

TABLE OF CONTENTS

1. ATTENDANCE & APOLOGIES:.....	1
2. PUBLIC QUESTION TIME:.....	1
2.1 Response To Previous Public Questions Taken On Notice	1
3. PUBLIC STATEMENT TIME:.....	1
4. PETITIONS & DEPUTATIONS:	1
5. PRESIDENT’S REPORT:.....	3
6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:	3
7. RECEIPT OF MINUTES OR REPORTS AND CONSIDERATION OF ADOPTION OF RECOMMENDATIONS FROM COMMITTEE MEETINGS HELD SINCE THE PREVIOUS COUNCIL MEETINGS:	3
SD132/05/06 COMMUNITY FUNDING PROGRAM 2006/2007 (A1173-03)	4
SD133/05/06 PROPOSED COMMERCIAL VEHICLE PARKING – LOT 42 (94) COMIC COURT CIRCUIT, DARLING DOWNS (P05355/02)	9
SD134/05/06 PROPOSED EDUCATIONAL ESTABLISHMENT (YOGA RETREAT) - LOT 481 KINGSBURY DRIVE, SERPENTINE (P02508/01)	16
SD135/05/06 DRAFT DETAILED AREA PLANS 2. AND 3. FOR BYFORD CENTRAL RESIDENTIAL ESTATE (A0710)	29
CGAM135/05/06 WA BLUE METAL - OVERSIZE VEHICLE APPLICATION WHITBY TO KWINANA (R0003).....	39
CGAM143/05/06 ARMADALE HOME HELP INC. – CONCESSION ON HIRE FEES FOR SERPENTINE PAVILION (RS0180/12)	43
CGAM144/05/06 PEEL CYCLING CLUB – WAIVER OF HIRE FEES FOR MUNDIJONG PAVILION & OVAL (RS0120/01).....	46
8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.....	48
OCM040/05/06 PROPOSED EXTRACTIVE INDUSTRY (SAND MINING) – LOTS 200 & 441 COYLE ROAD AND LOTS 713 & 1242 KING ROAD, OLDBURY (P03577/01)	48
OCM041/05/06 TOWARDS A BIODIVERSITY STRATEGY FOR SERPENTINE JARRAHDAL (A0397)	81
OCM042/05/06 COMMUNITY FACILITIES & SERVICES PLAN TO 2020 (a1354).....	86
9. CHIEF EXECUTIVE OFFICER’S REPORT.....	90

OCM043/05/06	INFORMATION REPORT	90
10.	URGENT BUSINESS:	91
11.	COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:	91
12.	CLOSURE:	91
13.	INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:	92
SD130/05/06	BUILDING INFORMATION REPORT	92
SD131/05/06	HEALTH INFORMATION REPORT	92
SD136/05/06	PLANNING INFORMATION REPORT	93
CGAM136/05/06	TENDER NUMBER 002/2006-07 DRY HIRE OF SELF PROPELLED COMPACTIVE EQUIPMENT (A1353/08)	93
CGAM137/05/06	TENDER NUMBER 003/2006-07 SUPPLY AND DELIVERY OF CRUSHED LIMESTONE (A1353/07)	94
CGAM138/05/06	TENDER NUMBER 004/2006-07 SUPPLY AND PLACEMENT OF HOT ASPHALT (A1353/06)	95
CGAM139/05/06	TENDER NUMBER 005/2006-07 SUPPLY OF CASUAL LABOUR (A1353/05)	97
CGAM140/05/06	TENDER NUMBER 009/2006-07 SUPPLY PLACEMENT AND FINISHING OF EXTRUDED CONCRETE KERBING (A1353/01)	98
CGAM141/05/06	TENDER NUMBER 007/2006/07 SUPPLY SPRAYING & COVERING OF HOT BITUMEN PRIMER SEALS & RESEALS (A1353/03)	99
CGAM142/05/06	TENDER NUMBER 008/2006-07 TRUCKS FOR BULK CARTAGE AND INDIVIDUAL TRUCKS FOR GENERAL CARTAGE (A1353/02)	100
CGAM145/05/06	MONTHLY FINANCIAL REPORT – APRIL 2006 (A0924/06)	101
CGAM146/05/06	CONFIRMATION OF PAYMENT OF CREDITORS (A0917)	101
CGAM147/05/06	DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917) ..	102
CGAM148/05/06	SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)	102
CGAM149/05/06	RATE DEBTORS REPORT (A0917)	103
CGAM150/05/06	INFORMATION REPORT	103

- 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 22ND MAY, 2006. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.01PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

1. ATTENDANCE & APOLOGIES:

IN ATTENDANCE:

COUNCILLORS: DL Needham Presiding Member
JE Price
AW Wigg
WJ Kirkpatrick
THJ Hoyer
KR Murphy
JC Star
JA Scott
IJ Richards

OFFICERS: Ms J Abbiss Chief Executive Officer
Mr D Long Director Corporate Services
Mr S Bell Director Engineering
Mr B Gleeson Executive Manager Planning & Regulatory Services
Mr R Montgomery . Executive Manager Strategic Community Planning
Mrs S Langmair Minute Secretary

APOLOGIES: Cr EE Brown Leave of Absence

GALLERY: 8

2. PUBLIC QUESTION TIME:

2.1 Response To Previous Public Questions Taken On Notice

Nil

3. PUBLIC STATEMENT TIME:

Public Statement Time commenced at 7.04pm.

