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- NOTE:**
- a) **The Council Committee Minutes Item numbers may be out of sequence. Please refer to Section 10 of the Agenda – Information Report - Committee Decisions Under Delegated Authority for these items.**
 - b) **Declaration of Councillors and Officers Interest is made at the time the item is discussed.**

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET, MUNDIJONG ON MONDAY, 19TH DECEMBER 2011. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.00PM AND WELCOMED COUNCILLORS, STAFF AND MEMBERS OF THE GALLERY.

1. ATTENDANCES & APOLOGIES (including Leave of Absence):

IN ATTENDANCE:

COUNCILLORS: B MoorePresiding Member
 M Harris
 C Randall
 M Ricketts
 D Atwell
 S Piipponen
 B Urban
 G Wilson
 J Kirkpatrick

OFFICERS: Ms J AbbissChief Executive Officer
 Mr A Hart Director Corporate Services
 Mr B Gleeson Director Development Services
 Mrs S van AswegenDirector Strategic Community Planning
 Mr U StriepeActing Director Engineering
 Mrs C McKee Manager Community Development
 Mr S WilkesExecutive Manager Planning
 Mr L TresslerCommunity Planning Officer
 Ms P KursarMinute Secretary

APOLOGIES:

Members of the Public - 22
 Members of the Press - 1

2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

Roland John White – 31 Maxwell Street, Serpentine

Q1 When is the Shire going to bituminise the car park opposite Serpentine Tavern and plant a row of jacaranda trees to beautify the main street of Serpentine as it is now a disgusting eyesore?

A1 Given the historical and natural values of the Serpentine Tavern, the car park opposite Serpentine Tavern has been retained for its rural character and to minimise environmental impact. The enhancement of the car park by planting semi-mature trees is supported and this will require budget consideration by Council when the 2012/2013 budget is formulated. Retaining the existing car park in a good gravel standard condition produces a low cost trafficable surface and low maintenance. Constructing a bitumen car park requires major infrastructure upgrades at a high cost to Council.

- Q2 There is no street lighting along Tonkin Street from Richardson Street to Lefroy Street. Why? Maxwell Street needs extra street lighting from Wellard Street to Karnup Road because of an open drain and the entrance to the shopping centre.
- A2 Street lighting is managed and controlled by Western Power. Installing additional street lighting on local roads is at Council's expense. A street lighting audit would be required to authenticate the need for additional street lighting and to determine financial implications to Council. To proceed with the audit Council would need to allocate finances as there is no budgetary provision in this financial year.
- Q3 When is the Shire or Main Roads going to put extra lighting at the corner of Karnup Road and South West Highway as there is only a light near the church which doesn't brighten up the intersection. Karnup Road needs street lighting to the Serpentine town from South West Highway on the footpath side. More lighting is needed near the Serpentine River Bridge on South West Highway, also there is no light at the intersection of Summerfield Road & South West Hwy. When is the Shire Chief Fire Control Officer going to inspect the fire hazards around the Serpentine town and outer area verges and road reserves as these areas haven't been burnt in about 20 years. They are a potential fire hazard.
- A3 The Shire President advised that the South Western Highway is the responsibility of the state government and this has been raised with our local member. The Director Engineering advised that slashing has recently taken place. The Director Engineering to liase directly with Mr White. Mr White advised it has not been slashed in years.
- Q4 Falls Road Serpentine needs a footpath and cycle way from South West Hwy to the Serpentine National Park. This is a very busy road and is dangerous for pedestrians and cyclists.
- A4 In accordance with Austroads (Part13) Traffic Engineering Practise, the provision of pedestrian facilities outlines the footpath requirements as having traffic volumes of 3000 vehicles per day (vpd). The Liveable Neighbourhoods document as adopted by the West Australian Planning Commission as operational policy also states for volumes less then 3000vpd on the road, a path is not required. Current traffic volumes on Falls Road are 270 vpd. Our adopted Bike Plan for the Shire does not indicate a path link between South Western Highway and Serpentine National Park. Should Council consider constructing a dual use path, the cost would be in the order of \$150,000.
- Q5 How much did it cost the council to change the Shire's logo from the picture of the Serpentine Falls to a tree with a stream around it and what was the point and why was it a priority?
- A5 The Shire President advised that the logo was changed 15 years ago, before the current Council or executive staff's time. The Chief Executive Officer added that in June 2001 Council adopted a communications and marketing guide. The rationale for the new logo was for the Shire to present an image of:
- Professionalism
 - Clean, fresh, open space
 - Modern terms of business and lifestyle
 - Environmentally sustainable
 - Harmonious
 - Elegance

The crest was to be retained to be used for historic projects. Financial records were not available.

Kay Spencer – 312 Lightbody Road, Mardella

In August 2010 and February 2011 I asked Council what they were going to do to stop the dust pollution to our homes caused by the through traffic using Lightbody Road. I was told that the Shire would “endeavour to reduce the dust to our homes from within the maintenance budget”. Yet again we are in another dry season and the dust is as bad, if not worse.

So I ask the question again.

Q What is the Shire going to do to stop the dust pollution to our homes caused by through traffic using Lightbody Road?

A The Shire President sympathises however there are other roads that are a priority. Council will consider this in the 2012 budget deliberations. The Shire President asked Director Engineering how much was spent on gravel sheeting and Director Engineering responded that it costs approx \$80,000. The Shire President also asked the cost to bituminise and was advised that it would cost approx \$100,000 per km.

Sandra Hawkins – 27 Burgess Drive, Byford

Q1 Can the Shire Council confirm that some of the conditions that were placed upon Austral Brickworks Cardup operation recently have been waived? This concerns the stakeholder’s consultative group, the Byford Scarp residents Association and Austral and if so what were those conditions?

A1 Austral Bricks lodged an application for review (an appeal) to the State Administrative Tribunal (SAT) against a number of conditions that were imposed on the planning approval recently granted by Council. These conditions relate to signage, refuelling, biodiversity and mine closure. At the Ordinary Council Meeting held 28th November 2011, these conditions were reconsidered by Council. A copy of the Council resolution was forward to Mrs Hawkins.

The matter will now be considered by the SAT for determination.

I refer to the Byford Scarp development when the public areas on the south side of Clondyke Drive are turned over to the Shire for their upkeep.

Q2a) To what level of maintenance can the residents expect?

A2a) The Public Open Space in Byford by the Scarp, south of Clondyke Drive, is still being maintained by the developer. Once handed over, Shire operations will endeavour to maintain this public open space to the same level.

I asked this question with the fact in mind that the shire is ever increasing its land possession by way of the mandatory percentage given to them by the developers. The landscapers are currently present around the lake area at least once per week if not more.

Q2b) Will the new Shire Councillors consult with our association regarding all matters that pertain to our estate prior to any intended changes taking place?

A2b) The Shire will undertake consultation with landowners for any relevant application in accordance with Local Planning Policy No.27 Stakeholder Engagement in Land Use Planning. The Shire will also consult with the Association in relation to other proposals in the area including plans for public open space, such as Percy's Place and the future management of the lake.

Sheila Twine – 25 Millbrook Close, Jarrahdale

Dr Twine advised that she does not require a written response. I have been approached by several ratepayers and residents regarding their letters to the Shire. It appears that there is still a delay in acknowledging receipt of these letters. It was my understanding that we instituted a system whereby an acknowledgement would be dispatched immediately giving an indication of the officer or department which would be handling the reply. My question is

Q Is this system operational and if not when is it likely to happen?

A Director Corporate Services responded that the system is not in operation as yet. He expects it to be operational in the first half of the 2012 year.

Robin Nussey – 81 Lingdon Lane, Serpentine

Mr Nussey was not present and the Shire President read out the question.

Q *As a member of the Rowe Road Rural Planning Precinct Landholder Group, I would like to know what progress there has been in relation to the Shire's Rural Land Strategy and in response to the Landholder Group's April 2011 submission.*

A The report for Stage 1, which is the Project Plan for the Rural Land Review, will hopefully be coming before Council at the Ordinary Council Meeting in December. Stage 2 is dependent upon funding. A draft brief for the appointment of consultants to conduct Stage 2 will be attached to the Ordinary Council Meeting report in December for Council to consider and agree on the scope of works required. Stage 2 is expected to be finalised by June 2012.

3. PUBLIC QUESTION TIME:

Public question time commenced at 7.02pm

SD075/12/11 Colleen Rankin – 33 South Crescent, Byford

Rural Land Strategy Review

Having read the consultants Rural Land Strategy Project Plan, I have some questions.

Q1 Why not impose a moratorium on any future Town Planning Scheme amendments within the rural areas while the Strategy is under review?

It states in the report that landowners with major proposals in rural areas are willing to wait for the process to be complete.

Q2 Why should other proponents coming forward during the review start their process, creating unnecessary work for staff, instead of waiting as would happen under a moratorium situation and as landowners already in the queue have agreed to do?

Consultants are expensive and ratepayers hate to hear they have been employed but they do have expertise and most importantly impartiality. When a recommendation commonly implemented across local governments is ignored, questions can be asked as to why staff and Councillors did not support such a recommendation.

Q3 As a moratorium would formalise what the staff say landowners have agreed to anyway and stop further proposals coming forward, why not put one in place?

Having been involved in the Rural Strategy's formation when landowners petitioned Council to include their land for future subdivision, I know the pressures that can be applied to Councillors and staff and the time this involves.

Q4 My last question is, do any of the Councillors plan to put forward subdivision proposals on land which falls within the scope of the Rural Strategy?

In the 1990s a Councillor who voted on matters involving the advancement of land use changes was subsequently investigated by the Department of Local Government and found to have acted inappropriately when he later progressed a subdivision proposal.

The Shire President advised that the questions would be taken on notice and responded to in writing.

Lee Bond – PO Box 44, Armadale

I recently asked questions about four new employees operating from SJ Shire Office. When I didn't get a written reply to my questions I phoned the office and was told: In 2008 full Council made the decision not to reply in writing to questions from Council Meetings.

Q1 Is this accurate?

Q2 I also asked for details of each person's reason for employment, the answer was vague not acceptable. I do know that there are five people now and I would like the details of the fifth person's reason for employment.

Q3 I asked questions regarding the CEO's leave in 2009 and was told by the CEO in writing that her leave was in accordance with her entitlements. Has her leave since the 21st of December 2009 still been in accordance with the entitlements?

A3 The Chief Executive Officer answered "Yes".

Q4 Has the Serpentine Jarrahdale Shire Council kept proper financial records prior to 1996?

On the 6th of January 2010 I received a written reply to my questions at Council meeting 23 November 2009.

The Shire President advised that the unanswered questions would be taken on notice and responded to in writing.

SD075/12/11 Jan Star – 230 Jarrahdale Road, Jarrahdale

Council's 1994 Rural Strategy opposed many planning directions of the WAPC. Regarding the fire hazard mapping in 1994, it is a shame that the State have not caught up with the concept - it is hoped the WAPC will be brought to account – the subdivision on Beenypup Road should not have been approved.

It is good to know that Council tests the policies of the WAPC and does not just go along with them.

Q1 Is there a chance that Council will reconsider and have further consultation with the community and not only selected landowners.

I would like to query the emphasis in the Plan of economic viability of agricultural land. Five acres could be very viable if managed correctly however 140h may not be viable – a good example is Mundella cheese factory which recently won a national innovation award. The Shire benefits from increased agricultural production due to the policies it has in place.

The Shire President advised that the question would be taken on notice and responded to in writing.

Public question time ended at 7.13pm

4. PUBLIC STATEMENT TIME:

SD074/12/11 Dr Sheila Twine – 25 Millbrook Close, Jarrahdale

My statement is about water security for the future in our shire. This evening, Mr President, Council is considering an important issue in the Local Structure Plan for the Whitby subdivision.

The issue is whether or not to include a “third pipe” in the plan. The third pipe would carry treated waste water. This water would be used for gardens, parks, ovals and toilet flushing. This recycled water is deemed “fit for purpose” by the Department of Water and is called “Non Drinking Water”. Currently such a valuable resource of treated water is simply flushed out into the ocean.

So why do we need this recycled water in a “third pipe”? Many reasons, amongst which these three are evidence based:-

- Our dams, even after good rains remain only at a 30% to 35% level
- Our second desalination plant, should alert us to our problem
- Our ground water is diminishing as it is being replenished at a slower rate than our consumption.

So in a period of drying climate we have this vital decision, and it has an easy solution. Mr President, we have water security under our noses. Our showers, washing machines, dishwashers and toilets are a resource which would give us the water we crave to keep out

football pitches and parks green. Yet we waste it. We neglect to harvest it. We pump it out into the ocean.

This evening Council has a unique opportunity, to resolve this issue. Elected members are being asked whether to insist on a third pipe being installed at the stage of subdivision. I have been told that a third pipe could be retrofitted at a later stage. Are pavements going to be dug up to fit a pipe years down the track? I hardly think so.

Installing this infrastructure at the beginning of development is both cheaper and easier than a retrofit at a later stage. The pipe can simply be capped until the treatment plants are in place. The Department of Water has an officer full time, whose whole job is to get NDW (Non Drinking Water) onto golf courses and footie fields. So we are not suggesting anything above and beyond the current DoW practises.

If ovals and gardens are to be green in the Whitby housing development, this source of water will give security and a plentiful supply into the future. I implore you to take a logical and considered approach and to vote for the third pipe in the Whitby Local Structure Plan.

SD074/12/11 John Price – (86B Keirnan Street, Mundijong)

The rural strategy is not to place expectations on people. Should be done properly and let people look at it in detail. It is important to protect the landscape and viable rural industry. Council should endorse the comments of the third pipe. Serpentine Jarrahdale Shire has already shown leadership and socio-economic success with the gaining of 2nd place in the LivCom International Award. Water is recycled all over the world and the technology is available so it is time to get together and lead the process and demonstrate how well it can be done.

Clayton Oud – 301 Lightbody Road, Mardella

Recently Lightbody Road was graded, an exercise that required the Shire's grader for 3 days, the roller for 2 days and a water truck for a day at a probable cost of \$6 to \$7000. Without the subsequent benefit of a number of rainy days, that we have recently enjoyed, we can expect the road will need regrading at 4 weekly intervals over the dry months as has been the case in past summers.

I have talked much about the ineffectual expenditure of municipal funds on Lightbody Road over the previous decade and next year will see us probably surpass the \$1,000,000 mark. For this we have a road that doesn't hold up to the traffic on it, requires grading at up to 4 weekly intervals in summer, breaches the Shires own development dust emission policy and as any reasonable person will observe is a dangerous Road to travel on.

If the road had been sealed back in 2000/2001 as originally intended the cost would have been a third of what has actually been spent over the past decade. Instead the shire has persisted with a series of stop gap measures that defer the problem and compound the ultimate cost. Each subsequent council has blamed previous Councils for the wastage and then proceeded to make the same short sighted decisions that clearly do not offer a permanent solution.

I am certain that there are many examples of this kind of historical wastage within Council and it needs to be a priority of the Council to change the culture to one of prudential diligence and away from the pursuit of grand ideologies and foreign accolades.

SD075/12/11 Jan Star – 230 Jarrahdale Road, Jarrahdale

I would like to commend the Shire on the retention of the trees which are a remarkable collection not found elsewhere in the Shire.

On the water issue, I actually wrote the brief which obtained the \$200,000 for the initial study. Sue Murphy, CEO of Water Corporation was on ABC Radio on Saturday saying that we have to move to use of non-drinking water as it is the way of the future.

Denise Garner (on behalf of Tony Simpson MLA, Member for Darling Range)

Good evening my name is Denise Garner of South Western Highway Byford and I wish to make a statement on behalf of Tony Simpson MLA whose office is on South Western Highway Byford, concerning the new high school adjacent to Abernethy Road in Byford.

Mr Simpson would like to advise the Shire of the following:

I am aware that there has been some conjecture within our local community about the new high school, particularly the oval that is to be built as a part of the school. As a result of this I met with a senior Education Department planning officer and the Education Minister's acting Chief of staff on Friday the 16th of December to discuss what is planned for the construction of this school.

The Council will be aware that the State Government has announced \$30 million for stage 1 of the construction of this school. I was informed a further \$40 million will be spent for the second stage. The issue within the community is the timing of the school oval and the interim use of the Briggs Park oval by the students.

Whilst the school once fully completed and operating at peak capacity is envisioned to be one of the 5th biggest in the state with approximately 2600 student this will not be the case when it first opens. The first year of operation, 2014, is only expected to have approximately 150 year 8 students.

Many of you would be aware that the Minister for Education announced on the 8th of December that from 2015 all year 7 students will be accommodated in high schools. This means that in 2015 the student population will increase possibly to 560 as a part of the progression to year 9.

Most times the students will be accommodated on school grounds in the open space that will be provided as a part of stage 1 construction. This open space will comprise a permanent grassed area of approximately 5000 square metres within the building complex and a temporary grassed area of 10,000 square metres over a proposed car parking area that is not due for construction until stage 3 after the construction of the oval.

This means that the first year only 150 students are expected to access Briggs Park and then only for 2 to 3 hours per week for competitive sporting activities. Even in the second year only 450 students may need access to Briggs Park, but once again the time the oval may be access is minimal.

The oval is planned to be built as a part of stage 2 and is planned to be ready for the 2016 school year. The department may be able to have the oval operating during the 2015 school year if monies are able to be brought forward from stage 2 funding but this will be able to be confirmed closer to the end of stage 1 construction.

What this means is that contrary to the view that Briggs Park will come under pressure due to extensive use by these students, there will in fact be little impact on Briggs Park. 150

students for 2 hours per week will in no way significantly affect the state of the oval. In fact the Education Department will be paying the Shire for access to the oval that will generate positive income for the Shire as presently during school hours no income is derived from the oval.

I trust that this information provides clarification for the Shire on the new \$100million plus High School that I for one am glad the State Government is building in Byford and I would like to thank the Shire for allowing Denise to present this statement.

5. PETITIONS & DEPUTATIONS:

SD074/12/11 NS Projects Pty Ltd – Lyle Robertson

Thank you for the opportunity to make this statement with regard to Agenda Item SD074/12/11 on behalf of the landowners Gold Fusion.

The scoping, preparing and approval of the Structure Plan for Whitby is a process that we have been working on for over 2 years, not to mention the 3 to 4 years of site investigations and planning studies that took place prior to commencing the Structure Planning process. We are supportive of the recommendation contained within the Agenda to progress the LSP and would like to confirm it is our highest priority that the LSP progresses.

Total Water Cycle Management

With respect to Total Water Cycle Management the Sustainable Development Committee invited the proponent to provide additional information. We have done this and trust the information will assist Council in its deliberations in that it may provide more insight into our position on the matter. We also trust that the confirmations included in the letter provide sufficient confidence that the LSP can accommodate a future 3rd pipe. I have copies of the correspondence which can be tabled if required.

Co-Location of Open Space

With respect to Co-location of Open Space we are pleased with the progress made with the Shire and DET over recent months and look forward to realizing our commitment to pre-fund the development of an oval at the co-located school sites.

Railway Crossings

We have initiated further studies with regard to rail crossings and are hoping to lodge an application to the required rail authorities in the New Year. We trust that the Shire will be supportive of these applications which underpin the Shires own District Structure Plan and will hopefully provide momentum to the freight rail realignment strategy.

SW Hwy Access

Finally I would like to request that Councilors consider the merits of the proponent's proposal for an access road through an already cleared portion of the Bush-forever site.

Closing

In closing I would like to acknowledge the effort of the officers involved in preparing and presenting this report to Council. I would also like to reiterate that we are supportive of the broader recommendation to progress the Local Structure Plan and would like to confirm it is our highest priority to see this LSP to progress irrespective of the comments made here tonight.

This is a significant undertaking and there are strategic matters of which the importance needs to be impressed on State Planning and Infrastructure Authorities. Progression of this Local Structure Plan will provide significant momentum on these key matters and we trust

we can continue to work with the Shire regarding implementation of the Shires District Structure Plan and this Local Structure Plan over the coming months and years.

6. PRESIDENT'S REPORT:

The Council is going into 2012 in even more challenging times with a number of very significant developments which include approval for substantial urban subdivisions, a new High School commencing earthworks and due for opening in 2014 in Byford. Another primary school and a number of infrastructure items currently being processed and progressed by the Council staff. We look forward to these challenges and acknowledge the pressures both staff and Councillors will face.

The winter this past year has been very good for pasture growth and the country side is looking its best after many years of subnormal rain, this however makes this year even more precarious for our very well respected 530 plus volunteer fire fighters. With a recent meeting with the new FESA CEO he acknowledges the preparedness of the SJ Council. Lets only hope a fire calamity does not arise.

On behalf of myself and fellow Councillors we wish you all the best for the New Year and a safe and Merry Christmas.

7. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

Cr Wilson declared that he neglected to declare an interest in item OCM020/11/11 at the Ordinary Council Meeting held on 28 November 2011 for the Rural Strategy as a member of the Rowe Road Group. After the meeting it was brought to the attention of the Chief Executive Officer and Shire President.

Cr Wilson declared a financial interest in items SD075/12/11 and CGAM036/12/11 and will leave the room when the items are discussed.

Cr Atwell declared a financial interest in items SD075/12/11 and CGAM036/12/11 and will leave the room when the items are discussed.

Cr Moore declared an interest in item SD081/12/11 and will leave the room when the item is discussed.

Cr Randall declared a financial interest in OCM058/12/11 and will leave the room when the item is discussed.

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

8.1 Ordinary Council Meeting – 28 November 2011

Moved Cr Harris, seconded Cr Randall

The *attached (E11/6841)* minutes of the Ordinary Council Meeting held on 28 November 2011 be confirmed.

CARRIED 9/0

REPORTS OF COMMITTEES:

AC001/11/11 FINANCIAL MANAGEMENT REVIEW REPORT (A0001)		
Proponent:	Serpentine Jarrahdale Shire	In Brief To receive the Financial Report, Auditors Report and the Management Report for the financial year ended 30 June 2011.
Owner:	Not applicable	
Officer:	Casey Mihovilovich Executive Manager Finance Services	
Senior Officer:	Alan Hart Director Corporate Services	
Date of Report	9 November 2011	
Previously		
Disclosure of 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	
Delegation	Council	

Background

Pursuant to Sections 7.2, 7.3 and 7.9 of the Local Government Act 1995, local governments are required each year, to have the accounts and the annual financial report of the Council audited by an auditor appointed by the local government.

Council's Auditor, UHY Haines Norton, has provided Council with the Audit report and Management Report for the financial year ended 30 June 2011.

A copy of the Independent Audit Report is attached and marked [AC001.1/11/11](#) (E11/6391).

A copy of the Independent Concise Audit Report is attached and marked [AC001.2/11/11](#) (E11/6390).

A copy of the Management Report is attached and marked [AC001.3/11/11](#) (E11/6392).

A copy of 2011 Financial Report is attached and marked [AC001.4/11/11](#) (E11/6335).

A copy of 2011 Concise Financial Report is attached and marked [AC001.5/11/11](#) (E11/6336).

Statutory Environment: Section 7.2 of the Local Government Act 1995 states that “*the accounts and financial statements of a local government for each financial year are to be audited by an auditor appointed by the local government.*”

Section 7.3 of the Local Government Act 1995 states ‘*A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint a person, on the recommendation of the audit committee, to be its auditor.*’

Section 7.9 (1) of the Act states “*An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which*

the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of the report to –

- a) *The Mayor or President,*
- b) *The CEO of the local government, and*
- c) *The Minister.”*

Policy/Work Procedure Implications:

There are no work procedures/policy implications directly related to this application/issue.

Financial Implications:

A budget provision has been made in the 2011/2012 budget to accommodate the costs associated with this audit.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
OUR COUNCIL AT WORK	Success and Sustainability	39	Achieving Sustainability	Projects and goals are realistic and resourced.
	Customer and Market Focus	55	Gaining and using knowledge of customers and markets	Improve the accessibility of Shire services.
		60	Customer perception of value	Address the barriers to doing business in a positive way.
		62		Utilise marketing to promote the Shire's vision
		79		All staff and councillors will have completed a level of training commensurate with their role and responsibilities.
	Process Management, Improvement and Innovation	96	Process Outputs	Ensure sufficient oversight of projects and programs by senior management and adequate staff training and tools

Community Consultation:

Required: No

Comment:

At the completion of the audit, UHY Haines Norton advises that there was one non-compliance issue that have been identified and that was the following;

1. Content of Rates and Instalment Notices

The rates and instalment notices issued for the 2010/2011 financial year did not include a brief statement stating that if at the due date of the first instalment, any

rates from the previous year remain unpaid, then the payment of rates or service charges on land may not be made by instalments.

Recommendation: This has been rectified in the 2011/2012 rates and instalment notices.

UHY Haines Norton has advised that there were two management issues in their Management Report for the financial year ended 30 June 2011. The points brought to Councils attention are below;

1. Tender Register

The decision to invite tenders was not recorded in some instances.

Recommendation: Shire officers are aware of the oversight and in the future will be diligent in completing the tender register in full.

2. Outstanding Rates Ratio

The ratio trend has been upwards over the past three years. Ideally, this should be below 5% at 30 June in any given year (at 30 June 2011 the ratio was 6.7%).

Recommendation: Shire officers to discuss at December 2011 Policy Forum with Council the current debt collection policy and the length of debt recovery Council are willing to enter into.

A concise financial report was prepared for the purpose of including this in the annual report. The concise financial report is as per the Accounting Standards, and is a condensed version of the full financial report. The financial report will be available upon request or via the Serpentine Jarrahdale Shire website.

Voting Requirements: Simple Majority

AC001/11/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:

**Moved Cr Kirkpatrick, seconded Cr Randall
That the Audit Committee;**

- 1. Adopt the Independent Audit Report and the Concise Independent Audit Report from UHY Haines Norton for the financial year ended 30 June 2011.**
- 2. Receive the Management Report.**
- 3. Receive the Audited Financial Report and the Concise Audited Financial Report for the Shire of Serpentine Jarrahdale for the financial year ended 30 June 2011.**
- 4. Adopt that the Annual Report will include the Concise Financial Report and will provide access to the public for the Full Financial Report in person, or via the website.**

CARRIED 9/0

SD074/12/11 LOCAL STRUCTURE PLAN – LOTS 22, 23, 24, 25, 26, 27, 29, 45, 302, 399 SOUTH WESTERN HIGHWAY, NORMAN ROAD, KIERNAN STREET, REILLY ROAD, AND ROBERTSON ROAD, WHITBY (A1950)		
Proponent:	Roberts Day	In Brief A Local Structure Plan for Precinct A, Whitby, has been advertised for public comment. Submissions have been received. It is recommended to Council to adopt the Local Structure Plan and enable it to be forwarded to the Western Australian Planning Commission subject to modifications.
Owner:	Gold Fusion Pty Ltd	
Author:	Lawrence Man – Senior Planner	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	30 November 2011	
Previously	SD116/06/11	
Disclosure of 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.	
Delegation	Council	

Date of Receipt:	23 December 2010
Advertised:	8 August to 23 September 2011
Submissions:	Twenty-one (21) submissions
Lot Area:	504.33 hectares
L.A Zoning:	Urban Development, Parks and Recreation, Rural
MRS Zoning:	Urban, Urban Deferred, Parks and Recreation
Mundijong/Whitby District Structure Plan:	Residential, Centre, Multiple Use Corridor, Possible Future TAFE Site, Two Primary Schools, High School, Bush Forever, Conservation Category Wetland, Parks and Recreation Reserve
Mundijong/Whitby Precinct:	Precinct A
Site Inspection:	Various

Background

The long term planning for the urbanisation commenced for Mundijong and Whitby in 1994 through the identification of the area for urban purposes within the Serpentine-Jarrahdale Shire Rural Strategy. Subsequent to this, the area surrounding the Mundijong rural village was rezoned to 'Urban' through a Metropolitan Region Scheme (MRS) amendment in 2006.

In December 2010, the Mundijong-Whitby District Structure Plan (DSP) was approved by the Western Australian Planning Commission (WAPC) to guide the structure, vision and objectives of future urban development for the area.

The Mundijong-Whitby DSP identifies objectives and planning principles for each of the seven (7) precincts that form the DSP area. The DSP requires further detailed design and planning to articulate the vision and objectives at Local Structure Planning (LSP) stage. The Whitby LSP extends entirely within the Whitby precinct or Precinct A of the Mundijong-Whitby DSP area and seeks to provide this information to allow for land development to occur. The Mundijong-Whitby DSP was finalised by Council in August 2011.

The submitted LSP is the first LSP received within the Mundijong-Whitby DSP area.

Shire Officers have since undertaken an assessment of the proposed LSP in accordance with the approved Mundijong-Whitby DSP and have provided the applicants with it feedback, concerns and issues on the 8 February 2011.

The LSP was considered by Council at its 27 June 2011 meeting where it determined that the LSP was to be advertised following a series of modifications being made.

Following the receipt of the modified LSP, the document was formally advertised from the 8 August through until the 23 September 2011.

A copy of the modified LSP Map is with attachments marked [.1/12/](#).

A copy of the modified LSP Operational and Explanatory sections is with attachments marked [SD074.2/12/11](#).

A copy of the modified Local Water Management Strategy is with attachments marked [SD074.3/12/11](#).

A copy of the modified Integrated Land Management Strategy is with attachments marked [SD074.4/12/11A](#) and [SD074.4/12/11B](#).

In parallel with the advertising of the LSP, the Shire embarked on a process of advancing multiple outstanding issues determined during the assessment stage of the proposal. These issues, along with those identified through the receipt of submissions during the advertising period, are elaborated upon further in the Community Consultation section of this agenda item.

This item seeks to enable the progression of the LSP by considering all submissions received and set a path forward for the determination of the LSP.

Sustainability Statement

Effect on Environment:

Vegetation

The LSP includes a Bush Forever site and two potentially significant local natural areas. These assets are proposed for retention in the LSP.

The LSP is supported by an Integrated Landscape and Vegetation Strategy that sets out strategies for landscaping and revegetation to mitigate the loss of trees and landscape value. The site incorporates a large number of scattered trees. The LSP proposes the retention of trees predominantly in the proposed areas of public open space (POS). Additional provisions have been made to ensure the retention of trees in road reserves. The applicant has worked with the Shire to investigate alternative fill arrangements to minimise environmental disturbance and allow for the improvement in tree retention. The urban development of the site precludes retention of all trees on the site.

Watercourses

Three creek lines affect the LSP area including Manjedal Brook, a streamline within the Bush Forever site, and an un-named creek line through the centre of the LSP area. All three watercourses are proposed for retention, improvement and management through the LSP and the Integrated Landscape and Vegetation Strategy.

A number of conservation category wetlands are located adjacent to the LSP area. The LSP proposes buffers of 50 metres from each conservation category wetland and treatments for their management.

Resource Implications: A large portion of the area has been set aside for multiple use corridors (MUCs). These corridors will address a drainage and recreation function to the

benefit of the community. These areas will be in public ownership and the maintenance and upkeep of the areas will be the responsibility of the local authority. The Shire needs to consider the cost implications of establishing and maintaining large areas of POS.

Economic Benefits: The LSP provides for a future District Activity Centre and local activity centres which will generate local employment opportunities. The applicants advise the Whitby LSP intends to provide employment opportunity for up to 2,300 people of the 4,500 resident labour force which represents employment self sufficiency of 50% for the LSP. The LSP area will provide significant proportion of the jobs in the overall Mundijong Whitby DSP area.

Social – Quality of Life: The LSP provides for a range of lot sizes creating a range of lifestyle opportunities for future residents. The LSP sets aside a significant portion of the developable area as POS. The community will benefit from the POS through increased recreational opportunities.

The development of a District Activity Centre will provide a range of services and facilities to the community. A community facility is also identified to be included within the District Activity Centre. Education facilities are also provided.

Social and Environmental Responsibility: The proposed LSP is supported by a range of studies to demonstrate environmental responsibility and social benefit, including:

- Environmental assessment;
- Integrated Landscape Management Strategy;
- Traffic Report;
- Commercial Activity Strategy;
- Local Water Management Strategy; and
- Engineering Servicing Report.

Social Diversity: The proposed LSP provides for a diverse range of housing stock that will provide for a diverse community. There are a number of commercial, retail and mixed use land uses that will ensure that the community is a sustainable development.

Statutory Environment:

The LSP was assessed in accordance with Town Planning Scheme No. (TPS2) DSP and Local Planning Policy (LPP) requirements.

