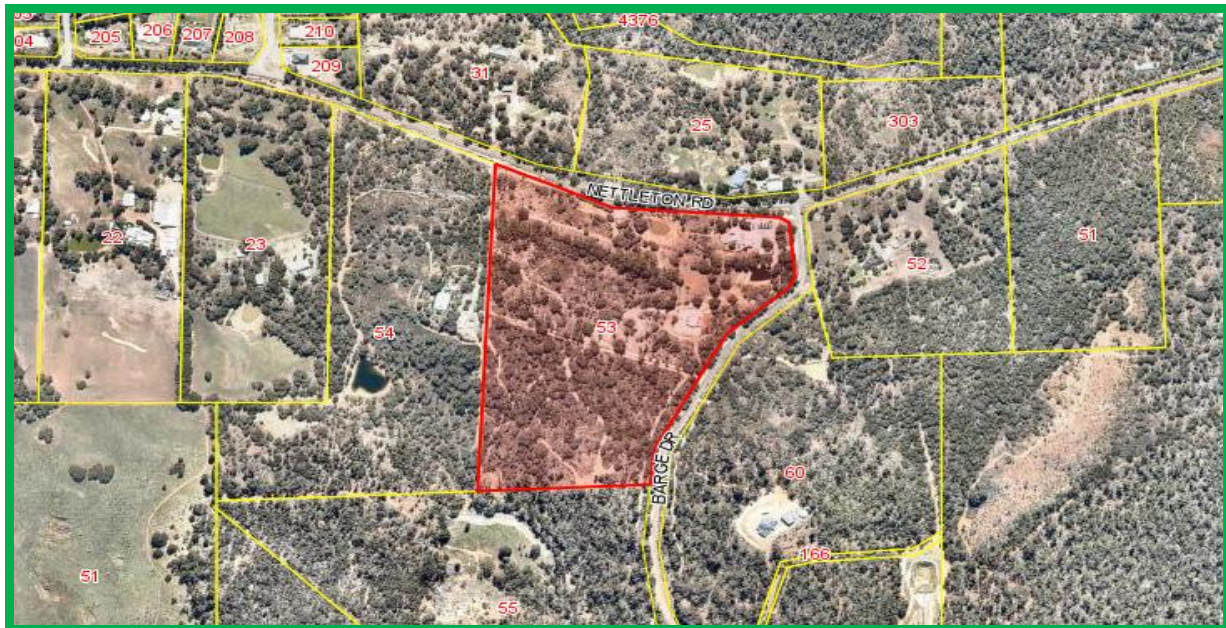
OCM138/08/15	Lot 53 (#6) Barge Drive, Byford– Proposed Retrospective Dam and Dome Structure (P04847/05)
Author:	Helen Maruta – Senior Planner
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	13 July 2015
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act 1995</i>

Owner: Geoff May
 Date of Receipt: 31 March 2015
 Lot Area: 121 444m² (12,14ha)
 Town Planning Scheme No 2 Zoning: 'Rural'
 Metropolitan Region Scheme Zoning: 'Rural'

Introduction

The purpose of the report is to consider the development application for a retrospective dam and a dome structure on Lot 53 (#6) Barge Drive, Byford.

The report is being presented to Council for determination due to objections received during the consultation period. In addition, the dam proposal falls under the 'high impact' category under the draft Local Planning Policy No. 33 (LPP 33) and as such requires determination by Council.



Aerial View

Background:

Existing Development:

The subject land consists of an existing residence and outbuildings including two dams located on the northern part of the property.

Proposed Development:

Based on the information that was received by the Shire the proponent is seeking retrospective planning approval for a dam and a dome structure. The proposal features the following:

- A dam which is approximately 12 metres wide and 6 metres deep with a dam wall of 4 metres.
- The dam is setback back 10 metres from the southern boundary and 9 metres from the western boundary.
- The dam wall is lined by clay materials.
- The intended use of the water is for firefighting and domestic purposes.
- The dome shelter is a structure made up of a roof supported by two sea containers to be used for storage of farm implements and other equipment.

Relevant Previous Decisions of Council:

There is no previous Council decision relating to this application.

Community / Stakeholder Consultation:

The application has been referred as follows:

Government Agencies/Departments

- Department of Water
- Department of Environment and Regulation

Department of Water.

The following is a summary of the submissions received:

- It would appear the site features remnant vegetation and may require a clearing permit therefore this proposal must be referred to the Department of Environment and Regulation.
- As the subject lot lies outside the proclaimed area under the *'Rights in Water and Irrigation Act 1914'*, a Surface Water Licence and a Permit to construct is not required.

Department of Environment and Regulation

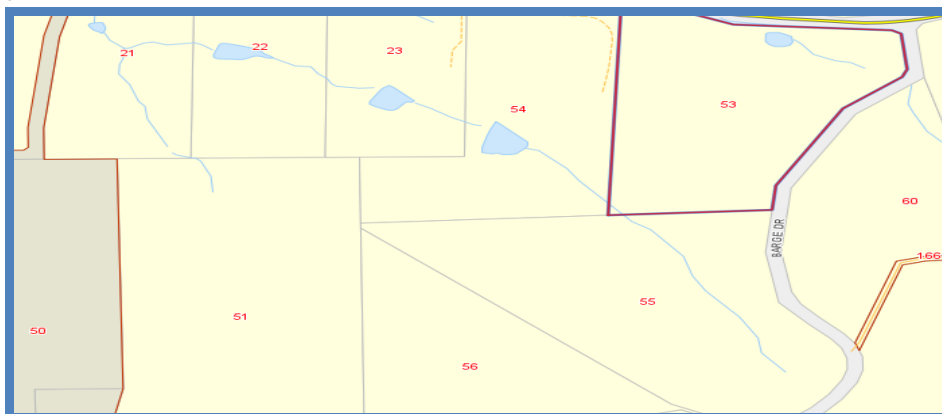
- The clearing of native vegetation in Western Australia is prohibited, unless the clearing is authorised by a clearing permit obtained in accordance with the *Environmental Protection Act 1986* or is of an exempt kind.
- No clearing permit has been issued for this location.

Community and stakeholders:

Community consultation was undertaken which resulted in a total of three objections received. The main issues that were raised are listed follows:

- Insufficient information to support the application;
- Cumulative impacts on the water course;
- Boundary Encroachment and;
- Loss of vegetation.

Comment:



Cumulative impacts along a watercourse

An ephemeral watercourse originates on the property south of the subject land as shown on the map above. Man-made dams have been constructed along the water course by neighbouring properties to the west to capture water for domestic uses and firefighting purposes. During the consultation period, significant concerns were raised by the neighbouring properties (downstream users of the watercourse) regarding potential diminishing water inflows into their dams if the proposal were to be approved. The submitters were concerned that the dam would negatively impact on the water supply of their dams which stored water over the spring, summer and autumn months. One submitter was concerned that reduced water inflows downstream would potentially affect breeding of his Koi fish.

Applicant response:

We require water for firefighting services, and it is noted that some neighbours do not use water for domestic purposes but for breeding fish. This dam falls within the low impact category and will not affect downstream users.

Shire Officers comment:

Shire officers have considered that the proposal is likely to negatively and unreasonably impact on the creek. Given there are four existing dams along the water course, Shire officers have considered that the proposal is likely to have a negative impact on the performance (flow) of the watercourse.