S Williams – Gossage Road

Regarding the item OCM040/05/06 Extractive Industry (Sand Mining), Lots 200 and 441 Coyle Road and Lots 713 and 1242 King Road, Oldbury and the hours of operation of the pit. It was stated that 6am is very early for trucks to be driving in the area and unacceptable especially on a Saturday. Extremely concerned with truck traffic in the area and would like to know the specific routes that the trucks will be travelling.

Public Statement Time concluded at 7.05pm

4. PETITIONS & DEPUTATIONS:

Deputation commenced at 7.05pm.

- Caversham Property Pty Ltd – regarding the proposed Extractive Industry (Sand Mining) Lots 200 and 441 Coyle Road and Lots 713 and 1242 King Road Oldbury.

Alan Marsh, representing Caversham Estate regarding the sandpit on the Wade property on King Road addressed the meeting.

Congratulated the staff on the presentation of documents to Council. This documentation by staff is fully supported by Caversham.

There is a list of conditions, some of these conditions seem unreasonable to Caversham and they asked Council to reconsider the following conditions:

Condition 14 – relating to site access. There is a better way to access the site further to the north in an 80km speed limit zone. Would like this condition to be left open so that consultation can be undertaken between Caversham's Engineers and Council's Director Engineering in regards to the safe location of the proposed access.

Condition 15 – damage to road pavement. It would be very difficult to prove that any damage has been caused by Caversham's activities along the length of King and Thomas Roads and South West Highway.

Condition 19 – stockpiles not to be exposed. Difficult to have access to sandpit without minor exposure.

Condition 56 – relates to trucks and school bus travel times. Seems to be an onerous condition and unreasonable and has not been imposed on other heavy vehicles travelling from Baldivis.

Normal times under State regulations are 6.00am – 5.00pm.

Luke Rogers, Environmental Consultant for Caversham spoke regarding Conditions 32 – 35:

Condition 32 – buffer – regarding multiple use wetlands; they are degraded and would seem to be of low ecological value. A 50 metre buffer area is considered onerous.

Condition 33 – post and wire fence around the multiple use wetland. Consider that this is not required due to low ecological value of the multiple use wetland.

Condition 34 – ecological offset. The mine area has little ecological value – due to grazing.

Condition 35 – conservation covenant – doesn't see that it adds any additional management compared to that already provided under the Environmental Protection Act.

Mr Marsh clarified that they are not objecting to fencing the conservation wetland. They want to take out the multiple use wetland from the conditions.

Cr Kirkpatrick – questioned regarding the use of trucks. How are they going to guarantee to Council that the trucks will not disturb our residents and ratepayers?

Mr Marsh – Condition 18 – they have no objection to this condition. They do not have any intention to use side roads. Clarified that the drivers of the trucks need to be accredited. Caversham Estate will give Council the undertaking to work with Council in this respect.

Cr Murphy – do they use cartage contractors or Caversham Estate trucks? Will they use pocket road trains?

Mr Marsh felt it would be an unreasonable condition to put on Caversham Estate to use pocket road trains.

Cr Kirkpatrick – if Caversham Estate is prepared to use oversize vehicles then Council will consider allowing other routes. He stressed the importance to Council of keeping trucks out of the Byford townsite.

Deputation concluded at 7.28pm.

5. PRESIDENT'S REPORT:

Nil

6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

Cr Price declared an interest of impartiality in item CGAM114 CGAM144/05/06 PEEL CYCLING CLUB – WAIVER OF HIRE FEES FOR MUNDIJONG PAVILION & OVAL (RS0120/01). He is not a member of the club but he does cycle with the club from time to time and will compete in the forthcoming event. This will not affect the way in which he votes on this item.

Cr Hoyer declared an interest of impartiality in item SD132/05/06 COMMUNITY FUNDING PROGRAM 2006/2007 (A1173-03) as he is a member of Rotary. This will not affect the way in which he votes on this item.

Cr Price declared an interest of impartiality in item SD132/05/06 COMMUNITY FUNDING PROGRAM 2006/2007 (A1173-03) as he cycles with the Peel District Cycle Club from time to time. This will not affect the way in which he votes on this item.

Cr Scott declared an interest of impartiality in item CGAM143/05/06 ARMADALE HOME HELP INC. – CONCESSION ON HIRE FEES FOR SERPENTINE PAVILION as she is a member of the Board of Armadale Home Help. This will not affect the way in which she votes on this item.

Cr Needham declared an interest of impartiality in item OCM043.5/05/06 SUSTAINABILITY OF INDIGENOUS COMMUNITIES – NATIONAL CONFERENCE – 12-14 JULY, 2006 (A0906) as the recipient of conference attendance. This will not affect the way in which she votes on this item.

7. RECEIPT OF MINUTES OR REPORTS AND CONSIDERATION OF ADOPTION OF RECOMMENDATIONS FROM COMMITTEE MEETINGS HELD SINCE THE PREVIOUS COUNCIL MEETINGS:

7.1 Ordinary Council Meeting – 24th April, 2006

COUNCIL DECISION

Moved Cr Price seconded Cr Murphy
That the minutes of the Ordinary Council Meeting held on 24th April, 2006 be confirmed.
CARRIED 9/0

7.2 Special Council Meeting – 5th May, 2006

COUNCIL DECISION

Moved Cr Price seconded Cr Scott
That the minutes of the Special Council Meeting held on 5th May, 2006 be confirmed.
CARRIED 9/0

REPORTS OF COMMITTEES:

Cr Hoyer declared an interest of impartiality in item SD132/05/06 COMMUNITY FUNDING PROGRAM 2006/2007 (A1173-03) as he is a member of Rotary. This will not affect the way in which he votes on this item.