In accordance with TPS 2 clause 5.18.3.4, the Shire has determined that the Proposed Structure Plan is satisfactory for advertising.

Policy/Work Procedure Implications:

LPP 6 Water Sensitive Design
LPP 8 Landscape Protection Policy
LPP 19 Byford Development Requirements
LPP 22 Water Sensitive Urban Design
LPP 24 Designing Out Crime
LPP 26 Biodiversity Planning
LPP 63 Integrated Transport and Land Use Planning

Financial Implications:

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

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective
NATURAL ENVIRONMENT	Landscape	Safeguard	Restore and preserve the visual amenity of our landscapes.
			Maximise the preservation of existing trees and vegetation.
			Incorporate environmental protection in land use planning.
BUILT ENVIRONMENT	Land Use Planning	Urban Villages	Press for the provision of public transport and the density of development needed to give effect to transit orientated design.
			Ensure local structure plans have a range of attractions within a walkable distance of residential areas.
		Landscape	Provide a variety of affordable passive and active public open spaces that are well connected with a high level of amenity.
			Continue the development of low maintenance multiple use corridors to accommodate water quality and quantity outcomes and a diversity of community uses.
		Transport	Ensure future public transport needs and infrastructure is incorporated into the land use planning process within the Shire and region.
		General	Facilitate the development of a variety of well planned and connected activity centres and corridors.
			Ensure land use planning accommodates a diverse range of lifestyle and employment opportunities and activities.
PEOPLE AND COMMUNITY	Relationships	Celebrate	Actively engage, and value the contribution of all stakeholders in better decision making.
			Engage existing and new residents in sharing neighbourly and community values.
	Places	Vibrant	Create vibrant urban and rural villages.
		Innovative	Promote and encourage the development of affordable and appropriate lifelong living environments.
OUR COUNCIL AT WORK	Leadership	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
			All decisions by staff and elected members are evidence based, open and transparent.
		Leadership through organisational culture	Elected members and staff live our values and lead by example.
			The organisational culture of elected members and staff is one of inspiration, inclusion and innovation.
			Elected members and staff operate in an environment of trust, respect, openness and transparency.
			The elected members and staff have a relationship of unity and work together to achieve goals.
	The conduct of elected members and staff will be professional and reflect positively on the Shire at all times.		
Society, community and environmental responsibility	The Shire is focussed on building relationships of respect with stakeholders.		
Strategy and Planning	Strategic Direction	Prepare effectively for future development.	

Community Consultation:

The proposed LSP was advertised for a period of 42 days by way of:

- Letters to all landholders within a 500 metre radius of the LSP boundary;
- Referral to relevant government agencies and local community groups;
- Advertisements in the local newspaper;
- Publication on the Shire's website;
- Two Community Information Sessions held on the evenings 9 August and 24 August respectively; and
- Copies made available at the Shire Administration Building and library.

The LSP and accompanying documentation was made available at three (3) Community Information Sessions with one (1) separate Community Information Session held specifically for the Mundijong-Whitby Community Reference Group in which over twenty (20) people attended. In total, twenty-one (21) submissions were received.

A copy of the Schedule of Submission is with attachments marked [SD074.5/12/11](#).

Comment:

Following the receipt of the LSP in December 2010, the public advertising of the documentation and the parallel assessment, workshops and discussions to resolve issues, Council is required in accordance with TPS 2 to progress the LSP.

As detailed within clause 5.18.3.8 of TPS 2:

If within the 60 day period, or such further time as may be agreed in writing between the Proponent and the local government, the local government has not made one of the determinations referred to in clause 5.18.3.7, the local government is deemed to have refused to adopt the Proposed Structure Plan.

To this end, Shire staff gained written consent from the Proponent to exceed the time for Council to consider the LSP by twenty-seven (27) days. Further to Council's decision at its June 2011 Ordinary Council Meeting, a series of outstanding issues were identified to be progressed in parallel with the advertising process. These issues include:

- 1) Total Water Cycle Management
- 2) Access Road to South Western Highway
- 3) Joint Use and Co-Location of Active Open Space
- 4) Rail Crossings
- 5) TAFE site
- 6) District Activity Centre
- 7) Public Transport
- 8) Residential Density
- 9) Mineral Extraction Buffers
- 10) Designation of Wetlands on LSP Map
- 11) Development Contribution Arrangement

The LSP is presented to Council to enable careful consideration as to the ability (or otherwise) of stakeholders including the Proponent, the Shire and/or relevant State Government agencies to address matters in parallel with the finalisation and implementation of the local structure plan.

The following information provides an update on these outstanding issues and provides options in which Council can select to progress these matters.

- 1) Total Water Cycle Management

As detailed in clause 6.9 of the DSP, stakeholders are required at the planning and design phases to make allowance for adequate road and verge widths to accommodate the service alignments of a possible future dual water supply system. Allowing for such a possible future dual water supply is intended in parallel with ongoing extensive investigations by the Shire for a holistic approach to integrated water cycle management.

The DSP outlines that where a LSP is being progressed prior to the finalisation of the Shire's investigations, the LSP should include the planning and design for a third pipe system.

Council previously resolved in October 2010 (in part):

- "A. For the purposes of Clause 5.18.3.9(a) of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, notes the submissions received on the draft Mundijong-Whitby District Structure Plan, as per Attachment SD040.6/10/10 and endorses the Shire staff responses to these submissions.
- B. Pursuant to Clause 5.18.3.7(a) of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, adopts the draft Mundijong-Whitby District Structure Plan, as per Attachment SD040.4/10/10 subject to the amended list of modifications outlined in Attachment SD040.7/10/10 being made, with the following corrections:
1. That modification #5, in the table of modifications, be amended to read:
Modify the District Structure Plan clauses relating to provision of the third pipe system as follows:
 - (a) to require planning and design to make allowance for the future provision of a third pipe system should current investigations support installation of such a third pipe system and insert requirement for Precincts B, D and F.
 - (b) to require any Local Structure Plan progressed prior to the finalisation of the Shire's investigations into integrated water cycle management, to design and plan a third pipe system.
 - (c) include a statement that, "The Shire is committed to investigating alternate sources of water and not applying the 'business as usual' approach. Should investigations support the installation of a third pipe system, developments will be required to include a third pipe system".
 - (d) to require that any subdivision progressed prior to finalisation of the Shire's investigations into integrated water cycle management will be required to plan, design and implement a third pipe system. "

To this end Council has undertaken the following to progress dual water supply:

- 1) Initiated meetings with the proponent, their consultants and Department of Water to identify various issues relating to dual water supply
- 2) Worked with the proponent and their consultants to provide additional water balance information to further inform the Shire's non-drinking water (NDW) source demand estimates. The results of the water balance analysis provided annual demands for additional scenarios to those presented in the Local Water Management Strategy to be able to assist the Shire in estimating the demands that might be placed on a regional non-drinking water source. Scenarios included the use of NDW for public open space irrigation, all irrigation needs and all irrigation needs plus in-house demand.
- 3) Held discussions with Peel Development Commission and other Peel Councils to further progress participation in the regional water reuse scheme, through Peel Infrastructure Holdings
- 4) Prepared a business case for Council consideration as part of the 2011/12 financial year which focuses on progressing the next stage of the Mundijong Whitby Integrated Water Management Feasibility Assessment prepared by GHD in July 2010.

- 5) Engaged the services of a suitably qualified consultant team to prepare a Mundijong / Whitby NDW Supply Strategy.

Stage 1 Assessment and Concept Design

The proponent was previously directed by Council to prepare a Stage 1 assessment and concept design under the Department of Water's Draft Approval Framework for the use of non-drinking water in Western Australia. As discussed at a meeting on 11 August 2011 with officers from the Department of Water, Shire of Serpentine Jarrahdale and the proponent, significant work had already been undertaken by the Shire at the District scale. The NDW source is a district source and is therefore appropriate that it is driven by the Shire. The outstanding issues of source of supply, viability/possibility of supply from a bore-field beyond the proponent's land and identifying a service provider for a scheme is beyond the proponent's ability to influence, drive or resolve. It was agreed by Department of Water, Shire Officers and the proponent that it was not possible and inappropriate for the proponent to undertake a Stage 1 assessment. However Shire officers advised the proponent that the Shire has an expectation that some measure of work should be prepared to support the overall approach for a district scale NDW supply scheme. On this basis it was proposed by the proponent to undertake the following:

- 1) Revise the water balance already prepared for the Local Water Management Strategy to demonstrate how much water would be required if NDW was supplied under various scenarios.
- 2) Results from the capacity testing of the aquifers along with the status of the groundwater licence will be reported in the future Urban Water Management Plan
- 3) Demonstrate that the LSP spatially meets the requirements for a third pipe (NDW) supply.
- 4) Provide a proponent commitment to implement the NDW distribution infrastructure if and when the NDW source becomes available. This would be considered in the context of timing as it is considered reasonable to commit to implementing the infrastructure if a source is to become available in the short term. Short term is considered to be before subdivision works occur on the land (2-3 years).

Revised Water Balance

The proponent has revised the water balance that was previously prepared for the Local Water Management Strategy to demonstrate how much water would be required if NDW was supplied under various scenarios. This information is particularly useful for the Shire, as it helps to refine the district level assumptions on water use made by GHD in the supply/demand investigations undertaken to date. This information will also be of assistance for Stage 3 & 4 studies required under Department of Water's Draft Approval Framework for the Use of Non-Drinking Water in Western Australia (October 2010).

Capacity Testing of Aquifers

The testing of aquifers is required to support the groundwater abstraction licence application, which is currently before Department of Water. It is proposed that the Shire would be kept appraised as the aquifer testing progresses. This testing is to be done following the input provided by Department of Water's licensing branch who administer the resource. The results of the aquifer testing and the status of the groundwater licence will be reported in the future Urban Water Management Plan.

Spatial Accommodation of NDW Supply Infrastructure

The proponent has advised the Shire that the spatial requirements for a third pipe system can be met within the existing services corridor. This has been provided in the Local Structure Plan report prepared by Roberts Day (Section 4.8.3):

“In consideration of the future potential to implement a recycled water supply across the development (if and when it becomes available), engineering advice is that the Water Corporation has an established alignment for the ‘purple pipe’ on the 2.1m alignment on the opposite side of the road to water supply, should the service be introduced in the future. Provision can be made within the road reserves to ensure this alignment is adequately protected to allow retrofitting of this infrastructure should it become viable.”

It has also been addressed in the Engineering Servicing Report prepared by Cossill & Webley (Section 6):

‘It is acknowledged that the Whitby District Structure Plan requires that provision is made for the future implementation of a third pipe alternative water supply throughout the Mundijong/Whitby area. It is Cossill & Webley’s experience that third pipe infrastructure can fit within standard road reserve widths, on the alternative side of the road to potable water, hence no special provisions are required to address this issue.’

Proponent commitment to implement the NDW distribution infrastructure

This would be considered in the context of timing as it is considered reasonable to commit to implementing the infrastructure if a source is to become available in the short term. Council will need to finalise the Mundijong / Whitby Non-Drinking Water Supply Strategy and supporting studies to provide greater certainty and progress towards a NDW supply for Mundijong Whitby.

Mundijong / Whitby Non-Drinking Water Supply Strategy

Council will need to consider the various NDW supply options available to the Shire at the regional, district and local levels. To facilitate the Shire’s progress towards a NDW supply for the Mundijong Whitby District, the Shire has engaged a suitably qualified consultant to undertake a review of the various studies, plans and proposals relating to NDW supply and identify a recommended path forward for Council to progress NDW supply for Mundijong Whitby.

The Shire is committed to investigating alternative sources of water and not simply applying the business as usual approach to water planning. A Mundijong-Whitby NDW Supply Strategy is considered the most appropriate solution to ensure that council can have a plan to clearly identify the path forwards for ensuring dual supply is delivered throughout the Mundijong-Whitby District Structure Plan area. The Mundijong-Whitby NDW Supply Strategy needs to provide Council with a set of NDW supply options, a preferred option and a series of recommended actions to progress the preferred option for non-drinking water supply.

The Consultant will:

- 1) Undertake specific expert review and gap analysis of all local, district and regional NDW Supply investigations, studies and proposals to determine what options are available to Council to progress NDW supply for Mundijong Whitby
- 2) Identify the implications of the various options for Council (i.e. risk assessment and SWOT analysis of all NDW supply options)
- 3) Workshop with council staff and councillors to review options and select the best options for detailed analysis
- 4) Provide Council with a set of NDW supply options, a preferred option and a series of recommended actions (e.g. land acquisition, further studies, community consultation, approvals and licences etc) to progress the preferred option for NDW supply
- 5) Present findings by preparing a Mundijong Whitby NDW Supply Strategy suitable for presentation to Council for adoption and formalising Council’s position on NDW Supply for Mundijong Whitby.

Regional Options

The regional options currently being considered by the Peel Development Commission, Alcoa Australia Pty Ltd, Water Infrastructure Group and Peel Council's relate to the wastewater supply from Woodman Point Wastewater Treatment Plant to Alcoa's Wagerup Refinery. There are numerous scenarios which include:

- 1) Consider the NDW supply infrastructure as a pilot project, and seek government funding (e.g. Royalties for Regions funding) to demonstrate this approach. This is similar to what the Peel Development Commission is doing in the Nambelup environment with a Wastewater Treatment Plant, stormwater capture, sub-surface drainage and managed aquifer recharge. This funding could be put through Peel Infrastructure Holdings with a subsidiary company established largely involving the Shire. The infrastructure could be owned by the shire and a charge imposed on landowners to cover the costs of maintenance, with a small profit for reinvestment into other infrastructure.
- 2) The above scenario could be slightly amended to make the NDW supply infrastructure a Joint Venture (JV) between the Shire and the developers, and a charge applied to cover maintenance costs and to enable recovery of the capital cost of the NDW infrastructure (over time), thereby reducing the risk to all stakeholders.
- 3) The cost of NDW supply infrastructure could be a responsibility of the developers upfront, with a scheme put in place where the developers recover that capital cost over time, via a charge imposed by the Shire on landowners (sufficient to cover the cost of maintenance and to repay the capital cost).
- 4) The potential for the private sector company running the regional water reuse scheme (Water Infrastructure Group) to also participate in the costs of putting in the NDW supply infrastructure.
- 5) Various combinations of the above and acknowledging the Shire is to be a participant in the regional water reuse scheme, through Peel Infrastructure Holdings, and therefore participating in setting water prices and generating revenue through this source as well.

District Options

Three district level options were identified in the Shire of Serpentine Jarrahdale Report for the Mundijong Whitby Integrated Water Management Feasibility Assessment (GHD, July 2010). These included:

- 1) Option 1 – Potable water supply only

The "*Business as Usual*" Option 1 comprised a conventional single potable water system supplying all uses (excepting POS irrigation) from the Water Corporation's existing Integrated Water Supply Scheme and sourced POS irrigation from local groundwater resources (Superficial Aquifer).

- 2) Option 2 – Groundwater

Option 2 entailed a dual supply system. The potable water requirements would be supplied by a downsized potable system. The in-house and ex-house NDW requirements would be supplied by a separate supply system sourcing groundwater from a well-field of bores abstracting from local groundwater resources (Superficial and Leederville Aquifers). POS irrigation would be supplied from local bores in the Superficial Aquifer. The groundwater for in-house and ex-house NDW use would need to be treated and a water treatment facility was included. The level of treatment would depend on the prevailing water quality. The construction of the treatment facility would be staged to meet the development requirements. Treatment of POS irrigation supply was not considered.

- 3) Option 3 – Sewer Mining

Option 3 will also entail dual supplies for the potable and non-drinking water. A downsized potable system would supply the potable water requirements. The NDW requirements would be supplied in part with reclaimed water from a Wastewater Recycling Plant. The water balance revealed this water source would not be adequate to meet the total of the NDW requirements and would require augmentation. The shortfall in Treated Sewage Effluent would be made up with groundwater. The Wastewater Recycling Plant would be constructed in stages as wastewater from the development becomes available. A groundwater supply would be required during the initial years of the development until wastewater flows reached a threshold to warrant construction of the Wastewater Recycling Facility. Thereafter limited augmentation of Treated Sewerage Effluent with groundwater would take place. Wastewater would be mined from the main outfall sewer on route to Byford Pump Station. POS irrigation would be supplied from local bores in the Superficial Aquifer.

Local Options

Various local options could be considered by proponents within the Mundijong Whitby DSP area. However NDW supply infrastructure (e.g. supply infrastructure, water treatment plant, water storage facilities and distribution infrastructure) would need to be replicated across each precinct for each major development within Mundijong Whitby. NDW supply and the associated infrastructure may be better provided at a district level due to the perceived difficulties in managing multiple NDW supply schemes.

The following options to progress NDW Supply are detailed as follows:

Option One: Council acknowledges the LSP and LWMS identifies adequate road and verge widths to accommodate the service alignments of a possible future dual water supply system. Council will finalise the Mundijong / Whitby NDW Supply Strategy and seek to implement the recommended actions within the strategy. District level NDW supply infrastructure shall be provided by the developer once Council has completed Stage 3 and is progressing through Stage 4 of the Department of Water's Draft Approval Framework for the Use of Non-Drinking Water in Western Australia (October 2010).

Option Two: Require the LSP and LWMS to be amended so the developer is required to install non-drinking water supply distribution infrastructure located wholly within the LSP area. The NDW supply distribution infrastructure can then be connected to the district NDW supply scheme if and when it is constructed. Council will finalise the Mundijong / Whitby NDW Supply Strategy and seek to implement the recommended actions within the strategy.

Option Three: Defer consideration of the LSP until such time as the Mundijong / Whitby NDW Supply Strategy is finalised and Council has completed Stage 3 and is progressing through Stage 4 of the Department of Water's Draft Approval Framework for the Use of Non-Drinking Water in Western Australia (October 2010).

It is recommended that Council select Option One to enable the LSP to be progressed in parallel with Council's NDW Supply Strategy and studies.

2) Access Road to South Western Highway

Access of the LSP site onto South Western Highway is an issue which was recognised when Council first considered the proposed LSP.

For the purposes of community consultation, the LSP reflected two possible access alignments with one access through the Bush Forever Site No.354, while another along the southern boundary outside of the Bush Forever site as per the DSP. This was done at the behest of Council when the proposal was first considered in June 2011.

The two access options points onto South Western Highway with the primary considerations being for:

- Landscape characteristics and sense of place;
- Environmental considerations such as potential to avoid fragmentation of environmentally sensitive areas; and
- Road safety matters.

It is important to understand that the proponents have been investigating the potential for the northern alignment of the access road for a considerable period of time.

A summary note from the proponent with respect to the access road is with attachments marked [SD074.6/12/11](#).

Environmental Considerations

The LSP was referred to the Department of Environment and Conservation's (DEC's) Principal Botanist, Threatened Ecological Communities Unit and DEC's Regional Land Use Planner and correspondence is consistent with that provided by the Shire's technical staff. This being the recommendation that the southern exit (Option 2 at location SLK 14.414) onto South Western Highway is favoured as opposed to the Proponents' proposed northern exit, which would result in fragmentation of the Bush Forever Site. Habitat fragmentation is the largest threat to biodiversity worldwide.

The role of roads – major contributor to habitat fragmentation (divide large landscapes into smaller patches, convert interior habitat into edge habitat). Adverse impacts include:

- Reduced amount of total habitat
- Remaining habitat is smaller, more isolated patches
- Direct loss of habitat (clearing)
- Reduction of useable habitat near roads
- Direct mortality (fauna crossing roads)
- Increased noise and visual disturbance (fauna)
- Increased litter, pollution and illegal activities
- Increased isolation of populations/species and reduction of migration
- Altered habitat composition (weeds)
- Altered type and quality of food
- Altered microclimates (temperature and moisture)
- Altered flows of energy and nutrients
- Altered availability of cover and increased edge effect
- Increased opportunities for human impacts
- Increased isolation of populations/species and reduction of migration

Ecological benefits of road less areas:

- Protection of overall catchment health
- Maintenance of water and soil quality
- Conservation of habitat by reduced fragmentation, degradation and human disturbance
- Maintaining resilience to invasion by weeds and feral animals

The southern exit is consistent with the District Structure Plan and exhaustive consultation with both Main Roads WA and Department of Environment and Conservation has resulted in support for this southern exit preference and recommended position for Council to take. The merit of the Proponent's proposed northern exit includes an attractive entry to the

development area where the landscape is dominated by grass trees but the southern exit can result in a similar attractive entry with landscaping and translocation of grass trees from further inside the development where retention may not be able to be possible. A Clearing Permit Application will be required for the southern exit to South Western Highway and will constitute part of the negotiated planning solution for the Bush Forever Site areas and any clearing proposals. It is noted that the areas which have been assessed by the DEC in the general vicinity include State and sometimes Commonwealth protected Threatened Ecological Community (TEC) which in many cases are in good to better condition.

Road Safety

Following the referral of the application to various stakeholders and government agencies, a meeting having been held with Main Roads and the Proponents, a Road Safety Audit has been completed, and a site meeting held with the Department of Environment and Conservation.

The Road Safety Audit was undertaken by Michael Klyne, the Principal of Klyne Consultants.

The objective of the road safety audit was to:

- Review the design and background information and to form conclusions about the safety performance and accident potential of the proposed intersection(s).
- To evaluate the proposal in terms of interaction with its surrounds and nearby roads, and to visualise potential impediments and conflicts for road users.
- To report on the conclusions drawn and to make recommendations regarding aspects which involve unnecessary or unreasonable hazards.

In assessing the two alternative locations, SLK 14.00 and SLK 14.414, the audit concluded as follows:

“The number and frequency of major intersections on South Western Highway will have an impact on the function of the Highway. For the Highway to retain its existing function, only one of the two suggested “full movement” intersections to service the subdivision proposed should be constructed.

The intersections proposed at either SLK 14.00 or SLK 14.414 will compromise road safety as they are proposed close to the end or within the overtaking lanes constructed on South Western Highway. These overtaking lanes are below the 1.2 km minimum length recommended by Main Roads WA and the shortening of their length is not recommended. The recommendation for a full-movement, Type “C” intersection to be constructed on South Western Highway can only be endorsed if the retention of overtaking lanes on South Western Highway is addressed. Of the two Options, the construction of Access No. 2 with South Western Highway is favoured, as this will best service the internal road network proposed by the Whitby Local Structure Plan.”

The audit report has thus concluded that the Council preferred option (Option 2 at location SLK14.414) is the most favourable due to minimal impacts to the surrounds, reduced conflicts for road users and little unnecessary or unreasonable hazards. Furthermore, the report did not investigate the issues of upgrading and speed limits on South Western Highway, since this was not part of the brief. Main Roads WA, during discussion with the Developer and the Shire, have indicated that all proposed works onto South Western Highway, will be to the cost of the Development seeking access.

A copy of the Road Safety Audit is with attachments marked [SD074.7-12-11](#).

The Road Safety Audit was also provided to the Proponents to consider. In response these comments are provided from Transcore, the Proponent’s Traffic Engineers:

- The road safety audit undertaken does not follow the Austroads guidelines with respect to the independence of the audit team, the need for a Corrective Action Report and an opportunity for the Designer/Proponent to respond to the audit findings.
- Although a representative from an independent local government on the audit team is beneficial, a representative from SoSJ on the audit team has undermined the independence requirement.
- The road safety audit must include a Corrective Action Report (CAR). The CAR provides an opportunity to the Designer/Proponent of the project to respond to the audit findings and closes the loop in the audit process.
- It appears that the auditor was not properly briefed on the facts of the project.
- The proponent only proposes the northern access intersection. The location of this access intersection was carefully selected considering site constraints such that it does not impact on the existing passing lanes on South Western Highway and provides for satisfactory sightlines and sight distances. Main Roads WA has provided its 'in principle' approval on the location of this access intersection in writing.
- The southern access intersection is proposed by the SoSJ and not the proponent.
- The proponent has not submitted a design for the proposed northern access intersection. The design plan used by the auditor is a general Main Roads WA design template example for a T-intersection.
- The northern access intersection does not compromise road safety as it is proposed to be located away from the existing passing lanes.
- The audit should have considered the appropriateness of the existing 110 km/h speed limit along this section of South Western Highway. Due to proposed significant developments and urbanisation in this area a reduction of speed limit to 80km/h to 90 km/h is justified on safety grounds.
- I can only assume that the existing passing lanes were constructed to their current lengths by Main Roads WA due to site constraints. If these passing lanes are to be extended all construction costs should be the responsibility of Main Roads WA as the need for this upgrade is not brought about by the Whitby development.
- I am surprised that the auditor has selected the southern access intersection as the preferred location as its proposed location is within the northbound passing lane on South Western Highway. So, from a safety point of view I would have thought that the northern access intersection should be preferred.
- The audit justifies its recommendation for the southern access intersection by stating that "... *this will best serve the internal road network proposed by the Whitby Local Structure Plan.*". The auditor recommendations should be purely based on safety grounds. With due respect, the consulting team for the LSP are in a better position to judge 'serving the internal LSP road network' following seven years of working on this project.

A copy of the applicant's submission in response to the MRWA Audit is with the attachments marked [SD074.14/12/11](#).

On balance, the following recommended option to progress this matter is detailed as follows:

Options for Council are to:

Option One: Require the LSP to be modified to depict the road entry to be located at Southern location SLK 14.414 in accordance with advice provided by the Main Roads WA, Department of Environment and Conservation, and the Road Safety Audit.

Option Two: Accept the justification provided by the Proponent and modify the LSP to show Northern location SLK 14 through the Bush Forever area.

Option Three: Defer consideration of the LSP until such time as further investigations are progressed and/or documentation prepared.

It is recommended that Council select Option One with the road being located at Southern location SLK 14.414 to enable the LSP to be progressed.

3) Joint Use and Co-Location of Active Open Space

Based on current demands on existing ovals, projected growth in population, and the anticipated introduction of soccer and other codes to the area in the future, there will be a shortfall in active public open space (POS) areas within Serpentine Jarrahdale Shire. The Community Facilities and Services Plan anticipated and provided guidance as to how this could be addressed. This included maximising opportunities to co-locate and share use of facilities with schools. This was to be explored through feasibility work and negotiation, and should not be relied upon as the only option. Through the experience obtained from the development of the Byford urban area, the timely delivery of active POS remains an ongoing issue.

Council resolved at the June 2011 Ordinary Council Meeting that the Shire was to actively engage and work in partnership with the Proponent and Department of Education (DoE) to deliver co-located POS adjacent to school sites within the Whitby LSP through the preparation of letters of undertaking for a joint use agreement. The resolution stipulated that this should be done before the approval of the LSP or Council would require the LSP to be modified to include areas for active POS.

The Proponent, Shire Officers, CCS Strategic (Shire Consultant) and the DoE have since engaged in intensive discussions regarding the feasibility and timing of co-located facilities. A letter of undertaking has been received from the proponent, and in response to this, a Memorandum of Understanding (MOU) has been drafted and responded to by all three parties resulting in an agreed position on the intent to pursue and implement a Shared Use Agreement. All parties have now endorsed the MOU in principle, and whilst not legally binding, the MOU is demonstrating clear statements of intent and will now be fine tuned through relevant parties' solicitors so that it can be signed.

A confidential copy of the MOU is with the attachments marked [SD074.12/12/11](#).

The facilities proposed in the LSP across the co-located high school and primary school site that a future Shared Use agreement may consider, include but are not limited to the ovals, rectangular playing fields, hard courts, cricket wickets/practice nets, community buildings etc. In their letter of intent the proponent has indicated a willingness to prefund an oval in the early stages of the LSP implementation to enable the timely delivery of active open space for the community. This has been incorporated into the MOU.

Once the Whitby area starts to develop and there is a requirement for a new primary school and/or High school the parties will convene and work towards the design of facilities and a legally binding Shared Use Agreement for the site which will give precise detail about what the facilities will consist of, cost contributions, maintenance roles and responsibility etc. The timing of this will be determined by DoE and is dictated by the capacity of current schools to accommodate the growing population. It is not desirable or possible at this time to actively progress a legally binding Shared Use Agreement as it requires detailed agreements on a number of issues which cannot be had at this stage as the site is not anticipated to be available for at least 10 years and so there are too many unknowns which would pose risks to all parties if they were to sign such an agreement too early.

The MOU therefore demonstrates sufficient progress to satisfy Council's resolution. As everything has not been put in place to move forward with the LSP, there is sufficient satisfaction by all parties that land use and financial issues are understood and have been addressed or are capable of being addressed and we understand when this can take place

in the process. This significant progress has led to greater understanding of process and issues, and no parties have identified any fatal flaws.

Options for Council are to:

Option One: Accept the level of comfort provided by the progress beyond letters of undertaking to a draft MOU as an indication that all parties have not uncovered any fatal flaws and are committed to deliver active open space to meet community needs by pursuing a Shared Use Agreement, and approve the LSP.

Option Two: Not accept the level of comfort provided by the progress beyond letters of undertaking to a draft MOU as an indication that all parties have not uncovered any fatal flaws and are committed to deliver active open space to meet community needs by pursuing a Shared Use Agreement, and require the LSP to be modified to include areas for active public open space.

It is recommended that Council select Option One to enable the LSP to be progressed, as through this intensive process of drafting and receiving in principle agreement on an MOU there appears to be no fundamental reasons (spatial or otherwise) not to proceed with the LSP.

If Council was to select Option Two the implications would include:

- The costly duplication of construction of facilities
- The greater costs of operating and maintaining duplicate facilities
- Acting against contemporary practices which WAPC may dispute
- Delayed provision of facilities
- Community expectations not being met

4) Rail Crossings and Freight Rail Re-Alignment

The DSP and LSP both indicate that a rail crossing is required from the District Activity Centre through to Soldiers Road on the western boundary of the Whitby LSP. This rail crossing is vital for the future activity and vibrancy of the District Activity Centre and linkages between east and west Mundijong.

The freight rail realignment is being driven by the Shire as part of the Implementation strategy of the Mundijong Whitby DSP. Various meetings, e-mail correspondence and telephonic discussions have been had with the proponent to progress the matter. The Shire's Technical Officers have also been in on-going negotiations with the Public Transport Authority (PTA) and Brookfield Rail (as the operators of the freight rail line) to enable a rail crossing to be established as indicated in the DSP. Meetings are also progressed regularly with the State Department of Transport and Department of Planning to discuss the proposed re-alignment and re-iterate the importance of the rail re-alignment and required crossings to the future of Mundijong. This is happening in the context of Directions 2031, Public Transport Strategy and various other strategic documents currently being drafted by the State government. The most important outcomes of the above meetings are presented below:

- District Activity Centre Railway crossing: The proposed crossing is very close to the rail points and on a bend which raises safety concerns and impacts significantly on costs as crossings are usually placed in a straight section some 200 metres from rail points. Indications are that it would be unlikely to obtain approval as a level crossing based on safety concerns. Cost could be in the order of \$2 to 3million just for construction. A graded separation would be best option for this crossing but is expensive and would be difficult on a level site such as this and would be significant

due to a bridge structure. The adjacent wetlands zone needs to be evaluated. It was also clear that the freight line deviation to simplify the railway crossing is at least ten to fifteen years away.

- Bishop Road Railway Crossing: This was found to be a more likely future railway crossing site with a clear line of sight. A safety Evaluation clearance would have to be given as part of the process. Environment corridor issues will need to be resolved but there is a likelihood that a solution can be found.
- Current policy does not allow for new crossings until the closure of an existing crossing.

A map of the area showing railway lines and roads is with the attachments marked [SD074.13/12/11](#).

The meetings have also indicated that the following process would be required to progress any proposed crossing:

- A fully scoped Design and Accompanying Report would have to be drafted.
- The report would have to be lodged with PTA in parallel with Main Roads WA and Brookfield Rail.
- The matter would need to be taken to the Level Crossing Protection Committee.
- A risk workshop would have to be conducted with Stakeholders.
- Main Roads WA would have to do a Level Crossing Assessment Model.
- Approvals would need to be sought from PTA, Brookfield Rail and Main Roads WA.
- The project would have to be aligned with the construction program if funding is guaranteed.

The discussions have indicated that a number of options are available to Council in progressing the matter of rail crossings. The options all have distinct opportunities and challenges and impact on resources, funding options and the environment:

Option 1: The Bishop Road crossing:

Indications are that the cost to construct an at-grade crossing (not including the regulatory framework) will be in the region of \$300 000 - \$400 000. This option presents some environmental concerns but current indications are that they can be overcome. The Department of Environment and Conservation have indicated that the portion of bushland through which the crossing would be built should be considered in two equally large parts. The western portion is currently considered a TEC but is transitional. The eastern part is not considered a TEC as the vegetation has unfortunately degraded.