The applicant has not provided sufficient information demonstrating that cumulative impacts on the base flows of the creek would not negatively impact on the downstream users potentially affecting their firefighting capabilities.

Without having a clear indication of the impact, the proposed dam may have downstream implications and therefore Shire officers cannot support the proposed dam. Arguably water from the existing dams could be used for firefighting and other uses proposed by the applicant.

Insufficient Information

Concerns were raised regarding insufficient information provided by the proponent to demonstrate that the dam was structurally sound. The application was not supported by engineering, hydrological or geotechnical reports to demonstrate in detail the structural integrity of the dam and how base flows were to be maintained and erosion minimised during construction.

Applicant response:

The two dams on the property are both close to empty. As to geotechnical and engineers reports, I doubt if the dams downstream have Shire approval or any of these reports.

Shire officers comment:

In accordance with the Shire's draft LPP33 (schedule 2) the dam falls within the 'high impact' category as it has been built along a waterway. The proponent was given an opportunity to provide further information in view of the issues that were being raised. In addition, Shire officers also provided the applicant with the opportunity to provide site specific information given the dam was categorized as high impact, with a potential of detrimentally limiting the amount of water flow available for downstream users, particularly natural base flows and early winter flows. This information would allow Shire officers to carefully consider the application and provide an informed recommendation to Council. However, this information was not provided as the proponent deemed the proposal to be of 'low impact' and found it unreasonable to provide further information in that regard.

Boundary Encroachment

Concerns were raised regarding potential encroachment of the dam wall on the neighbouring property. The submitter is also of the view that the proposed boundary setbacks indicated in the site plan were incorrect. Concerns were also raised regarding removal of vegetation on the neighbouring properties during the site works preparation and the subsequent construction of the retrospective dam.

Applicant Response:

The dam is as stated on the application. It has not crossed over the boundary and I suggest this neighbour gets his eyes checked. Minimal clearing of vegetation was required for the construction of the dam.

Shire officers response:

As noted by the applicant and indicated on the plans submitted to the Shire, the proposed dam is contained within the property boundaries. Local Planning Policy 17 (LPP 17) - Residential and Incidental Development applies to residential and incidental development within the Shire of Serpentine Jarrahdale. Whilst the policy does not specifically mention setbacks for a dam, Shire officers have considered the dam as incidental to the domestic dwelling and consider it reasonable to apply setbacks consistent with development in a 'Rural' zone. In that regard a ten (10) meter side set back would apply to this proposal.

Statutory Environment:

- Metropolitan Regional Scheme
The site is zoned 'Rural' under the Metropolitan Regional Scheme
- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS 2)
The site is zoned 'Rural' under the Town Planning Scheme
- Draft Local Planning Policy No.33 (LPP 33) Construction of Dams.
- Local Planning Policy No.20 (LPP 20) Sea containers and other similar relocatable storage containers.

Financial Implications:

Refusal of the application may result in the applicant submitting an appeal with the State Administrative Tribunal. However, Shire officers are of the opinion that should an appeal be submitted, it can be addressed without the need to appoint consultants.

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.

Planning Assessment:**Town Planning Scheme No 2****Use Class and Permissibility**

The subject property is zoned 'Rural' under Council's TPS 2. The purpose and intent of the 'Rural' zone is to allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme area. It is considered that the construction of a dam complies with the purpose and intent of the rural zone.

Local Planning Policy No 33 - Construction of Dams

In accordance with the provisions of Schedule 1 of draft LPP 33, a dam is a permitted use in the rural zone for lots above 4 hectares. Schedule 2 of the policy provides key areas that assist in determining the impact associated with individual dam proposals.

The key areas are discussed in the table below

Dam Characteristics	High Impact	Shire Officer Comment
Dam Size	<ul style="list-style-type: none"> Storage capacity exceeding 500 kilolitres 	<u>High Impact</u> Based on the formation provided the volume of water which can be held in the dam is approximately 860m ³ .
Dam Location	<ul style="list-style-type: none"> Across a watercourse or within a public water supply catchment (within 30 metres if dam is for human consumption and 15 metres for a non-potable water source) 	<u>High Impact</u> The dam has been built across a watercourse.
Vegetation Clearing	<ul style="list-style-type: none"> Requires extensive clearing of remnant trees, shrubs and sedges to construct dam Minimal relocation of vegetation proposed 	<u>High Impact</u> The subject land contains native vegetation and clearing of vegetation occurred on site without obtaining the necessary approvals.
Watercourses	<ul style="list-style-type: none"> Dam is close to an existing watercourse and therefore will have a high impact on the health of the watercourse Multiple dams locate along a waterway. 	<u>High Impact</u> The dam has been built across a watercourse and the proposal will result in more than 4 dams along a watercourse.
Water Buffers	30 metres	
Visual Impacts	<ul style="list-style-type: none"> Landscaping visually dominant/inconsistent with surrounding area 	No visual impact as it is located at the bottom of a hill with mature vegetation.
Risk to Health and Safety	<ul style="list-style-type: none"> High risk to the safety of persons (ie. Falling in dams) High risk of dam failure Low accessibility High risk of midge and mosquito impact Algae present 	No information has been provided with the application in this regard. The applicant deemed the dam to be low impact and did not provided further information.
Flora and Fauna	Presence of exotic species (eg. Waterlilies, carp, trout)	Water from the dam is proposed to be used for firefighting and household purposes.
Cumulative Impact (500 metres upstream and downstream)	Greater than 4 dams within a 1 kilometre stretch	<u>High Impact</u> The construction of the dam will result in more than four dams within a one kilometer stretch.

Local Planning Policy No. 20 - Sea containers and other similar relocatable storage containers

The policy allows planning consent to be considered for one sea container in a rural zone if the sea container is for the temporary storage of building materials and equipment for the duration of construction of a building or structure.

The retrospective dome shaped structure / shelter is supported by two sea containers.

Shire officers have considered that placement of sea containers is not related to the storage of building materials associated with the subject land as required by the policy. The applicant has provided information that the structure is for storage of farming implements including equipment for a sandmining business he owns. Notwithstanding the shelter on top

of the sea containers, the structure arguably does not easily fit within the definition of an 'Outbuilding' and is considered not in keeping with the rural zone.

Options and Implications:

With regard to the determination of the application for planning approval under Town Planning Scheme No. 2, Council has the following options:

Option 1: Council may resolve to refuse the application.

Refusal of the application may result in an appeal to the State Administrative Tribunal which, Shire officers are confident can be successfully argued.

Option 2: Council may resolve to approve the application with conditions.

Approval of the application without further information is likely to detrimentally diminish waters level of downstream users who depend on the water for firefighting particularly in summer.

Option 1 is recommended

Conclusion:

The application falls within the high impact category which requires careful assessment of the environmental and hydrological impacts. The cumulative impacts of the proposal have not been properly assessed due to lack of technical studies to support the application. Given the proponent has two existing dams adjacent to his house, Shire officers are of the opinion that the dam is likely to cause unreasonable impacts on the watercourse downstream.