Cr Price declared an interest of impartiality in item SD132/05/06 COMMUNITY FUNDING PROGRAM 2006/2007 (A1173-03) as he cycles with the Peel District Cycle Club from time to time. This will not affect the way in which he votes on this item.

SD132/05/06 COMMUNITY FUNDING PROGRAM 2006/2007 (A1173-03)		
Proponent:	Various Community Groups	In Brief Council has been requested to endorse the recommendations of the Community Funding Program Working Group
Owner:	Not applicable	
Officer:	Lucy Cotton - Community Development Officer	
Signatures Author:		
Senior Officer:		
Date of Report	28 April 2006	
Previously	SD071/05/05 CRD28/05/04, CRD22/05/03, CRD10/01/03, CRD49/05/02, CRD50/06/01, CRD19/01/01	
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

Twenty four (24) funding applications, requesting a total of \$26,838, were received for the 2006/2007 Community Funding Program and assessed by the Community Funding Program Working Group in line with the assessment criteria outlined in *Policy CSP8 Requests for Financial Assistance*.

This compares to twenty eight (28) funding applications, requesting a total of \$29,661 received for the 2005/2006 Community Funding Program.

Council policy CSP8 states:

*that the Community Funding Program Working Group assess all applications and make recommendations to Council as to how the total Community Funding Program budget allocation be divided between the selected groups.
 that an amount of up to \$20,000 be allocated for the Community Funding Program in each financial year.*

Sustainability Statement

Effect on Environment: The Community Funding Program does not specifically relate to the natural environment but to the social and cultural environment in which we live.

The Community Funding Program selection criteria rates more highly projects that are:

- Relevant to Serpentine Jarrahdale Shire (community) facilities
- High community benefit

Value for money
Matched by other funds
Urgent in need
Material in nature (as opposed to operational)
Sustainable in nature

Resource Implications: It is proposed that 23 of the 24 applications be funded through the community funding program allocation of \$20,000. This contribution of \$20,000 will enable approximately \$180,192 worth of projects to be accomplished across the community.

Use of Local, renewable or recycled Resources: The funding program works through a capacity building model that encourages partnerships, use of local and regional resources (including volunteer labour). The community funding program is only available to local groups and many projects use local resources both human and material to achieve their project outcomes.

Economic Viability: The process encourages the development of business plans to justify funding requests – which should lead to more strategic applications and planning in future. It also enables Council to identify where groups may be able to work together or share resources to accomplish outcomes.

Economic Benefits: Building the capacity of the community to apply for funding from other sources – through skill development as well as assisting with seeding or matching funds to increase their chances of drawing more funds to this community. Many of the projects utilise local resources and/or attract visitors to the Shire who then spend money locally.

Social – Quality of Life The program encourages partnerships that enable progress towards achieving sustainability and quality across the triple bottom line for community. The process has been designed to build the capacity of the community to put together funding applications for this and other programs. The Community Development team work with the groups to this end.

Social and Environmental Responsibility: This process involves a holistic approach encouraging groups to be socially, environmentally and economically responsible.

Social Diversity: The program is holistic and inclusive of all social groups and does not disadvantage anyone. If anything it actively includes everyone.

Statutory Environment: Not Applicable

Policy/Work Procedure Implications: CSP8 Requests for Financial Assistance

Financial Implications: \$19,913 to be included in the 2006/2007 budget for the Community Funding Program under CDO528 – Community Funding

Strategic Implications: This proposal relates to the following Key Sustainability Result Areas:-

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

- 3 Provide recreational opportunities
- 4 Develop good services for health and well being
- 5 Retain seniors and youth within the community
- 6 Respect diversity within the community
- 7 Value and enhance the heritage character, arts and culture of the Shire
- 8 Ensure a safe and secure community

Objective 2: Plan and develop towns and communities based on principles of sustainability

Strategy:

- 1 Foster a strong sense of community, place and belonging

Objective 3: High level of social commitment

Strategies:

- 1 Encourage social commitment and self-determination by the SJ community
- 2 Build key community partnerships

3. Economic

Objective 3: Effective management of Shire growth

Strategy:

- 1 Enhance economic futures for Shire communities

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

- 4 Balance resource allocation to support sustainable outcomes
- 5 Harness community resources to build social capital within the Shire

Community Consultation:

The community groups are representing the interest of their membership community.

Comment:

Recommended Projects

Of the twenty four applications, it has been recommended to Council that twenty one projects be considered for funding. One project was not recommended for funding as it was a second priority for the group and two noncompliant projects have conditional recommendations (see below).

These applications are recommended for approval through the Community Funding Program, with requested funds scaled down in several cases and increased in one case in order to assist all recommended applications within the budget of up to \$20,000. This information is included in the Officer Recommended Resolution.

An application was also received through the Community Funding Program from the Serpentine Jarrahdale Cricket Club to construct two additional practice cricket nets at Briggs Park Reserve and for the Council to part fund the project up to a maximum of \$5,432 (GST inclusive). This was endorsed at the Ordinary Council Meeting on 24 April 2006.

Non-compliant Projects – Conditional Approval

Two of the twenty three applications did not fully comply with the required criteria. However, these two applications are recommended on the proviso that the following conditions are met.