Option 2: The District Activity Centre crossing:

This is the option indicated in the Whitby local structure plan. The costs related to this option are similar to Option 1. The challenges presented by this option are that it probably won't be feasible until the freight rail is re-aligned due to the safety aspects presented by the location. There is also the need to take a crossing out to enable a new one to be established. The crossing of the railway line at the point as indicated on the Whitby LSP is critical to the functioning of the District Activity Centre and establishing the necessary linkages between the east and west and therefore this option needs to be progressed over the long term. It however does not seem to be a viable option in the short term. There do not seem to be any serious environmental issues regarding this option as it proposes a route between the environmentally sensitive areas and is not considered a TEC.

Option 3: Underpass option road under rail at the District Activity Centre:

A further option that merits consideration is the construction of a road-over-rail option. It provides a way to address the immediate need for the access across the railway without impacting on the current freight rail activities. Compared to the other two options discussed it will be more expensive as construction costs are estimated to be at least \$4 million. In addition there are concerns regarding soil and drainage and obviously the footprint of such a structure. There is also the question that remains as to whether such a structure is a required when the freight rail is re-aligned. Depending on the footprint there may also be some environmental impact and this has not been assessed in great detail at this stage although similarly to the above the area is not considered a TEC.

Option 4: A staged hybrid approach:

This approach proposes that the Bishop Road crossing be pursued in the short term. This will mean that the crossing at Kiernan Street needs to be retained in the short to medium term to allow access to the Whitby residential cell until the rail re-alignment is completed and a bridge built across the brook to allow for access to Whitby. The cost will probably have to be borne by the developer. This allows the District Activity Centre to be developed as indicated and the requirement for an Activity Centres Plan to be submitted allows the centre to be properly planned when the crossing is allowed. The crossing at the District Activity Centre should be built when freight rail is re-aligned.

Council will need to take a number of aspects into consideration when assessing the options. These include:

- The funding of any project needs to be carefully considered as the proponent will want the Developers Contribution Arrangement to provide the funding for the crossing. Council will need to assess whether this is a viable option as it will increase the Developers contributions per lot considerably and especially if the more expensive option is chosen. The other option is to request the developer to pay the full costs which also has financial implications.
- The ongoing maintenance of the rail crossings once installed is also an issue that needs attention as about \$15 000 per year will be required for this.
- There is the Mundijong town site crossing that needs to be re-opened to allow for access to the south of the Mundijong Whitby urban area. This means that the Kiernan crossing would have to be closed once the re-alignment is completed to allow for a new crossing at Mundijong town site. This is possible as it is not identified as a district road which Bishop Road will be.
- There is also the possibility of linking Bishop Road to the District Activity Centre on then-to-be-disused freight rail reserve over the new crossing after the re-alignment.
- The matter of the re-alignment needs to be elevated in terms of its status and it is suggested that a recommendation is made that the matter be considered by the Infrastructure Coordinating Committee of the WAPC. The committee advises the WAPC on planning for the provision of physical and community infrastructure throughout the state. ICC members include representatives from departments with responsibility for land development, housing, commerce, the environment, state development, energy, minerals and petroleum, water, health, education and transport (among other areas). It also includes representatives from the WA State Treasury and Department of Premier and Cabinet. It advises the WAPC on plans for the provision of infrastructure and promotes inter-agency cooperation in decisions related to urban development. It has the power to coordinate the Urban Development Program and the provision of infrastructure for land development.

It is recommended that Council select Option 4 to enable the LSP to be progressed.

5) TAFE site

The DSP outlines that Precinct A is to identify a TAFE site of 10ha to support tertiary level training in the growing south eastern corridor of Perth. Subsequent discussions with the proponent and the progression of the LSP for the purposes of advertising, the Shire and proponent sought the location of the TAFE to be within the District Activity Centre.

This site is to be an 'urban complex' in nature in accordance with Liveable Neighbourhood requirements, to ensure efficient use of activity centre sites rather than built as campus-style, car-based stand-alone precincts. However, the Department of Planning (DoP) has provided advice that they do not support the TAFE site being wholly located within the District Centre.

Following the outcomes of this submission, Shire staff have held meetings between the Proponent and the Department of Planning to progress this matter with the advice being the DoP and DoE being in high level negotiations to determine the viability of a TAFE campus in Whitby. As such, the following options to progress this matter are detailed as follows:

- Option One:* Delete the 10ha TAFE campus from in or around the district centre
- Option Two:* Require a 10ha TAFE site to be located wholly within the District Activity Centre
- Option Three:* Require the LSP to be modified to reflect a 10ha TAFE site to be located wholly within the LSP area.
- Option Four:* Defer consideration of the LSP until such time as further investigations are progressed and/or documentation prepared.

It is recommended that Council select Option Two to enable the LSP to be progressed while allowing for an urban complex-style TAFE to be developed that supports the future town centre and transit hub in accordance with the vision set out in the Mundijong/Whitby DSP.

6) District Activity Centre

Prior to advertising of the LSP, it was recommended that the District Activity Centre be excluded from the LSP to ensure further details in accordance with the requirements of State Planning Policy No 4.2: Activity Centres for Perth and Peel. The District Activity Centre will be subject to its own detailed planning through the preparation of a separate Activity Centre Structure Plan. This enables matters relating to transit orientated focus, floor space, employment rates and exact configuration of the District Activity Centre to be separately evaluated and assessed when the District Activity Centre Plan is presented for Council consideration in the future. This will also enable planning to be done to accommodate the future rail crossing at the District Activity Centre.

7) Public Transport

Following the referral of the LSP to various government agencies, the Department of Transport has provided advice in relation to the public transport matters for the area. At present the LSP identifies a bus transit station to the west of the District Centre within the LSP area and that further detailed design of transit facilities will be developed in the Activity Centre Structure Plan.

The Department of Transport advises that the Public Transport Plan for Perth in 2031 includes a station at Mundijong in the Ultimate Network Plan. It notes that a business case would need to be undertaken in the future to determine the timing and viability of a rail station. The Department advises that this will depend on the population catchment achieved in the area, rate of growth and expected patronage to be determined through demand analysis.

The Department advises that should a station be justified in this allocation, it is estimated that the majority of the patronage would come from outside of the walkable catchment. Provision of 1,000 “Park n Ride” bays as well as bus interchange, “kiss and ride” facilities should be included in the LSP.

The proponent has advised their opposition against the park and ride provision. It is recommended that this matter be dealt with at the more detailed Activity Centre Structure Plan stage.

The following options to progress this matter are detailed as follows:

Option One: Require matters relating to train and bus station facilities and car parking to be dealt with through an Activity Centre Structure Plan

Option Two: Require the LSP be amended at this stage to include train and bus station and interchange facilities, 1000 “Park n Ride” bays, access and drop off locations, although the location of infrastructure such as rail crossings and station location are yet to be fully determined

Option Three: Defer consideration of the LSP until such time as further investigations are progressed and/or documentation prepared.

It is recommended that Council select Option One to enable the LSP to be progressed while allowing for matters including train and bus station facilities to be dealt with through an Activity Centre Structure Plan for the District Activity Centre to ensure planning and transport is done in an integrated manner.

8) Residential Density

The LSP proposes a range of residential land uses in the form of density and therefore lot sizes. The proponent advises that this includes residential density outcomes ranging from “larger residential lots” from 1500m² to 2500m², “residential lots” from 250m² to 700m² and “local activity node lots” from 150m² to 500m² providing for a range of lot sizes within the LSP area. The LSP provides indicative residential density codes, with the intent to providing a framework to allow for the preparation of more specific coding plans that can react to various elements, including tree retention and housing diversity at the time of subdivision.

The LSP’s provision of indicative residential density codes is elaborated upon by Clause 7.6 of the Statutory Section of the LSP. The LSP seeks to use a ‘Residential Density Plan’ (RDP) which will be provided at subdivision to allocate density codes for individual lots.

The proponent has provided advice that the RDP operates in a similar manner as to a Public Open Space schedule. In terms of its operation, a revised RDP will be provided at each stage of subdivision which will detail a schedule of incorporating:

- Lots approved to date;
- Lots subject of the current subdivision application; and
- Total lots approved after current subdivision application.

The following procedure outlines the process through which the LSP will be progressively updated to contain more detail such as local access road layout and specific lot densities:

- i) A subdivision application with an RDP as supporting information is lodged with the WAPC and referred to Shire for comment;

- ii) Shire officers will assess the subdivision application against the principles outlined in Clause 7.7 of the Statutory Section of the LSP and against the lot sizes specified on the LSP;
- iii) If the subdivision application is consistent in regards to lot size, the principles outlined in Clause 7.7, and any other technical matters, Shire officers will generally support the proposed subdivision and densities depicted in the RDP;
- iv) The WAPC will issue subdivision approval;
- v) The Proponent shall provide Council an updated plan of the LSP depicting the final density of the approved lots as a proposed minor modification;
- vi) Shire Staff under delegated authority will endorse the minor modification with the documentation being sent to the WAPC for its information and seeking their concurrence;
- vii) The LSP will updated and maintained accordingly and be available for public viewing.

The Proponent is currently seeking that approved subdivision applications which identify residential coding are “deemed as an approved modification to the LSP”. Although this may administratively be less complicated, this approach may result in the WAPC issuing approvals while not ensuring that the LSP maintained by the Shire is kept up to date to reflect further detailed planning undertaken through the land development process.

It is also noted that where a subdivision approval is inconsistent with the ranges of densities, the principles outlined in the LSP, or represents a material alteration to the intent of the structure plan, then the applicant will be required to seek a major amendment to the LSP.

It is recognised that this RDP approach is a new practice which has previously not been used at Serpentine Jarrahdale Shire. However, it is recognised that within the draft Structure Plan Preparation Guidelines prepared by the DoP and Western Australian Planning Commission. The approach is a new planning methodology for the provision of density ranges and provides a more dynamic response to housing diversity within Western Australia.

Upon the referral of the LSP to the DoP, their advice has been that the RGP approach is acceptable in view of the Commission at subdivision stage.

Following the referral of the LSP to various government agencies, the DoP has provided advice in relation to residential densities for the LSP area. The Department advises that the residential land densities as proposed by the Whitby LSP are largely consistent with the R15 gross urban developable area density requirement of the DSP established in Directions 2031.

The DoP has noted that it does not define R100 densities as detailed in Clause 10.1 of the DSP. Shire officers anticipate that this density will be focused within the District Activity Centre, which has been excluded from consideration in the LSP.

A number of options are available to Council in progressing this matter in context with the LSP:

Option One: Consider the approach as discussed by the Proponent as acceptable to handle density and lot configuration into the future.

Option Two: Amend the statutory LSP map to delete “deemed modification” and be replaced with “minor modification”.

Option Three: Defer consideration of the LSP until such time as further investigations are progressed and/or documentation prepared.

It is recommended that Council select Option Two to enable the LSP to be progressed.

9) Mineral Extraction Buffers

A small portion of the LSP is within 1 km of the 'key extraction area' identified in State Planning Policy 2.4 – Basic Raw Materials, for the Hanson Hard-Rock Quarry operation. The extraction activities provide important raw materials for construction activities in Western Australia and are recognised under the planning system as requiring careful consideration – in the context of potential land use conflict.

A map illustrating the location of the Hanson Quarry Operations and relevant buffers is with attachments marked [SD074.8/12/11](#).

The LSP does not propose the introduction of sensitive land uses within the identified 1km buffer. The buffer, however is a 'generic buffer' and has not been proven up through a formal buffer definition study or similar. As a generic buffer, there is no guarantee that potential impacts, such as dust, vibration, noise and visual impacts, will not extend further. Equally, there is no guarantee that sensitive populations in excess of 1km from an extraction area will not be aggrieved by extraction activities and associated activities, even if regulatory requirements are satisfied. The introduction of residential land uses within the LSP area has the potential to increase land use conflict. The LSP is located in an area zoned 'Urban' under the Metropolitan Region Scheme.

An application for the renewal of development approval for the Hanson Quarry Operation has been received by the Shire. The application had been advertised for public/agency comment and had been referred to the Environmental Protection Authority for consideration under the Environmental Protection Act 1986. It is anticipated that a formal determination will be required by Council on the development application in early 2012, in light of the current approval expiry date of 31 March 2012.

In some instances memorials are placed on the property titles, where a sensitive population is introduced in relatively close proximity to extractive industries. Planning Bulletin Number 3 provides general advice about the use of memorials on property titles in Western Australia by the WAPC as a condition of subdivision approval.

A copy of Planning Bulletin Number 3 is with attachments marked [.9-12-11](#).

In accordance with Planning Bulletin 3, a number of different matters need to be considered, including planning justification; purpose, relevancy and necessity
Furthermore, the WAPC ordinarily limits the use of memorials to situations where:

- The hazard or other factor is relatively permanent
- The hazard or other factor is of such significance (in terms of its effect on the use or enjoyment of land) as to warrant notification to a landowner
- The hazard or other factor may not be apparent on inspection of the land
- Indication of the hazard would not normally be found in other documentation relating to the land, such as a town planning scheme.

In the context of the current LSP, the following observations are made:

- The extraction activities are in excess of 1km from identified future sensitive populations and many people may now know the quarry is in the area.
- There is the opportunity for Council and the State Government to establish appropriate regulatory regimes for the extraction activities

- The hazard may not necessarily be apparent on inspection of the land, as for example during winter easterly winds may not be present
- The extractive activities are depicted on the Shire's TPS 2 Maps, however they are not depicted on the current draft LSP.

A number of options are available to Council in progressing this matter in context with the LSP

Option One: Adopt the LSP, as advertised, noting that the land is zoned urban and that the LSP does not propose the introduction of the sensitive land uses within the generic 1km buffer distance identified under SPP 2.4

Option Two: Defer consideration of the LSP until such time as a formal determination has been made by Council on the application for development approval for the quarry operations.

Option Three: Require that future residential properties within a given distance of the key extraction be required to have memorials on property titles, advising of a potential impact on the enjoyment of the land.

Option Four: Require the LSP map to be modified to illustrate the buffer requirements of SPP 2.4, in the context of raising stakeholder awareness in a manner similar to that currently shown for wetland areas.

Option Five: Require the LSP to be amended to include a notation that as a result of detailed assessment of the development application for the Hanson extractive industry, Council may require memorials on titles at the time of subdivision advising that there may be potential impacts from the extractive industry.

On balance and having had regard to the matters outlined, Option 4 is recommended.

10) Designation of Wetlands on LSP Map

The LSP map currently depicts '50 metre buffers to EPP wetlands'. A draft EPP for wetlands was drafted and ultimately discontinued in 2006, as such 'EPP wetlands' do not formally exist on the Swan Coastal Plain. The LSP map currently depicts EPP wetlands. The LSP map should be amended to depict 50 metre buffers to Conservation Category Geomorphic Wetlands. The Geomorphic Wetlands Status and Dataset is required to be read in conjunction with various documents including the Wetlands Position Statement and environmental guidance statements when determining appropriate development within 50 metre buffers to Conservation Category Wetlands.

A relevant extract from EPA Guidance Statement 33 is with attachments marked [SD074.10/12/11](#).

It is recommended that the LSP be corrected to provide the relevant designation of conservation category wetland.

11) Development Contribution Arrangement

It is common for Development Contribution Arrangements (DCAs) to be established for new urban development areas, to facilitate the time and equitable provision of both 'traditional' and 'community' infrastructure. State Planning Policy 3.6 (WAPC, 2009) provides an overall framework for the preparation of DCAs.

Traditional infrastructure DCAs have historically included such matters as upgrades to road infrastructure, utility upgrades/relocation and land required for public open space and drainage purposes. Community infrastructure has recently been defined as *“the structures and facilities which help communities and neighbourhoods to function effectively, including sporting and recreational facilities, community centres, child care and after school centres, libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be requested having regard to the objectives, scope and provisions of the policy”*.

Through the preparation and finalisation of the Mundijong-Whitby District Structure Plan and previously the Community Facilities and Services Plan 2020, the need for DCAs to be established for the Mundijong-Whitby Area has been identified. A project plan is currently being progressed for the preparation of DCAs for the Mundijong-Whitby Area, with potential funding and resourcing options including an element of pre-funding by the private sector. It is intended that the project plan and funding options will be presented to Council in early 2012 for formal consideration. From formal commencement, a period of 2-3 years is not unusual for a DCA to be formalised, incorporate stakeholder engagement and become operational.

Should subdivision and/or development proceed ahead of the finalisation of a DCA, it may be necessary to establish ‘interim arrangements’, including the payment of preliminary costs estimates, entering into legal agreements and final adjustments being made. The Shire has established a policy framework for the Byford Area for such arrangements to function effectively, through Local Planning Policies 52 and 55. There are inherent financial risks and resource implications for a variety of stakeholders.

DCAs are inherently challenging due to the number of stakeholders involved, the level of stakeholder financial risk/investment required, a state policy platform that lacks clarity in some areas and a general lack of skilled personnel in Western Australia who are prepared to be involved in the preparation and delivery of DCAs. It is also important that stakeholder expectations are realistic with respect to DCAs – they are not inherently problem-solving tools for overcoming broader planning, environmental, community and infrastructure challenges. Arguably a critical approach to success with DCA preparation and implementation is simplicity.

It is also critically important that stakeholders understand that the granting of any approval (whether it be a structure plan, subdivision or other approval) should not be construed as support (or otherwise) for the inclusion of a particular cost/infrastructure item in a future DCA. There is no certainty about any DCA until such time as it has been formally progressed, been gazetted and become operational. Should a person wish to make a commercial decision, such as to proceed with a subdivision or development ahead of the finalisation of a DCA, such person must understand and accept the financial risks associated with that decision. Similarly, DCAs once they become operational are required to be reviewed regularly to ensure that cost estimates remain accurate in a changing broader economy.

In the context of the LSP currently before Council, there a number of potential questions that Council may wish to consider:

- Would a DCA (if prepared) affect the spatial layout of a local structure plan?
- Would a DCA (if prepared) determine the appropriateness of particular built form environments?
- Would a DCA (if prepared) affect either the traditional or community infrastructure that is required to meet the needs of communities into the future?

Generally the answer to the above questions is no. DCAs typically only have a bearing on when infrastructure will be provided and how will the cost responsibilities be apportioned. As

a result, the Western Australian planning system has generally not supported the deferral of a LSP or similar until such time as a DCA has further progressed.

There are a number of options available to Council in considering the LSP, as outlined below.

Option 1: Progress with the LSP and clearly note that the granting of any approval (whether it be a structure plan, subdivision or other approval) should not be construed as support (or otherwise) for the inclusion of a particular cost/infrastructure item in a future DCA.

Option 2: Defer consideration of the LSP until such time as traditional and community DCAs are formulated and presented to Council for initiation.

Option 3: Defer consideration of the LSP until such time as traditional and community DCAs are formulated and presented to Council for final adoption.

Option 4: Refuse to adopt the LSP.

On balance and having had regard to the matters outlined in this section, option 1 is recommended.

Role and Function of Local Structure Plans

In considering the current LSP and the status of various technical matters, it is important that consideration be given to the role and function of local structure plans. The state government has recently updated its guidelines for structure plans. The guidelines define the purpose of a structure plan as follows:

***“Purpose** - A structure plan provides a guiding framework for subdivision and development. It serves to coordinate the provision of land use, community facilities (such as schools, parks and roads), services and infrastructure. Structure plans are particularly important in areas that have fragmented or multiple ownership.”*

The guidelines define local structure plans are follows:

***“Local structure plans** focus on the neighbourhood scale and provide a comprehensive land use framework for subdivision and development applications. Local structure plans will show all land uses (as per the zones in the local planning scheme), residential density(s) coding ranges and the neighbourhood street network.*

They can be prepared by local government, a landowner or landowner representative. Local structure plans are statutory documents prepared and approved under the provisions of a local planning scheme”

The guidelines provide guidance on the general level of detail, as follows:

“Structure plans are intended to be comprehensive, providing an appropriate level of information relevant to the individual site and the level of planning being undertaken. They are to facilitate the refinement of design over time. Structure plans should contain the level of detail appropriate to their hierarchy, and should not pre-empt or pre-determine subdivision design.”

A significant level of investigation and design has been progressed for the LSP, providing a thorough understanding of a number of key issues. Final resolution has not been reached on a number of issues. Council needs to give careful consideration as to the ability (or otherwise) of stakeholders including the proponent, the Shire and/or relevant State

Government agencies to address all matters in parallel with the finalisation and implementation of the LSP.

Should Council adopt the LSP (as advertised), with or without modification, the following matters will need to be progressed:

- The obtaining of necessary approvals for the proposed rail crossings.
- The obtaining of necessary approvals for the construction of intersection treatments onto South Western Highway.
- The finalisation of an overall strategy for non-drinking water supply for the Mundijong-Whitby Area.
- The progression of development contribution arrangements for both 'traditional' and 'community' infrastructure'.
- The preparation of an activity centre structure plan for the district centre.
- The planning for the proposed realignment of the existing freight rail.

This list is not exhaustive.

Implementation Framework for Mundijong-Whitby

The District Structure Plan for Mundijong-Whitby was adopted by Council in August 2011, following approval by the WAPC. The DSP provided an over-arching framework for the Mundijong-Whitby Area, providing a basis for both local structure plans to progress and more detailed investigations/issues resolution by various stakeholders. A number of projects and actions were identified through the DSP process to enable it to be implemented. Shire officers therefore prepared a draft implementation framework to support the Mundijong-Whitby DSP that outlines a number of tasks and responsibilities and provides the framework for further projects associated with the DSP.

In the interim, the draft Mundijong Whitby Implementation plan has allowed a number of the aspects to be progressed. The approval of the DSP now allows the Implementation plan to be formalised and it is anticipated that an updated version will be presented to Council early in 2012 for formal consideration.

Overall Options and Recommendation:

Council is presented with a series of options in progressing the LSP. These options include:

- Option One:* Adopt the Proposed Structure Plan with modifications
- Option Two:* Adopt the Proposed Structure Plan without modifications
- Option Three:* Refuse to Adopt the Proposed Structure Plan and give reasons to the proponent
- Option Four:* Defer the Application pending resolution of an outstanding issue or outstanding issues

If either the first or second option is selected, the LSP will be forwarded to the Western Australian Planning Commission to, amongst other options, approve the LSP and closing the statutory assessment process for Precinct A – Whitby.

It is recommended that Option One be selected to enable the progression of the LSP.

It is noted that the Shire is bound by its TPS requirements and in accordance with clause 5.18.3.7 the Shire is to consider all submissions received and within 60 days of the latest date specified in the notice under clause 5.18.3.5 is to either:

- a) adopt the Proposed LSP with or without modifications; or
- b) refuse to adopt the Proposed LSP and give reasons for this to the Proponent.

If Council seeks to pursue Option Four, Council will need to provide justification to the Proponent detailing why the LSP is being deferred. This will need to include additional information to guide the Proponent to resolve these outstanding matters detailing the level of information and investigations to meet Council's expectations.

In the event that Shire does not make a determination in accordance with the time frames within TPS 2, the Proponent has the option to accept that the LSP has been deemed refused and have the LSP forwarded to the WAPC. If this occurs the WAPC is likely to refer the matter back to Council to make a determination under TPS 2.

Voting Requirements: Simple Majority

Committee/Officer Recommended Resolution

That Council:

1. Council notes the schedule of submissions prepared in respect of the draft Local Structure Plan advertised for Lots 22, 23, 24, 25, 26, 27, 29, 45, 302, 399 South Western Highway, Norman Road, Kiernan Street, Reilly Road, and Robertson Road, Whitby.
2. In pursuance of clause 5.18.3.7(a) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2, adopts the local structure plan for Lots 22, 23, 24, 25, 26, 27, 29, 45, 302, 399 South Western Highway, Norman Road, Kiernan Street, Reilly Road, And Robertson Road, Whitby, subject to the following modifications being undertaken as per attachment [SD074.11/12/11](#).
3. In pursuance of Clause 5.18.3.9(a) forward the Local Structure Plan to the Western Australian Planning Commission.
4. Respectfully request that matters associated with the proposed realignment of the freight rail be considered by the Infrastructure Coordinating Committee of the Western Australian Planning Commission.
5. Note that an updated version of the Mundijong Whitby Implementation Plan will be presented to Council in 2012.

Committee Note: Officers are requested to provide further information regarding Total Water Cycle Management and the proponent is invited to provide a summary of their anticipated cost implications prior to the December Ordinary Council Meeting.

SD074/12/11 COUNCIL DECISION/New Motion

Moved Cr Harris, seconded Cr Randall

That Council:

1. **Council notes the schedule of submissions prepared in respect of the draft Local Structure Plan advertised for Lots 22, 23, 24, 25, 26, 27, 29, 45, 302, 399**

South Western Highway, Norman Road, Kiernan Street, Reilly Road, and Robertson Road, Whitby.

2. In pursuance of clause 5.18.3.7(a) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2, adopts the local structure plan for Lots 22, 23, 24, 25, 26, 27, 29, 45, 302, 399 South Western Highway, Norman Road, Kiernan Street, Reilly Road, And Robertson Road, Whitby, subject to the following modifications being undertaken as per attachment [SD074.11/12/11](#) and in addition require:
 - i) The Local Structure Plan to be amended so that memorials on titles are placed at the time of subdivision to advise future landowners that lots within the buffer area may be subject to potential impacts from an extractive industry; and
 - ii) The Local Structure Plan and Local Water Management be both amended so the Proponent is required to install non-drinking water supply distribution located wholly within the Local Structure Plan at subdivision stage.
3. In pursuance of Clause 5.18.3.9(a) forward the Local Structure Plan to the Western Australian Planning Commission.
4. Respectfully request that matters associated with the proposed realignment of the freight rail be considered by the Infrastructure Coordinating Committee of the Western Australian Planning Commission.
5. Note that an updated version of the Mundijong Whitby Implementation Plan will be presented to Council in 2012.

CARRIED 5/4

Council Note: Council modified part 2 to include the following further modifications:

- i) The Local Structure Plan to be amended so that memorials on titles are placed at the time of subdivision to advise future landowners that lots within the buffer area may be subject to potential impacts from an extractive industry; and
- ii) The Local Structure Plan and Local Water Management be both amended so the Proponent is required to install non-drinking water supply distribution located wholly within the Local Structure Plan at subdivision stage.

Cr Wilson advised that he would foreshadow a new motion if the motion under debate is defeated.

SD075/12/11 RURAL LAND STRATEGY: PROJECT PLAN & PROJECT BRIEF(A0803-10)		
Proponent:	Serpentine Jarrahdale Shire	In Brief The Rural Strategy Project Plan is the preliminary background document to provide the basis for the review of the Shire's Rural Land Strategy. It provides guidance regarding studies to be conducted, timeframes and basic principles used to compile the Rural Land Strategy. This report provides Council with the opportunity of endorsing the Rural Land Strategy Project Plan and brief to undertake Stage 2 of the Rural Land Strategy Review.
Owner:	Not applicable	
Author:	Peter Varelis: Senior Strategic Planner	
Senior Officer:	Suzette van Aswegen: Director Strategic Community Planning	
Date of Report	15 November 2011	
Previously	Not applicable	
Disclosure of 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	
Delegation	Council	

Background

The Rural Land Strategy Project Plan will act as the preliminary background document to provide the basis for the review of the Shire's Rural Land Strategy. The overall purpose of the Rural Land Strategy is to enhance the Shire's rural character and its role as an important economic contributor to the Shire and the broader region. It will clearly indicate the areas capable of agricultural land uses; consider how other rural uses (such as extractive industry and rural-industry) will be considered. It will also provide guidance on how the Shire should process planning applications in rural areas and address rural settlement patterns. It is also hoped that the Rural Land Strategy will help to enhance agricultural productivity, diversity and guide land use in a more environmentally and economically sustainable manner.

The Rural Land Strategy will be one of a number of documents that will feed into the Shire's future Local Planning Strategy which is currently in the process of being prepared and will inform the Shire's new Town Planning Scheme No.3.

Work to date:

In summary the Project Plan has covered the following:

- Initial consultation done to date;
- Recommendations for future consultation;
- Evaluation of the principles and objectives of the existing Rural Land Strategy;
- Recommended mechanisms and process for reviewing the Rural Land Strategy; and
- Recommends approaches for dealing with applications in the interim.

In this context it is important to progress the next stage of the process to ensure a continued focus on the Rural Land Strategy. The Project Plan highlighted the need to focus on the following:

- Establish key policy areas, whilst maintaining relevant existing areas;
- A new Rural Land Strategy Map and change in approach to mapping in general;
- Need to identify new key developments i.e. Serpentine, Oakford & West Mundijong industrial area and how the interface between these key development areas and the adjoining rural areas will be managed; and
- Recognise the major role the Rural Land Strategy will play in the establishment of a Local Planning Strategy and Town Planning Scheme No.3.

A copy of the Rural Land Strategy Project Plan is with attachments marked [SD075.1/12/11](#).

Sustainability Statement

Effect on Environment: It is envisaged that the Shire's Rural Land Strategy will complement the existing Biodiversity Strategy and strive to protect areas of high environmental and ecological value. In establishing the strategic planning framework to guide the future of land use in the Shire's rural areas environmental protection will be a key consideration.

Economic Viability: Through formulation of the Shire's Rural Land Strategy various market, tourism and economic demand assessments will be undertaken to help inform the particulars and recommendations of the Strategy.

Economic Benefits: Through the establishment process the Rural Land Strategy will investigate and provide opportunities for residents to embark on rural activities and pursuits that will foster longer term sustainable economic development.

Statutory Environment: The Rural Land Strategy will form a significant component of the Local Planning Strategy which ultimately will feed into the future Town Planning Scheme No. 3.

Policy/Work Procedure Implications:

There are no work procedures or policy implications directly related to the Project Plan.

Financial Implications:

The Project Plan provides guidance regarding other specific projects that will need to be conducted to ensure a technically sound project. Funds have been made available in the revised 2011/2012 budget approved by Council in November 2011.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective
BUILT ENVIRONMENT	Land Use Planning	Rural Villages	Preserve the distinct character and lifestyle of our rural villages and sensitively plan for their growth.
			Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.
		Rural Land	Ensure the built form complements and enhances the rural environment.
			Plan for the preservation of rural land and its integration with urban and rural villages.
			Consider the viability of rural land uses in strategy and policy development.
			Promote the vision of the Shire being the 'food bowl' of Perth.
		Landscape	Prioritise the preservation of landscape, landform and natural systems through the land development process.
			Protect the landscape and environmental values of natural reserves and areas from the impacts of development.
			Collaborate in the development of State planning proposals

Vision Category	Focus Area	Objective Summary	Objective
			and lobby for the protection of Serpentine Jarrahdale's unique attributes.
NATURAL ENVIRONMENT	Landscape		
		Safeguard	Restore and preserve the visual amenity of our landscapes.
			Defend our scarp and forest from inappropriate uses.
			Incorporate environmental protection in land use planning.
		Restore	Establish and enhance waterways and bush corridors.
			Establish increased levels of natural vegetation in urban and rural environments.
		Manage	Facilitate sustainable agricultural practices.
			Promote and develop appropriate tourism, recreation and educational opportunities.
			Develop active partnerships with stakeholders.
		Biodiversity	Prevent the further loss of "local natural areas"
			Protect specific ecological features and processes including rare species, threatened ecological communities, wetland vegetation and ecological linkages throughout the Shire
OUR COUNCIL AT WORK	Leadership	Leadership throughout the organisation	Our structure, processes, systems and policies are aligned with the Plan for the Future.
	Strategy and Planning	Strategic Direction	Prepare effectively for future development.
			Position the Shire to be responsive and resilient to changes in State or Federal policy direction.
		The Planning Process	Develop comprehensive governance policies and strategies.
			Create dynamic, adaptable policy and processes to aid rigour, currency and relevance.
		Creating value through applying knowledge	Ensure evidence based decision making
SUSTAINABLE ECONOMIC GROWTH	Industry Development	General	Encourage value adding opportunities for local industries and resources.
		Agriculture	Protect and develop appropriate agricultural and horticultural industries and pursuits within the Shire
			Accommodate the growth of the poultry industry and associated value adding businesses in a manner which preserves the amenity of surrounding areas.
		Equine	Proactively advance the shire's equine industry including the range of associated support businesses.
		Tourism	Encourage the development of tourist attractions and accommodation.
			Maximise the tourism and recreation potential of our natural environment.
			Develop and maintain our heritage assets to encourage visitors.
		Timber	Strive for sustainable use of timber resources.