Attachments:

- [OCM138.1/08/15](#) - Site plan and Cross Section (E15/3396)
- [OCM138.2/08/15](#) - Pictures of the dam (E15/3397)
- [OCM138.3/08/15](#) - Summary of Submissions (E15/2858)

Voting Requirements: Simple Majority

Councillor Kirkpatrick foreshadowed he would move a new motion to approve the application for the retrospective dam and dome structure at Lot 53 (#6) Barge Drive, Byford, with conditions, if the motion under debate is lost.

OCM138/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Urban, seconded Cr Moore

That Council refuses the application for the retrospective dam and dome structure submitted by Geoff May on Lot 53 (#6) Barge Drive, Byford, for the following reasons:

Dam

- a. The proponent has not provided sufficient information for the application to be properly assessed.**
- b. The proponent has been unable to adequately demonstrate that the proposal can comply with the provisions draft Local Planning Policy No. 33 Construction of Dams, by not detrimentally impacting on the downstream users on the same watercourse.**

Dome Shelter

c. The dome shelter/structure does not comply with clause 3.3 of the Shire of Serpentine Jarrahdale's Local Planning Policy No. 20 - Sea Containers and Other Similar Relocatable Storage Containers.

d. The use of the dome shelter / structure does not comply with the objectives of a 'Rural' policy area.

Lost 9/0

OCM138/08/15 COUNCIL DECISION / Councillor Motion

Moved Cr Kirkpatrick, seconded Cr Piipponen

That Council:

1. Approves the application for the retrospective dam submitted by Geoff May on Lot 53 (#6) Barge Drive, Byford, with the following conditions:
 - a. Engineering design drawings shall be submitted to the Director Engineering and approved within 60 days of the date of approval of the development application. Drawings are to include details of how the dam is constructed, how excavated material is to be used and overflow spillway arrangement.
 - b. The site shall be graded and stabilised to prevent erosion and run-off impacts from the property to the satisfaction of the Director Engineering in accordance with the approved engineering drawings.
 - c. Within 90 days of the date of approval of development application, a geotechnical report shall be prepared by a suitably qualified consultant and approved by the Director Engineering.
 - d. Batters for the bund are to be stabilised to address erosion to the satisfaction of the Director Engineering.
 - e. A Landscape and Vegetation Management Plan is to be prepared to the satisfaction of the Director Engineering.
 - f. All additional work, including batters and vegetation planting to be completed within 12 months of the date of approval.
 - g. Within 60 days of the date of completion, a structural certification report shall be prepared by a suitably qualified engineering consultant and approved by the Director Engineering.
2. Approves the application for the retrospective dome structure submitted by Geoff May on Lot 53 (#6) Barge Drive, Byford, with the following conditions:
 - a. The application shall be for a period not exceeding 12 months from the date of approval being 24 August 2016.
 - b. The dome shelter/structure needs to be changed, with suitable building and other approvals, to comply with the Shire of Serpentine Jarrahdale's Local Planning Policy No. 20 - Sea Containers and Other Similar Relocatable Storage Containers.
 - c. The dome shelter / structure needs to be changed, with suitable building and other approvals, to comply with the objectives of a 'Rural' policy area.

CARRIED 9/0

Councillor Moore declared a financial interest in OCM139/08/15 Lot 1 Roman Road, Mundijong – Retrospective Animal Enclosure and Outbuilding and left the Chambers at 7.55pm

OCM139/08/15	Lot 1 Roman Road, Mundijong – Retrospective Animal Enclosure and Outbuilding (P03889/01)
Author:	Rob Casella – Planning Officer
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	20 July 2015
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 1995</i>

Owner: BH Moore and Family Investments Pty Ltd
 Date of Receipt: 12 June 2015
 Lot Area: 37,000m² (3.7ha)
 Town Planning Scheme No 2 Zoning: 'Urban Development'
 Metropolitan Region Scheme Zoning: 'Urban'

Introduction

The purpose of the report is to consider the retrospective development application for one outbuilding for the purposes of an animal enclosure and pottery room and a proposed outbuilding for the purposes of equipment storage.

The item is being presented to Council for consideration as Shire officers do not have delegation to consider the application due to the combined floor area of the existing and proposed outbuildings exceeding what is prescribed by Local Planning Policy 17 (LPP 17) – Residential and Incidental Development.



Context Plan

Background

Existing Development:

The site has an existing dwelling, detached single vehicle garage, an open ended shed (approximately 116m²) and a rain water tank located in the north western corner of the property.

The existing structures on the site is identified in the Municipal Heritage Inventory as having a 'Management Category 3 – Conservation Encouraged' which is associated with Antoni Szczecinski, Mundijong's first publican and well-known identity of the district and as an early resident in Mundijong.

Proposed Development:

The subject application is for the consideration of a retrospective outbuilding 37m² (animal enclosure and potting room), and a proposed outbuilding 22.08m² (garden shed).

The cat enclosure and potting room features the following

- Measure 7.5m x 5m. The building has a wall height of 2.4m and roof height of 3.8m.
- The structure is setback 25m from the western (side) boundary and approximately 56m from the north east boundary (primary street).
- Constructed in recycled red face brick for the walls and sheet metal for the roof.

The garden shed features the following:

- Measures 6m x 3.6m with a wall height of 2.7m.
- The structure is setback 27m from the western (side) boundary and 2m from the existing open ended shed to the north.
- Constructed out of metal sheeting and frames in a colour that matches the roof colour of the existing dwelling.

The applicant has provided additional information in relation to the cat enclosure stating that the structure is for the purpose of housing two cats.

Relevant Previous Decisions of Council

Nil

Community / Stakeholder Consultation

The application has been advertised as per LPP 17, no submissions have been received.

Statutory Environment

- Metropolitan Region Scheme
The site is zoned 'Urban'.
- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2
The site is zoned 'Urban Development'.
- Local Planning Policy No.17 – Residential and Incidental Development

Financial Implications

There are no direct financial implications regarding this matter.

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

Planning Assessment

Zoning:

The site is zoned 'Urban Development' under the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS 2) with no approved Local Structure Plan over the site.

The requirement to prepare a local structure plan is to ensure that the future development of the area is not compromised by certain uses. The subject lot, being located within Precinct C of the Whitby – Mundijong District Structure Plan, is considered to be a development primarily for the purpose of a residence.

The proposal is considered to be consistent with the existing use and will not have a negative impact on the future development of the area.

In terms of LPP 17, the maximum floor area of all (existing and proposed) outbuildings should not exceed 10% of the area of the lot or 60m² (whichever is the smallest). The combined floor area of the outbuildings (existing and proposed) exceeds this requirement, having a total area of 176m². In addition the policy prescribes a wall height of 2.4m; the proposed wall height is 2.7m.

Taking into consideration the existing development on the site it is considered that the proposed development will not have a negative impact on the amenity or character of the surrounding area.

Options and Implications

With regard to the determination of the application for planning consent under TPS 2, Council has the following options:

Option 1: Council may resolve to approve the application.

Approval of the application will result in the proposal being proceeded, without any negative impact on the surrounding area.

Option 2: Council may resolve to refuse the application.

Refusal of the application may result in an appeal to the State Administrative Tribunal which may not be able to be successfully argued.

Option 1 is recommended.

Conclusion

Whilst the proposal is not directly in line with LPP 17, the application has been considered on its planning merits. As such it is the opinion of the Shire officers that the proposal will not be detrimental to the amenity or character of the area nor will it prejudice the preparation of a future Local Structure Plan for the area.