Organisation	Name of Project	Conditional Recommended Funding through CFP 2006/07	Conditional Recommendation
Peel District Cycling Club	'Back to Mundijong' Cycle Criterium Race-to increase membership/encourage seniors	\$500	Conditional that the group's strategy to market event to increase membership/attract seniors is endorsed by the Community Development Team
Rotary Club of Byford & Districts and Serpentine CWA	International Women's Day 2007	\$500	Conditional to a project breakdown with relevant quotes being provided as stated in the Community Funding Program application package

Voting Requirements: Normal

SD132/05/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Star seconded Cr Scott
Council considers the recommendations of the Community Funding Program Working Group during the deliberations of the 2006/2007 Budget:

A. Recommended Projects

Organisation	Name of Project	Grant Requested	Recommended Funding through CFP 2006/07
Briggs Park Community Group	Centenary of Byford Community Fair	\$5,000	\$1,000
Byford Community Kindergarten	Safety Project-Retaining wall for children's play area	\$1,000	\$1,000
Byford Progress Association	Byford's 100 th Birthday Centennial Book	\$1,000	\$1,000
Byford Scout Group	Centenary of Scouting Celebration - Membership & leadership recruitment (Open Day & Reunion dinner)	\$1,390	\$1,000
Byford Scout Group (second priority project for group)	Volunteer Administration equipment (second priority project for group)	\$502	Nil
Centrals Football & Sportsmen's Club	Canteen upgrade- install replacement oven	\$800	\$800
Heritage Country Choir	Expansion of Outdoor Sound Equipment	\$800	\$800
Jarrahdale Playgroup	Curtains for building security & Educational toys	\$1,000	\$550
Mundijong Arts & Crafts	Arts & Crafts	\$880	\$880

Organisation	Name of Project	Grant Requested	Recommended Funding through CFP 2006/07
Group	printer/folder to increase membership & fundraise		
Mundijong Playgroup	Toys & Storage Box	\$1,000	\$500
Mundijong Poultry Club	Community Education- Inaugural Annual Poultry Show, Mundijong 2007	\$1,000	\$500
Mundijong Wildlife Hospital	Community Education - Flight cage for rescued wildlife in SJ	\$575	\$575
Oakford Playgroup	Install Playground Equipment	\$1,000	\$2,000
Riding For The Disabled	Retic. paddocks to reduce dust	\$1,000	\$1,000
Serpentine Historical Society	Research-Heritage Headstones & Graves to assist in establishing Heritage Walks in Serpentine	\$1,000	\$1,000
Serpentine Jarrahdale Family Centre	Equipment - children's tables & playpen	\$982	\$650
Serpentine Jarrahdale Lions Club	Outdoor Catering Upgrade-tables & chairs	\$528	\$528
Serpentine Jarrahdale Needles & Pins	'A Stitch in Time'- equipment to increase membership & produce quilts for donation to the community	\$991	\$1,000
Serpentine Jarrahdale Netball Association	Equipment to retain/attract new members- netballs & bibs	\$560	\$560
Serpentine Jarrahdale Toy Library	Electronic Learning - computer programs & DVDs	\$880	\$500
Serpentine Jarrahdale Youth Activity Group	Equipment & Safety Videos	\$2,433	\$2,433
Serpentine Playgroup	Play equipment - toys	\$637	\$637
SUB TOTAL A		\$24,958	\$18,913

B. Non-compliant Projects – Conditional Approval

Organisation	Name of Project	Conditional Recommendation	Grant Requested	Conditional Recommended Funding through CFP 2006/07
Peel District Cycling Club	'Back to Mundijong' Cycle Criterium Race -to increase membership/en courage seniors	Conditional that the group's strategy to market event to increase membership/attract seniors is endorsed by the	\$1,000	\$500

Organisation	Name of Project	Conditional Recommendation	Grant Requested	Conditional Recommended Funding through CFP 2006/07
		Community Development Team		
Rotary Club of Byford & Districts and Serpentine CWA	International Women's Day 2007	Conditional to a project breakdown with relevant quotes being provided as stated in the Community Funding Program application package.	\$880	\$500
SUB TOTAL B			\$1,880	\$1,000
SUB TOTAL A				\$18,913
TOTAL			\$26,838	\$19,913

CARRIED 9/0

SD133/05/06 PROPOSED COMMERCIAL VEHICLE PARKING – LOT 42 (94) COMIC COURT CIRCUIT, DARLING DOWNS (P05355/02)		
Proponent:	M & S Dowell	In Brief The applicant is seeking approval for the parking of a prime mover and one trailer on the subject property. It is recommended that the application be conditionally approved.
Owner:	As Above	
Officer:	M Daymond – Planning Officer	
Signatures Author:		
Senior Officer:		
Date of Report	4 May 2006	
Previously	NA	
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: 16 March 2006
 Advertised: 27 March – 18 April 2006
 Submissions: 2 letters of no objection, 1 letter of objection
 Lot Area: 2.0 ha
 L.A Zoning: Special Rural
 MRS Zoning: Rural
 Byford Structure Plan: NA
 Rural Strategy Policy Area: Residential & Stable
 Rural Strategy Overlay: NA
 Municipal Inventory: NA
 Townscape/Heritage Precinct: NA
 Bush Forever: NA
 Date of Inspection: 4 May 2006

Background

On 3 March 2006, a letter was sent to the owners of Lot 42 Comic Court Circuit, Darling Downs advising that a report had been made to the Shire relating to the parking of commercial vehicles, being two prime movers, on the property. The owner was advised to cease parking on the land or an application can be made to Council for the parking of one commercial vehicle only.

The applicants advised that they were not aware that they needed Council approval for the parking of the commercial vehicle on the property.