Community Consultation:

Not required at this time. The Project Plan does however provide guidance as to the consultation process that will need to be followed during the next phase of the project. The

brief for Stage 2 also outlines the requirement to provide a consultation plan before initiating consultation.

Comment:

The Rural Land Strategy Project Plan report clearly outlines the rationale for each recommendation. Now that the Stage 1 of the Rural Land Strategy Review (being the Project Plan) is complete it is strongly recommended that the drafting of the Rural Land Strategy commence at the earliest available opportunity as part of Stage 2 of the Rural Land Strategy Review.

The recommendations outlined in the Project Plan are summarised below for Council's consideration and generally form part of Stage 2 of the Rural Land Strategy Review. These recommendations include but are not limited to:

- Commence review and preliminary assessment of community and land owner inspired projects;
- Determine additional studies to be undertaken as part of Stage 2 to support the Rural Land Strategy:
 - Assessment of economic activity in the rural zone
 - Land use audit
 - Market demand analysis
 - Revised Tourism Strategy
 - Risks associated with natural hazards
 - Basic Raw Materials;
- Review the fire risk data and consider creating a Fire Protection overlay;
- Update the basic raw materials dataset and consider creating a Basic Raw Materials overlay;
- Review existing/up-to-date environmental and land capability data for the Shire;
- Continue consultation with WAPC; and
- Conduct further community consultation (workshop and/or questionnaire) to ascertain the vision regarding future rural land uses in the Shire.

Project Staff have drafted a consultants brief for Stage 2 of the Rural Land Strategy Review that indicates the further methodology (including the engagement strategy) and additional investigations required to complete the Rural Land Strategy. The envisaged outcomes for Stage 2 of the Rural Land Strategy are summarised below for Council's consideration:

- Undertake an audit of existing land uses in the area (prohibited or otherwise);
- Undertake Economic & Market Demand Assessments;
- Identify existing tourism areas and re-establish an appropriate Policy Area to enhance and establish the underlying principles and objectives of this area.
- Establish new Policy Areas through detailed analysis to determine each area's objectives and desired land uses.
- Identify community projects that may have merit and allocate them within an appropriate policy area;
- Assess existing land capability assessments, GIS, State data bases and existing or concurrent disciplinary specific studies (i.e. DoW flood modelling) to identify the appropriate location for new Policy Areas;
- Identify the relevant existing Policy Areas as per the Project Plan and retain / assimilate them into the new Policy Areas as required;
- Draft the new Rural Land Strategy and associated mapping;
- Draft appropriate mapping for public consultation and further workshops;

- Create a consultation plan for presentation to Shire officers;
- Create a public flyer with a general layman's overview of the project;
- Undertake consultation with Shire staff, Council, WAPC and the community in accordance with the methodology outlined in the Project Plan (has to be undertaken once a draft Rural Land Strategy is established);
- Create a findings and recommended modifications report based on consultation; and
- Modify and finalise the draft Rural Land Strategy.

A copy of the full brief to complete Stage 2 of the Rural Land Strategy Review is with attachments marked [SD075.2/12/11](#)

Conclusion:

It is important that the Shire maintains a focus and renewed energy towards the Rural Land Strategy. The Rural Land Strategy will be the leading strategic document to guide rural land uses in the Shire and will compliment concurrent strategies and studies such as the Urban Growth Management Strategy, West Mundijong Feasibility Study, Transportation Strategy and Activity Centres Strategy.

Voting Requirements: Simple Majority

Cr Atwell and Cr Wilson left the meeting at 7.47pm

Committee/Officer Recommended Resolution:

That Council:

- Endorse the Project Plan for the Rural Land Strategy as presented in the attachment marked [SD075.1/12/11](#).**
- Endorse the brief for the next stage of the Rural Land Strategy as presented in the attachment marked [SD075.2/12/11](#).**
- Provide a copy of this resolution, the Project Plan and brief for Stage 2 of the Rural Land Strategy to the Western Australian Planning Commission for information and comments.**

Director Corporate Services left the meeting at 7.57pm

SD075/12/11 COUNCIL DECISION/New Motion:

Moved Cr Harris, seconded Cr Ricketts

That Council:

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

- E. Provide a copy of this resolution, the Project Plan and brief for Stage 2 of the Rural Land Strategy to the Western Australian Planning Commission for information and comments.**
- F. Council requests the project plan be amended to include an increased level of community consultation prior to the preparation of the draft strategy to achieve a high level of community understanding and ownership of the objectives and principles that the strategy is aiming to achieve and protect and to also harness the local knowledge and innovation of our community.**

CARRIED 6/1

Cr's Harris, Kirkpatrick, Randall, Ricketts, Urban and Moore voted for the motion.

Cr Piipponen voted against the motion.

Cr Wilson & Atwell returned to the room at 7.59pm

SD076/12/11 DEMAND ANALYSIS FOR EMPLOYMENT GENERATING LAND (A1585)		
Proponent:	Serpentine Jarrahdale Shire	In Brief To consider the Demand for Employment Generating Land within Serpentine Jarrahdale and establish a strategic framework for future Sustainable Economic Growth. A recommendation is put forward to implement key actions of the report to improve economic development of the Shire.
Owner:	Not applicable	
Author:	Deon van der Linde - Executive Manager Strategic Planning	
Senior Officer:	Suzette van Aswegen - Director Strategic Community Planning	
Date of Report	2 November 2011	
Previously	Nil	
Disclosure of 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	
Delegation	Council	

Background

The key objective for the study is to undertake a strategic assessment of the demand for employment generating land in the Shire of Serpentine Jarrahdale.

The study has several key objectives:

- to assess the Shire's current economic structure and patterns of investment;
- to identify drivers of economic activity and the extent to which these are locally or regionally generated;
- to identify opportunities for investment, business development and employment growth;
- to assess employment needs and land requirements in the Shire over the period to 2021 and beyond;
- to establish a strategic framework for business development and investment attraction and a prioritised implementation framework.

A copy of the report Demand Analysis for Employment Generating Land is with attachments marked [SD076.1/12/11 \(IN09/5404\)](#).

Sustainability Statement

Resource Implications: The proposals in the document provide the background information to enable employment to be created in close proximity to residential areas. This will minimize resource use and will improve sustainability. The proposals minimize vehicle use by

providing the right kind of employment in the right areas to maximize employment self sufficiency.

Use of Local, Renewable or Recycled Resources: The strategy documents the possible local employment opportunities the Shire has and identifies possible new opportunities that will improve self-sufficiency. Through these proposals the strategy aims to reduce transport costs and pollution and support local business by strengthening up-stream and down-stream supply lines.

Effect on Environment: The strategy attempts to minimise car / transport use through identifying synergistic opportunities.

Economic Viability: The strategy starts to identify economic aspects impacting on employment within the Shire. It identifies and attempts to minimize pollution from transport or car dependence and reduce costs, both monetary and non monetary that the community or council will incur with urbanisation. The proposals attempt to reduce future costs for council.

Economic Benefits: The strategy starts off the discussions regarding employment and provides some direction regarding economic benefits to the community. It addresses employment creation, tourism generators, and provide opportunities for local resources.

Social – Quality of Life: The strategy attempts to improve both the economic and social quality of life for the community. It provides some guidance regarding planning and subdivisions with specific reference to access to services eg. local shops and public transport.

Social Diversity: The strategy attempts to advantage social groups and provide for diversity in our community. Social Groups include: youth, seniors, indigenous, ethnic minorities, disabled, families

Social and Environmental Responsibility: The proposal fosters partnerships between the different economic sectors and attempts to identify the synergies between them and how that reflects on the social fabric.

Statutory Environment: The Demand Analysis for Employment Generating Land is a component of the Local Planning Strategy which will result in the ultimate drafting of the Serpentine Jarrahdale Town Planning Scheme No. 3

Policy/Work Procedure Implications: There are no work procedures/policy implications directly related to this issue.

Financial Implications: There are no financial implications to Council related to this issue. There is however an implied cost in terms of the recommendations to focus on economic development and engage in further economic strategies.

Strategic Implications:

Vision Category	Focus Area	Objective Summary	Objective
BUILT ENVIRONMENT	Land Use Planning	Rural Villages	Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.
OUR COUNCIL AT WORK	Strategy and Planning	Strategic Direction	Prepare effectively for future development.

Vision Category	Focus Area	Objective Summary	Objective
		The Planning Process	Develop comprehensive governance policies and strategies.
	Knowledge and Information	Creating value through applying knowledge	Ensure evidence based decision making
SUSTAINABLE ECONOMIC GROWTH	Industry Development	General	Attract and facilitate appropriate industrial, commercial and retail developments.
			Attract environmentally and socially responsible industries and support all operators to achieve more sustainable practices.
			Encourage value adding opportunities for local industries and resources.
		Agriculture	Protect and develop appropriate agricultural and horticultural industries and pursuits within the Shire
			Accommodate the growth of the poultry industry and associated value adding businesses in a manner which preserves the amenity of surrounding areas.
		Equine	Proactively advance the shire's equine industry including the range of associated support businesses.
		Tourism	Encourage the development of tourist attractions and accommodation.
			Maximise the tourism and recreation potential of our natural environment.
			Develop and maintain our heritage assets to encourage visitors.
		Timber	Strive for sustainable use of timber resources.
		Green Industries	Encourage the establishment of innovative industries involved in "reusing and recycling".
			Foster the development of industries producing renewable energy related products and services.
		Creative and Knowledge Economies	Welcome and nurture creative industries and individuals.
	Industry Assistance		Develop and distribute a range of information that facilitates investment decisions and benefits local industry.
		Strategy	Maintain an awareness of economic trends and forecasts that have the potential to impact on the sustainable economic growth of the Shire.
			Ensure strategy, policy development and land use planning provides increased opportunities for economic development, value adding activities and industry clusters.

Community Consultation:

Required: No

Comprehensive consultation will be conducted when the Demand Analysis for Employment Generating Land is included in the Local Planning Strategy.

Comment:

The study was approached using a number of key factors and analyses. These are listed below:

- the context in which Serpentine Jarrahdale fits within the surrounding regions provided an insight into the current forces shaping the Shire. This was further developed with a review of the relevant policy considerations;
- an analysis of the regional economic profile was then conducted to determine the likely future pattern of economic development within the Shire;

- the local economy was then examined to provide an overview of the strengths and weaknesses in the Shire. A comparison was completed between different regions relating to Serpentine Jarrahdale and the Perth metropolitan region;
- the analysis completed, along with a review of population projections for the region and Shire provided an insight into the future regional context;
- regional employment linkages were also examined to provide an insight into the inflow and outflow of workers to the Shire;
- the future development context was identified using surveys and other analysis;
- Projections of labour force and land requirements by location type were also completed to provide a fuller picture of the future development requirements for the Shire; and
- Finally, a business investment and attraction framework was prepared to facilitate employment generating land development.

The report attached to the item presents the background information in Sections 1 to 6 and provides context for the conclusions and recommendations in the final sections of the report.

Section 7 provides the industry perspective and draws some key conclusions.

Section 8 provides a summary of the floor space requirements and land requirements as detailed in the study.

Section 9 provides recommendations for business investment and attraction. These recommendations for implementation are provided in some detail below for ease of reference.

Industry Diversity

The effective delivery of a long-term strategic framework for employment generating lands in the first instance relates to industry diversity. In particular, an economy based on a balance of a number of key drivers including value added, regional exports, employment and backward linkages is more likely to provide continuing sustainable economic development.

- It is recommended that Council seek to focus on, invest in and further attract industries that are the most significant in the four key economic areas listed above. These specifically include construction, agriculture, forestry and fishing, manufacturing and wholesale trade.
- At a more defined level, it is recommended that the Shire focus on other industry sub-sectors to achieve a diverse and balanced economy include, other agriculture (various vegetable, fruit and flower growing enterprises, horse, and other livestock farming) wholesale trade, road transport, other property services, oil and gas, retail trade and education.
- The evolving nature of the Shire economy and the strong linkages that the Shire has with surrounding regions should dictate that urban development related industries and logistics based industries form vital facets of the local economy.
- It is recommended that a diverse range of industry and business at different scales is developed, from microenterprise to large-scale industries.
- It is recommended that foundation hubs of activity are developed. This is crucial in successfully attracting business and industry to the Shire. Hubs of activity are necessary to attract businesses / organisations of any scale.
- It is also recommended that there is a requirement for a diversity of business and activity precincts in the formulation of any structure plans.

Land

Employment land is vital in ensuring that there are sufficient employment opportunities in the Shire. The range, quantity and site location of suitable employment land will determine the Shire's ability to attract and retain business and industry.

- It is recommended that the land requirements set out in earlier sections of this study be taken into consideration when planning for employment generating land. In particular, it is recommended that the quantity of land required by location type be of the order of scale of that highlighted earlier in this report.
- The proposed business park at Cardup has planning support from Council. The site sits between the South Western Highway and Soldiers Road, thus providing good access and transportation linkages.
- It is recommended that opportunities for business / industry park development be pursued with regional partners to create a site that is capable of attracting a critical mass of business and industry.
- It is recommended that consideration be given to the Activity Centres Strategy when dealing with the allocation of employment land in and around the activity centre network.
- It is recommended that opportunities for future employment generating land be investigated. In particular, land which is suitable to the north of Byford Town Centre adjacent to the South Western Highway and areas around Mundijong. It will be necessary to be direct regarding the designation of particular sites for industry and business development.
- It is also recommended that land that is most suitable for industry and business development (such as the Cardup business park) have planning controls and overlays that facilitate the development of the land for business and industry purposes.

Infrastructure

Infrastructure provides the basis on which business and industries rely. Water, sewerage, transport and electricity provision are essentials which must be provided in order to allow businesses and industries to, in the first instance set up and in the second instance to expand and grow. Greater investment in infrastructure will lead to a base on which to attract and retain business and industry.

- It is recommended that infrastructure needs are identified in the Shire. This includes the type, scale, location and staging requirements.
- It is recommended that an infrastructure priority hierarchy be developed from these requirements to determine those infrastructure projects of most importance. For instance, it may be determined that an extension to the Tonkin Highway or a large scale business park is of the greatest importance to the Shire.
- It is recommended that following this infrastructure priority list an estimate of costs for the long term development of infrastructure is completed.
- It is recommended that the possibility of funding for infrastructure works be investigated through a Developer Contributions Plan (DCP).
- It is recommended that public land suitable for acquisition for business and industry attraction and investment be identified.

Business Development

Business development acuity and entrepreneurship ability are important factors in the capacity to attract industry and business capital. To be seen as a region that develops successful businesses is important in the attraction of new, fledgling business and industry.

- It is recommended that Council develop techniques and strategies that deliberately target businesses that may be suited to the business environment in the Shire. These

may include industries that may be pushed out of the metropolitan region due to the high cost of labour, high land values and capital inputs such as manufacturing and transport and storage activities.

- It is recommended that best business practices relating to the intensification and aggregation of agriculture, forestry and fishing industries be investigated by Council. Industries that may benefit or be attracted to the Shire through smaller, more intense, aggregated processing facilities may include hydroponics, mushroom farming, poultry farming and processing and viticulture.
- It is recommended that a 'pro-business' attitude be cultivated throughout all tiers of government. Business development must be positively ingrained when assessing and planning for industry set up and development.
- It is also recommended that a gap analysis review take place to determine those industries and businesses that are important to attract to the Shire. This will inform, support and facilitate new business development. This is of particular importance in the activity centres, particularly those centres that are forecast to accommodate the majority of the growth (Byford and Mundijong).

Marketing

An attractive marketing strategy is necessary in luring business and industry to the Shire. The marketing strategy should seek to market the current strengths and future opportunities that exist in Serpentine Jarrahdale. It is a crucial facet in delivering a sustainable economic future for the Shire.

- It is recommended that a marketing strategy be developed by Council. The strategy should take account of those factors which make Serpentine Jarrahdale attractive.
- It is recommended that the strategy should include focus on the Shire's strengths and opportunities. This includes but is not limited to, the current and projected growth forecasts, the natural environment, the strong economic base, the transport linkages to other significant regions, and the significant quantity of land suitable for business and industry development at cheaper rates than in more metropolitan locations (particularly to the west of the Darling Ranges).
- It is recommended that a range of incentives be investigated to spur business and industry investment in the Shire.
- It is recommended that the marketing strategy be selective and direct regarding the types of businesses and industries that the Shire desires to attract.
- It is recommended that the strategy reflect a consistent aspirational image for the Shire. The views, aspirations and objectives of the Shire, including Council and the community will need to be canvassed.

Management Framework

It is recommended that following the resolution and adoption of the Demand Analysis for Employment Generating Land Study that Council prepare a program to monitor the implementation and progressive success of each of the recommendations highlighted. This program should be required to conduct reviews of the study in the establishment and implementation of the recommended actions on the basis of:

- the long term objectives for each of the recommendations;
- program effectiveness in relation to Council budget resources;
- the effectiveness of the implementation of the study in relation to the original planning and intended staging;
- implementation issues that may have arisen from budget, resource and timing implications;
- feedback from the community and key stakeholders;

- the potential for modifications to the study in relation to the success of the recommended actions and feedback from the community and stakeholders.

It is recommended that Council undertake a major cyclical review of the study on a continuing five year basis. The next review should coincide with the publication of results from the next ABS Census. This is likely to be in 2012 / 2013; as such, further reviews should be conducted every five years from this period. It is recommended that the review consider housing, population, and most importantly, employment trends indicated by the census data. The study should be updated and modified according to the data and trends apparent in the census results.

Voting Requirements: Simple

SD076/12/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Randall, seconded Cr Urban
That Council:

- A. Adopts the Demand Analysis for Employment Generating Land as per attachment [SD076.1/12/11](#) as a guide for future economic development in the Shire.
- B. Implements the key recommendations as detailed in the Comments section of the item and Section 9 of the report and included as attachment [SD076.2/12/11](#).
- C. Considers the drafting of an Economic Development Strategy (including the review of the Demand Analysis for Employment Generating Land) after receiving the next Australian Bureau of Statistics Census data.

CARRIED 9/0

SD077/12/11 COMMUNITY FUNDING PROGRAM (SJ742)		
Proponent:	Serpentine Jarrahdale Shire	In Brief 1. To consider changes to Council Policy – Financial Assistance to Community components 2.4 and 2.5 2. To nominate a Councillor from each ward to serve on the 2012/2013 Community Funding Program Working Group.
Owner:	Not applicable	
Author:	Julie Sansom – Community Development Officer	
Senior Officer:	Suzette van Aswegen – Director Strategic Community Planning	
Date of Report	21 November 2011	
Previously	SD054/11/10;	
Disclosure of 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.	
Delegation	Council	

Background

The Serpentine Jarrahdale Shire and the Byford & Districts Bank® Branch of Bendigo Bank's community funding partnership agreement will be in its third year for the Community Funding Program (CFP) 2012/2013 funding round. One of the conditions of the agreement is to review it annually. The recent review recommended amending Council Policy PC102 – Financial Assistance to Community to allow a member of the Bank's Board (Community Engagement Officer) to be on the CFP Working Group, therefore assessing the CFP applications with Council representatives (component 2.4). In addition, Council Policy – Financial Assistance to Community (component 2.5) states "that four Council representatives being one from each ward be nominated each year to sit on the Community Funding Program Working Group." It is recommended that as there are now only three wards, that only three Council representatives now need to be nominated.

A copy of the draft amended policy PC102 – Financial Assistance to Community with highlighted changes is with attachments marked [SD077.1/12/11](#).

Sustainability Statement

Resource Implications: The program places high priority on projects that minimise resource and energy use.

Use of Local, Renewable or Recycled Resources: The program supports the use of local, renewable or recycled resources.

Effect on Environment: The program places high priority on projects that are environmentally responsible.

Economic Viability: The program places high priority on projects that show potential to attract other funding and enable the groups to become more self-sufficient and sustainable.

Economic Benefits: The program supports a variety of projects that bring economic benefit to the community through employment of local contractors, events that attract locals and tourists to business areas and through the funding of small group projects that may not obtain funding elsewhere.

Social – Quality of Life: The program supports the local volunteers who run facilities and organise activities and projects which provide a rich quality of life in this area.

Social Diversity: The program does not disadvantage any social groups and provides for diversity in our community including youth, seniors, indigenous, ethnic minorities, people with disabilities and families.

Social and Environmental Responsibility: The program is designed to be socially and environmentally responsible through building capacity in the community and enabling full participation in its implementation. The program creates opportunities for the community to participate and foster partnerships.

Statutory Environment: Not applicable.

Policy/Work Procedure Implications: There are no work procedures/policy implications directly related to this application/issue.

Financial Implications: An amount of \$40,000 is allocated in each year’s budget. The Community Funding Program has been co-funded in partnership with the Byford & Districts Community Bank - Bendigo Bank for the past two years. Council and the Bendigo Bank each contribute \$20,000 towards worthwhile community driven projects. It is expected that this agreement will continue.

Strategic Implications:

This proposal relates to the following Focus Areas through the numerous projects that the funding will enable as well as through the partnership with the Byford & Districts Community Bank Branch of Bendigo Bank:-

Vision Category	Focus Area	Objective Summary	Objective
BUILT ENVIRONMENT			
	Land Use Planning	General	Plan and develop community gardens.
NATURAL ENVIRONMENT	Landscape		
		Safeguard	Maximise the preservation of existing trees and vegetation.
		Restore	Promote and develop appropriate tourism, recreation and educational opportunities.
			Manage and restore local natural areas and revegetate new areas to increase native fauna habitat.
	Climate Change		
		Mitigation	Minimise resource use
OUR COUNCIL AT WORK			
	Leadership		
		Leadership throughout the organisation	The Shire will set policy direction in the best interests of the community.
	Strategy and Planning		
		Strategic Direction	Prepare effectively for future development.
		The Planning Process	Develop comprehensive governance policies and strategies.
			Create dynamic, adaptable policy and processes to aid rigour, currency and relevance.

Vision Category	Focus Area	Objective Summary	Objective
	Knowledge and Information		
		Generating, collecting and analysing the right data to inform decision making	Understand the needs of stakeholders.
		Creating value through applying knowledge	Ensure evidence based decision making
	Customer and Market Focus		
		Gaining and using knowledge of customers and markets	Align systems and processes to meet customer needs.
			Improve the communication and sharing of information externally.
		Customer perception of value	Strive to continually improve customer satisfaction and stakeholder relationships.
PEOPLE AND COMMUNITY			Promote a variety of recreation and leisure activities.
	Wellbeing		Enable the provision of a range of facilities and services for families and children.
		Healthy	Monitor and respond to the changing needs of our ageing population.
			Improve access and inclusion for all.
			Encourage, support and celebrate volunteerism.
		Happy	Foster lifelong learning opportunities
			Invest in the development of future community leaders.
			Understand and respond to the needs of our youth.
			Encourage youth participation in community activities, groups and networks.
		Safe	Foster positive working relationships with and between volunteers.
			Encourage intergenerational interactions and activities.
	Relationships		
		Encourage	Grow and sustain our strong community spirit.
			Empower people to represent their community of interest.
	Places	Vibrant	Build the community's capacity to create vibrant places through activities and events.
SUSTAINABLE ECONOMIC GROWTH			
	Industry Development		Maximise the tourism and recreation potential of our natural environment.
		General	Develop and maintain our heritage assets to encourage visitors.
		Green Industries	Provide support and guidance for local activities, events and community groups.

Community Consultation:

Not required.

Comment:

Council Policy – Financial Assistance to Community has been amended to allow representation of a member of the Bank's Board on the Working Group to enable a better working relationship with the Byford & Districts Bank[®] Branch of Bendigo Bank so that their Board is able to understand the decision making process and make a more prompt decision. The number of Councillor representatives on the Working Group will now correspond with the recent ward changes. The Working Group will meet in May to review submitted applications.

Voting Requirements: Simple Majority

Director Corporate Services returned to the meeting at 8.00pm

SD077/12/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Harris, seconded Cr Atwell

- A. Council endorses the amended Council Policy – Financial Assistance to Community as per attachment [SD077.1/12/11](#).**
- B. Council nominates Councillor Wilson, Councillor Kirkpatrick, and Councillor Atwell representing each ward, to serve on the 2012/2013 Community Funding Program Working Group.**

CARRIED 9/0

SD078/12/11 L199 JARRAHDAL ROAD, JARRAHDAL - PROPOSED REZONING – RURAL TO SPECIAL USE (A1961)		
Proponent:	Joe Algeri	The proposal is for the rezoning of the land from Rural to Special Use, creating three precincts comprising, Special Residential, Commercial/ Tourism and Rural.
Owner:	R Iannello	
Author:	Louise Hughes - Senior Planner	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	14 November 2011	
Previously	SD008/07/07	
Disclosure of 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	
Delegation	Council	

Date of Receipt: 25 January 2011
 Advertised: No
 Lot Area: 7.2ha
 L.A Zoning: Rural
 MRS Zoning: Rural
 Rural Strategy Policy Area: Conservation – Private Land
 Townscape/Heritage Precinct: Yes
 Bush Forever: No
 Date of Inspection: 8 November 2011

Background

Two previous rezoning proposals to Town Planning Scheme No. 2 (TPS 2) have been submitted to the Shire for consideration for the subject land, the first in 2005 and the second in 2007. The first proposal considered by Council was not initiated as it was not considered

to satisfactorily address the landscape characteristics of the site. The second proposal was considered by Council in July 2007 the result of which was a unanimous decision that the amendment was initiated for advertising subject to conditions. However the applicant decided not to proceed with the amendment due to the conditions which had been imposed by Council which the landowner considered to be onerous.

A copy of the Council resolution is with attachments marked [SD078.1/12/11](#).

A revised proposal (the subject of this report) is in fact, a simplified version of that initiated by Council in 2007. In essence, the proposal now removes the rural strata development precinct that proposed 11 small lots close to the Gooralong Brook which runs through the subject land. This component will no longer remain 'rural'.

The revised proposal was submitted to the Shire in January 2011 and has been the subject of discussion with the proponent, the Department of Planning and officers within the Shire. The purpose of this report is to provide Council with the opportunity to formally consider the revised proposal and determine whether to initiate an amendment to the Shire's TPS 2.

The current proposal is for the rezoning of the land from Rural to Special Use, leading to the creation of three precincts comprising Special Residential, Commercial / Tourism and Rural activities.

A copy of the proposal is with the attachments marked [SD078.2/12/11](#) (IN11/15725).

Sustainability Statement

Resource Implications: The proposal is for the rezoning of the land and the specifics of issues such as clearance of vegetation, renewable energy and water sensitive urban design are not detailed at this stage, but will be addressed at the time of finalising a subdivision guide plan and subsequent subdivision and development application stages.

Effect on Environment: The proposed rezoning of the land has the potential to impact on the natural environment through the introduction of built form. However it is considered that the impact can be mitigated by such things as sensitive design of structures, appropriate water management systems and minimizing site disturbance and the level of clearing. The design of any future development will also need to reflect the heritage qualities of the locality to complement and enhance rather than detract from them.

Economic Benefits: The proposed rezoning of the land incorporates a commercial element which is intended to provide facilities to encourage the provision of additional local facilities, business, employment and attract further tourism to the area. It is therefore considered that the proposed rezoning will have economic benefits in the future.

Social – Quality of Life: Should the proposed rezoning be initiated and the site is ultimately developed it is considered that it has the potential to positively impact on the quality of life of existing residents by virtue of the commercial/tourism precinct. The increase in commercial property has the potential to attract increased visitors, generate employment and boost the local economy, providing additional local facilities for existing residents thereby reducing journey distances and times.

Statutory Environment:

The Planning and Development Act 2005, in conjunction with the *Town Planning Regulations 1967*.

Policy/Work Procedure Implications:

A number of local planning policies (LPP) will provide guidance for the future consideration of a development guide plan, including:

LPP43 – Natural Hazards and Disasters
LPP61 – Urban Water Management
LPP67 – Landscape and Vegetation (draft)

Financial Implications:

The Planning and Development Regulation 2009 establish a basis for recovering costs associated with a TPS amendment from the applicant.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective	
BUILT ENVIRONMENT	Land Use Planning			
		Rural Villages	Preserve the distinct character and lifestyle of our rural villages and sensitively plan for their growth.	
			Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.	
		Urban Villages	Incorporate the principles of emergency management, community safety and crime prevention in new and existing developments.	
		Rural Land	Plan for the preservation of rural land and its integration with urban and rural villages.	
			Consider the viability of rural land uses in strategy and policy development.	
		Landscape	Prioritise the preservation of landscape, landform and natural systems through the land development process.	
			Ensure land use planning accommodates a diverse range of lifestyle and employment opportunities and activities.	
			Encourage innovative solutions, technology and design.	
		Infrastructure		
			Water Management	Minimise the use of piped and artificial drainage and its impact on the landscape.
				Promote, implement and celebrate best practice integrated water cycle management.
			Vegetation management	Acknowledge the future economic value of natural vegetation and landform.
NATURAL ENVIRONMENT	Landscape			
		Biodiversity	Prevent the further loss of “local natural areas”	
SUSTAINABLE ECONOMIC GROWTH	Industry Development			
		Tourism	Encourage the development of tourist attractions and accommodation.	
			Maximise the tourism and recreation potential of our natural environment.	
			Develop and maintain our heritage assets to encourage visitors.	
			Small	Nurture and support small business, cultural and

Vision Category	Focus Area	Objective Summary	Objective
		Business and Cottage Industries	cottage industries

Community Consultation

Should Council resolve to proceed with the proposed TPS 2 amendment, public comment will need to be invited for a period of not less than 42 days in accordance with the requirements set out in the Town Planning Regulations 1967.

In addition to the above-mentioned regulations, LPP No. 27 – Stakeholder Engagement in Land Use Planning provides further guidance for the advertising of TPS 2 amendments. Requirements will include, but will not be limited to:

- Signage being placed on-site
- A newspaper advertisement
- Public display at the Shire's administration centre
- Letters being sent to all landowners within a 300 metre distance from the site
- Letters being sent to community groups
- Publishing of relevant information on the Shire's internet webpage.

Following the close of the advertising period, a report would need to be presented to Council to formally consider the submissions received and resolve whether to proceed with the finalisation of the amendment, including forwarding the matter through to the Western Australian Planning Commission and the Minister for Planning.

Comment:

As outlined earlier in this report, the landowner has presented a revised proposal for consideration by Council. The revised proposal consists of:

- (a) a proposed set of scheme provisions
- (b) a draft/preliminary development guide plan.

A copy of the proposed scheme provisions is provided with attachments marked [SD078.3/12/11](#).

A copy of the preliminary development guide plan is provided with attachments marked [SD078.4/12/11](#).

This report provides Council with the opportunity to formally consider the merits of the proposal and determine whether to proceed with an amendment to TPS 2.

The Site

The subject land is situated on the south western side of Jarrahdale Road on the approach to the historic townsite. The site is considered to be a key location on the approach to the town. Entering the town from the north the land can be viewed as it rises away from the approach and is therefore visually significant. The land is heavily vegetated to the north and south west; there is a significant stand of mature eastern states eucalypts to the south eastern boundary with a cleared area in the central portion.

The land immediately adjoining the site to the west is National Park (vested with DEC); to the south is an established residential development whilst to the south, east and north east there is further National Park and the historic townsite of Jarrahdale.

Within the special use zone it is proposed to have three precincts:

- Rural – the northern most part of the site will remain rural and no development is proposed at this stage.
- The south western portion is proposed to accommodate a special residential area;
- The remaining portion which to the south east of the site is proposed as a tourism/commercial precinct.

In support of the proposal, the applicant has provided the following justification:

“The proposed rezoning will provide for a mix of residential lots and commercial/tourist development site in the southern portion of the subject land. This portion of the land has a less significant conservation and landscape role and is located away from Gooralong Brook. It is intended that the remainder of the subject land not considered under this portion of proposed development remain as “Rural” land. This not only enhances the transition between vegetated land to the north and the Jarrahdale town site to the east, but also enhances the conservation values of the subject land by protecting Gooralong Brook from any intensive forms of development.”