Attachments

- [OCM139.1/08/15](#) – Site Plan and Elevation Plans (E15/2904)
- [OCM139.2/08/15](#) - Supporting Information (IN15/12243)

Voting Requirements: Simple Majority

OCM139/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Wilson, seconded Cr Kirkpatrick

That Council approves the application submitted by BH Moore and Family Investments Pty Ltd the landowner for the retrospective approval of an outbuilding and the proposed outbuilding on Lot 1 Roman Road, Mundijong, subject to the following conditions:

- a. The outbuildings shall not be used for human habitation, commercial or industrial purposes (including 'Home Occupation'), the parking of a commercial vehicle or the stabling of horses or other livestock, unless the written approval of the Shire has first been obtained.**
- b. The animal enclosure shall be restricted for the use of domestic animals registered to the property.**
- c. The animal enclosure shall not be used for the purposes of boarding, breeding or commercial activities relating to the keeping of animals.**
- d. All Storm water shall be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is not permitted.**

CARRIED 8/0

Councillor Moore returned to Chambers at 7.56pm

OCM140/08/15	Consideration of Various Local Planning Policies (SJ1105; SJ1106; SJ1114; SJ1151; and SJ1152)
Author:	TPG Town Planning, Urban Design and Heritage
Senior Officer/s:	Deon van der Linde – Acting Director Planning
Date of Report:	24 July 2015
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

To consider a number of recommendations regarding the adoption of the following draft Local Planning Policies (LPPs):

1. Draft Local Planning Policy No. 24 – Designing Out Crime (LPP 24);
2. Draft Local Planning Policy No. 25 – Constructed Lakes (LPP 25); and
3. Draft Local Planning Policy No. 33 – Construction of Dams (LPP 33)

The report also requests that Council consider not adopting the following LPPs:

4. Draft Local Planning Policy No. 62 – Urban Water Management (LPP 62); and
5. Draft Local Planning Policy No. 63 – Integrated Land Use and Transport Planning (LPP 63).

Background:

The Shire of Serpentine Jarrahdale have been progressing significant policy development and review, with the view to delivering a more contemporary, rigorous and relevant suite of LPPs. The policy development and review program was also intended to achieve a more effective and efficient planning framework for decision making, with associated benefits for transparency, stakeholder confidence and customer service. Draft LPP 24, draft LPP 25, draft LPP 33, draft LPP 62 and draft LPP 63 were all adopted by Council for the purposes of advertising in 2011. The draft LPPs were released for public comment in 2011 and have not been reviewed since. TPG Town Planning, Design and Heritage (TPG) were approached to review the submissions and provide an objective and professional response to the Shire in regard to the comments received during the advertising period and an opinion on how to progress each draft LPP.

Relevant Previous Decisions of Council:

Draft Local Planning Policy No. 24 – Designing Out Crime

SD081/02/11 - On 28 February 2011 draft LPP 24 was adopted by Council for the purpose of advertising.

Draft Local Planning Policy No. 25 – Constructed Lakes

SD122/06/11 - On 27 June 2011 draft LPP 25 was adopted by Council for the purpose of advertising.

Draft Local Planning Policy No. 33 – Construction of Dams

SD081/02/11 - On the 28 February 2011 draft LPP 33 was adopted by Council for the purpose of advertising.

Draft Local Planning Policy No. 62 – Urban Water Management

SD129/06/11 - On 27 June 2011 draft LPP 62 was adopted by Council for the purpose of advertising.

Draft Local Planning Policy No. 63 – Integrated Land Use and Transport Planning

SD108/05/11 - On 23 May 2011 draft LPP 63 was adopted by Council for the purpose of advertising.

Community / Stakeholder Consultation:

In 2011 the Shire undertook a period of public consultation in relation to draft LPP 24, draft LPP 25, draft LPP 33, draft LPP 62 and draft LPP 63. Comment was invited from relevant State Government agencies, stakeholders and the community. A number of submissions were received in regard to the draft LPPs and a brief summary of the nature of submissions is provided in the following table.

	For	Against	General Comments	Total
LPP 24	0	1	2	3
LPP 25	1	1	5	7
LPP 33	0	0	3	3
LPP 62	0	1	5	6
LPP 63	2	4	3	9

Refer to the attached relevant Schedule of Submissions for each of the LPPs for a full summary and response to the submissions received.

Comment:Proposal

The Shire has developed a number of LPPs to guide local decision-making on the following issues:

- Designing Out Crime;
- Constructed Lakes;
- Construction of Dams;
- Urban Water Management; and
- Integrated Land Use and Transport Planning.

Draft Local Planning Policy No. 24 – Designing Out Crime

Draft LPP 24 has been prepared to guide development to ensure that Designing Out Crime initiatives outlined in Liveable Neighbourhoods are adhered to. The policy has three objectives:

- *To encourage urban development within the Shire to incorporate designing out crime principles;*
- *To provide guidance in relation to built outcomes that support the reduction in actual and perceived crime and anti-social behaviour; and*
- *To offer guidance on design and assessment of planning proposals.*

Draft Local Planning Policy No. 25 – Constructed Lakes

Draft LPP 25 has been prepared by the Shire to guide and control development of constructed lakes in the Shire. The policy has four objectives:

- *To demonstrate that feasibility and evaluation work has been undertaken for the construction of any lake;*
- *To ensure that the proposal of any constructed lake considers the timing and decision making processes associated with the planning and development approvals;*
- *Outline the Shire's requirements for planning, construction, maintenance and operation of any constructed lake; and*
- *Propose water quality, quantity and efficiency targets and design objectives for constructed lakes.*

Draft Local Planning Policy No. 33 - Construction of Dams

Draft LPP 33 has been prepared by the Shire in order to maintain water quality and water flow throughout the Shire by guiding and controlling the construction of dams in the Shire. The draft Policy has five objectives:

- *Provide suitable guidelines for dam applications, detailing the level of information requirements from proponents;*
- *Inform the community of the need for a development application when considering a dam application;*
- *Minimise environmental impacts of dams on local water resources and vegetation;*
- *Avoid visual or aesthetic impacts on landscape values from the construction of dams; and*
- *Minimise the cumulative impacts resulting from the indiscriminate construction of dams.*

Draft Local Planning Policy No. 62 – Urban Water Management

Draft LPP 62 has been prepared to guide development within the Shire in relation to urban water management. The draft Policy is intended to respond to the drying climate in Western Australia and to enhance, conserve and recycle the Shire's water resources to achieve integrated water cycle management. The draft Policy has three core objectives:

- *Ensure planning and development within the Shire optimises the use, re use and management of urban water resources including rainwater, storm water, groundwater, drinking water and wastewater;*
- *Improve the health of the Peel-Harvey catchment including associated waterways, wetlands and groundwater, consistent with the Water Quality Improvement Plan for the Rivers and Estuary of the Peel-Harvey System Phosphorus Management and Environmental Protection (Peel Inlet – Harvey Estuary) Policy; and*
- *Provide guidance to landowners, developers and Council in satisfying the requirements of Better Urban Water management and State Planning Policy 2.9: Water Resources.*

Draft Local Planning Policy No. 63 – Integrated Land Use and Transport Planning

The Shire prepared draft LPP 63 after the Shire's now superseded "Plan for the Future" (2010-2014) identified that there would be significant changes in land use and development in the Shire. The draft Policy sets out four objectives:

- *Ensure that transport assessments are effectively integrated into land use planning processes;*
- *Ensure that there is clear guidance about the level of information required to be provided in support of planning proposals, including structure plans, subdivisions and developments;*
- *Ensure a consistent, open and transparent approach is taken to the consideration of transport impacts; and*
- *Recognises that there are significant number of stakeholders involved in the effective design and implementation of integrated land use and transport planning outcomes.*

Discussion and Implications

Draft Local Planning Policy No. 24 – Designing Out Crime

Three submissions were received in relation to this draft Policy, with two being from State Government agencies (Department of Aboriginal Affairs and Western Power) and one being from Taylor Burrell Burnett Planning (TBB) on behalf of their client LWP Property Group.