Planning Application

On 16 March 2006, a planning application was received for the parking of one prime mover and one trailer on the property. The applicant is employed as a sub-contract truck driver carting sand to construction sites. The current proposal is defined as one commercial vehicle under the scheme and fits within the use class of 'Commercial Vehicle Parking'. This use is an SA use in the Special Rural zone and can be considered by Council. Details of the commercial vehicle are as follows:

- The truck is a 17.5 tonne MAC CLR Super liner with a gross carrying capacity of 42.5 tonne.
- The height of the truck is 3.1 metres
- The length of the truck is 4.6 metres
- One trailer is also to be parked on the property which is 7.9 metres long.
- The truck is to be moved off the property between 6:00am and 7:00am each morning (Monday to Friday) and returns between 3:00pm and 6:00pm each afternoon.
- The truck will be parked between the existing house and shed on the property behind the building line (refer site plan)
- No mechanical works will be carried out on the truck on the property

The truck is owned and operated by an occupier of the dwelling.

A copy of the site plan and photograph of the truck are with the attachments marked SD133.1/05/06.

Sustainability Statement

Effect on Environment: There is the potential for localised soil and groundwater contamination through oil spills. The vehicle needs to be parked on an appropriate surface to prevent this happening (ie hardstand or limestone base). There is also the potential for noise and odour emissions (diesel odour whilst truck idling) affecting neighbours.

Resource Implications: The proposal may play a small role in minimising resource use, compared to the traditional approach of the truck being stored at an industrial site as the operator would not have to drive to another site to pick up the truck.

Use of Local, renewable or recycled Resources: If the truck is parked on the property then there is the potential for fuel, oils etc. to be obtained locally (within the Shire). If the truck was garaged at an industrial area elsewhere in the Metropolitan area then it is less likely that local businesses would benefit.

Economic Viability: Appropriate conditions can assist in ensuring that the quality of life for other residents in Comic Court Circuit is not affected by the proposal. This would include conditions relating to departure and arrival times, where the vehicle is stored on the lot and a prohibition on mechanical repairs being carried out on site.

Economic Benefits: There is limited economic benefit to the local community in the possibility of the truck fuelling up in the local area or being repaired by a local mechanic. The proponent will receive an economic benefit through reduced travel time to work (ie the

extra time that it would take to drive to a depot to collect the truck). Additionally, not having to store the truck off-site would reduce the truck driver's costs.

Social – Quality of Life There are unlikely to be any flow-on improvements in the quality of life for the community from this proposal.

Statutory Environment:

Town Planning Scheme No.2
 Advertising of the proposal to neighbours was required in accordance with the provisions of Town Planning Scheme No. 2 with regard to this type of development

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 Key Sustainability Result Areas:-

1. People and Community

Objective 2: Plan and develop towns and communities based on principles of sustainability

Strategy:

2. Develop compatible mixed uses and local employment opportunities in neighbourhoods.

2. Environment

Objective 1: Protect and repair natural resources and processes throughout the Shire

Strategy:

5. Reduce green house gas emissions.

3. Economic

Objective 1: A vibrant local community

Strategy:

1. Attract and facilitate appropriate industries, commercial activities and employment.

4. Governance

Objective 3: Compliance to necessary legislation

Strategy:

1. Ensure development and use of infrastructure and land complies with required standards.

Community Consultation:

Required: Yes

Support/Object: No Objection – 2; Objection - 1

Affected Property	Summary of Submission	Officer's Comment	Action (Condition/ Support/ Dismiss)
#A318132	No objection as long as the parking is compliant with the information submitted in the application (parking times etc). The trees on the property	Comments Noted	Comments Noted

Affected Property	Summary of Submission	Officer's Comment	Action (Condition/ Support/ Dismiss)
	completely screen the area where the truck is parked and the vehicle in question is very quiet and does not disturb me when leaving or entering the property.		
#A318138	<p>No Objection.</p> <p>The noise of the truck is no more than the motorcycles that pass each morning and less than the increased traffic noise from the Tonkin Highway.</p>	Comments Noted	Comments Noted
#A318119	<p>Objects for the following reasons:</p> <p>A local Real Estate agent has advised that our property would not attract a favourable price if the application is approved.</p> <p>There is a concentrated amount of trucks being parked in approximately a 2-3km stretch of road in Comic Court Circuit including 1 prime mover with trailer and 8 tonne truck parked at the property subject of this application. The area is beginning to look like any other light industrial area.</p> <p>Is the permit renewable and/or transferable?</p>	<p>There is no evidence to substantiate this comment.</p> <p>Conditions will be placed on the approval limiting parking to one prime mover and one trailer only. If any other commercial vehicles are parked on the property then this will be a matter of a compliance investigation. The applicant has stated that on a few occasions in the past a relative did leave his truck on the property.</p> <p>Likewise, any other commercial vehicles parked within the locality without Council approval will also be a matter of compliance. The other properties listed in the submission bear no impact on the current proposal.</p> <p>The approval will be specific to the applicant only and will not run with the land.</p>	<p>Comments noted. Appropriate conditions can be imposed on the application addressing these concerns, including the parking of one commercial vehicle only.</p>

Comment:

Under the scheme, Commercial Vehicle Parking is defined as follows:

Commercial Vehicle Parking –

- a) *means the parking of one commercial vehicle on any land within the Scheme Area. A vehicle shall be parked for the purpose of this definition if it is present on the subject land for more than two hours and is not in that time being used to load or unload anything, or in connection with building or development work carried on with all necessary Council approvals.*
- b) *If a trailer or the like having no independent means of propulsion is attached to a prime mover or other motorised vehicle, the two in combination shall be regarded as one commercial vehicle for the purpose of this Scheme.*
- c) *However where a trailer or the like is not presently attached to a prime mover or other motorised vehicle, it shall, subject to paragraph (d) be regarded as a separate commercial vehicle for the purpose of this Scheme.*
- d) *Where there is one prime mover and one trailer on a lot, and even though not attached they are ordinarily used in combination, the two shall be regarded as one commercial vehicle for the purpose of this Scheme.*

The proposal complies with the definition above as there will only be one (1) prime mover and one (1) trailer on the property.