Comparison to previous proposal

A previous proposal was presented to Council in July 2007, with Council at that time resolving to conditionally proceed with Amendment 151. As part of the revised submission to Council, the applicant has provided the following advice:

“The Applicant did not proceed with the amendment in its then form, principally due to a number of onerous and detailed conditions that would be tied to the proposed zone. Many of these conditions and issues should have been more appropriately dealt with at development or subdivision stage, especially in regard to matters such as fencing and possible road upgrading requirements.

Upon further analysis, the applicant has now decided to abandon the strata cluster component in this updated proposal. ...In essence, this modified proposal abandons the strata cluster components and in lieu, simply retains a balance rural lot. As a result it is a much simplified proposal that otherwise remains consistent with the originally proposed “Special Use” zoning initiated by Council in 2007.”

[A copy of the 2007 development guide plan is with attachments marked SD078.5/12/11.](#)

Planning Considerations

There are a number of matters that Council is encouraged to give consideration to in formally reviewing the merits of the current proposal, including:

1. The use of special use zones;
2. The different stages in the planning process;
3. The role and function of development guide plans
4. Jarrahdale Heritage Precinct and Townscape Policy;
5. Shire’s Rural Strategy;
6. Planning for Bush Fire Protection;
7. Planning to protect Landscape and Vegetation Values;
8. Effluent Disposal; and
9. Planning for water sensitive urban design

Each of these matters are discussed in the following sections

1. Proposed rezoning to Special Use Zone.

The site is currently zoned Rural under the provisions of TPS2 and does not have a specific use. The proposal is to rezone the land to a Special Use Zone in TPS2. Clause 5.11.1 of TPS 2 reads as follows:

'5.11.1 The purpose and intent of the Special Use Zone is to permit the use of land for any specific use not considered appropriate or desirable in any other zone and being a use which Council considers may satisfy a specific need in the locality where the use is proposed.'

The Shire and a number of local governments have extensively used special use zones, establishing specific provisions for individual properties through separate Town Planning Scheme amendments. While well intended and aimed at site-responses approaches, the excessive use of special use zonings and individual Town Planning Scheme amendments can:

- have significant resource implications for local governments.
- Result in schemes having confusing provisions that are difficult for stakeholders to access and interpret
- Create difficulties for the updating of town planning schemes to address new and emerging issues.

For the reasons outlined above, the use of a special use zones should generally be kept to a minimum and only be used in exceptional circumstances. The current proposal before Council, is considered to be an exceptional circumstance for the following reasons:

- The land is significant in nature, in the context of planning for the Jarrahdale locality.
- There are existing natural boundaries, with existing roads and forest areas, that create a discrete area.
- The natural features of the land, including the Gooralong Brook.
- The history of planning for this property.

2. Different stages in the planning process.

There are a number of different stages in the planning process before land can either be subdivided or developed. The current proposal before Council is for the initiation of an amendment to TPS 2. A TPS 2 amendment can have the effect of rezoning land to enable future land uses to proceed and establishing formal requirements for planning consideration that will need to be addressed through more detailed design, eg requirement for addressing issues such as water, fire and traffic management. The statutory processes also provide the opportunity for stakeholder engagement with both members of the public and relevant government agencies. Such engagement provides the opportunity to further explore potentially relevant considerations, such as water supply issues in conjunction with the Water Corporation.

It is not essential that each and every issue is fully resolved to a detailed stage at the time of a TPS 2 amendment. That is not the purpose of a TPS Amendment. It is, however, important that stakeholders, including Council, have a clear understanding of the key technical issues that will need to be addressed. To assist with understanding the different stages in the planning process, a matrix has been prepared.

A copy of the planning matrix for Lot 199 is with attachments marked [SD078.6/12/11](#).

3. Proposed development guide plan

In a number of areas, the Shire has used 'development guide plans' or 'subdivision guide plans' to provide further guidance ahead of the subdivision and development of land. Such guide plans do have their limitations in a modern statutory environment and similar to special use zones should be used sparingly.

In this instance, however, the requirement for a development guide plan may be justified for the following reasons:

- The land is considered to have unique characteristics
- There is the opportunity for provide further guidance, in an open and transparent manner, without necessarily delaying the progressing of a TPS amendment.
- A development guide plan can be presented formally to Council, once matters have further progressed, including the outcomes from stakeholder engagement progressed as part of the TPS amendment.

A copy of the draft (2011) development guide plan is with attachments marked [SD078.5/12/11](#).

Council is not being asked to endorse the development guide plan at this time. It is recommended that a development guide plan be lodged by the applicant for formal consideration by Council, either when nearing or following the ultimate gazettal of the TPS amendment. The Western Australian Planning Commission in Planning Bulletin 5, with relevant extracts provided below:

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

And

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

Due to the significance of the site and the need to progress planning in an open and transparent manner, it is envisaged that the formal development guide plan (when lodged) will need to be advertised for public comment for a period of not less than 21 days and then formally be presented to Council for approval. Council may still decide to endorse the development guide plan with a notation of the plan indicating it is for information only.

TPS 2 - Jarrahdale Heritage and Townscape Policy Precincts

The subject land is zoned within the Jarrahdale Heritage and Townscape Policy Precinct. Clause 5.16.4 of TPS 2:

“5.16.4 Development in the Townscape Precinct

When considering applications for development, Council shall take into account the following points in order to promote respect for the historic character of the cottages and townsite in the Heritage Precinct and shall have regard to those guidelines and policies adopted by Council:

- (a) *A building on a lot abutting the Heritage Precinct shall demonstrate architectural design detail which reflects the scale, style and spatial arrangements of existing buildings in the Heritage Precinct;*
- (b) *Existing vegetation and natural land form feature should be retained to the fullest extent possible. Replanting of local native vegetation is to be encouraged;*
- (c) *Use of earthy colours and materials of low reflective quality for walls and roofs is to be encouraged;*
- (d) *Site disturbance should be minimised. Cut and fill should be discouraged;*
- (e) *Utilisation of solar energy is to be encouraged. Improvements in thermal comfort and reduced cooling and heating costs can occur through careful orientation and siting of buildings achieved by design of windows, verandas and material choice; and*
- (f) *Fencing – shaped post and rail, with or without cyclone mesh wire, or timber pickets is recommended. “*

It is not intended that the TPS provisions proposed for Lot 199 Jarrahdale Road would supersede the above-mentioned provisions but rather be read in conjunction with these provisions.

4. Rural Strategy

The subject site is zoned *Conservation, Private Land* for the purposes of the Rural Strategy, which states:

‘Areas and sites of significance for fauna, flora or habitat conservation, located on private lands are indicated on the Conservation Suitability Overlay (Map 3: Appendix 2). This map provides a condensed analysis of all available information on the conservation resources in the Shire. The sites identified as having high conservation significance on private land include larger stands of relatively intact remnant vegetation, all recognized wetlands of conservation significance and include some areas covered by EPA System 6 recommendations. The following policies refer only to those sites marked on the Policy Areas Map (Map 2).

Private lands identified for conservation in the Conservation Policy Area are not intended for acquisition by the Council of the State Government. Rather, the general aim is in every possible way to encourage and make it easier for landowners to protect and manage the conservation values present. The lifestyle and rural production derived from these sites by owners must be respected and maintained – the sites are nearly all currently zoned as Rural under the Shires’ Town Planning Scheme.

Nor is any denial of development rights intended to be universally applied. Rather, any development or land use proposal will be assessed on its compatibility with the conservation values present on the site and approved or rejected accordingly. The Council considers that the objectives of protection and management for conservation sites and those of development are not necessarily in conflict’.

It is considered that the rezoning proposal is consistent with the objectives of the rural strategy as detailed above.

5. Planning for Bush Fire Protection

The site is heavily vegetated in many parts and in addition is surrounded by other heavily vegetated areas. Immediately to the west is National Park, which is considered to be an area of extreme fire risk and has an impact on the ability to develop the site in future in terms of satisfying setback requirements and ensuring development is undertaken to the required standard to minimize risk in the event of a bush fire.

The northern and south western part of the subject site is also heavily vegetated. It is not proposed to clear any part of the south western part of Lot 199 and this will therefore bring similar risks as the National Park. The south western part of the site is the area proposed for special residential and as such it is likely that parts of it will need to be cleared, in part, in order to accommodate building envelopes, the necessary drainage systems and associated infrastructure.

There is therefore a balance which needs to be accommodated between two potentially conflicting issues – the need to create distance from fire risk by clearing vegetation and the requirement to retain vegetation and wildlife habitat. For houses to be situated within the suggested residential zone would require the wholesale removal of large trees contrary to the townscape requirements of TPS 2 and other LPPs and it is also contrary to the statements about vegetation retention on the property.

In assessing the proposal it is necessary to determine whether these are issues which can be addressed at a later stage of development or whether they are so onerous as to prevent the site being developed altogether. The opinion of the officers of the Shire is that the situation will present challenges in order to balance the conflicting requirements of bush fire prevention and landscape protection, but that further information can be integrated as part of both consultation process and detailed design to determine how they can be overcome. Documents including *Draft Local Planning Policy 43 – Natural Hazards and Disasters* will provide further guidance at that time.

As outlined earlier in this report, it is not the purpose of a TPS amendment to fully conclude on matters but rather formally establish matters that will need to be taken into consideration as part of more detailed investigation, planning and associated approvals.

On the basis of the information currently available, it is recommended that Council:

- (a) Require both a fire management plan and a landscape and vegetation management plan to be prepared and submitted to Council for approval, as part of a final development guide plan and ahead of subsequent subdivision/development
- (b) Specifically note that it is not endorsing (or otherwise) the draft development guide plan at this stage and that it is provided for information purposes only.
- (c) Specifically note that preparation of both a fire management plan and landscape and vegetation management plan may necessitate changes to the draft development guide plan, including a potential reduction in lot yield.

6. Planning for Landscape and Vegetation

In accordance with the requirements set out in the Shire's draft LPP67 – Landscape and Vegetation, it is recommended that a formal requirement for a Landscape and Vegetation Management Strategy (Strategy) be established through the TPS 2 provisions. The Strategy to address impacts on the Gooralong watercourse and the impacts on the Jarrahdale Townscape policy area by strategic replacement of local native species and other types of vegetation to the satisfaction of the Shire. This strategy to be implemented through a Landscape and Vegetation Management Plan prior to subdivision and incorporate Drainage and Fire management requirements.

A formal requirement for a Strategy is not currently included in the proponent's list of suggested TPS 2 provisions. It is, however, considered to be both relevant and reasonable.

7. Effluent disposal

The geology of the site is such that concern has been expressed in relation to the disposal of waste, especially given the proximity of the Gooralong Brook. It is considered likely that infrastructure can be put in place to address the issue of waste disposal, but it is likely it will require more space within each lot than conventional methods to ensure the risk of leaching into nearby watercourses is minimized. In view of this, it is likely that the matter can be addressed satisfactorily at subdivision stage and therefore the issue does not prevent the initiation of the scheme amendment to TPS 2.

8. Water Sensitive Urban Design

The following issues have been identified as key by the relevant officers of the Shire:

- Flood protection measures for the future development.
- Erosion control internally and to adjacent road reserve
- Surface water management.
- Nomination of proposed drainage easements

In order to ensure these matters are addressed it is suggested that a requirement for a Drainage and Nutrient Management Plan in accordance with the Draft LPP 62 – Urban Water Management should be formally established as part of the TPS 2 amendment provision. The Drainage and Nutrient Management Plan should consider but not be limited to matters relating to:

- Regional flow from the broader catchment and flood protection requirements.
- Erosion control within proposed lots and road reserve.
- Surface water management.
- Nomination of proposed drainage easements.

Options available to Council:

There are essentially three options available to Council in considering the matter, as follows:

1. Resolve not to proceed with the TPS amendment and provide reasons to the applicant accordingly
2. Resolve to proceed with the TPS amendment, in accordance with the provisions suggested by the applicant, without modification
3. Resolve to proceed with the TPS amendment, in accordance with the provisions suggested by the applicant but with modifications and provide reasons accordingly.

In this instance, option 3 is recommended. As outlined earlier in this report, it is considered both reasonable and relevant for a formal requirement to be established with respect to landscape and vegetation.

Conclusion

The purpose of this report is to determine whether proposed rezoning of the subject site can be initiated. The application has been assessed against the provisions of TPS 2 and the Rural Strategy and is considered to satisfy the requirements therein. As such it is considered that the scheme amendment should be initiated as it is a simplified and more environmentally sensitive proposal than that which was previously initiated by Council in 2007.

Voting Requirements: Simple Majority

SD078/12/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Urban, seconded Cr Moore
That Council:

- A. Resolve to advise the Western Australian Planning Commission and the Minister for Planning that it does not wish to proceed with Amendment 151 for Lot 199 Jarrahdale Road, Jarrahdale.
- B. Council pursuant to Section 75 of the Planning and Development Act 2005, amends the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 by:
 - 1. Modifying Appendix 2 Special Use Zones by inserting the following in the table:

Description of Land	Permitted Uses
Lot 199 Jarrahdale Road, Jarrahdale and any lots created by the subsequent subdivision of Lot 199	The following development controls apply to use and development of the land. 1.0 General Provisions 1.1 Subdivision and Development shall be guided by an approved Development Guide Plan and shall only be varied by agreement between the Shire and landowner. 1.2 A Drainage and Nutrient Management Plan shall be prepared prior to an application being made for subdivision or development approval to address management of erosion, nutrient and drainage issues during and post construction. 1.3 The subdivider providing a reticulated water supply to all lots to the satisfaction of the Water Corporation. 1.4 No dwelling or commercial development shall be approved by the Council unless it is connected to a suitable domestic waste water treatment system. 1.5 A Fire Management Plan shall be prepared prior to application being made for subdivision or development approval. 1.6 All new buildings and structures to be constructed in accordance with the “extreme” rating requirements as specified in AS 3959-1999 “Construction of Buildings in Bushfire-Prone Areas”. 1.7 A Landscape and Vegetation Management Plan shall be prepared prior to application being made for subdivision or development approval. 1.8 No indigenous vegetation or trees shall be destroyed, damaged or cleared, unless the clearing is authorized by a clearing permit obtained from the Department of Environment and Conservation, or is of a kind that is

exempt in accordance with Schedule 6 or Regulation 5 (Clearing of Native Vegetation Regulations) of the Environmental Protection Act 1986. Planning approval may also be required to be obtained from the Shire for the removal of any trees in accordance with the provisions of the Shire's Local Planning Scheme.

- 1.9 The keeping of horses, sheep, goats or other grazing animals is not permitted.
- 1.10 Keeping of cats shall be prohibited unless they are kept at all times in the confines of any dwelling or a cat run which has been approved by the Shire.
- 1.11 Post and wire stand fencing shall be provided on the western boundary of Lot 199 abutting the Serpentine National Park and on the northern boundary of Lot 199.
- 1.12 Planning consent is to be obtained from Council prior to the commencement of any development in this precinct.

2.0 Special-Residential Precinct

- 2.1 Design Guidelines shall be prepared to guide development within the Special-Residential Precinct. The Design Guidelines shall be prepared as a condition of subdivision approval in the creation of any lot(s) for the Precinct.
- 2.2 Building envelopes shall be defined at the time of subdivision and be of a size sufficient to include all buildings and the required fuel reduction zone around buildings. The location and area of building envelopes shall be to the satisfaction of the Shire and may be varied at the discretion of the Shire.
- 2.3 The minimum lot size shall be in this precinct.
- 2.4 Setback of development from lot boundaries is to be in accordance with the "R5" coding, pursuant to *Table 1* of the Residential Design Codes.
- 2.5 Land-use within this precinct shall generally be limited as follows;
 - Single House (P)
 - Ancillary Accommodation (IP)
 - Home Office (P)
 - Home Occupation (AA)
 - Home Business (AA)
 - Cottage Industry (AA)
 - Bed & Breakfast (AA)

Council may, at its discretion, permit other appropriate uses after notice of the application has been given in accordance with Clause 6.3 of Scheme.

	<p>3.0 Commercial/Tourism Precinct</p> <p>3.1 Design Guidelines shall be prepared to guide development within the Commercial/Tourism Precinct. The Design Guidelines shall be prepared as a condition of subdivision approval in the creation of any lot(s) for the Precinct.</p> <p>3.2 Land-use within this precinct shall generally be as follows;</p> <ul style="list-style-type: none"> - Holiday Accommodation (AA) - Art Gallery (AA) - Restaurant (AA) - Cottage Industry (AA) - Bed & Breakfast (AA) - Interpretive/Tourism Centre (AA) - Craft workshop (AA) - Caretakers Dwelling (IP) <p>Council may, at its discretion, permit other appropriate uses after notice of the application has been given in accordance with Clause 6.3 of Scheme.</p> <p>4.0 Rural Precinct</p> <p>4.1 Land-use within this precinct shall generally be limited as follows;</p> <ul style="list-style-type: none"> - Single House (P) - Ancillary Accommodation (IP) - Home Office (P) - Home Occupation (AA) - Home Business (AA) - Cottage Industry (AA) - Bed & Breakfast (AA) - Chalet Development (AA) <p>Council may, at its discretion, permit other appropriate uses after notice of the application has been given in accordance with Clause 6.3 of Scheme.</p>
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2. Amending the Scheme Maps by rezoning Lot 199 Jarrahdale Road, Jarrahdale from "Rural" to "Special Use".

- C. Resolve that a copy of the amendment documentation be forwarded to the Environmental Protection Authority in accordance with Section 81 of the Planning and Development Act 2005.**
- D. Subject to the advice of the Environmental Protection Authority under Section 48A of the Environmental Protection Act that the amendment not be assessed, advertise the amendment in accordance with the requirements of Section 84 of the Planning and Development Act 2005.**

CARRIED 9/0

SD079/12/11 L502 BUTCHER STREET MUNDIJONG – PROPOSED REZONING FROM LOCAL SCHEME RESERVE FOR PUBLIC AND COMMUNITY USE TO URBAN DEVELOPMENT (A2075)		
Proponent:	Dykstra Planning	In Brief The proposal relates to the rezoning of the subject site from Local Scheme Reserve for Public and Community Use to Urban Development to facilitate the conversion of the existing building to a dwelling.
Owner:	Michael Steele	
Author:	Louise Hughes - Senior Planner	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	18 November 2011	
Previously	Not applicable	
Disclosure of 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	
Delegation	Council	

Date of Receipt:	20 April 2011
Lot Area:	2023m ²
L.A Zoning:	Public and Community Purposes
MRS Zoning:	Urban
Structure Plan:	Mundijong Whitby District Structure Plan
Date of Inspection:	16 August 2011

Background

The proposal relates to the rezoning of the subject land from Public and Community Use to Urban Development with the ultimate aim of converting the vacant building to a dwelling; the surrounding land is zoned urban development. The site comprises a former Masonic Hall which was originally located in Jarrahdale but relocated to Mundijong in 1947. The property was formerly used for meetings of the Masons and has not been available for use for public community purposes. The timber clad building is situated to the south eastern corner of the lot and follows similar setback distances to existing properties in the street. The property is situated opposite Mundijong Primary School and benefits from an open aspect of the school's playing fields.

The purpose of this report is to consider the planning merits of the principle of rezoning the land as set out above.

A copy of the proposed rezoning is with the attachments marked [SD079.1/12/11 \(IN11/5551\)](#).

Sustainability Statement

Resource Implications: The current proposal to rezone the land is not considered to have any resource implications. However the ultimate development of the site for use as a dwelling has the potential to address issues such as renewable technology and water sensitive design.

Effect on Environment: The proposal to rezone the land is considered to have the potential to positively impact on the historic and cultural environment. The building has been vacant for a number of years and remains so, the proposal to rezone the land will facilitate the conversion of the property and thereby maximize the potential for the future conservation of the building.

Economic Benefits: The current status of the building is vacant which is not considered to enhance the local economy. Whilst the land is zoned for community purposes, the building is not available for public use and therefore is not benefitting the community. The proposed rezoning and future conversion of the building to a residence is considered to have a more beneficial economic contribution to the locality than allowing the building to remain vacant and potentially deteriorate.

Social – Quality of Life: In the event that the building had been available for public community purposes, it could be argued that its loss would have a negative impact on the social quality of life of the surrounding community. However as it is not available for public purposes, it is not considered that the rezoning of the land will negatively impact on the quality of life of the community.

Statutory Environment: Town Planning Scheme No.2
Mundijong-Whitby District Structure Plan
Local Planning Policy No. 47 – Mundijong-Whitby Interim Development.
Local Planning Policy No 29 – Mundijong-Whitby Planning Framework

Policy/Work Procedure Implications: There are no work procedures/policy implications directly related to this application/issue.

Financial Implications: There are no financial implications to Council related to this application/issue.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective	
BUILT ENVIRONMENT	Land Use Planning	Buildings	Ensure the Shire's rural character is sensitively integrated into urban and rural villages.	
			Encourage built form that positively contributes to streetscape amenity.	
			Ensure that all buildings incorporate principles of environmentally sustainable design, suitable for our specific climate and location.	
			Enable built form that accommodates a range of business and family circumstances and needs.	
			Preserve, enhance and recognise heritage values within the built form.	
			Invest upfront in the creation of vibrant, interactive public places and spaces that demonstrate the type of development envisaged by the community.	
			Plan for the creation and preservation of iconic buildings and places that add to our sense of identity.	
			Protect the landscape and environmental values of natural reserves and areas from the impacts of development.	
	Strategy and Planning		Strategic Direction	Prepare effectively for future development.
		Places	Vibrant	Create vibrant urban and rural villages.

Consultation:

Should Council resolve to proceed with the proposed TPS amendment, public comment will need to be invited for a period of not less than 42 days in accordance with the requirements set out in the *Town Planning Regulations 1967*.

In addition to the above-mentioned regulations, *Local Planning Policy No. 27 – Stakeholder Engagement in Land Use Planning* provides further guidance for the advertising of TPS amendments. Requirements will include, but will not be limited to:

- Signage being placed on-site
- A newspaper advertisement
- Public display at the Shire's administration centre
- Letters being sent to all landowners within a 100 metre distance from the site
- Letters being sent to community groups
- Publishing of relevant information on the Shire's internet webpage.

Following the close of the advertising period, a report would need to be presented to Council to formally consider the submissions received and resolve whether to proceed with the finalisation of the amendment, including forwarding the matter through to the Minister for Planning.

Comment:

The key strategic issue that Council needs to consider with this proposal is the potential loss of land zoned as community purpose, particularly in the context of a community which is anticipated to see significant growth and development in the foreseeable future.

In the instance that Council resolves to proceed with the proposed TPS amendment, it is possible that with the benefit of hindsight Council may in the future wish that it had not supported the rezoning of this land. However, it is not considered reasonable for a landowner to be asked to wait for a considerable period of time for matters to unfold and with only a mere possibility that the land will be required for a future community purpose.

Metropolitan Region Scheme (MRS)

Under the provisions of the above Scheme the land is zoned Urban – the adjoining properties are zoned Urban Development. The proposal is to rezone the land to Urban Development which would be consistent with other neighbouring properties under the MRS.

Town Planning Scheme No.2 (TPS2)

The land is zoned Public and Community Purposes. In reality the building has been used by a private group and has not been made available for Public Community Purposes in the past, nor is it likely to be in the future. It is not within the Shire's ability to compel the owner to offer the building for Public Community Purposes and should the Shire wish to secure the building for these purposes it would be necessary to compulsorily acquire the building. It is understood that provision has not been made in the budget for this and therefore this is not considered to be a viable option.

Mundijong-Whitby District Structure Plan

The subject land is included within Precinct F of the above plan and identified as Residential. Whilst there is a requirement to prepare a Local Structure Plan, it is not considered that the retention of the existing building would be detrimental to the future planning of the area, particularly given it is proposed to rezone the property in line with adjoining lots and create a

dwelling in a residential area. The proposal is therefore considered to be consistent with the Mundijong-Whitby District Structure Plan.

LPP 47 – Mundijong-Whitby Interim Development

The objectives of the policy are as follows:

1. To provide guidance on development and uses that may be considered within the Urban Development Zone in Mundijong-Whitby;
2. To ensure that any proposed development is consistent with the Mundijong-Whitby District Structure Plan;
3. To ensure that development occurs in an orderly and proper manner;
4. To ensure that infrastructure and services may be provided to serve the existing community; and
5. To enable Council to consider applications from landowners to excise their dwelling from a larger tract of land.

It is considered that the proposed rezoning is consistent with the above objectives.

LPP 29 – Mundijong-Whitby Planning Framework

The objective of this policy is to guide the orderly and proper planning for the Mundijong-Whitby Urban Development Area, by providing guidance for the sequencing of planning and outlining the matters that are to be addressed at each stage in the process.

Whilst the proposed rezoning is not part of a local structure plan, it is not considered that it will be prejudicial to the orderly and proper planning of the area and is therefore supported. It is also possible that the land, if required for a community purpose, could be depicted on a future local structure plan.

Community Infrastructure Planning

The Shire's Community Facilities and Services Plan 2020 (CFSP) makes no mention of the Masonic Hall in Mundijong although it does make references to the need for community centres and meeting places being distributed throughout the Mundijong Whitby DSP area as development progresses. These community centres and meeting places were to be located in neighbourhood nodes in each of the four quadrants. Relevant extracts from the CSFP are provided below:

“The Mundijong/Whitby Structure Plan area is roughly divided in to four quadrants separated by the rail line and Kiernan Street. Each quadrant will require a focal point or community hub offering a variety of services and the opportunity for community groups to meet.” (page 16 Reports 3 & 4)

“The Railway Heritage Park would also benefit from upgrading as it would provide a vista and visual connection to the public transport network. This area could also include the establishment of a town square for outdoor civic celebrations. A new rail station will need to be provided when a more frequent passenger service is activated. The preferred location is opposite the civic headquarters either at the intersection of Paterson and Cockram or alternatively just north of Kiernan Street dependent upon the site of the civic development. This will add vibrancy to these precincts. The existing station should remain and be enhanced as an arts centre as demand dictates.” (page 17 Reports 3 & 4)

“To cater for emerging community groups (e.g., playgroups and residents' associations), a community meeting space will be required in each of the new neighbourhood centres identified in the Mundijong/Whitby Structure Plan. This does

not necessarily mean the construction of purpose-built facilities in all localities, noting that the area is already serviced by conference and function type facilities at Leonda Function Centre and Whitby Falls Coachhouse and amenities are also likely to be provided in new primary school developments.” (page 18 Reports 3 & 4)

“This locality offers both Landcare offices and community meeting spaces in ‘the Meeting Place’ and the playgroup and toy library in ‘the House’. These buildings are listed on the Municipal Heritage Inventory and need to be maintained and refurbished for community use.” (page 71 Reports 3 & 4)

At this stage it is not envisaged that there will be a need for this building/land to be maintained for the purposes of community/public use for the following reasons:

- The building is in private ownership. To allow use of this building/land would require the Shire to purchase the property and also fund significant upgrades and maintenance to the building. The Shire does not currently have the funds to do so.
- Its close proximity to other facilities of a similar purpose. eg Railway centre, Land care centre and “The Meeting Place”. Many of the facilities throughout the Shire are not well used and efforts should be made to encourage greater use of existing facilities by the community.
- As Mundijong develops the CFSP identifies other Community Centres/Meeting Places to be developed throughout the area which will be purpose build for the community

In terms of requirements for public community facilities, it is understood that additional buildings will be required in the future. However, the location of the subject site is detached from the proposed main concentration of the town and civic centre and is therefore not ideally located for the purposes of the main future town centre. Neither is it ideally located in terms of providing a community resource for residential communities which are not immediately adjacent to the town centre due to its proximity to the proposed town centre.

Municipal Inventory

The Masonic Lodge, as located on Lot 502 Butcher Street, is listed within the Shire’s Municipal Heritage Inventory. As this building is the only surviving purpose-built lodge in the shire, it has been identified as having a high conservation value, being assigned a management category of ‘2 – Conservation Highly Recommended’.

Within the inventory, the building has been assigned a value of 5 for the categories of historic, social and rarity, which implies that all endeavours should be undertaken by the Shire to retain the building. With respect to this, the lodge should not be demolished and could either be left in its current form, adapted for an alternative purpose or relocated to another suitable site within the Shire. Any proposal to adapt the lodge for an alternative use or to relocate it to a different site would be subject to a separate application through the Shire.

Options

There are primarily three options available to Council in considering the matter, as follows:

Option 1: resolve to support the proposed TPS amendment

Option 2: resolve to not support the proposed TPS amendment and provide reasons accordingly to the proponent

Option 3: resolve to defer consideration of the proposed TPS amendment for a specific reason and for a specific period of time to enable a specific matter to be further investigated by shire officers and/or the proponent.

Conclusion

The proposed rezoning of the land has been assessed against the relevant provisions of TPS2, the Mundijong-Whitby District Structure Plan, Local Planning Policies and the Community Facilities and Services Plan 2020.

Having had regard to the information currently available, it is recommended that Council proceed with the initiation of the requested TPS amendment.

Voting Requirements: Simple Majority

SD079/12/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:

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

- A. Resolve pursuant to Section 75 of the Planning and Development Act 2005, to amend the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 by:

 - 1. Rezoning Lot 502 Butcher Street, Mundijong from ‘Local Scheme Reserve – Public and Community Use’ to ‘Urban Development’.**
 - 2. Amending the Scheme Maps accordingly.****

- B. Resolve that a copy of the amendment documentation be forwarded to the Environmental Protection Authority in accordance with Section 81 of the Planning and Development Act 2005.**

- C. Subject to the advice of the Environmental Protection Authority under Section 48A of the Environmental Protection Act that the amendment not be assessed, advertise the amendment in accordance with the requirements of Section 84 of the Planning and Development Act 2005.**

CARRIED 9/0

Council Note: The council notes with pleasure that the applicant has indicated he wishes to retain the heritage building and convert it into a residence.

SD080/12/11 FINAL ADOPTION OF LOCAL PLANNING POLICY – LPP 43 HAZARDS AND NATURAL DISASTERS (A1773)	
Author:	Lawrence Man – Senior Planner
Senior Officer:	Brad Gleeson – Director Development Services
Date of Report	21 November 2011
Previously	SD126/06/11
Disclosure of 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
Delegation	Council

Background

At the Ordinary Council Meeting held on the 27 June 2011, draft Local Planning Policy (LPP) 43 Hazards and Natural Disasters was deemed suitable for advertising and community consultation.

The natural environment within south Western Australia is beset by various environmental challenges. Land use planning is involved with the spatial location of communities and their possessions and should not knowingly put people in harm's way.

There are a number of direct and indirect losses associated with a hazard or natural disaster event. These losses include:

- Loss of life
- Physical suffering
- Emotional suffering
- Damage to property
- Reduced productivity
- Degraded environment
- Loss of species and habitats
- Damaged infrastructure
- Weakened economy
- Destabilised community coherence
- Reduced quality of life

This Policy seeks to integrate existing instruments available and adopts a risk management approach to hazards and natural disasters. This Policy will be reviewed and revised periodically to reflect updates in policies, processes, information and legislative changes.

The objectives of this Policy are to:

- Recognise that hazards and natural disasters are a consideration in land use planning and development and is a risk that needs to be considered;
- Facilitate planning and development outcomes that result in land uses, places and communities which minimise vulnerability and provide resilience to hazards and natural disasters; and
- Utilise the planning system to ensure safer communities that reduce the impact of hazards and natural disasters especially when confronted with climate change.

This policy seeks to bring together the different considerations and stakeholders, in a practical and clear manner.

A copy of the advertised LPP 43 Hazards and Natural Disasters is with attachments marked [SD080.1/12/11](#) (E11/2827).

This report provides Council with the opportunity to consider the modifications following the community consultation period and adopt the finalised version of LPP 43 Hazards and Natural Disasters for operation and implementation.

This Policy represents the finalisation of a comprehensive policy development and review program initiated in November 2010. A total of thirty-one local planning policies were progressed and adopted by Council during this time. This initiative would not have been achieved without the grant funding provided by the Federal Government through the Housing Affordability Fund. Although the bulk of the work has been successfully completed, the Shire will continue with the development and review of local planning policies to ensure a contemporary, responsive and integrated land use planning system.

Sustainability Statement

Effect on Environment: Each LPP proposed, as part of the policy development program, seeks to improve the built and natural environment in a direct and indirect manner. The policies will improve the quality of the built environment in the Shire’s urban cells while protecting and enhancing the rural character and landscapes for which it is renowned.