Western Power and Department of Aboriginal Affairs comments were in regard to general considerations of the project as a whole. Neither were for or against the policy. It was determined that no action was required to respond to these comments.

TBB's comments were specific to a number of clauses within the draft Policy and the supposed onerous requirements that the policy would put on submissions for planning applications. TBB also noted that a number of issues they had raised through earlier correspondence had not been recognised. TBB were against the adoption of the policy, stating that it was a duplicate of the Crime Prevention Through Environmental Design (CPTED) guidelines. A number of their comments were deemed relevant and in those instances amendments have been recommended to the policy. A number of comments were also made that were deemed to not require further action to be taken. They too were duly noted.

A major amendment has been recommended for the Policy with regard to Clauses 9.2-9.5 and Schedule 1. It is recommended that the CPTED Tool box requirement for major developments be removed in favour of a more discretionary and flexible approach.

Draft Local Planning Policy No. 25 – Constructed Lakes

The draft Policy received a total of seven submissions, with five being from State Government agencies (Department of Health, Department of Aboriginal Affairs, Department of Planning, Department of Water and the Water Corporation) and two being from private town planning firms on behalf of their clients (TBB on behalf of LWP Property Group and Development Planning Strategies (DPS) on behalf of Peet).

The Department of Health made a number of comments regarding the wording of clauses and the addition of information into the draft Policy. The comments and recommendations have been noted accordingly and recommendations for inclusion of information have been made by TPG.

The Department of Aboriginal Affairs' recommendation was to ensure that indigenous sites located within the area are dealt with correctly pursuant to the *Aboriginal Heritage Act 1972*. These comments were noted accordingly and an additional clause is recommended to be included in the draft Policy.

The Department of Planning (DoP) made a number of comments relating to content within the Policy, as well as wording and structural changes. The DoP recommended the removal of statements regarding the purpose of lakes, a change in maintenance periods and responsibilities and structural changes to tables with inclusion of new options. These recommendations were noted and recommendations to the draft Policy were made accordingly.

The Water Corporation recommended changes be made to the definition of 'Lakes' and that the new definition be adopted for section 3 and section 5 of the Policy. The Water Corporation also suggested that they be added to the list of consultant agencies under section 8 of the document. These recommendations and comments were noted and amendments have been recommended for the Policy.

The Department of Water (DoW) was fully supportive of the draft Policy and offered no recommendations.

TBB Planning do not support the adoption of LPP 25 due to the financial and submission requirements being overly onerous to proponents wishing to construct lakes. TBB raised issues with a number of Clauses throughout the document relating to costs of construction of lakes and materials allowed for lake construction. A majority of the issues raised were seen as relevant and recommendations for amendments have been made accordingly.

DSP believed that the Policy was generally sound in its purpose and it's addressing of objectives of the *Department of Waters Interim Policy Statement: Constructed Lakes (2007)*. DSP did however, raise a number of points in regards to wording of a number of Clauses and recommended that the Policy be brought into line with the provisions outlined in Liveable Neighbourhoods to avoid confusion. These comments were noted and recommendations to amend the draft Policy have been made accordingly.

A major amendment has been recommended for the Policy with regard to Clause 7.5. It is recommended that Clause 7.5 be removed from LPP 25 due to bonds and maintenance requirements already required pursuant to LPP 25. The Policy's interpretation of Clause 6.37 of the *Local Government Act 1995* is not in line with the Clause's requirements.

Draft Local Planning Policy No. 33 – Construction of Dams

Three submissions were received in relation to the draft Policy. All three were from State Government Agencies, with all three providing general comments on wording and structure of the draft Policy.

Department of Water recommended schedule 7.15 and Schedule 8.2 be re-worded from their current state. These recommendations were agreed with and relevant amendments were recommended.

Western Power responded with no objections to the proposed Policy. This was noted and no further action was required.

The Department of Aboriginal Affairs' recommendation was to ensure that indigenous sites located within the area are dealt with correctly pursuant to the *Aboriginal Heritage Act 1972*. These comments were noted accordingly and an additional clause was recommended to be included in the draft Policy.

Draft Local Planning Policy No. 62 – Urban Water Management

Six submissions were received in relation to the draft Policy, five were from State Government Agencies (Department of Health, Department of Aboriginal Affairs, Department of Planning, Water Corporation and Western Power) and one was from a private town planning firm on behalf of its client (TBB on behalf of LWP Property Group).

The Department of Health commented in relation to the design criteria set out in Schedule 1. The comments were noted and it is recommended that no action is required.

The Department of Aboriginal Affairs' recommendation was to ensure that indigenous sites located within the area are dealt with correctly pursuant to the *Aboriginal Heritage Act 1972*. These comments were noted accordingly and it is recommended that no action is required.

The Department of Planning were against the adoption of the proposed LPP 62 querying how it differentiated from the 'Better Water Management' guidelines. These queries were noted and it has been recommended that the Policy be abandoned and not pursued for adoption.

The Water Corporations comments suggested that the document include the target water savings from the 'Water Forever' strategic plan and also raised a number of issues surrounding wording and definitions throughout the draft Policy. These issues were noted and it was recommended that the Policy be abandoned.

Western Power had no objections to the draft Policy. This was duly noted.

TBB Planning did not support the adoption of this policy and raised a number of concerns around the Policy's wording and the requirements within the draft Policy. These concerns and comments were noted and it was recommended that the Policy be abandoned and not pursued for adoption.

A review of draft LPP 62 was undertaken by TPG against the State Government guidelines "Better Urban Water Management" to ensure that there were no critical local issues that required inclusion and this was found to be the case.

Draft Local Planning Policy No. 63 – Integrated Land Use and Transport Planning

A total of 9 submissions were received during the advertised period. Six of these were from State Government Agencies (Department of Aboriginal Affairs, Department of Planning, Department of Transport, Main Roads Western Australia, Water Corporation and Western Power) and three were from private planning firms on behalf of clients (TBB Planning on behalf of LWB Group, TBB Planning on behalf of Peet Ltd and DPS on behalf of Peet Ltd).

The Department of Aboriginal Affairs' comments were made in relation to the number of indigenous sites in the area and to ensure that indigenous sites located within the area are

dealt with correctly pursuant to the *Aboriginal Heritage Act 1972*. These comments were noted and it was decided that no action is required.