Council's Town Planning Scheme No. 2 also contains the following provisions relating to the parking of a commercial vehicle on a lot used for residential purposes:

5.5.4 *Notwithstanding the generality of the preceding subclause, the Council shall not grant its approval for parking of a commercial vehicle on a lot used for residential purposes, or on a lot where any adjoining lot is used for residential purposes unless:*

- (a) *provision is made for the vehicle to be housed in a garage, or parked behind the building line;*
- (b) *the vehicle together with its load does not exceed the following dimensions and mass:*

<i>width</i>	<i>2.5m</i>
<i>height</i>	<i>4.3m</i>
<i>length</i>	<i>12.5m rigid truck or trailer</i>
	<i>19.0m articulated vehicle</i>

maximum mass including load 42.5 tonnes
- (c) *in the Council's opinion the parking of the vehicle will not prejudicially affect the amenity of the neighbourhood due to emission of light, noise, vibration, smell, fumes, smoke or dust.*
- (d) *the vehicle is predominantly used by a person who is an occupier of a dwelling on the lot where the vehicle is parked, as an essential part of the lawful occupation or business of that person.*

The prime mover and trailer are parked out in the open between the house and the shed but are located behind the property line complying with (a) above. This position will help the trailer and prime mover to be screened from view from the street and from adjoining properties. As stated by the applicant, the truck is 4.6m long with the trailer being 7.9m long. These lengths comply with (b) above and meet the maximum 19.0m length when attached to each other. The inclusion of strict conditions on the planning approval will ensure that the

proposal complies with part (c) above with part (d) also compliant as the applicant resides on the property.

Conclusion

It is considered that the parking of the commercial vehicle on the property may only impact on the adjoining northern neighbour as their dwelling is located the closest to the truck parking area about 70 metres away. Also, the driveway that is used by the commercial vehicle abuts the northern property boundary. However, the property is quite heavily vegetated and with the trailer and prime mover being parked between the house and the shed the vehicle will be screened from view. All other dwellings in the street are located a minimum of 160 metres from the truck parking area thereby reducing the noise impacts that these dwellings may experience. Furthermore, a number of surrounding lots are quite vegetated along lot boundaries helping to screen the commercial vehicle.

It is considered that if all conditions of approval were complied with, then the commercial vehicle would not adversely affect the amenity of the street. Furthermore, tree planting that has been undertaken by the applicant over the past couple of years will help to screen the commercial vehicle from adjoining properties reducing the possible negative impacts on the amenity of the area. The minimal truck movements on and off the property will also not impact dramatically on the locality or on adjoining landowners. It is, therefore, recommended that approval to keep the commercial vehicle on the property be granted.

Voting Requirements: Normal

SD133/05/06 Committee/Officer Recommended Resolution:

Moved Cr Price seconded Cr Murphy

The application for Commercial Vehicle Parking on Lot 42 (94) Comic Court Circuit, Darling Downs be approved subject to the following conditions:

- 1. Approval is for the parking of one (1) commercial vehicle comprising one (1) prime mover and one (1) trailer only.**
- 2. Only one (1) commercial vehicle is permitted on the property at any given time. No other prime movers or trailers are permitted on the property.**
- 3. Approval is specific to the applicant only and does not run with the land.**
- 4. No commercial activities are to be undertaken from the property.**
- 5. No mechanical servicing or repairs of the commercial vehicle is permitted on the subject land.**
- 6. The prime mover and trailer are to be parked on the property in the location as shown on the approved site plan attached to and forming part of this approval.**
- 7. Parking of the commercial vehicle in front of the dwelling or on the road verge is not permitted.**
- 8. The proposed commercial vehicle is to comply at all times with the requirements of 'Commercial Vehicle Parking' as stipulated in Council's Town Planning Scheme No.2.**
- 9. The commercial vehicle is not to enter or leave the property between 7.00pm and 6.00am.**

AMENDMENT

Moved Cr Scott seconded Cr Murphy

That condition 9 be amended by adding the words "Monday to Friday, there are to be no commercial vehicle movements in or out on a Saturday or Sunday or a public holiday" after the word 6.00am.

**After debate the Presiding Member then put the amendment which was
CARRIED 6/3**

The Presiding Member then put the amended motion which was

COUNCIL DECISION

The application for Commercial Vehicle Parking on Lot 42 (94) Comic Court Circuit, Darling Downs be approved subject to the following conditions:

- 1. Approval is for the parking of one (1) commercial vehicle comprising one (1) prime mover and one (1) trailer only.**
- 2. Only one (1) commercial vehicle is permitted on the property at any given time. No other prime movers or trailers are permitted on the property.**
- 3. Approval is specific to the applicant only and does not run with the land.**
- 4. No commercial activities are to be undertaken from the property.**
- 5. No mechanical servicing or repairs of the commercial vehicle is permitted on the subject land.**
- 6. The prime mover and trailer are to be parked on the property in the location as shown on the approved site plan attached to and forming part of this approval.**
- 7. Parking of the commercial vehicle in front of the dwelling or on the road verge is not permitted.**
- 8. The proposed commercial vehicle is to comply at all times with the requirements of 'Commercial Vehicle Parking' as stipulated in Council's Town Planning Scheme No.2.**
- 9. The commercial vehicle is not to enter or leave the property between 7.00pm and 6.00am Monday to Friday, there are to be no commercial vehicle movements in or out on a Saturday or Sunday or a public holiday.**

CARRIED 6/3

Council Note: The Committee/Officers Recommended Resolution was changed to clarify that the commercial vehicle could only enter or leave the property between Monday and Friday.