Economic Benefits: The policy development program seeks to ensure new LPPs provide a level of certainty and clarity for all stakeholders. The establishment of clear requirements will ensure that investment decisions can be made with confidence that will generate wealth, increase employment opportunities and promote vitality.

Social – Quality of Life: The new LPPs seek to closely align themselves with the Shire’s goals of improving the quality of life for present and future residents. The policies seek to ensure vibrant and liveable places that enhance the physical and mental health of Serpentine Jarrahdale Shire’s residents and visitors.

Social and Environmental Responsibility: Serpentine Jarrahdale Shire has ensured that it has integrated the latest best practices in its new LPPs to recognise fair and equitable implementation. It has responded in terms of community expectations and industry practices to establish requirements and standards that are appropriate to their context.

Social Diversity: A timely and coordinated approach to the delivery of new LPPs can assist with meeting the needs of a diverse community, both existing and into the future.

Statutory Environment:

Planning and Development Act 2005
The establishment of an effective policy suite to support planning decision-making processes is consistent with the Planning and Development Act 2005.

Town Planning Scheme No. 2 (TPS 2)
Clause 9.3 requires that, following advertising of proposed LPPs, the Council review the draft LPPs in the light of any submissions made, then resolve to either finally adopt (with or without modifications) or not proceed with the draft Policy.

Policy/Work Procedure Implications:

The progression of the new LPPs is an important step in establishing an effective policy framework for the Shire.

Financial Implications:

Resources have been made available to Council through a grant from the Federal Government, under the Housing Affordability Program. The resources required to progress the proposed policies are consistent and within the grant funding secured.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
BUILT ENVIRONMENT	Land Use Planning	26	General	Facilitate the development of a variety of well planned and connected activity centres and corridors.
OUR COUNCIL AT WORK	Leadership	15	Leadership throughout the	The Shire will set policy direction in the best interests of the community.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
			organisation	
		23	Society, community and environmental responsibility	The elected members provide bold and visible leadership.
		24		The Shire will further establish itself as an innovative leader in social, community and environmental responsibility.
		26		The Shire is focussed on building relationships of respect with stakeholders.
	Strategy and Planning	27	Strategic Direction	Prepare effectively for future development.
		29		Create innovative solutions and manage responsibly to aid our long term financial sustainability.
	Success and Sustainability	41	Achieving Sustainability	The Shire will exercise responsible financial and asset management cognisant of being a hyper-growth council.
	Knowledge and Information	45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.

Community Consultation:

Draft LPP 43 was advertised for public comment from the 5 to 29 July 2011 by way of:

- Advertisement in a local newspaper once a week for two consecutive weeks,
- Letters to all relevant Community Groups active within the Byford locality;
- Publication on the Shire's website,
- Correspondence to relevant government agencies, and
- A notice being placed at the Administration Centre.

Three (3) submissions were received and the policy has been revised based on these comments.

A copy of the summary of submissions is with attachments marked [SD080.2/12/11](#).

Comment:

In response to the submissions, comments were considered by technical officers. As identified in the summary of submissions, modifications were made to the policy following the consultation process in response to these comments made. In addition to these modifications, minor typographical and formatting modifications were made to ensure consistency with the rest of the LPP suite.

The finalised version of LPP 43 Hazards and Natural Disasters is presented to Council for final adoption.

A copy of the revised LPP 43 Hazards and Natural Disasters is with attachments marked [SD080.3/12/11](#).

Voting Requirements: Simple Majority

SD080/12/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Harris, seconded Cr Atwell

That Council:

- A. Note the submissions received during the advertising of draft Local Planning Policy No. 43 – Hazards and Natural Disasters.**
- B. Pursuant to Clause 9.3(b) of Town Planning Scheme No. 2 adopt Local Planning Policy No. 43 – Hazards and Natural Disasters as provided in attachment [SD080.3/12/11](#).**
- C. Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area, in accordance with Clause 9.3 (c) of Town Planning Scheme No. 2.**
- D. Forward a copy of the Policy to the Western Australian Planning Commission in accordance with Clause 9.3 (d) of Town Planning Scheme No. 2.**
- E. Provide copies of the Policy for public inspection during normal office hours, in accordance with Clause 9.3 (e) of Town Planning Scheme No. 2.**

CARRIED 9/0

SD081/12/11 FINAL ADOPTION OF LOCAL PLANNING POLICY – LPP 46 RURAL WORKERS DWELLING (A1783)		
Author:	Lawrence Man – Senior Planner	In Brief Following advertising, Local Planning Policy No. 46 – Rural Workers Dwelling is presented to Council for final adoption.
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	14 October 2011	
Previously	SD080/02/11	
Disclosure of 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	
Delegation	Council	

Background

At the Ordinary Council Meeting held on the 28 February and 3 March 2011, draft Local Planning Policy (LPP) 46 Rural Workers Dwelling was deemed suitable for advertising and community consultation.

This policy seeks to provide the definition and requirements associated with a rural workers dwelling. As urban development encroaches on the Shire, there is increasing pressure for an additional dwelling to be developed on a rural property that is not intended to support enterprises and precipitates the ad hoc fragmentation of rural land. This policy seeks to protect rural and agricultural land uses by ensuring that rural workers dwellings are actually provided as intended.

The objectives of this Policy are to:

- Support rural enterprises within the Shire;
- Provide direction on the establishment of genuine rural workers dwellings;
- Ensure that rural workers dwellings are provided, constructed and located in such a way so as to minimise their impact on the surrounding amenity and landscape;
- Ensure rural workers dwellings are associated with an existing and approved rural use;

- Limit the opportunity for a rural workers dwelling to establish and facilitate land subdivision; and to
- Ensure that the rural workers dwelling is incidental to a predominate rural use.

The Policy is consistent with the requirements of those in surrounding Shire's including the Shires of Murray and Boddington.

A copy of the advertised LPP 46 Rural Workers Dwelling is with attachments marked [SD081.1/12/11](#) (E11/5809).

This report provides Council with the opportunity to consider the modifications following the community consultation period and adopt the finalised version of LPP 46 Rural Workers Dwelling for operation and implementation.

This Policy represents the finalisation of a comprehensive policy development and review program initiated in November 2010. A total of thirty-one local planning policies were progressed and adopted by Council during this time. This initiative would not have been achieved without the grant funding provided by the Federal Government through the Housing Affordability Fund. Although the bulk of the work has been successfully completed, the Shire will continue with the development and review of local planning policies to ensure a contemporary, responsive and integrated land use planning system.

Sustainability Statement

Effect on Environment: Each LPP proposed, as part of the policy development program, seeks to improve the built and natural environment in a direct and indirect manner. The policies will improve the quality of the built environment in the Shire's urban cells while protecting and enhancing the rural character and landscapes for which it is renowned.

Economic Benefits: The policy development program seeks to ensure new LPPs provide a level of certainty and clarity for all stakeholders. The establishment of clear requirements will ensure that investment decisions can be made with confidence that will generate wealth, increase employment opportunities and promote vitality.

Social – Quality of Life: The new LPPs seek to closely align themselves with the Shire's goals of improving the quality of life for present and future residents. The policies seek to ensure vibrant and liveable places that enhance the physical and mental health of Serpentine Jarrahdale Shire's residents and visitors.

Social and Environmental Responsibility: Serpentine Jarrahdale Shire has ensured that it has integrated the latest best practices in its new LPPs to recognise fair and equitable implementation. It has responded in terms of community expectations and industry practices to establish requirements and standards that are appropriate to their context.

Social Diversity: A timely and coordinated approach to the delivery of new LPPs can assist with meeting the needs of a diverse community, both existing and into the future.

Statutory Environment:

Planning and Development Act 2005

The establishment of an effective policy suite to support planning decision-making processes is consistent with the Planning and Development Act 2005.

Town Planning Scheme No. 2 (TPS 2)

Clause 9.3 requires that, following advertising of proposed LPPs, the Council review the draft LPPs in the light of any submissions made, then resolve to either finally adopt

(with or without modifications) or not proceed with the draft Policy.

Policy/Work Procedure Implications:

The progression of the new LPPs is an important step in establishing an effective policy framework for the Shire.

Financial Implications:

Resources have been made available to Council through a grant from the Federal Government, under the Housing Affordability Program. The resources required to progress the proposed policies are consistent and within the grant funding secured.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective
BUILT ENVIRONMENT	Land Use Planning	General	Facilitate the development of a variety of well planned and connected activity centres and corridors.
OUR COUNCIL AT WORK	Leadership	Leadership throughout the organisation	The Shire will set policy direction in the best interests of the community.
		Society, community and environmental responsibility	The elected members provide bold and visible leadership.
			The Shire will further establish itself as an innovative leader in social, community and environmental responsibility.
	Strategy and Planning	Strategic Direction	Prepare effectively for future development.
			Create innovative solutions and manage responsibly to aid our long term financial sustainability.
	Success and Sustainability	Achieving Sustainability	The Shire will exercise responsible financial and asset management cognisant of being a hyper-growth council.
Knowledge and Information	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.	

Community Consultation:

Draft LPP 46 was advertised for public comment from the 5th April to 2nd May 2011 by way of:

- Advertisement in a local newspaper once a week for two consecutive weeks,
- Letters to all relevant Community Groups active within the Byford locality;
- Publication on the Shire’s website,
- Correspondence to relevant government agencies, and
- A notice being placed at the Administration Centre.

Three (3) submissions were received and the policy has been revised based on these comments.

A copy of the summary of submissions is with attachments marked [SD081.2/00/11](#). (E11/2302).

Comment:

In response to the submissions, comments were considered by officers. As identified in the summary of submissions, modifications were made to the policy following the consultation process in response to these comments made. In addition to these modifications, minor typographical and formatting modifications were made to ensure consistency with the rest of the LPP suite.

The finalised version of LPP 46 Rural Workers Dwellings is presented to Council for final adoption.

A copy of the revised LPP 46 Rural Workers Dwellings is with attachments marked [SD081.3/00/11](#). (E11/1048)

Voting Requirements: Simple Majority

Cr Moore left the room at 8.09pm and Cr Harris took the chair.

Committee/Officer Recommended Resolution:

That Council:

- A. Note the submissions received during the advertising of draft Local Planning Policy No. 46 – Rural Workers Dwelling.
- B. Pursuant to Clause 9.3(b) of Town Planning Scheme No. 2 adopt Local Planning Policy No. 46 – Rural Workers Dwelling as provided in attachment [SD081.3/12/11](#).
- C. Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area, in accordance with Clause 9.3 (c) of Town Planning Scheme No. 2.
- D. Forward a copy of the Policy to the Western Australian Planning Commission in accordance with Clause 9.3 (d) of Town Planning Scheme No. 2.
- E. Provide copies of the Policy for public inspection during normal office hours, in accordance with Clause 9.3 (e) of Town Planning Scheme No. 2.

New Motion

Moved Cr Harris,

That Council:

- A. Note the submissions received during the advertising of draft Local Planning Policy No. 46 – Rural Workers Dwelling.
- B. Pursuant to Clause 9.3(b) of Town Planning Scheme No. 2 adopt Local Planning Policy No. 46 – Rural Workers Dwelling as provided in attachment [SD081.3/12/11](#) subject to a modification in provision 7.22 to replace the word “case” with “cease”.
- C. Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area, in accordance with Clause 9.3 (c) of Town Planning Scheme No. 2.
- D. Forward a copy of the Policy to the Western Australian Planning Commission in accordance with Clause 9.3 (d) of Town Planning Scheme No. 2.
- E. Provide copies of the Policy for public inspection during normal office hours, in accordance with Clause 9.3 (e) of Town Planning Scheme No. 2.

The motion lapsed for want of a seconder.

SD081/12/11 COUNCIL DECISION

Moved Cr Randall, seconded Cr Urban

Item SD081/12/11 - Final Adoption of Local Planning Policy – LPP 46 Rural Workers Dwelling be deferred for further clarification.

CARRIED 8/0

Cr Moore was not present and did not vote.

Cr Moore returned to the room at 8.17pm

SD082/12/11 DRAFT FOREST GREEN RESERVE MANAGEMENT PLAN (RS0071)	
Proponent:	Serpentine Jarrahdale Shire
Author:	Chris Portlock - Manager Environment and Sustainability Services
Senior Officer:	Suzette van Aswegen - Director Strategic Community Planning
Date of Report	December 2011
Previously	Nil
Disclosure of 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
Delegation	Council

In Brief

To adopt the Draft Forest Green Reserve Management Plan for an advertising period of three months inviting public and agency comment.

Following the advertising period, submissions will be considered in drafting the final management plan and the revised document will be presented to Council for consideration.

Background

Forest Green Reserve (formerly known as Brady Road Reserve) is located south of Jarrahdale Road, in the heart of the Jarrahdale Township at the junction of Brady Road and Forest Avenue. It is a portion of State Forest No.22 vested with the Department of Environment and Conservation (DEC). Forest Green is parkland cleared with native and non-native shade trees. The reserve is a popular recreation hub for local residents, including an open field for children's kick-about and lovely open air for picnics.

The reserve is still vested as State Forest and has been developed as a playground public open space area with native area plantings to the east of the playground picnic area. The Jarrahdale Community Association (JCA) approached the Shire in 2008 requesting that the long-term viability of the reserve be considered in terms of an upgrading of the play equipment and it being vested in the Shire. Upgrading the reserve is being done collaboratively utilising external grant funding sourced largely by the local community in partnership with the DEC and the Shire.

A copy of the Draft Forest Green Management Plan is with the attachments marked [SD082.1/12/11](#).

Sustainability Statement

Effect on Environment: The Draft Forest Green Management Plan will facilitate advancement towards providing for recreation while protecting biodiversity conservation values.

Resource Implications: The Plan seeks to protect biodiversity assets while still continuing sustainable recreational development and uses of the reserve.

Use of Local, renewable or recycled Resources: Local renewable resources will be utilized wherever possible within the reserve and existing and new resource values will be protected and enhanced.

Economic Viability: The proposal is designed to identify, enhance and protect vegetation. The Shire has already experienced significant loss of biodiversity. There can be a significant cost if environmental assets are not responsibly managed to avoid erosion, disease and weed proliferation.

Economic Benefits: The proposal will work towards protecting that image of “beauty” that attracts people to the Shire.

Social – Quality of Life: Biodiversity and landscape amenity are essential components of our heritage and identity and provide essential ecosystem services. There is also spiritual renewal as part of nature exposure and communion with the areas of biodiversity and landscape enhancement within the reserve.

Social and Environmental Responsibility: The Plan preparation process includes community and other stakeholder participation toward the best possible environmental, social and economic management of the reserve area.

Social Diversity: The proposal does not impact or disadvantage any social group.

Statutory Environment

The preparation and implementation of the Plan will enable the Shire to proactively address the requirements of the following legislation as they relate to biodiversity conservation:

- Biodiversity Planning Local Planning Policy
- Wildlife Conservation Act 1950
- Environmental Protection Act 1986
- Soil and Land Conservation Act 1945 (to be replaced by amendments to the Environmental Protection Act 1986: (Clearing of Native Vegetation) Regulations 2004 with a Guide for Local Government Clearing Native Vegetation under the Environmental Protection Act 1986)
- Planning and Development Act 2005

State Government environmental policies considered in the management plan include:

- Environmental Protection Authority (EPA) Guidance Statement No. 10: Guidance for the Assessment of Environmental Factors – Level of assessment for proposals affecting natural areas within the System 6 region and Swan Coastal Plain portion of the System 1 region (Environmental Protection Authority 2003a)
- Wetlands Conservation Policy for Western Australia (Government of Western Australia 1997)
- EPA Position Statement No. 4: Environmental Protection of Wetlands (preliminary) (Environmental Protection Authority 2001)
- EPA Position Statement No 2: Environmental Protection of Native Vegetation in Western Australia (EPA 2000b)
- State Weed Plan (State Weed Plan Steering Group 2001);
- EPA Guidance Statement No. 51: Guidance for the Assessment of Environmental Factors – Terrestrial flora and vegetation surveys for environmental impact assessment in Western Australia. (Draft) (EPA 2003c)
- EPA Guidance Statement No. 56: Guidance for the Assessment of Environmental Factors – Terrestrial fauna surveys for environmental impact assessment in Western Australia. (Draft) (EPA 2003d)

- Western Australian State Sustainability Strategy (Government of Western Australia 2003a)
- Environment and Natural Resources Statement of Planning Policy No. 2 (Government of Western Australia 2003b)
- Peel-Harvey Coastal Plain Catchment Statement of Planning Policy No. 2.1 (Government of Western Australia 1992d)

Policy/Work Procedure

Implications:

It is not envisaged that any new work procedures will be required, nor existing procedures reviewed, as a result of the ultimate adoption of this Management Plan, however actions or strategies proposed and costed are expected to be funded.

Financial Implications:

There are individual cost codes for reserves and budgets for individual management teams which may be created or funds placed into them to facilitate the implementation of this management plan.

The management plan commits the Shire to spending less than \$7,000 in the first year and less than \$16,000 for the 10 year term of the management plan. It is also likely that funds for the implementation of the management plan will be found externally including through the Community Environmental Grants Scheme which is administered by the Department of Environment and Conservation given a costed management plan can be used to leverage the funding.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective	
NATURAL ENVIRONMENT	Landscape	Safeguard	Restore and preserve the visual amenity of our landscapes.	
			Maximise the preservation of existing trees and vegetation.	
		Restore	Establish and enhance waterways and bush corridors.	
			Control and manage weeds and plant diseases.	
			Promote and develop appropriate tourism, recreation and educational opportunities.	
	Biodiversity			Develop active partnerships with stakeholders.
		Protect		Prevent the further loss of "local natural areas".
				Protect specific ecological features and processes including rare species, threatened ecological communities, wetland vegetation and ecological linkages throughout the Shire.
			Manage	Protect and manage a portion of each basic type of vegetation and ecosystem typical to the Shire.
			Restore	Manage and restore local natural areas and revegetate new areas to increase native fauna habitat.

Community Consultation

The desire to participate in the management of local government reserves by relevant stakeholders recognises the need for broad consultation. Formal community consultation is proposed with the release of the Plan. This includes a public consultation period of three months. The community's existing involvement in management of the reserve is hoped to be strengthened by the preparation of reserve management plans with full public consultation.

Comment

The Serpentine Jarrahdale Shire relies on community expertise and interest to maintain the high conservation or recreation values of many reserves. Continued community input to planning and management is carried out in collaboration with the Reserves Advisory Group (RAG) which is considered essential for a high standard of protection and management of these values into the future.

The role of the RAG is to:

- Provide advice to Council in relation to reserve values, threats to those values, management targets and management strategies that will protect the ecological and social values and take account of community aspirations for the future management of each reserve;
- Provide advice to Council and the Reserves Working Group in relation to on-ground management programs and issues; and
- Undertake audits of reserve management plans and report the results to Council.

The RAG meets when a draft management plan is being prepared and consultation will always include all relevant stakeholders. The RAG has endorsed this management plan for being released to the public.

Information to be used for decision-making processes

Management plans for Serpentine Jarrahdale reserves are prepared, advertised and adopted in an open, transparent and accountable manner. A copy of management plans for comment, are available to members of the public through a number of different avenues, including on the Shire's website.

Should any third party, such as a member of the public, wish to provide any additional information for Council to consider in its decision making processes on the particular management of the Forest Green Reserve, this is invited as part of the planning process and will be considered by Council during the formal advertising of the proposal in accordance with statutory processes.

Over time, additional information may become available to Council. This may include survey work, information provided by agencies and/or members of the public and this additional information may require an update or replacement of this management plan which otherwise is expected to last at least 10 years.

Voting Requirements: Simple Majority

SD082/12/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:

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

- A. Adopt the Draft Forest Green Management Plan as per attachment [SD082.1/12/11](#) for advertising for a three month public comment period with relevant government agencies attention and submissions being invited**

through advertising in two local newspaper consecutive issues and on the Shire's website.

- B. Following the end of the consultation period, the management plan be presented back along with any comments attracted and incorporated in a final Forest Green Reserve Management Plan to be presented for Council's consideration.**
- C. Council write to the Department of Environment and Conservation and requests that the land transfer be expedited.**

CARRIED 9/0

SD083/12/11 DRAFT SERPENTINE JARRAHDAL SHIRE AND SERPENTINE JARRAHDAL COMMUNITY LANDCARE MEMORANDUM OF UNDERSTANDING (A0847)		
Proponent:	Serpentine Jarrahdale Shire	In Brief To gain Council support for the Serpentine Jarrahdale Shire, Serpentine Jarrahdale Community Landcare Inc. and Serpentine Jarrahdale Land Conservation District Committee Memorandum of Understanding (hereafter referred to as Landcare MOU) and request its adoption by Council for a one year period.
Author:	Chris Portlock, Manager Environmental and Sustainability Services	
Senior Officer:	Suzette van Aswegen – Director Strategic Community Planning	
Date of Report	November 2011	
Previously	Nil	
Disclosure of 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	
Delegation	Council	

Background

There is recognition and acknowledgement of mutual interests by the Serpentine Jarrahdale Shire, the Serpentine Jarrahdale Community Landcare and the Serpentine Jarrahdale Land Conservation District Committee in protecting and managing the natural resources of the Serpentine Jarrahdale Shire and Peel Harvey Catchment. Although there is a long history of close partnerships amongst Landcare MOU parties, this Landcare MOU will provide more effective and efficient use of resources to better achieve organisational outcomes and natural resource protection and management.

The MOU was considered and adopted by Serpentine Jarrahdale Landcare Centre at its Board Meeting November 2011.

A copy of the Draft Landcare MOU is with the attachments marked [SD083.1/12/11](#).

A copy of the SJ Landcare Inc. 2010/2011 Annual Report is with the attachments marked [SD083.2/12/11](#).

Sustainability Statement

Sustainability of all parties and sustainability for the community will be increased with adoption of this Landcare MOU.

Effect on Environment:

A positive effect on the environment will be an outcome of this Landcare MOU.

Resource Implications:

Some resources will be shared under this Landcare MOU increasing partnership effectiveness.

Use of Local, renewable or recycled Resources:

In committing to the Landcare MOU, Council is indirectly encouraging and promoting Community Landcare Centre initiatives in resource recycling such as poly pipe fauna habitat provision for the Black Cockatoo.

Economic Viability:

Economic viability is increased for the Landcare Centre through this Landcare MOU partnership.

Economic Benefits: Positive economic benefits result from resource sharing associated with the Landcare MOU. Council has a responsibility to make the most of rate payer funds and to pool ideas and resources where possible.

Social – Quality of Life: Quality of life can be affected by adoption of this Landcare MOU through increasing community participation and ownership with a much more viable conglomerate of organisations.

Social Diversity: The Landcare MOU does not disadvantage any social groups. The utilisation of an expanding range of mechanisms for Natural Resource Management (NRM) protection and management provides opportunity for socially diverse outcomes.

Government support for the policy

There is State, Regional and Commonwealth Government support for increasing the closeness of working relations between Shires, Landcare District Committees and Community Landcare groups, particularly where delivery of NRM can be made more effective and efficient.

Statutory Environment:

Nil.

Policy/Work Procedure Implications:

Nil.

Financial Implications:

There are positive financial implications to Council related to this Landcare MOU in collaborative efforts and resource sharing. Approximately \$60,000 is contributed to Landcare from the Shire each year. Both the Landcare and *Switch your thinking!* act as extensions of the Environmental and Sustainability Services Team. For every dollar invested in these organisations at least 2 to 3 times the investment is returned with 90% of the *Switch your thinking!* budgets coming from sponsors each year and both organisations making money on products (Cockatubes) or the use of a licensed brand name (*Switch your thinking!*).

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective
NATURAL ENVIRONMENT			
	Landscape	Safeguard	Restore and preserve the visual amenity of our landscapes.
			Maximise the preservation of existing trees and vegetation.
		Restore	Establish and enhance waterways and bush corridors.
			Control and manage weeds and plant diseases.
			Promote and develop appropriate tourism, recreation and educational opportunities.
	Biodiversity		Develop active partnerships with stakeholders.
		Protect	Prevent the further loss of “local natural areas”.
			Protect specific ecological features and processes including rare species, threatened ecological communities, wetland vegetation and ecological linkages throughout the Shire.
		Manage	Protect and manage a portion of each basic type of vegetation and ecosystem typical to the Shire.
		Restore	Manage and restore local natural areas and revegetate new areas to increase native fauna habitat.

Community Consultation:

Not required.

Comment

The benefits to the Shire of continuing to support the SJ Landcare include accessing grant funds not available to local authorities, extending our workforce by including volunteers, networking with the community in a close and trusting way, extending and strengthening regional partnerships and providing business opportunities and a means of raising money not available to local authorities.

Conclusion

The Landcare MOU gives regard to the provision of services between the Landcare Centre and the Shire to continue with a close working relationship for achieving mutual goals as part of an affective partnership.

Voting Requirements: Simple Majority

Committee/Officer Recommended Resolution

That Council adopts the Serpentine Jarrahdale Landcare Memorandum of Understanding for a one year period until 30 June 2012 as per attachment [SD083.1/12/11](#).

SD083/12/11 COUNCIL DECISION/New Motion:

Moved Cr Randall, seconded Cr Ricketts

That Council adopts the Serpentine Jarrahdale Landcare Memorandum of Understanding for a one year period until 30 June 2012, as per attached SD083.2/12/11 revised Memorandum of Understanding, with the following amendment:

1. Amend clause 7 xi) to read “*Salary Administration, including payroll service only*”;

CARRIED 9/0

CGAM036/12/11		ADOPTION OF COUNCIL POLICY SEG01 – FARMLAND CONCESSION (A1048)
Author:	Casey Mihovilovich - Executive Manager Finance Services	In Brief To adopt Council Policy SEG01 – Farmland Concession.
Senior Officer:	Alan Hart - Director Corporate Services	
Date of Report	17 November 2011	
Previously	Not Applicable	
Disclosure of 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	
Delegation	Council	

Background

Policy SEG01 – Farmland Concession has been developed to formalise the 31% concession off the rural rating category, rate in the dollar. The farmland concession currently provides an incentive to eligible ratepayers to continue to carry on genuine primary production businesses in the Shire. The policy has been developed to provide guidance to Shire officers in relation to determine eligibility of the concession.

It is important to establish a formal policy position in regards to the farmland concession criteria. The purpose of this report is to introduce the Policy and request adoption.

A copy of the proposed policy is with attachments marked [CGAM036.1/12/11 \(E11/6526\)](#).

Sustainability Statement

Economic Benefits: The policy seeks to provide more opportunities to enhance employment creation, and provide local resources and economic benefits to the community

Statutory Environment:

Section 6.47 Concessions of the Local Government Act 1995 states;
Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

Policy/Work Procedure Implications:

There is no work procedure/policy implications directly related to this policy.

Financial Implications:

There are financial implications to Council related to this policy. Council are providing a 31% concession on the rural rate in the dollar, and this is incorporated in the budget for each financial year.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective
BUILT ENVIRONMENT			
	Land Use Planning		
		Rural Villages	Preserve the distinct character and lifestyle of our rural villages and sensitively plan for their growth.
			Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.
		Rural Land	Ensure the built form complements and enhances the rural environment.
			Plan for the preservation of rural land and its integration with urban and rural villages.
			Consider the viability of rural land uses in strategy and policy development.
			Promote the vision of the Shire being the 'food bowl' of Perth.
NATURAL ENVIRONMENT	Landscape		
		Manage	Facilitate sustainable agricultural practices.
OUR COUNCIL AT WORK			
	Leadership		
		Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
			Our structure, processes, systems and policies are aligned with the Plan for the Future.
			Our structure, processes, systems and policies are based on the "keep it simple" principle.
			Elected members and staff have a clear understanding of their roles and responsibilities.
			Elected members provide a clear and consistent strategic direction.
			All decisions by staff and elected members are evidence based, open and transparent.
SUSTAINABLE ECONOMIC GROWTH			
	Industry Development		
		General	Attract and facilitate appropriate industrial, commercial and retail developments.
			Attract environmentally and socially responsible industries and support all operators to achieve more sustainable practices.
			Encourage value adding opportunities for local industries and resources.
		Agriculture	Protect and develop appropriate agricultural and horticultural industries and pursuits within the Shire
		Equine	Proactively advance the shire's equine industry including the range of associated support businesses.
		Creative and Knowledge Economies	Welcome and nurture creative industries and individuals.
			Facilitate environments that will stimulate the initiation of a knowledge based economy.
		Education	Facilitate shire based lifelong learning and training

Vision Category	Focus Area	Objective Summary	Objective
			opportunities, particularly those aligned to our local industries.
		Small Business and Cottage Industries	Nurture and support small business, cultural and cottage industries

Community Consultation:

Required: No

Comment

Policy SEG01 – Farmland Concession will provide a rate concession to properties maintaining genuine farming interests. The policy outlines the criteria that must be met to be eligible and maintains the rural character of the area in line with the strategic goals of Council.

The table below summarises details about the properties on farmland concession;

	Rural	Farmland
Rate in the dollar	\$0.002641	\$0.001822
Minimum rate	\$1,033	\$1,033
Number of Properties on minimum		30
Number of Properties on non minimum		220
Revenue lost (\$844,881 - \$570,274)		\$274,607
Number of Farmland Properties with outstanding rates at 16/11/2011		54
Amount outstanding at 16/11/2011		\$88,294

Of the 54 properties with outstanding rates only one of these properties has rates outstanding from the current and previous year. The remaining 53 properties have outstanding rates for the current year only.

The table below shows a selection of local governments that do/do not offer a farmland concession;

	Farmland Concession
Swan	Yes
Armadale	No
Rockingham	No
Murray	No
Mandurah	No
Wanneroo	No
Kalamunda	No

Conclusion

Adoption of the Policy is recommended.

Voting Requirements: ABSOLUTE MAJORITY*Cr Wilson and Cr Atwell left the room at 8.26pm***CGAM036/12/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

Moved Cr Kirkpatrick, seconded Cr Harris
That Council adopt the new policy SEG01 – Farmland Concession.
CARRIED 7/0
Cr Wilson and Cr Atwell were not present and did not vote.

*Cr Wilson and Cr Atwell returned to the room at 8.27pm***9. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN:**

OCM057/12/11		PROJECT PLAN – STATUTORY IMPLEMENTATION FRAMEWORK FOR THE BYFORD TOWN CENTRE LOCAL STRUCTURE PLAN (A1613)
Proponent:	Shire of Serpentine Jarrahdale	In Brief To update Council on the Project Plan to review the statutory implementation framework for the Byford Town Centre Local Structure Plan area to enable the implementation of the Byford Town Centre.
Owner:	N/A	
Author:	Brad Gleeson – Director Development Services	
Senior Officer:	Joanne Abbiss – Chief Executive Officer	
Date of Report	15 December 2011	
Previously	OCM006/08/11 SD056/12/10 SCM25/03/10 OCM26/10/09 SCM02/09/06 OCM05/08/06	
Disclosure of 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	
Delegation	Council	

Background

The Byford urban area has undergone rapid urban development in recent years and has been subject of detailed planning at the district and local level. Over time, a series of planning documents have been prepared and adopted by Council and the Western Australian Planning Commission for the Byford urban area and the Byford town centre, including district structure plans, local structure plans (LSP), detailed area plans, amendments to Town Planning Scheme No. 2, design guidelines and Local Planning Policies.

A comprehensive review of various layers of this planning framework is required, specifically for Byford Town Centre area. Council has identified and endorsed a Key Performance Indicator on this matter that reads:

Prepare a project plan to resolve the conflicting hierarchy of planning documents to facilitate the implementation of the Byford Town Centre Local Structure Plan by December 2011.

The purpose of this report is to present the Project Plan for this task for Council's information.

Sustainability Statement

Byford Town Centre Local Structure Plan (BTCLSP)

Effect on Environment:

The proposal enhances:

- the built environment by allowing a “mainstreet” development with active shop frontage, new infrastructure and a good urban design outcome.
- the natural environment by keeping the natural waterways and enhancing the quality of the natural areas and by using trees that will complement the vegetation in Byford.
- the community environment by providing for community areas that attempt to draw the community to the public areas to provide the active and vibrant areas that the Byford community desires.