The Department of Planning submission queried the need for the draft Policy, as the State Government framework 'Transport Assessment Guidelines' is already in place that provides sufficient guidelines on this issue. These comments were noted and it was recommended that the Policy be abandoned and not pursued for adoption.

The Department of Transport (DoT) generally supports the Policy. The DoT recommend that consideration be given to the preparation of a vehicle access strategy, as well as Development Control Policies 1.4, 1.5, 1.7 and 5.1. These recommendations were noted, but no action is required as it is recommended the Policy not be advanced any further.

Main Roads Western Australia (MRWA) was also supportive of the objectives of the Policy. MRWA commented that the Shire must be mindful when developing LPP 63 of other current policy being developed by the MRWA. This was noted and recommended no action was required due to the policy not being recommended to advance further.

Both Water Corporation and Western Power had general comments that were noted and require no further action.

TBB Planning supported the idea of land use and transport planning integration, but were opposed to the draft Policy, as they consider it a reproduction of the 'Transport Assessment Guidelines'. TBB noted that attempting to apply a State Government planning document to a local government context would lead to repetitiveness and a poorly developed document. These sentiments were shared by DPS who echoed TBB's issues and comments in regard to the Policy. These concerns and comments were noted, but require no further action as it is recommended that the draft Policy be abandoned.

A review of the draft LPP 63 was undertaken by TPG against the State Government guidelines 'Transport Assessment Guidelines for Development' to ensure that there were no critical local issues that required inclusion and this was found to be the case.

Options

Draft Local Planning Policy No. 24 – Designing Out Crime

Option 1: Adopt LPP 24 with modifications.

Option 2: Abandon the progression of LPP 24.

Option 1 is recommended.

Draft Local Planning Policy No. 25 – Constructed Lakes

Option 1: Adopt LPP 25 with modifications.

Option 2: Abandon the progression of LPP 25.

Option 1 is recommended.

Draft Local Planning Policy No. 33 – Construction of Dams

Option 1: Adopt LPP 33 with modifications.

Option 2: Abandon the progression of LPP 33.

Option 1 is recommended.

Draft Local Planning Policy No. 62 – Urban Water Management

Option 1: Adopt LPP 62 with modifications.

Option 2: Abandon the progression of LPP 62.

Option 2 is recommended.

Draft Local Planning Policy No. 63 – Integrated Land Use and Transport Planning

Option 1: Adopt LPP 63 with modifications.

Option 2: Abandon the progression of LPP 63.

Option 2 is recommended.

Conclusion

Draft Local Planning Policy No. 24 – Designing Out Crime

It is recommended that the Shire adopt draft LPP 24 after the recommendations and amendments are included in the draft Policy.

Draft Local Planning Policy No. 25 – Constructed Lakes

It is recommended that the Shire adopt draft LPP 25 after the recommendations and amendments noted have been include in the draft Policy.

Draft Local Planning Policy No. 33 – Construction of Dams

It is recommended that the Shire adopt draft LPP 33 after the recommendations and amendments noted have been include in the draft Policy.

Draft Local Planning Policy No. 62 – Urban Water Management

It is recommended LPP 62 is not pursued to adoption as relevant (State) Guidelines/Policy already exists.

Draft Local Planning Policy No. 63 – Integrated Land Use and Transport Planning

It is recommended Local Planning Policy 62 is not pursued to adoption as relevant (State) Guidelines/Policy already exists.

Attachments:

Attached are the final Local Planing Policies and Schedules of Submissions to the draft LPPs.

- [OCM140.1/08/15](#) – LPP 24/25/33/62/63 – Schedule of Submissions (E15/3613)
- [OCM140.2/08/15](#) – LPP 24/25/33/62/63 – Final and Reviewed Policies (E15/3614)

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

Statutory Environment:

Planning and Development Act 2005

The establishment of an effective policy suite to support the planning decision-making process in consistency with the *Planning and Development Act 2005*.

Town Planning Scheme No.2

The draft LPPs were developed by the Shire. If adopted, the LPPs will act as a framework for development within the Shire. All the LPPs have been prepared, advertised and will be adopted pursuant to Part 9 of the Shire's Town Planning Scheme No. 2 (TPS 2). Under

Clause 9.2 of TPS 2 all planning policies are documents supporting the Scheme. The Policies augment and are to be read in conjunction with the provisions of TPS 2.

Financial Implications:

Where relevant, financial implications have been discussed within the Schedule of Submissions of each LPP.

Voting Requirements: Simple Majority

OCM140/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Rossiter, seconded Cr Erren

That Council:

1. Pursuant to Clause 9.3 of Town Planning Scheme No. 2 adopt Local Planning Policy No. 24 – Designing Out Crime, subject to the recommended modifications outlined in the Schedule of Submissions contained within attachment OCM140.1/08/15;
 - a) Publish a notification once in a newspaper circulating within the Scheme Area of the final adoption of Local Planning Policy No. 24 – Designing Out Crime pursuant to Clause 9.3 (c) of Town Planning Scheme No. 2.
2. Pursuant to Clause 9.3 of Town Planning Scheme No. 2 adopt Local Planning Policy No. 25 – Constructed Lakes, subject to the recommended modifications outlined in the Schedule of Submissions contained within attachment OCM140.2/08/15;
 - a) Publish a notification once in a newspaper circulating within the Scheme Area of the final adoption of Local Planning Policy No. 25 – Constructed Lakes pursuant to Clause 9.3 (c) of Town Planning Scheme No. 2.
3. Pursuant to Clause 9.3 of Town Planning Scheme No. 2 adopt Local Planning Policy No. 33 – Construction of Dams, subject to the recommended modifications outlined in the Schedule of Submissions contained within attachment OCM140.3/08/15;
 - a) Publish a notification once in a newspaper circulating within the Scheme Area of the final adoption of Local Planning Policy No. 33 – Construction of Dams pursuant to Clause 9.3 (c) of Town Planning Scheme No. 2.
4. Pursuant to Clause 9.3 of Town Planning Scheme No. 2 not proceed with Local Planning Policy No. 62 – Urban Water Management, as outlined in the Schedule of Submissions contained within attachment OCM140.4/08/15; and
5. Pursuant to Clause 9.3 of Town Planning Scheme No. 2 not proceed with Local Planning Policy No. 63 – Urban Water Management, as outlined in the Schedule of Submissions contained within attachment OCM140.5/08/15.

CARRIED 9/0

OCM141/08/15	Request for Tender RFT02-2015 Programmed Bulk Waste Collection (SJ1846)
Author:	Stephen Thomson– Manager Operations and Parks
Senior Officer/s:	Gordon Allan - Director Engineering
Date of Report:	23 July 2015
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:

This tender forms part of the Shire of Serpentine Jarrahdale's procurement process to engage the services of a suitably qualified contractor to undertake programmed bulk waste collection.

Background:

As part of the Shires Refuse Collection strategy, Council undertakes two green waste collections and one hard waste collection each financial year.

The previous supply tender for green and hard waste collections, expired 30 June 2015, having already used the available one year extension provision that existed within that contract.

A replacement supplier arrangement is required for Council to continue to provide the hard waste and green waste service.

The Shire engaged WALGA to undertake the tender review and recommendation process with this service provided in line with an agreed Procurement Plan. This process has now been completed with a recommendation that the tender be awarded to Steann Pty Ltd.