SD134/05/06 PROPOSED EDUCATIONAL ESTABLISHMENT (YOGA RETREAT) - LOT 481 KINGSBURY DRIVE, SERPENTINE (P02508/01)		
Proponent:	Golden Tiger Meditation Company Pty Ltd	In Brief Application for development of Educational Establishment being a residential Yoga school comprising one main dwelling and four self contained accommodation units. Approval with conditions is recommended.
Owner:	As above	
Officer:	Meredith Kenny - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	3 May 2006	
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	

Date of Receipt: 31 January 2006
 Advertised: Yes
 Submissions: 2
 Lot Area: 80 hectares (an application has been lodged with the Western Australian Planning Commission for subdivision into two 40 hectare lots)

L.A Zoning: Rural
 MRS Zoning: Rural
 Byford Structure Plan: N/A
 Rural Strategy Policy Area: Agricultural Protection
 Rural Strategy Overlay: Landscape Protection
 Municipal Inventory: N/A
 Townscape/Heritage Precinct: N/A
 Bush Forever: No

Background

Site Description

The subject site is located on the escarpment to the east of South Western Highway. The Karnet Nature Reserve wraps around the northern and eastern sides of the site with the other boundaries abutting privately owned properties. The only structures on the property are a dam and fencing. Karnet Creek runs through the southern portion of Lot 481 on the part of the property that is to be subdivided off. The development site contains the 40 hectare northern half of the property. The southern half of the site, once subdivided, will be used for rural purposes.

Vegetation

The site contains significant areas of remnant vegetation. However much of the site has been parkland cleared in the past for grazing and there is a lot of coppiced regrowth. The Shire's Environmental Officer described the vegetation on site as follows:

The site is well vegetated with remnant marri and wandoo woodland which has some remnant intact ground cover in places. Pastured clearings are interspersed with the woodland communities. A species of declared rare flora (Acacia horridula) has been located in similar terrain to the north of the lot and may be present on the site.

Site Access

Although addressed as Kingsbury Drive the site is landlocked with no direct frontage to a constructed public road. A gazetted road reserve (Karnet Creek Road) connects the site to Kingsbury Drive. However, this road reserve has never been constructed and is unlikely to ever be constructed as the terrain is too steep and contains a brook and resource enhanced wetland. In addition, this road reserve dissects a lot owned by the Buddhist Society. Access to the site is via a track that runs from Firms Road through the Karnet Nature reserve to the north east corner of the site.

The applicants' submitted a request to the Shire for the track to be gazetted as a road reserve and received support from Conservation and Land Management (CALM) for this proposal. The applicants' request also included the closure of the unconstructed Karnet Creek Road reserve that runs from Kingsbury Drive to the property. At the Ordinary Meeting of the Council held on 27 February 2006 a motion was carried that the gazettal of the track from Firms Road to the north east corner of the property was supported as follows:

"CGAM095/02/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Price seconded Cr Richards

- 1. Council advise the developer that it is their responsibility to arrange the survey, and dedication of the road reserve alignment for access to Lot 481 as depicted on the map and marked CGAM095/02/06 dated 15/02/06, which will need the final proposed alignment to be submitted to Council for public advertising and approval.*
- 2. Council engage appropriately qualified licensed surveyors to undertake a survey of the proposed new alignment for Firms Road reserve, as depicted on the map and marked CGAM095/02/06 dated 15/02/06, and declare the costs authorised expenditure.*
- 3. Council undertake the requisite statutory public consultation period for the proposed new road reserve alignments for Firms Road and public access to Lot 481, and for the closure of the existing unmade Firms road reserve for Firms Road.*

CARRIED 9/0 ABSOLUTE MAJORITY"

This above actions are being undertaken by the Shire.

Subdivision of Lot 481

An application to subdivide Lot 481 into two lots is currently with the Western Australian Planning Commission (WAPC). The Shire provided a recommendation to the WAPC that this subdivision be approved with conditions. Conditional approval of the subdivision by WAPC is pending the completion of the gazettal of the track from Firms Road to the north east corner of Lot 481 and frontage to a constructed public road is a standard requirement of any subdivision.

The Proposal

The applicants propose to construct (on future Lot 1), one main dwelling and four one bedroom self contained units for the purpose of running a residential school of study for Yoga.

The walls of the dwellings will comprise rendered brickwork and colorbond in the shade of Jasper (off-white). The roofs of the dwellings are proposed to be zincalume. In addition a small storage shed (6 square metres) will be constructed of colorbond in the colour Wilderness. The applicants advise that all structures will be constructed to the Australian Standard for Buildings in Bushfire Prone Areas.

The five dwellings, storage shed and water tanks will be located within a compact building envelope comprising approximately 1 hectare of the site. This development area is already predominantly cleared.

The applicants have already prepared a detailed fire management plan for the property.

Copies of the site, floor and elevation plans are with attachments marked SD134.1/05/06.

The applicants' have provided the following summary describing the intent and ethos of the development:

It is the intention of the Golden Tiger Meditation Company to create a Residential School of Study.

The development of the property, including fire management, will be a carefully managed process over a sustained period of time, with the view of maintaining the ecology and natural environment for the benefit of future generations.