The proposal incorporates best practice in many of the aspects of urban design and has managed to get best outcomes for a number of aspects. In terms of biodiversity, the LSP was rigorous in terms of protection of indigenous flora and fauna where at all possible and through the enhancement of existing natural features, attempts to create linkages to biodiversity/environmental corridors. The LSP has tried to minimise site disturbance through cut and fill management but accepts that the overall area may require significant changes to enable it to function as a Town centre.

The LSP attempts to minimise car use by involving as many different transportation types to access the centre as possible and setting guidelines for public transport. It incorporates good passive solar design and protection against the prevailing winds. It also encourages renewable energy technologies and energy efficiency.

Considerable focus was placed on urban water management and water quality. A Local Water Management Strategy (LWMS) was drafted as part of the LSP. The LWMS addresses issues such as stormwater and waterways management, water management in construction, water sensitive urban design, maximum infiltration of water on site, and water saving devices.

Heritage and cultural issues have been addressed.

Resource Implications:

The LSP attempts to minimise resource use, eg. energy, land, water and soil, compared to traditional development approaches by utilising best practice in terms of storm water management and solar passive design. Passive solar design is facilitated eg. facing the building north is encouraged and so reduces the impact of the prevailing winds. A water sensitive urban design approach indicates a number of possibilities for stormwater tanks, swales and increased infiltration.

Economic Viability:

The proposal will be economically viable in terms of direct costs and life cycle costs. Where there are risks associated with the overall costs, this is discussed under the comments at the end of the document. The proposal has placed great emphasis on minimising external costs

such as pollution from transport or car dependence, prevention of removal of biodiversity (flora and/or fauna), land and waterway pollution and reduction in quality of life of residents (noise, pollution). The development of town centres usually necessitate an increase in resource use eg energy and water consumption but the plan addresses this through the water sensitive urban design principles and passive solar orientation. The Shire has indicated its willingness to ensure a good outcome and has indicated that although there will be costs (both monetary and non monetary) that the community or council will incur as a result of this proposal, these costs are necessary to get the desired outcome.

The maintenance of the extensive drainage swales and public spaces will incur maintenance costs. As such the proposal will not reduce future costs for Council as it does require initial costs to make the proposal work and will also result in continued maintenance of the drainage swales. These costs are however required to ensure that the outcomes are true to the principles that were considered critical to the project.

Economic Benefits:

The LSP will provide significant economic benefits to the community which will include employment generation (through the retail and other commercial activities that will be drawn to the area), increase the local resource base (through the business activities that will result) and will help to diversify the Shire's economic base as the Byford town centre will be the district centre for the foreseeable future.

The LSP will be the catalyst for employment creation, may assist with tourism through making the area more enticing to tourism operators and should provide local possibilities by being the new active and vibrant district centre for Serpentine Jarrahdale.

Social – Quality of Life:

The proposal improves the quality of life for the community through being sensitive to the various community values and principles that are held dear to the community.

Planning/Subdivisions: The LSP provides for the use of unrestricted solar access, public open space that enhances the special qualities that the community desires, has good design for crime prevention, retains as much of the existing vegetation as possible, provides good access to services such as the local shops and public facilities through public transport.

Assets: Provision has been made for quality roads and lighting for safety. Water sensitive urban design is one of the most critical components of the design and special attention has been given to the provision of pedestrian footpaths, trails and cycle ways.

Council activities: The LSP is focused on place-making and as such seeks to create a vibrant town centre that allows communities to be involved and will attempt to create mechanisms to provide for events and training.

Social and Environmental Responsibility:

The LSP seeks to have dwellings orientated to overlook the public open space and streetscape thus increasing passive surveillance and providing a built form that contributes to the urban landscape rather than working against it. Dwellings will be designed and oriented to provide for a high level of passive solar access.

There are significant portions of the property being set aside for open space retaining existing vegetation thus positively contributing to a sense of place. The proposed development seeks to incorporate principles of water sensitive urban design through the sound principles of the LWMS.

The proposal is designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation.

The proposal creates opportunities for all sectors of the community to gain access to and participate in the creation of the space but also in the activities that should be created within the town centre.

The proposal will foster partnerships through management plans and engagement with the various developers to get the outcome that will make the town centre the centre of community activity.

Social Diversity: The proposal attempts to advantage all social groups by providing facilities and housing types for all the social groups in the community and provides for diversity in our community through different housing types, housing densities, public facilities and the like.

Statutory Environment:

Planning and Development Act 2005
Town Planning Scheme No. 2 (TPS 2)
Byford Townsite Detailed Area Plan (DAP)
Byford Structure Plan (BSP)
Byford Town Centre LSP

Policy/Work Procedure Implications:

WAPC Operational Policy - Liveable Neighbourhoods
State Planning Policy 4.2 Activity Centres
Local Planning Policy (LPP) 22 – Water Sensitive Urban Design
LPP 19 – Byford Structure Plan Area Development Requirements
LPP 31: Byford Design Guidelines

Financial Implications:

No additional funding requirements are envisaged during the current financial year to progress the statutory implementation framework.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT	Landscape	1	Safeguard	Restore and preserve the visual amenity of our landscapes.
		3		Maximise the preservation of existing trees and vegetation.
		4		Incorporate environmental protection in land use planning.
		5	Restore	Establish and enhance waterways and bush corridors.
		6		Establish increased levels of natural vegetation in urban and rural environments.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
	Integrated Water Cycle Management	18	Quantity	Identify and implement opportunities for detention and storage of stormwater.
		19		Protect and develop natural and man-made water sources.
		20	Quality	Improve and maintain surface and ground water quality.
		22	Planning and Design	Ensure integrated water cycle management is incorporated in land use planning and engineering design.
		23		Enforce the adoption of “better urban water management”.
		24	Natural systems	Understand the behaviour of natural flood systems in land use planning and engineering design to ensure safe communities.
		25		Facilitate and encourage the preservation, management and restoration of natural water systems.
	Climate Change	29	Mitigation	Ensure that energy and water conservation is addressed at the local level.
BUILT ENVIRONMENT				
	Land Use Planning			
		2		Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.
		3	Urban Villages	Incorporate the principles of emergency management, community safety and crime prevention in new and existing developments.
		4		Ensure interesting, safe and well-connected pathways accessible and suitable for all users.
		5		Residential developments will accommodate a variety of lot sizes, water wise native gardens and shade trees.
		6		Subdivision layout will maximise the achievement of sustainable development through the utilisation of solar passive design principles.
		7		Press for the provision of public transport and the density of development needed to give effect to transit orientated design.
		8		Ensure local structure plans have a range of attractions within a walkable distance of residential areas.
SUSTAINABLE ECONOMIC GROWTH				
	Industry Development	1	General	Attract and facilitate appropriate industrial, commercial and retail developments.
	Industry Assistance	20	Strategy	Maintain an awareness of economic trends and forecasts that have the potential to impact on the sustainable economic growth of the Shire.
		21		Ensure strategy, policy development and land use planning provides increased opportunities for economic development, value adding activities and industry clusters.
		25	Infrastructure	Advance the development of transport, technology and utilities infrastructure.
		26		Facilitate the development of consistent appropriate and informative signage throughout the Shire.
	Places	29	Vibrant	Create vibrant urban and rural villages.
		30		Develop well connected neighbourhood hubs and activity centres.
		31		Build the community’s capacity to create vibrant places through activities and events.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		32		Ensure community spaces and places are accessible and inviting.
		33		Plan and facilitate the provision of a range of facilities and services that meet community needs
		34		Enable a diverse range of places that accommodate a variety of active and passive recreational pursuits.
		35		Recognise the significance of prosperous businesses and groups in activating places and contributing to community safety.
		36		Plan and develop safe communities and places.
OUR COUNCIL AT WORK				
	Leadership	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		2		Our structure, processes, systems and policies are aligned with the Plan for the Future.
		9		All decisions by staff and elected members are evidence based, open and transparent.
		10		The elected members and staff operate from a common understanding of sustainability.
		15		The Shire will set policy direction in the best interests of the community.
	Strategy and Planning	27	Strategic Direction	Prepare effectively for future development.
		31	The Planning Process	Develop comprehensive governance policies and strategies.
		32		Prioritise and integrate the financial implications of policy and strategy into the fully costed Plan for the Future.
		33		Create dynamic, adaptable policy and processes to aid rigour, currency and relevance.
	Success and Sustainability			
		41		The Shire will exercise responsible financial and asset management cognisant of being a hyper-growth council.
		43		Develop a clear, robust, well researched evidence base which demonstrates our uniqueness and sustainability.
	Knowledge and Information	49	Creating value through applying knowledge	Ensure evidence based decision making
		50		Improve service delivery through the application of knowledge.

Community Consultation:

Community consultation will occur as planning documents are modified in accordance with the requirements of TPS 2.

Comment:

Council commenced the preparation of the BTCLSP in 2007 with the community consultation and a Visioning Workshop. In April 2008, a tender was issued to appoint a consultant to

assist with commencement of a number of planning documents including the preparation of a LSP, DAP and Design Guidelines for the Town Centre.

The LSP has been the subject of community consultation formal advertising and Council decisions over the last 3 years. Council has recently considered modifications requested of Council regarding the LSP and provided a recommendation to the WAPC. The Statutory Planning Committee of the WAPC at its meeting held on 13 December 2011 considered the comments from Council's BTCLSP. The Shire has not yet been formally advised of the decision of the WAPC.

Pending final approval from the WAPC, the Shire has continued with the planning and commencement of further studies for the Town Centre. In order to bring about the successful implementation and operation of the BTCLSP, a critical component of the implementation strategy is a review of the Byford planning statutory framework was required.

The Shire's consultants Urbis held a workshop with Shire officers in 2010 and prepared an Options Paper for the "Implementation of the Byford Town Centre Local Structure Plan". The BTCLSP is now close to finalisation, officers can progress the various actions in the Implementation Plan. The Shire's consultants will be formally engaged soon to establish a statutory framework that will enable the LSP to become operational.

Task	Date
Implementation Framework discussion document updates to be finalised	March 2012
Workshop elected members	April 2012
Report to Council identifying specific amendments to various documents	May 2012
Public consultation	July 2012

In addition, a number of other studies will be progressed in 2012 to inform the required decisions and amendments. A brief for the appointment of consultant services for the Access and Parking Strategy for the Byford Town Centre has been prepared and issued to consultants, to obtain quotes. Discussions with state agencies such as Main Roads WA regarding South Western Highway access strategy has also progressed significantly as part of the implementation of BTCLSP.

Voting Requirements: Simple Majority

OCM057/12/11 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Harris, seconded Cr Randall
Council notes the Project Plan for the Statutory Implementation Framework of the Byford Town Centre.
CARRIED 9/0

OCM058/12/11		INITIATION OF SCHEME AMENDMENT FOR THE BYFORD COMMUNITY INFRASTRUCTURE DEVELOPMENT CONTRIBUTION ARRANGEMENT (A1862)
Owner:	N/A	In Brief For Council to: 1) Initiate a Scheme Amendment establishing the statutory framework and legal head of power for the Byford Community Infrastructure Development Contribution Arrangement (DCA). 2) Note that the draft Byford Community Infrastructure Development Contribution Plan report will be presented to Council in January 2012. 3) Authorising Shire staff to collect interim development contributions for community infrastructure. 4) Commence a review of existing Local Planning Policies No. 52 and 55 to modify these Policies or prepare new Policies to address community infrastructure development contributions on an interim basis.
Author:	Casey Mihovilovich - Executive Manager Financial Services, Carole McKee - Manager Community Development and Simon Wilkes - Executive Manager Planning	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	15 December 2011	
Previously	SD041/08/06 (CFSP) SD071/02/09 (CFSP) SCM001/09/11	
Disclosure of 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	
Delegation	Council	

Background

At its Special Council Meeting on 29 September 2011, Council considered a number of reports relating to development contributions in the Shire. Specifically with regard to community infrastructure in Byford, Council resolved to endorse the preparation of a community infrastructure development contribution arrangement (DCA) for Byford.

A copy of the report to Special Council meeting is with attachment marked [OCM058.1/12/11](#).

This report provides Council with the opportunity to consider initiation of an Amendment to the Shire's Town Planning Scheme No. 2 (TPS 2), to establish the statutory framework and legal head of power for the Byford Community Infrastructure DCA. It is also recommended that:

- Note that the draft Byford Community Infrastructure Development Contribution Plan report to Council in January 2012.
- Authorise Shire staff to collect interim development contributions for community infrastructure.
- The commencement of a review of existing Local Planning Policies (LPP) No. 52 and 55 with a view to modifying these Policies or preparing new Policies to address community infrastructure development contributions on an interim basis.

The Shire is currently experiencing significant growth. Byford currently has a population of approximately 8,400 people which is expected to increase to 29,091 by 2031 (ABS 2006; Id. Forecast 2011).

Community facilities and services are essential to the health, wellbeing and long term sustainability of communities. Local Government is looked upon as a key provider and manager of community and sporting facilities. While there are expectations for Local Government to respond to this growth, there are significant resource implications.

In an effort to achieve a coordinated and responsible approach to planning for the Shire's future growth, the Community Facilities and Services Plan to 2020 (CFSP) was developed and adopted by Council in February 2009 as the principal guide for facilities and services provision for a population of approximately 50,000.

The preparation of a Community Infrastructure DCA and the subsequent collection of development contributions, in conjunction with Shire funds and other funding sources will work significantly towards the provision of community facilities in Byford.

Sustainability Statement

Effect on Environment: The proposed Byford Community Infrastructure DCA will facilitate implementation of the recommendations of the CFSP, which is underpinned by sustainability principles and local cultural values. It aims to enhance the built and social environment without being detrimental to the natural environment.

Resource Implications: The proposed Byford Community Infrastructure DCA will facilitate implementation of the recommendations of the CFSP, which aims to strategically plan for the future through a staged and sustainable approach to resource allocation. Implementation of a DCA for Community Infrastructure in Byford will have significant resourcing implications for the Shire.

Use of Local, renewable or recycled Resources: The CFSP considers local facilities and services, and will allow local businesses to tender for future works.

Economic Viability: The CFSP aims to ensure value for money. The proposed strategic and sustainable provision and maintenance of community facilities and services, in partnership with land developers, other agencies and the community will enable the projects to be economically viable. Further investigations into the standards of provision and costings since the adoption of the CFSP have also helped to ensure costings are up to date. A Community Infrastructure DCA for Byford will need to be carefully managed to minimise contribution shortfalls.

Economic Benefits: The CFSP stages the provision of facilities and services which will generate employment opportunities, enhance tourist opportunities and provide local resources that would otherwise not be available. A DCA provides a mechanism to most equitably share the cost of community infrastructure throughout the Shire.

Social – Quality of Life: The CFSP, for the sustainable provision of community facilities and services for the Shire to 2020, aims to meet the needs of a strongly connected community, preparing for rapid growth. It is underpinned by local cultural values, strong community engagement principles, a wide view of what constitutes future facilities and services and aims to enhance the quality of life for residents.

Social and Environmental Responsibility: The CFSP is based on partnerships and its implementation will broker further partnerships. The community continue to be involved in the feasibility, implementation & monitoring stages. The statutory processes associated with

preparing and implementing a DCA for Community Infrastructure in Byford involves extensive consultation with the community, stakeholders and agencies.

Social Diversity: The CFSP aims to provide for the social diversity of a rapidly growing and changing population.

Statutory Environment: TPS 2
State Planning Policy (SPP) 3.6
LPP 52 and LPP 55

Policy/Work Procedure Implications: Additional or expanded Local Planning Policies (LPP's) may be required to support implementation of a Community Infrastructure DCA.

Financial Implications: There are significant financial implications associated with the delivery of community infrastructure within the locality of Byford and across the whole municipality.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective	
BUILT ENVIRONMENT	Land Use Planning	Rural Villages	Preserve the distinct character and lifestyle of our rural villages and sensitively plan for their growth.	
			Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.	
		Buildings	Invest upfront in the creation of vibrant, interactive public places and spaces that demonstrate the type of development envisaged by the community.	
			Plan for the creation and preservation of iconic buildings and places that add to our sense of identity.	
		Landscape	Provide a variety of affordable passive and active public open spaces that are well connected with a high level of amenity.	
		General	Facilitate the development of a variety of well planned and connected activity centres and corridors.	
			Ensure land use planning accommodates a diverse range of lifestyle and employment opportunities and activities.	
			Rationalise existing, and responsibly plan new, public open spaces to ensure the sustainable provision of recreation sites.	
			Encourage innovative solutions, technology and design.	
		Infrastructure		
			Asset management	Continually improve the accuracy of the long term financial Plan for the Future by accommodating asset management plans that are developed.
				Ensure all decisions are consistent with the long

Vision Category	Focus Area	Objective Summary	Objective
			term financial Plan for the Future.
			Ensure asset management plans extend to whole of life costings of assets and reflect the level of service determined by Council.
		Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.
			Proactively and positively negotiate mutually beneficial outcomes with the development industry.
			Continue to work with funding agencies to secure grants for projects.
			Interact with professional and industry bodies to keep abreast of best practice.
			Establish, implement and maintain effective developer contribution schemes.
OUR COUNCIL AT WORK			
	Leadership		
		Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
			Our structure, processes, systems and policies are aligned with the Plan for the Future.
			Our structure, processes, systems and policies are based on the "keep it simple" principle.
			We are realistic about our capacity to deliver.
			All decisions by staff and elected members are evidence based, open and transparent.
			The Shire will further establish itself as an innovative leader.
			The Shire will set policy direction in the best interests of the community.
		Society, community and environmental responsibility	The elected members provide bold and visible leadership.
			The Shire will further establish itself as an innovative leader in social, community and environmental responsibility.
			The Shire is focussed on building relationships of respect with stakeholders.
	Strategy and Planning		
		Strategic Direction	Prepare effectively for future development.
			Position the Shire to be responsive and resilient to changes in State or Federal policy direction.
			Create innovative solutions and manage responsibly to aid our long term financial sustainability.
			Consider the regional delivery of services in the acquisition of compatible infrastructure and assets.
		The Planning Process	Develop comprehensive governance policies and strategies.
			Prioritise and integrate the financial implications of policy and strategy into the fully costed Plan for the

Vision Category	Focus Area	Objective Summary	Objective
			Future.
		Achieving Sustainability	Ensure that elected members and staff are outcome focussed.
			The Shire will exercise responsible financial and asset management cognisant of being a hyper-growth council.
			Position the Shire to be responsive and resilient to changes in State or Federal policy direction.
			Develop a clear, robust, well researched evidence base which demonstrates our uniqueness and sustainability.
			Address the barriers to doing business in a positive way.
PEOPLE AND COMMUNITY	Knowledge and Information		
		Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
			Understand current and future costs of service delivery.
			Understand the needs of stakeholders.
		Creating value through applying knowledge	Ensure evidence based decision making
PEOPLE AND COMMUNITY			
	Wellbeing		
		Healthy	Promote a variety of recreation and leisure activities.
			Enable the provision of a range of facilities and services for families and children.
		Happy	Encourage youth participation in community activities, groups and networks.
			Achieve a sense of belonging through active networks and community groups.
			Build the community's capacity to create vibrant places through activities and events. Develop well connected neighbourhood hubs and activity centres.
	Relationships	Empower	Build strong relationships that are resilient to the pressures and challenges of growth and "breaking new ground".
			Ensure community spaces and places are accessible and inviting.
	Places	Vibrant	Plan and facilitate the provision of a range of facilities and services that meet community needs.
			Ensure community spaces and places are accessible and inviting.
			Build the community's capacity to create vibrant places through activities and events.
			Enable a diverse range of places that accommodate a variety of active and passive recreational pursuits.

Vision Category	Focus Area	Objective Summary	Objective
			Plan and facilitate the provision of a range of facilities and services that meet community needs
		Innovative	Enable and develop sustainable, multipurpose facilities where duplication is minimised. Promote and encourage the development of affordable and appropriate lifelong living environments.
		Distinctive	Enable and develop sustainable, multipurpose facilities where duplication is minimised.

Community Consultation

The progression of a DCA for Community Infrastructure will require significant stakeholder engagement including residents, community groups, the development industry and state government agencies. The formal statutory requirement is for a minimum advertising period of 42 days. A stakeholder engagement strategy is currently being finalised, which will provide an over-arching framework for stakeholder engagement with a number of potential actions/initiatives available ranging from meetings with individual stakeholders, web-based information, public information sessions, the establishment of stakeholder reference groups and the like. Council will be provided with the opportunity to further consider this matter through a further report in January 2012

In considering the different options available, some key principles will need to be considered including the following:

- There are a wide range of stakeholders that need to be effectively engaged with;
- The timing and format of any engagement is respectful;
- Recognition is given to the complexities associated with DCA;
- Recognition that the term ‘developer’ can be misunderstood, as any person/existing resident who is further subdividing/developing their own property effectively becomes a ‘developer’; and
- There is the opportunity for meaningful input and to help shape any outcomes.

Effective stakeholder engagement will be critical to the successful progression of the community infrastructure DCA.

Comment

There are a number of key considerations in the preparation of a Community Infrastructure DCA, as discussed below.

SPP No. 3.6 – Development Contributions for Infrastructure

SPP No. 3.6 – Development Contributions for Infrastructure has been prepared by the Western Australian Planning Commission (WAPC) (ie. State Government) to guide and set parameters for the preparation of DCA’s, particularly by Local Government. SPP 3.6 sets out a number of guiding principles for development contributions, as listed below:

‘1. Need and the nexus

The need for the infrastructure included in the development contribution plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).

2. Transparency

Both the method for calculating the development contribution and the manner in which it is applied should be clear, transparent and simple to understand and administer.

3. Equity

Development contributions should be levied from all developments within a development contribution area, based on their relative contribution to need.

4. Certainty

All development contributions should be clearly identified and methods of accounting for escalation agreed upon at the commencement of a development.

5. Efficiency

Development contributions should be justified on a whole of life capital cost basis consistent with maintaining financial discipline on service providers by precluding over recovery of costs.

6. Consistency

Development contributions should be applied uniformly across a Development Contribution Area and the methodology for applying contributions should be consistent.

7. Right of consultation and arbitration

Land owners and developers have the right to be consulted on the manner in which development contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe that the calculation of the contributions is not reasonable in accordance with the procedures set out in the draft Model Scheme Text in appendix 2.

8. Accountable

There must be accountability in the manner in which development contributions are determined and expended.'

A copy of State Planning Policy 3.6 is with attachments marked [OCM058.2/12/11](#).

These principles must be adhered to in the preparation and implementation of a DCA.

Previous State Government policy and guidelines on development contributions focussed on traditional infrastructure (ie. roads, drainage and public open space) and did not provide clear direction on community infrastructure, and the scope or method to collect development contributions for community infrastructure. SPP 3.6 provides additional detail in this regard. The following is an extract from SPP 3.6 regarding community infrastructure:

'In addition, local governments can seek contributions for the capital costs of community infrastructure which is defined as: 'the structures and facilities which help communities and neighbourhoods to function effectively, including—

- sporting and recreational facilities*
- community centres*
- child care and after school centres*
- libraries and cultural facilities; and*
- such other services and facilities for which development contributions may reasonably be requested, having regard to the objectives, scope and provisions of this policy.'*

Development contributions can be sought for—

- a new item of infrastructure;*
- land for infrastructure;*
- an upgrade in the standard of provision of an existing item of infrastructure; an extension to existing infrastructure;*

- *the total replacement of infrastructure once it has reached the end of its economic life;*
- *other costs reasonably associated with the preparation, implementation and administration of a development contribution plan.*

The contributions are for the initial capital requirements only and not for ongoing maintenance and/or operating costs of the infrastructure.'

Notwithstanding this additional State Government guidance, the preparation of a community infrastructure DCA and the collection of development contribution for community infrastructure remains a relatively new concept in Western Australia. It is understood that two community infrastructure DCA's have been finalised in Western Australia, that being for the City of Cockburn and the Armadale Redevelopment Authority.

Existing Shire DCA

In recent years, the Shire has prepared and substantially progressed a draft Traditional Infrastructure DCA for Byford. This DCA proposes to collect development contributions for land for roads and road construction, land for drainage and public open space, land for and construction of bridle trails, basic improvements to areas of district open space and associated administration costs.

The Byford Traditional Infrastructure DCA has recently been through a second advertising period; seeking public, stakeholder and agency comment on a number of proposed changes to the DCA coming from the first advertising period. The submissions received on the Byford Traditional Infrastructure DCA will be presented to Council for further consideration in January 2012.

The Need for a Community Infrastructure DCA

The Traditional Infrastructure DCA does not collect costs for community infrastructure in Byford with the exception of the developing district open space. At the time of initiation, Council resolved to deal with community infrastructure through a separate DCA process.

The specific needs of the Byford Area were identified in Reports 3 and 4 of the CFSP.

A relevant extract from the CFSP for the Byford Area is provided as an attachment marked [.3/12/](#).

A relevant extract from the CFSP relating to Needs Assessment, Costs and Funding is with attachment marked [.4/12/11](#).

A relevant extract from the CFSP relating to Community Engagement, Access and Inclusion is with attachment marked [.5/12/](#).

The projected costs of community infrastructure, in 2007 dollars, is with attachments marked [.6/12/](#).

Since the finalisation of the CFSP, the Shire has continuously sought to integrate the recommendations and actions into its corporate strategic planning, such as the *Plan for the Future 2009-2014* and the *'Fully Costed Plan for the Plan 2011/12 to 2014/15'*. In addition, the CFSP has been used as a basis for land use planning decisions, including the preparation and finalisation of local structure plans in the Byford area and the District Structure Plan for Mundijong/Whitby.

At its Special Meeting of 29 September 2011, Council considered a discussion paper, outlining different options to facilitate the long-term achievement of community infrastructure

in Byford. The various options and cost estimates that have been referenced in the discussion paper have been based on the CFSP combined with new information that has since come to light through updated population projections, site specific cost estimates, stakeholder feedback and other feasibility work. The discussion paper provided a key recommendation that a Byford specific Community Infrastructure DCA should be prepared and progressed as a priority, which was subsequently adopted by Council. Specifically, Council resolved as follows:

‘C) Endorse the preparation of a Community Infrastructure Developer Contribution Arrangement for the Byford area in accordance with State Planning Policy 3.6 and by way of a new Scheme Amendment and Developer Contribution Plan by December 2011.’

A copy of the discussion paper is with attachments marked [OCM058.7/12/11](#)

This report actions Council’s resolution and provides Council with the opportunity to consider initiation of a Scheme Amendment, establishing the statutory framework and legal head of power for the Byford Community Infrastructure DCA.

The Byford Community Infrastructure DCA

In accordance with SPP 3.6, establishment of the Byford Community Infrastructure DCA will incorporate two principle components:

1. An Amendment to TPS 2.
2. A detailed Development Contribution Plan report (DCP report).

Each of these components is discussed in the following sections.

Scheme Amendment

An Amendment to the Shire’s TPS 2 is required to implement a Community Infrastructure DCA for Byford. The Amendment is essentially the statutory framework and legal head of power. The Amendment inserts a new Schedule into Appendix 16 of TPS 2.

The Amendment does not go into detail; but rather sets out general matters as follows:

- The area to which the Community Infrastructure DCA applies.
- A list of the community infrastructure items to be funded through the Community Infrastructure DCA.
- The general method of calculating development contributions.
- The period of operation of the Community Infrastructure DCA.
- A system of establishing priorities and timing for the provision of community infrastructure.

The details of the Byford Community Infrastructure DCA will be contained within the Byford Community Infrastructure DCP report. The Amendment gives statutory force and affect to the DCP report.

DCP Report

A Community Infrastructure DCP report will be prepared and progressed in addition to the Scheme Amendment. The DCP report will sit outside of TPS 2 but is given force and effect through the provisions of TPS 2.

The Community Infrastructure DCP report will contain significant detail, addressing:

- The community infrastructure, land and other items for which development contributions are to be collected.
- How land values are calculated and the valuation methodology applied.
- The cost estimates of infrastructure and other items.
- The cost contribution rates applicable to individual precincts within the Byford development contribution area.
- The methodology to calculate development contributions applicable to landowners/developers and the operational aspects of the methodology.
- Principles for the priority and timing of infrastructure provision and land acquisition.
- The period of operation and review of the DCA.
- Various other operational matters.
- Examples of how development contributions will be calculated.

A draft of the Byford Community Infrastructure DCP report has been completed and is currently being finalised. The Community Infrastructure DCP report is being modelled on the document established for the Byford Traditional Infrastructure DCP report. No concerns with respect to this document have been raised during two advertising periods and it is considered to comply with SPP 3.6 requirements.

The draft Byford Community Infrastructure DCP report contains seven (7) major sections, as explained below.

Section 1 – Introduction

Section 1 sets out the background, purpose and legal status of the DCP report. The principles behind preparation of the DCP report and its application are explained. These principles are consistent with those listed in SPP 3.6. The area to which the Byford Community Infrastructure DCA applies is identified.

Most importantly, Section 1 includes the “Strategic Basis” for the DCP report, the Byford Community Infrastructure DCA more generally, and the actual collection of development contributions. The Strategic Basis sets the Shire’s “case” to collect development contributions for community infrastructure in Byford. A discussion on the Shire’s CFSP forms the critical component of the Strategic Basis. The CFSP investigated future population expansion in the Shire and identified the need for new and improved community infrastructure to address this demand. A summarised version of the CFSP will form an Appendix to the DCP report. Reference is also made to SPP 3.6 providing the opportunity for Local Government to collect development contributions for community infrastructure.

The Strategic Basis will form a fundamental component of the draft DCP report. Whilst SPP 3.6 has been in place for over two (2) years and provides for a Local Government to collect development contributions for community infrastructure, it should be noted that only one Community Infrastructure DCA has been completed (City of Cockburn), and only 3 or 4 other draft Community Infrastructure DCA’s have been prepared. The level of acceptance of development contributions for Community Infrastructure is also lower than that for traditional infrastructure, which has been subject to DCA’s for over 20 years and is generally accepted by the development industry.

Whilst none of the above should be viewed as reasons to not proceed with a Community Infrastructure DCA for Byford, it should be noted that there is likely to be a higher level of landowner and developer scrutiny of the content of the DCA. The need for a well justified and credible Community Infrastructure DCA for Byford is therefore paramount to the success of the DCA and achieving Council’s long-term goal of providing community infrastructure in Byford.

Section 2 – Infrastructure, Land and Other Items

Section 2 sets out the community infrastructure, land and other items for which community development contributions will be collected in Byford. For ease of reference, the infrastructure has been grouped into four categories:

1. Cultural Community Facilities (ie. libraries, Shire shop fronts and community centres).
2. Sport and Recreation Facilities (ie. tennis courts, sporting club facilities, storage and ablution facilities).
3. Youth Facilities (ie. youth centres, BMX tracks and skate parks).
4. Whole of Shire Facility Development.

The general location of each item of infrastructure is identified and a description of its function is provided. The need for each item is identified and justified with reference to the Shire's CFSP, or other relevant documentation. A list of works which will be funded by the development contributions are then listed (ie. building construction, site works, landscaping, car parking etc.) and a total cost is provided. Where the information is available, a number of appendices are included which provide a detailed breakdown costs.

Section 3 – Development Contribution Methodology

This section of the draft Byford Community Infrastructure DCP report sets out the methodology for determining the development contribution rate and the manner in which development contributions will be calculated. The following key elements are addressed:

- A calculation of the estimated lots/dwellings to be created in the Byford area (used to determine the overall contribution rate per lot/dwelling).
- A calculation of the contribute rate per lot/dwelling (in a very general sense, by identifying the total cost of Community Infrastructure and dividing this by the estimated number of lots/dwellings).
- An explanation of how the contribution rate applies to different types of residential (ie. retirement villages, lifestyle villages, caravan parks, park home parks and similar) and non-residential development (ie. private schools, commercial development, retail development and similar).
- An explanation of the relationship between the Byford-specific Community Infrastructure DCA and a future Shire-wide Community Infrastructure DCA (which is proposed to be progressed in 2012).

Section 4 – Priority and Timing of Provision

Section 4 contains a set of principles to guide the identification of priorities for the provision of community infrastructure and land. The priorities will likely be determined on an annual basis in parallel with forward financial planning and the Shire's annual budgeting processes.

Section 5 – Period of Operation and Review

Section 5 sets out the period of operation for the Byford Community Infrastructure DCP report. In accordance with SPP 3.6, the DCP report will be reviewed at least annually. The nature of any changes to the DCP report will determine whether consultation is required.