It is recommended that Council accept the tender submitted by Steann Pty Ltd. Based on their nominated pricing and anticipated quantities adequate budget provision has been made to support this engagement in the 2015/2016 financial year.

Tender:

Tender RFT02-2015 for Programmed Bulk Waste Collection was advertised in the West Australian and on the WALGA Tenderlink eTendering Portal on Saturday 6 June 2015. The tender closed at 11.00am on Thursday 25 June 2015.

The tender has been made for a three year period commencing 1 October 2015 and ending 30 September 2018 with an extension option of up to a maximum of 2 years included as part of the tender.

Relevant Previous Decisions of Council:

- OCM094/03/12

Community/Stakeholder Consultation:

No community consultation is required.

Proposal

The tender is a tonnage based contract for both the hard waste and green waste collections. All contractors provided pricing in the requested format.

Submissions

Three (3) tenders were received from the following tenderers:

1. Steann Pty Ltd
2. AWG Nominees Pty Ltd (Operating as KRS Contracting)
3. Transpacific Cleanaway Pty Ltd

Compliant Tenderers:

Steann Pty Ltd and Transpacific Cleanaway Pty Ltd were both considered to have submitted complaint tenders. The tender submitted by AWG Nominees Pty Ltd (Operating as KRS Contracting) was non-compliant in a number of areas where they failed to provide responses to several nominated compliance criteria.

Alternative Tenders

An alternative tender was received from Steann Pty Ltd that sought to charge-out based on number of pick up locations, rather than tonnage. The potential savings were considered difficult to quantify (and marginal at best) and did not justify the risk associated with such a major alteration to the contract.

Qualitative Evaluation Criteria:

This was nominated in the tender documents with various percentages given for non-price criteria.

Scoring:

All tenders were scored using the pre-determined scoring system nominated in the contract document.

Steann Pty Ltd produced the highest score with Transpacific Cleanaway Pty Ltd also producing a high score which is considered compliant. AWG Nominees Pty Ltd (Operating as KRS Contracting) score was much lower, being less than 50% which is considered non-compliant.

Conclusion

Steann Pty Ltd provided a fully conforming submission and on overall assessment, is considered to provide the Shire with the best outcome. It is recommended that Steann Pty Ltd be awarded the contract.

Attachments:

- **Confidential – OCM141.1/08/15** - WALGA Recommendation Report (E15/3475)
- [OCM141.2/08/15](#) – Request for Tender Document (E15/3476)

Alignment with our Strategic Community Plan:

Objective 5.1	Responsible Resource Management
Key Action 5.1.2	Reduce the creation of waste, facilitate waste recovery and reuse, and minimise the negative environmental impacts of waste disposal.

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 is allocated within the 2015/2016 approved budget.

Voting Requirements: Simple Majority**OCM141/08/15 COUNCIL DECISION / Officer Recommendation:**

Moved Cr Kirkpatrick, seconded Cr Erren

That Council:

1. Award the Contract to Steann Pty Ltd to undertake the programmed bulk waste collection for the period of 1 October 2015 to 30 September 2018.
2. Authorise the Chief Executive Officer to approve a contract extension option of up to a maximum of 2 years.

CARRIED 9/0

OCM142/08/15	Scrivener Road Gravel Reserves Draft Management Plan(SJ510)
Author:	Chris Portlock – Manager Environmental and Sustainability Services
Senior Officer/s:	Gordon Allan - Director Engineering
Date of Report:	23 July 2015
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:

The purpose of this report is for Council to support the release of the Scrivener Road Gravel Reserves Draft Management Plan for a standard submission period. Following consideration of submissions, a final version of the management plan will be prepared for consideration by Council as the final Scrivener Road Gravel Reserves Management Plan.

Background:

Scrivener Road Gravel Reserves are located at the top of the scarp south of Serpentine. These are biodiverse and environmentally significant local natural area reserves. They are particularly valuable, being one of only a few locations where all three protected black cockatoo species have been recorded nesting. The reserves are managed by the Shire of Serpentine Jarrahdale for the purpose of sourcing of gravel and conservation and it has been recommended that the Scrivener Road Reserves eventually be added to the Serpentine National Park. Gravel supplies from the existing pits have been exhausted, and permission has not been granted at the current time to clear further areas of vegetation to extend the pits. Recently the Shire has been purchasing gravel for road construction from distant expensive sources. It is now supported more widely that available gravel reserves at Scrivener Road are utilized before areas are included in the Serpentine National Parks subject to the creation of value adding rehabilitation offsets.

In 1961, the Scrivener Road Gravel Reserves were vested with the Shire of Serpentine Jarrahdale for the purpose of providing gravel. Two gravel pits were established, and the extracted gravel was used for the Shire's road construction, road maintenance and upgrading of the existing road network.

In 2006, extraction and crushing operations from the floor of the pits occurred, and the gravel was stockpiled for later use. An application to clear 2.3 ha of vegetation between the existing pits for the further extraction of gravel was refused, and the Shire was informed by the State that operations at the reserve must cease until such time as a management plan could be put into place.

From 2001 to 2007, the Shire provided funding to the Western Australian Museum for the purpose of cockatoo monitoring on the reserves. Scrivener Road Gravel Reserves is one of only a few areas in Western Australia where all three species of threatened black cockatoos have been recorded nesting, and as such is highly significant for their conservation. More recently, artificial nest boxes (Cockatubes) have been installed at the reserves by SJ Landcare Inc in numerous locations. The Scrivener Road black cockatoo species are protected under the Commonwealth Environmental Protection and Biodiversity Act. Hence, any action within the reserve which may have an impact on these species needs to be referred to the Federal Department of Sustainability, Environment, Water Population and Community (SEWPaC) for their consideration.

Community / Stakeholder Consultation:

The Scrivener Road Gravel Reserves Draft Management Plan is recommended to be made available for a standard public submission period and advertised as appropriate in local newspapers and on the Shire website. As part of the process of developing this Management Plan it will be referred to the Department of Environment Regulation, the Western Australian Planning Commission and SEWPaC.

Comment:

The Shire of Serpentine Jarrahdale will require gravel reserves for its development (including road development) and this resource is proving difficult and very expensive to obtain. The Department of Parks and Wildlife were approached over a number of years for alternative gravel sources, before eventually going back to the Scrivener Road Gravel Reserves area. Critical to the success of the suggestion will be meeting offset requirements by the Department of Environment Regulation. These will include local native species rehabilitation with a focus on feeding habitat species important for the black cockatoo species nesting in this area. Roosting and breeding habitat lost from clearing can also be replaced with Cockatubes and offered as an offset.

Proposal

The proposal is for Council to support the release of the Scrivener Road Gravel Reserves Draft Management Plan for a standard submission period and that following consideration of submissions, a final version of the management plan be prepared for consideration by Council as the final Scrivener Road Gravel Reserves Management Plan.

Options and Implications

Options include:

- Not supporting the release of the Draft Management Plan for comment;
- Amending the Draft Management Plan before its release; or
- Releasing the Draft Management Plan as presented to Council (which is the officer recommendation).

Conclusion

The reserves are managed by the Shire of Serpentine Jarrahdale for the purpose of providing gravel and for conservation. The Shire of Serpentine Jarrahdale should manage these reserves in accordance with a state agency approved management plan. Gravel is needed by the Shire now and into the future. It is in short supply in this region. The Shire officer recommendations are that the Shire apply to the Department of Environment Regulation for clearing for gravel extraction at the Scrivener Road Gravel Reserves, offering this management plan as a means of conservation.

Attachments:

- [OCM142.1/08/15](#) – Scrivener Road Gravel Reserves Draft Management Plan (E15/3403)

Alignment with our Strategic Community Plan:

Objective 5.2	Natural Environment	Excellence in Environmental Management
Key Action 5.2.1	Protect, restore and manage our landscapes and biodiversity	Continue Implementing the Biodiversity Strategy

This project is in line with the Strategic Community Plan in particular with relation to objectives to protect, restore and manage our landscapes and biodiversity.

Statutory Environment:

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

Voting requirements: Simple Majority

OCM142/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Moore, seconded Cr Hawkins

That Council endorse the release of the Scrivener Road Gravel Reserves Draft Management Plan for comment for a standard public submission period of a minimum of 42 days.

CARRIED 9/0

OCM143/08/14	Christmas Function and Christmas Closure 2015 (SJ513)
Author:	Kirsty Peddie – Executive Assistant
Senior Officer/s:	Richard Gorbunow – Chief Executive Officer
Date of Report:	24 July 2015
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

Introduction

The purpose of this report is to request endorsement for early closing of the Administration Centre and Operations Depot so that staff may attend the Shire's Christmas function. It is also requested that Council endorse the proposed office closure over the Christmas and New Year period.

Background:

Staff Christmas Function

It is proposed Council endorse an early closure of noon on Thursday, 17 December 2015 for staff and Councillors to attend the annual Christmas function. Friday, 18 December 2015 will resume as a normal business day.

Office Hours over the Christmas/New Year Period

This year the Christmas and New Year Public holidays will be Friday 25 December 2015, Monday 28 December 2015 and Friday 1 January 2016. It is recommended that the office is closed from 5pm Thursday 24 December 2015 and reopens Monday 4 January 2016. This is consistent with previous practice.

Relevant Previous Decisions of Council:

- OCM185/05/14 – Council agreed to Council meetings and services over the 2014/2015 Christmas and New Year period.

Community / Stakeholder Consultation:

Dates are to be advertised at the Shire Administration Centre, Mundijong Public Library and in a local newspaper, in accordance with the *Local Government Act*. The office closure dates will also be advertised on the Shire's website.

Comment:

It is proposed that this year the office close at noon on Thursday 17 December 2015 to allow staff to attend the annual Christmas function, and from Friday 25 December 2015 to Friday 1 January 2016 inclusive, with staff taking accrued leave entitlements for the three days (29 December - 31 December).

The Shire of Serpentine Jarrahdale normally closes over the Christmas / New Year period with staff accessing accrued rostered days off, annual leave or leave without pay for those days other than the specified public holidays. It is not anticipated that customer service will be unduly impacted by the proposed closure as this period has been very quiet historically. The Shire of Serpentine Jarrahdale closure calendar would be as follows:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Dec 14 Open	Dec 15 Open	Dec 16 Open	Dec 17 Closed noon	Dec 18 Open	Dec 19	Dec 20
Dec 21 Open	Dec 22 Open	Dec 23 Open	Dec 24 Open	Dec 25 Closed Christmas Day Public Holiday	Dec 26	Dec 27
Dec 28 Closed Boxing Day Public Holiday	Dec 29 Closed	Dec 30 Closed	Dec 31 Closed	Jan 1 Closed New Year's Day Public Holiday	Jan 2	Jan 3

Over the Christmas period, as per previous years, it will be the responsibility of the Chief Executive Officer to ensure that staff coverage is in place over this period in the case of an emergency.

Attachments:

There are no attachments relevant to this report.

Alignment with our Strategic Community Plan:

Objective 1.1	Strong Leadership
Key Action 1.1.2	Facilitate cooperation between the Shire and its stakeholders while also considering community values.
Objective 1.2	Progressive Organisation
Key Action 1.2.6	Comply with legislative and statutory requirements.

Statutory Environment:

Local Government Act 1995

Financial Implications:

There are no financial implications related to this. The event and time involved is part of Council's adopted budget provisions.

Voting Requirements: Simple Majority

OCM143/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Erren, seconded Cr Hawkins

That Council:

1. Endorse the office closure dates from:
 - a. 12pm to 5pm on Thursday 17 December for staff to attend the Shire's Christmas function; and
 - b. Friday 25 December 2015 to Friday 1 January 2016 inclusive for the Christmas and New Year period.
2. Provide local public notice of the closure dates as specified in 1. above and display the closure times at the Shire's Administration Centre, Operations Centre and Mundijong Public Library.
3. Notes that the Chief Executive Officer will ensure staff coverage is available in the case of an emergency during the closure periods specified in 1 above.

CARRIED 9/0

OCM144/08/14 Schedule of Ordinary Council Meetings 2016 (SJ513)	
Author:	Kirsty Peddie – Executive Assistant
Senior Officer/s:	Richard Gorbunow – Chief Executive Officer
Date of Report:	24 July 2015
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

Introduction

The purpose of this report is request endorsement for the schedule of Ordinary Council Meetings for 2016 as per attachment OCM144.1/08/15

Background:

There were no Ordinary Council meetings held during the month of January 2015 and only one Ordinary Council meeting is to be held on 7 December 2015. It is proposed the 2016 year will follow the same principle, with Ordinary Council Meetings to be held on the second and fourth Monday's of each month, the exception being where public holidays fall on those dates, whereby the meeting would occur on the following Tuesday.

Month	First Meeting	Second Meeting
January	No Meetings in January	
February	8	22
March	14	29 (Tuesday)
April	11	26 (Tuesday)
May	9	23
June	13	27
July	11	25
August	8	22
September	12	27 (Tuesday)
October	10	24
November	14	28
December	12	No second meeting

Relevant Previous Decisions of Council:

- OCM185/05/14 – Council agreed to Council meetings and services over the 2014/2015 Christmas and New Year period.

Community / Stakeholder Consultation:

Dates are to be advertised at the Shire Administration Centre, Mundijong Public Library and in a local newspaper, in accordance with the *Local Government Act*. Meeting dates will also be advertised on the Shire's website.

Attachments:

- [OCM144.1/08/15](#) - Schedule of meetings for 2016

Alignment with our Strategic Community Plan:

Objective 1.1	Strong Leadership
Key Action 1.1.2	Facilitate cooperation between the Shire and its stakeholders while also considering community values.
Objective 1.2	Progressive Organisation
Key Action 1.2.6	Comply with legislative and statutory requirements.

Statutory Environment:

Local Government Act 1995

Financial Implications:

There are no direct financial implications regarding this matter.

Voting Requirements: Simple Majority

OCM144/08/15 COUNCIL DECISION / Officer Recommendation:

Moved Cr Kirkpatrick, seconded Cr Hawkins

That Council endorse the Ordinary Council Meeting agenda schedule 2016, as per attachment OCM144.1/08/2015.

CARRIED 9/0

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 7.59pm.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on 24 August 2015

.....
Presiding Member

.....
Date