It is proposed that the Byford Community DCP will operate for a period of 20 years. The reasons for the time frame include;

- The community infrastructure items included in the DCP are being planned and provided on the basis of the needs of the ultimate community in the Byford Area will be substantially achieved by 2031.
- It is fair and equitable that all development that has been taken into account in assessing the need for community infrastructure actually makes a contribution to that infrastructure. A long operation period will achieve that objective.

- When updating forward financial plans for the Shire, which will detail the provision of community infrastructure, Council will have confidence that it will be able to meet its commitments to the provision of community infrastructure as the provision of funds through the DCP will be assured.
- Land owners will be treated equitably regardless of when they develop.
- When the stated period of operation is reasonably short it is possible that some owners will defer subdividing or developing in a hope of avoiding making a contribution.
- The period reflects a widely accepted planning horizon. In this regard it is consistent with the population/dwelling forecast horizon undertaken by id Consulting for the Shire, State Government traffic forecasts and the State Government's blue print for development – Directions 2031.
- The "CFSP to 2020" was the name given to this report when it was commissioned. Once underway the consultants realised it was more effective to work with the build out horizon – which was estimated at 2035 at that time. They therefore projected everything that the community would need to build out (not just to 2020). A number of facilities were recommended post 2020.
- The fact that the CFSP projected rate of development has slowed down, has meant that the whole timeframe of the CFSP has been extended, thereby taking additional facilities into the beyond 2020 timeframe and therefore aligning more closely with a 2031 horizon.

Section 6 – Operational Matters

Various operational matters of the Byford Community Infrastructure DCA are set out in Section 6. These include cost estimation, land valuation, liability for contributions, payment of contributions, arbitration

Section 7 – Examples of Calculation

SPP 3.6 requires all DCP reports to include examples of how development contributions will be collected for different development scenarios. These examples are useful in terms of highlighting any issues with the development contribution methodology, explaining how development contributions will be applied, and allowing developers to estimate what their development contribution amount may be.

Statutory Process and Timing

The Amendment, if initiated by Council will need to be referred to the Environmental Protection Authority (EPA) for review prior to being advertised by the Shire. Once the documentation has been compiled, executed and forwarded by the Shire, the EPA has a 28 day period to review the Amendment. It is proposed that the draft DCP report be presented to Council for consideration and consent to advertise in January 2012. This timeframe will fit well with the Scheme Amendment process. Council will have been provided with the opportunity to consider and grant consent to advertise the Byford Community Infrastructure DCP report by this time. This means that both the Scheme Amendment and DCP report can be advertised concurrently. Formal consultation is anticipated to commence in March 2012.

The draft DCP report will be presented to Council for consideration on 17 January 2012 for consent to advertise the DCP report. Council will have been provided with the opportunity to consider and grant consent to advertise the Byford Community Infrastructure DCP report. The Scheme Amendment and DCP report can be advertised concurrently.

This approach ensures that the community, stakeholders and agencies will be provided with all of the Byford Community Infrastructure DCA documentation at the same time, allowing for

a holistic review of the DCA and the provision of informed and meaningful submissions. A joint advertising process also has resource, timing and cost benefits for the Shire.

Commencement of interim arrangements/contributions

Council in September 2011 considered a number of different options for moving forward with a community infrastructure DCA, in the context of a discussion paper that had been prepared. A range of options were available to Council to consider, including the potential incorporation of community infrastructure into the existing/proposed Byford DCA. It was noted that such a path forward would have been of significant concern to the development industry and trigger a significant reaction in the context of contributions being 'retrospectively applied'. Ultimately Council made a decision to move forward to the effect of incorporated basic district open space improvements into the 'traditional DCA' and progressing with a separate 'community DCA'. As is common practice in Western Australia and consistent with both SPP 3.6 and the provisions of TPS 2, it is proposed that contributions/liabilities for community infrastructure will commence from the date of initiating the TPS Amendment, i.e. have immediate effect. It will be critical for the Shire to work with all stakeholders to clearly communicate the basis and rationale for moving forward with the community DCA and to work collaboratively with stakeholders to ensure that any significant concerns are identified and where possible addressed.

Other Considerations

There are a number of matters which need to be considered in progressing the Byford Community Infrastructure DCA:

- Amendment No. 167 to TPS 2 needs to be finalised to update the Shire's generic development contribution provisions generally in accordance with the model provisions of SPP 3.6. This Amendment is currently with the WAPC awaiting consent to advertise.
- Local Planning Policies No. 52 and 55, relating to interim development contributions for Byford, will need to be reviewed in the context of their applicability to interim community infrastructure development contributions.

Options

Council has four options relating to the Scheme Amendment:

1. Initiate the Scheme Amendment;
2. Initiate a modified version of the Scheme Amendment;
3. Refuse to initiate the Scheme Amendment; or
4. Defer consideration of the Scheme Amendment.

Conclusion

The Byford development area is expanding at a rapid rate, with new residents needing to be provided with community facilities and services. The Shire's CFSP includes a detailed analysis of the Shire's growth (including that of Byford), and recommends various community infrastructure items to support this growth. A fundamental implementation mechanism for the proposals of the CFSP is through development contributions. SPP 3.6 allows for the Shire to prepare a DCA to collect community infrastructure development contributions.

A statutory framework and legal head of power need to be established in the Shire's TPS 2 to allow for the collection of development contributions for community infrastructure. An amendment to TPS 2 to insert a set of broad provisions into Appendix 16 of the Scheme is required and provides a sound statutory basis to finalise the draft Byford Community

Infrastructure DCP report, as well as a legal head of power to facilitate the collection of development contributions for community infrastructure.

Should Council resolve to initiate the Amendment, it will be referred to the EPA and WAPC for consent to advertise. In parallel with this occurring, Shire staff will finalise the draft Byford Community Infrastructure DCP report, and present this to Council for consent to advertise in January 2012. The DCP report will set out the details of the Byford Community Infrastructure DCA and is proposed to be advertised for community, stakeholder and agency comment at the same time at the related Scheme Amendment.

Voting Requirements: Simple Majority

Cr Randall left the room at 8.28pm

OCM058/12/11 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Wilson, seconded Cr Urban
That:

1. The Council of the Shire of Serpentine Jarrahdale, under Section 75 and by virtue of the power conferred upon it in that behalf by the Planning and Development Act 2005 (as amended), hereby amends Town Planning Scheme No. 2 by:

(a) Adding the following text into Appendix 16 of the Scheme:

“Byford Development Contribution Area Community Infrastructure Development Contribution Plan

<i>Development contribution area name</i>	<i>Byford</i>
<i>Reference number on Scheme Map(s)</i>	<i>DCA 2</i>
<i>Boundary of development contribution area</i>	<i>Refer Scheme Map(s)</i>
<i>Items</i>	<p><i>Cultural Community Facilities:</i></p> <ul style="list-style-type: none"> • <i>Byford Library</i> • <i>Shire Shop Front</i> • <i>Community Centre (South East sector)</i> • <i>Community Centre (North West sector)</i> • <i>Glades Community Centre</i>
	<p><i>Sport and Recreation Facilities:</i></p> <ul style="list-style-type: none"> • <i>Byford Tennis Courts</i> • <i>Byford High School Football Club Facility (AFL/Soccer)</i> • <i>Byford High School Tennis Club Facility</i> • <i>Byford Catholic High School Club Facility (AFL/Soccer)</i> • <i>Kalimna (Byford West) Football Club Facility (AFL)</i> • <i>Byford Central Storage/Ablution Facility</i> • <i>Glades/Byford West Primary School</i>

	Storage/Ablution Facility
	Youth Facilities: <ul style="list-style-type: none"> • <i>Byford Youth Centre</i> • <i>Byford BMX</i> • <i>Byford Skate Park</i>
	Whole of Shire Facility Development: <ul style="list-style-type: none"> • <i>Shire Administration Centre</i> • <i>SJ Civic Centre</i> • <i>Lotteries House</i> • <i>Central Library, Mundijong</i> • <i>Shire Depot</i> • <i>SJ Youth Activity Group Shed</i> • <i>Regional Tennis Facility</i> • <i>Regional Netball/Basketball Facility</i>
	Administration Costs
Contribution methodology	<p><i>Residential – the number of additional dwellings/lots being created at the time of subdivision/development.</i></p> <p><i>Non-residential – the number of dwellings/lots that could have been created/developed at an R20 density, minus the equivalent of the first lot created in a subdivision or first dwelling created in a development.</i></p> <p><i>Mixed-use – the number of dwellings/lots that could have been created/developed at an R20 density, or the actual number of dwellings/lots being created at the time of subdivision/development, whichever is the greater, minus the equivalent of the first lot created in a subdivision or first dwelling created in a development.</i></p>
Period of operation	20 years
Priority and timing of infrastructure provision	As detailed in an adopted development contribution plan report

2. The draft Byford Community Infrastructure Development Contribution Plan report be presented to Council on 17 January 2012 to enable Council to make a determination regarding its suitability for advertising.
3. The Council of the Shire of Serpentine Jarrahdale forward Amendment No. 177 to the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 to the Environmental Protection Authority for comment, pursuant to Section 81 of the

Planning and Development Act (2005) and the Western Australian Planning Commission for information, and subject to no objections being received from the Environmental Protection Authority and acknowledgement being received from the Western Australian Planning Commission, the amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations (1967) for a period of 42 days to the satisfaction of the Director Development Services.

4. Subject to 2 and 3 above, Council advertise Amendment No. 177 to the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 and the draft Byford Community Infrastructure Development Contribution Plan report concurrently for a period of 42 days.
5. The Council of the Shire of Serpentine Jarrahdale endorse the collection of contributions for Community Infrastructure pursuant to Amendment No. 177 report from 19 December 2011 on an interim basis by the entering into legal agreement with landowners, prior to the endorsement of deposited plans or the commencement of development, whichever is the earliest.
6. The Council of the Shire of Serpentine Jarrahdale authorise officers to recommend the imposition of an appropriately worded condition of approval to the Western Australian Planning Commission on all subdivision application and impose an appropriately worded condition of approval on all development applications within the Byford Development Contribution Area to require the landowner to enter into a legal agreement to facilitate the interim collection arrangements commencing from 19 December 2011.
7. The Council of the Shire of Serpentine Jarrahdale direct officers to review Local Planning Policy No. 52 – Interim Development Contributions – Eastern Byford and Local Planning Policy No. 55 – Interim Development Contributions – Western Byford, with a view to including reference to the draft Byford Community Infrastructure Development Contribution Arrangement.
8. That Council outlines its expectation/liabilities for community infrastructure will commence from the date of initiating a town planning scheme amendment and express to all relevant stakeholders a desire to work collaboratively to ensure that any significant concerns are identified and where possible addressed.

CARRIED 8/0

Cr Randall was not present and did not vote

Cr Randall returned to the room at 8.33pm

OCM059/12/11 PROPOSED CHANGES TO COUNCIL AND COMMITTEE STRUCTURE (A0429)		
Proponent:	Serpentine Jarrahdale Shire	In Brief For Council to consider a proposal to cease the operation of the Committee System and adopt a format of two Ordinary Council Meetings per month.
Owner:	N/A	
Author:	Alan Hart – Director Corporate Services	
Senior Officer:	Joanne Abbiss- Chief Executive Officer	
Date of Report	12 December 2011	
Previously	OCM057/05/11 23 May 2011	
Disclosure of 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	
Delegation	Council	

Background

The Shire of Serpentine Jarrahdale has been operating a two committee structure for a number of years.

Councillors have expressed a desire to review the current system with a view to make the position of Councillor more attractive to community members that have daytime commitments and to also allow the general public to have easier access to Council meetings by holding all meeting of an evening, a common practice in Perth Metropolitan Councils.

To provide Councillors with information to assist in making an informed decision, a discussion paper was prepared outlining a variety of options. This report was presented to Council in May 2011 and Council resolved to defer any decision for the new Council as it will directly impact the operations of the new Council.

A copy of the Discussion Paper – Proposed Changes to Council and Committee Structure – Options and Implications (E11/2675) is with attachments marked [OCM059.1/12/11](#).

The purpose of this report is for Council to decide on the format of meetings into the future.

Sustainability Statement

Social and Environmental Responsibility: The function of Council encourages community participation through every aspect of council, from being a Councillor to participating in meetings and forums. Any change to Council should encourage community participation and should also make it easier for the community to participate in Council activities.

Statutory Environment:

Authority to establish committees is set out in the Local Government Act (1995), section 5.8.

Policy/Work Procedure

Implications:

A change to the current committee structure will require a review of some of Council's policies. As policies are reviewed any reference to the committee structure will need to be removed to reflect the proposed Council Structure.

Financial Implications:

As there are many options and potentially combinations of options, the financial implications have not been articulated in this report and Councillors are directed to the discussion paper for this information. Once a decision of Council is made, any potential impacts will need to be fully assessed. If there are any additional resources required, then a business case will be presented to Council in the forthcoming 2012/13 budget.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective		
PEOPLE AND COMMUNITY		6	Happy	Improve access and inclusion for all.		
		27	Celebrate	Actively engage, and value the contribution of all stakeholders in better decision making.		
OUR COUNCIL AT WORK	Leadership					
		1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.		
		2		Our structure, processes, systems and policies are aligned with the Plan for the Future.		
		3		Our structure, processes, systems and policies are based on the “keep it simple” principle.		
		5		We have effective meetings.		
		7		Elected members and staff have a clear understanding of their roles and responsibilities.		
		9		All decisions by staff and elected members are evidence based, open and transparent.		
		16	Leadership through organisational culture	Elected members and staff live our values and lead by example.		
		17		The organisational culture of elected members and staff is one of inspiration, inclusion and innovation.		
		18		Elected members and staff operate in an environment of trust, respect, openness and transparency.		
		19		The elected members and staff have a relationship of unity and work together to achieve goals.		
		21		The Shire will further establish itself as an innovative leader in organisational culture.		
			Strategy and Planning			
		27		Strategic Direction	Prepare effectively for future development.	
		31		The Planning Process	Develop comprehensive governance policies and strategies.	
		33			Create dynamic, adaptable policy and processes to aid rigour, currency and relevance.	
			Success and Sustainability			
		38		Achieving Sustainability	Ensure that elected members and staff are outcome focussed.	
		40			The culture, decision making and work systems need to be readily adaptable to change.	
	Knowledge and Information					

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
		46		Understand current and future costs of service delivery.
		47		Understand the needs of stakeholders.
		49	Creating value through applying knowledge	Ensure evidence based decision making
		50		Improve service delivery through the application of knowledge.
		51		Critically examine the efficiency and effectiveness of service delivery
	Customer and Market Focus			
		52	Gaining and using knowledge of customers and markets	Align systems and processes to meet customer needs.
		55		Improve the accessibility of Shire services.
		65	Customer perception of value	Strive to continually improve customer satisfaction and stakeholder relationships.
	People			
		66	A Great Place to Work	Invest in HR.
		67		Recognise our people are our most important asset.
		68		The shire will strive to create a unique employment environment.
		69		Recognise our position in the employment market place and develop a niche/point of difference.
		71		Retain 'funky', fun, flexible, friendly, family feeling at the workplace.
		72		Accommodate a diversity of people and work habits
		73		Continue to build a multicultural and intergenerational workforce.
		75		The Shire values corporate knowledge and stability and is focused on staff retention.
	Process Management, Improvement and Innovation			
		85	Identification and Management of Processes	Invest in the development of flexible and adaptable systems and processes to improve efficiencies and costs
		91	Process Improvement and Innovation	Build staff confidence and give them the licence to drive change
		92		Ensure that bureaucratic governance systems do not reduce the creative energy of staff and elected members.
		93		Fully utilise the skills and knowledge of elected members and staff
		94		Achieve outcomes whilst minimising use of Council

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				resources.

Community Consultation:

Should Council proceed to make any changes to the existing system, a press release will be prepared outlining the changes and a new meeting timetable will be prepared and advertised in accordance with the Local Government Act.

Comment:

The attached discussion paper provides various options to Council. This is not an exhaustive list of options and there are many variations to those listed, each with their advantages and disadvantages.

The majority of the Local authorities in the Perth metropolitan area operate a fortnightly OCM cycle. These meetings are generally conducted of an evening enabling the maximum number of people to take part in the meeting process. As the Shire is transitioning from a rural to an urban Local Authority, it is appropriate that the Council look at the Council Structure and meeting schedule. This is done for 3 main reasons;

1. To encourage new elected members onto Council that have daytime work commitments. This is essential to ensure the ongoing sustainability of the Shire;
2. To encourage as much public participation in the council meeting process; and
3. To provide for a quick decision making process enabling decisions to be made at 2 points in each month, rather than one (assuming they cannot be made by delegation.)

Option 2, in the discussion paper fully articulates the advantages and disadvantages of transitioning to a twice monthly OCM cycle and with retaining policy forum day each month on the 1st Tuesday of each month. It is recommended that Council consider this option as the preferred model to move forward commencing in February 2012. This will enable the Council to give the required public notice and enable internal processes and timetables to be restructured to facilitate this change.

Voting Requirements: ABSOLUTE MAJORITY

OCM059/12/11 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Kirkpatrick, seconded Cr Wilson
That Council:

1. Adopt the format of two Ordinary Council Meetings per month effective from 1 February 2012, with the meetings being on the second and fourth Monday of each month commencing at 7.00pm.
2. Disband the Sustainable Development and Corporate Governance and Asset Management Committees at the conclusion of the Ordinary Council Meeting in January 2012.
3. Retain Policy Forum Day in its existing format on the 1st Tuesday of each month.
4. Adopt the following 2012 Ordinary Meeting Schedule

Month	Meeting Date	Meeting Date
January 2012		23 January 2012
February 2012	13 February 2012	27 February 2012

March 2012	12 March 2012	26 March 2012
April 2012	10 April 2012	23 April 2012
May 2012	14 May 2012	28 May 2012
June 2012	11 June 2012	25 June 2012
July 2012	9 July 2012	23 July 2012
August 2012	13 August 2012	27 August 2012
September 2012	10 September 2012	24 September 2012
October 2012	8 October 2012	22 October 2012
November 2012	12 November 2012	26 November 2012
December 2012	10 December 2012	17 December 2012*

*Note the meeting for the 17 December 2012 has been brought forward one week so it will not conflict with the Christmas break.

5. Delete Council Delegation CG01-Committees of Council effective at the end of the conclusion of the Ordinary Council Meeting in January 2012.

CARRIED 6/3

Cr Harris advised that she would foreshadow a new motion if the motion under debate is defeated.

That Council:

1. Defer any decision of a change in meeting format until April 2012;
2. A further report be presented to Council in April 2012 detailing the full costs of changing to two Ordinary Council Meetings each month for consideration and inclusion in the 2012/13 Annual Budget.

OCM060/12/11		APPOINTMENT OF DELEGATE AND DEPUTY TO ARMADALE HOSPITAL COMMUNITY ADVISORY COUNCIL (A0429)
Proponent:	Serpentine Jarrahdale Shire	In Brief To elect a new Councillor Delegate and Deputy to the Armadale Hospital Community Advisory Council.
Owner:		
Officer:	Lisa Fletcher - Organisational Improvement Officer	
Signatures Author:		
Senior Officer:	Joanne Abbiss - Chief Executive Officer	
Date of Report	13 December 2011	
Previously	SCM011/10/11; SCM003/07/10; SCM010/10/07; SCM06/10/06	
Disclosure of 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	
Delegation	Council	

Background

At the Special Council Meeting held on 17 October 2011, Council endorsed the following:

“SCM011/10/11 COUNCIL DECISION:

*Moved Cr Kirkpatrick, seconded Cr Randall
That the following appointments be made:*

Other Organisations:

- 2. *That Cr Harris be appointed as Council delegate to the Armadale Hospital Community Advisory Council and Cr Moore be appointed the deputy.*

CARRIED 9/0”

Councillor Harris and Councillor Moore are now unable to represent the Shire on this Advisory Council therefore a new Delegate and Deputy are to be nominated.

Comment:

Council is now requested to consider the appointment of Councillors, by resolution, to the Armadale Hospital Community Advisory Council.

A copy of the current Appointment of Delegates to the Following Organisations (2011-2013) as at October 2011 is with the attachments marked [OCM060.1/12/11 \(E11/5831\)](#)

Voting Requirements: Simple Majority

Officer Recommended Resolution:

Councillor Kirkpatrick be appointed as Council Delegate to the Armadale Hospital Community Advisory Council and Councillor be appointed the Deputy.

OCM060/12/11 COUNCIL DECISION/Officer Recommended Resolution:

**Moved Cr Wilson, seconded Cr Atwell
Councillor Kirkpatrick be appointed as Council Delegate to the Armadale Hospital Community Advisory Council and Councillor Moore be appointed the Deputy.
CARRIED 9/0**

COUNCIL DECISION

**Moved Cr Kirkpatrick, seconded Cr Urban
That the meeting be closed to members of the public at 8.48pm to allow Council to discuss confidential item OCM061/12/11 as per the Local Government Act 1995 section 5.23(2)(d).
CARRIED 9/0**

OCM061/12/11		CONFIDENTIAL ITEM - RECONSIDERATION OF PROPOSED FAST FOOD/TAKEAWAY SHOP, OFFICE AND SHOP – LOT 101 (#1) BEENYUP ROAD, BYFORD (P05238/02)
Proponent:	Peter D Webb & Associates	In Brief For Council to consider various matters relating to traffic and access issues for the approved Fast Food/Takeaway Shop, Office and Shop development on Lot 101 (1) Beenyup Road, Byford.
Owner:	Nile Enterprises Pty Ltd	
Author:	Michael Daymond – Senior Planner	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	7 December 2011	
Previously	OCM033/02/11 SD029/09/09	
Disclosure of 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	
Delegation	Council	

Voting Requirements: Simple Majority

Officer Recommended Resolution:

- A. Council agrees to enter into the deed of agreement with Nile Enterprises Pty Ltd as provided at attachment OCM061.3/12/11 to satisfy condition 12 of the Planning Approval dated 3 March 2011 for the proposed Fast Food/Takeaway Shop, Office and Shop on Lot 101 (1) Beenyup Road, Byford.
- B. The State Administrative Tribunal be advised that for the purposes of mediation that Council agree to modify condition 11 on the Planning Approval dated 3 March 2011 for the proposed Fast Food/Takeaway Shop, Office and Shop on Lot 101 (1) Beenyup Road, Byford as follows:
11. *Arrangements being made to the satisfaction of the Director Engineering for the construction of the public road within the road reserve to the East of Lot 101, from Beenyup Road for a distance extending 5 metres past the proposed crossover location as detailed on the revised site plan (drawing no.P001, revision 3) dated 9 February 2009, prior to occupation of the Fast Food/Takeaway Shop.*
- C. Council approves the revised site plan (drawing no.P001, revision 3) dated 9 February 2009 for the proposed Fast Food/Takeaway Shop, Office and Shop on Lot 101 (1) Beenyup Road, Byford.
- D. That the State Administrative Tribunal and those persons who lodged a submission during the comment period be advised of Council's decision.

COUNCIL DECISION

Moved Cr Wilson, seconded Cr Urban
That standing orders 9.5, 9.6, 10.7 and 10.13 be suspended at 8.52pm.
CARRIED 9/0

COUNCIL DECISION

Moved Cr Kirkpatrick, seconded Cr Harris

That standing orders 9.5, 9.6, 10.7 and 10.13 be reinstated at 9.09pm.

CARRIED 9/0

OCM061/12/11 COUNCIL DECISION/New Motion:

Moved Cr Harris, seconded Cr Randall

- A. Council agrees to enter into the deed of agreement with Nile Enterprises Pty Ltd as provided at attachment OCM061.3/12/11 to satisfy condition 12 of the Planning Approval dated 3 March 2011 for the proposed Fast Food/Takeaway Shop, Office and Shop on Lot 101 (1) Beenyup Road, Byford subject to the following modification:

Clause 4.2 Interest on Bond

The Owner acknowledges and agrees that the Shire may place the Bond in an interest bearing account, and retain any portion of interest required to fund the future cost of construction of the median.

Clause 4.3 part (a)

Upon the Owner completing the necessary works required pursuant to clause 2 (b) to the Shire's reasonable satisfaction, the Shire shall on receipt of a written request from the owner refund the Bond and any accrued interest to the owner.

Clause 4.3 part (c)

Where the Shire has carried out the Works pursuant to clause 3.1 of this Deed, and the Bond and any accrued interest has been insufficient to cover the cost of the works, then any costs in excess of the Bond and any accrued interest shall be a liquidated debt recoverable by the Shire in a court of competent jurisdiction.

- B. The State Administrative Tribunal be advised that for the purposes of mediation that Council agree to modify condition 11 on the Planning Approval dated 3 March 2011 for the proposed Fast Food/Takeaway Shop, Office and Shop on Lot 101 (1) Beenyup Road, Byford as follows:

11. *Arrangements being made to the satisfaction of the Director Engineering for the construction of the public road within the road reserve to the East of Lot 101, from Beenyup Road for a distance extending 5 metres past the proposed crossover location as detailed on the revised site plan (drawing no.P001, revision 3) dated 9 February 2009, prior to occupation of the Fast Food/Takeaway Shop.*

- C. Council approves the revised site plan (drawing no.P001, revision 3) dated 9 February 2009 for the proposed Fast Food/Takeaway Shop, Office and Shop on Lot 101 (1) Beenyup Road, Byford.

- D. That the State Administrative Tribunal and those persons who lodged a submission during the comment period be advised of Council's decision.

CARRIED 9/0

COUNCIL DECISION

**Moved Cr Harris, seconded Cr Urban
That the meeting was re-opened to the public at 9.11pm
CARRIED 9/0**

10. CHIEF EXECUTIVE OFFICERS REPORT:

OCM062/12/11		INFORMATION REPORT
Proponent	Not applicable	In Brief Information Report.
Officer	Trish Kursar - Personal Assistant to the Chief Executive Officer	
Signatures - Author:		
Senior Officer:	Joanne Abbiss – Chief Executive Officer	
Date of Report	16 December 2011	
Previously		
Disclosure of 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	
Delegation	Council	

OCM062.1/12/11 COMMON SEAL REGISTER REPORT – NOVEMBER 2011

The Common Seal Register Reports for the month of November 2011 as per Council Policy G905 - Use of Shire of Serpentine Jarrahdale Common Seal is with the **attachments marked [OCM062.1/12/11](#)**.

OCM062.2/12/11 POLICY FORUM – DECEMBER 2011

The following items were discussed at the 6TH December 2011 Policy Forum:

Finance Matters
Rural Strategy
Activity Centre Strategy and Demand Analysis
Environmental and Sustainability Services - Plans, Strategies and Policies Update
Primary school development application
High school development application
L199 Jarrahdale Road – proposed TPS amendment
Local Planning Policies for consideration by Council in December
Whitby Local Structure Plan
Byford Traditional Development Contribution Arrangement
Byford Community Development Contribution Arrangement
Proposed rezoning of Butcher Street, Mundijong

Update on appeals before the State Administrative Tribunal
Dust management in Byford

OCM062.3/12/11 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) SOUTH EAST METROPOLITAN ZONE AGENDA – 30 NOVEMBER 2011 (A1164-02)

In the attachments marked [OCM062.3/12/11](#) (IN11/17965) is the minutes of the WALGA South East Metropolitan Zone Meeting held on 30 November 2011.

OCM062.4/12/11 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) PEEL ZONE AGENDA – 1 DECEMBER 2011(A1164-02)

In the attachments marked [OCM062.4/12/11](#) (IN11/17655) is the agenda of the WALGA Peel Zone Meeting held on 1 December 2011.

OCM062.5/12/11 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) STATE COUNCIL MINUTES – 7 DECEMBER 2011 (A1164-02)

In the attachments marked [OCM062.5/12/11](#) (IN11/17960) is the minutes of the WALGA State Council meeting held on 7 December 2011.

Voting Requirements: Simple Majority

OCM062/12/11 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Harris, seconded Cr Urban
That Council receive the Information Report to 16 December 2011.
CARRIED 9/0

11. URGENT BUSINESS:

Nil

12. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:

Nil

13. CLOSURE:

There being no further business, the meeting closed at 9.13pm

I certify that these minutes were confirmed at the Ordinary Council Meeting held on 23 January 2012

.....
Presiding Member

.....
Date

14. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

SD084/12/11 STRATEGIC COMMUNITY PLANNING INFORMATION REPORT		
Proponent:	N/A	In Brief To receive the Information Report for November 2011.
Owner:	N/A	
Author:	Various	
Senior Officer:	Suzette van Aswegen – Director Strategic Community Planning	
Previously	Not Applicable	
Disclosure of 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	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

SD084/12/11 Committee Decision/Officer Recommended Resolution:

Moved Cr Ricketts seconded Cr Urban
That Council accept the Strategic Community Planning Information Report as per attachment [SD084.1/12/11](#) for November 2011.
CARRIED 7/0

SD085/12/11 DEVELOPMENT SERVICES INFORMATION REPORT		
Proponent:	N/A	In Brief To receive the Information Report for November 2011.
Owner:	N/A	
Author:	Various	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	17 November 2011	
Previously	Not Applicable	
Disclosure of 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	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

SD085/12/11 Committee Decision/Officer Recommended Resolution:

Moved Cr Wilson seconded Cr Kirkpatrick
That Council accept the Development Services Information Report.
CARRIED 7/0

CGAM034/12/11		MONTHLY FINANCIAL REPORT – OCTOBER 2011 (A0924/07)
Proponent:	Serpentine Jarrahdale Shire	In Brief To receive the October 2011 Monthly Financial Report.
Owner:	Not Applicable	
Author:	Kelli Hayward - Financial Accountant	
Senior Officer:	Alan Hart - Director Corporate Services	
Date of Report	24 October 2011	
Previously	Not Applicable	
Disclosure of 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	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

CGAM034/12/11 Committee Decision/Officer Recommended Resolution:

Moved Cr Urban, seconded Cr Moore

That Council receives the Monthly Financial Report for November 2011, in accordance with Section 6.4 of the Local Government Act 1995.

CARRIED 7/0

CGAM035/12/11		CONFIRMATION OF PAYMENT OF CREDITORS (A0917)
Proponent:	Serpentine Jarrahdale Shire	In Brief To confirm the creditor payments made during the period 25 October to 21 November 2011.
Owner:	Not Applicable	
Author:	Erin Noble - Finance Officer	
Senior Officer:	Alan Hart - Director Corporate Services	
Date of Report	21 November 2011	
Previously	Not Applicable	
Disclosure of 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	
Delegation	Committee in accordance with resolution CGAM064/02/08	

CGAM035/12/11 Committee Decision/Officer Recommended Resolution:

Moved Cr Urban, seconded Cr Moore

That Council receives the payments authorised under delegated authority and detailed in the list of invoices for period of 25 October to 21 November 2011, as per attachment CGAM035.1/12/11 including Creditors that have been paid and in accordance with the Local Government (Financial Management) Regulations 1996.

CARRIED 7/0

CGAM037/12/11		CORPORATE SERVICES INFORMATION REPORT
Proponent:	Not Applicable	In Brief To receive the information report for November 2011.
Owner:	Not Applicable	
Author:	Various	
Senior Officer:	Alan Hart - Director Corporate Services	
Date of Report	23 November 2011	
Previously	Not Applicable	
Disclosure of 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	
Delegation	Committee in accordance with resolution CGAM064/02/08	

CGAM037/12/11 Committee Decision/Officer Recommended Resolution:
Moved Cr Harris, seconded Cr Kirkpatrick
That the Information Report for November 2011 be received.
CARRIED 7/0

CGAM038/12/11		ENGINEERING SERVICES INFORMATION REPORT
Proponent:	Not Applicable	In Brief To receive the information report for November 2011.
Owner:	Not Applicable	
Author:	Various	
Senior Officer:	Richard Gorbunow – Director Engineering	
Date of Report	23 November 2011	
Previously	Not Applicable	
Disclosure of 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	
Delegation	Committee in accordance with resolution CGAM064/02/08	

CGAM038/12/11 Committee Decision/Officer Recommended Resolution:
Moved Cr Harris, seconded Cr Wilson
That the Information Report for November 2011 be received.
CARRIED 7/0

- NOTE:
- The Council Committee Minutes Item numbers may be out of sequence. Please refer to Section 10 of the Agenda – Information Report - Committee Decisions Under Delegated Authority for these items.
 - Declaration of Councillors and Officers Interest is made at the time the item is discussed.