It is our intent to work in harmony at all times with the help of professional and Council advice, to restore and sustain the land. We are deeply aware of the land's fragility and the privilege we have to live in such a natural environment and the inherent responsibilities of this.

As such, it is our mission to sustain, protect and enhance the natural environmental according to sound environmental and ecological practices.

The Golden Tiger Meditation Company is very conscious of the ever present threat of wildfires to the Australian Bush and will at all times by way of a Fire Management Plan, implement, adhere to and respect the safe practices and guidelines of the Fire Management Plan as well as the guidelines and requirements of FESA and the Shire, to minimise and reduce fire risk.

The Golden Tiger Meditation Company will work with the Yoga Company Pty Ltd to establish a residential school of study, as an extension of the current Yoga School for a group of like minded and highly dedicated meditation and Yoga teachers, all specialists in their field. The Yoga company was established in 1989 and is one of the first professional Yoga schools established in Perth. Major sporting teams that have benefited from the tuition of the Yoga company include the Hockeyroos, West Coast Eagles, Western Warriors, Wildcats, Kookaburras, the Australian Institute of Sport and Athletics Australia.

Within this residential school of study, an umbrella of learning and further study will be created to enhance personal meditation and Yoga practice and skills. The purpose of the residential school is to create a meditative lifestyle where the philosophies and practices of meditation and yoga are embodied and lived on a daily basis.

Our philosophy is that of peace and kinship with nature, with the focus of stilling the body, mind and soul via yoga and meditation. We choose a monastic lifestyle to embody these principles which include a simplistic approach to life, perhaps in many ways along the same lines as the Bodhinyana Monks. Whilst not religious our focus is respect of self and others.

Futuristically, our intent is to create beautiful gardens around the buildings, complete with fish ponds, with the focus of attracting abundant bird life to continually enrich the environment. In time, the "bigger picture" of our intent is to leave the Serpentine property to the Bodhinyana Monks, to be used for meditation practice and private use for the good of all. This legal process is underway with a will shortly to be handed to the Bodhinyana Monks in good faith ensuring the legacy of the Principles embodied by our two practices (the Yoga Company and the Golden Tiger Meditation Company).

Sustainability Statement

Effect on Environment: The applicant has chosen an area of land for the five dwellings, water tanks and storage shed that is already predominantly cleared. Accordingly, minimal clearing of trees will be required.

The applicants' intend to carried out significant vegetation restoration works on the property include weed management and replanting with locally native species and are liaising with a local native plant nursery, that has accreditation as a supplier of dieback free plant stock, with regards to the best way of going about this.

The applicants propose to use zincalume and off-white colorbond in the construction of the dwellings. The site is within the Landscape Protection policy area and as such use of these materials is discouraged unless it can be demonstrated that the dwellings will not be visible from South Western Highway, the Swan Coastal Plain and the Kwinana Freeway. The building envelope is located on lower land behind a ridge that prevents views of this development area from the west. The significant vegetation on the site will also prevent visibility of the small single storey buildings from adjacent properties. Accordingly, the objectives of the Landscape Protection Policy are addressed and the use of these energy efficient building materials is supported.

Resource Implications: The development aims to have as minimal as possible an effect on the environment. The five dwellings are all designed to be energy efficient and incorporate solar passive principles. The living areas of all dwellings will face north with verandahs designed to reduce summer sun penetration and maximize winter sun penetration. The design of the dwellings is such that cross ventilation is possible in all living and bedrooms. These design features will help to reduce the use of powered heating, cooling and lighting. The building materials chosen (ie Zincalume roofing) are also designed to reflect heat away from the buildings.

Use of Local, renewable or recycled Resources: The proponents intend to incorporate re-use of grey water for irrigation of landscaped areas and solar power for water heating.

Economic Viability: The proposal incorporates energy efficient design features, minimal loss of native vegetation and the minimal site disturbance that will occur.

Economic Benefits: The proposal will provide economic benefits to the community as a generator of visitors to the Shire.

Social – Quality of Life This proposal has the potential to improve the quality of life for the proponents by providing them with the ability to produce income from the property they live on and by providing opportunities to work from home and reduce the need for vehicle trips associated with commuting to work.

Social and Environmental Responsibility: Not applicable.

Social Diversity: The development will attract a diverse range of people to the Shire and increase the number of visitors to the Shire.

Statutory Environment: Educational Establishment is an "AA" use in the Rural zone and as such the Scheme requires the proposal may be advertised prior to the Council making a decision.

Policy/Work Procedure Implications: Local Planning Policy LPP 8 Landscape Protection

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

Strategic Implications: This proposal relates to the following Key Sustainability Result Areas:-
1. People and Community
Objective 2: Plan and develop towns and communities based on principles of sustainability
Strategies:
5. Protect built and natural heritage for economic and cultural benefits.

2. Environment

Objective 1: Protect and repair natural resources and processes throughout the Shire

Strategies:

- 3. Encourage protection and rehabilitation of natural resources.
- 5. Reduce green house gas emissions.

3. Economic

Objective 1: A vibrant local community

Strategies:

- 1. Attract and facilitate appropriate industries, commercial activities and employment.
- 2. Identify value-adding opportunities for primary production.
- 3. Develop tourism potential.
- 4. Promote info-technology and telecommuting opportunities.

Objective 3: Effective management of Shire growth

Strategies:

- 1. Enhance economic futures for Shire communities.
- 3. Integrate and balance town and rural planning to maximise economic potential.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

- 1. Ensure development and use of infrastructure and land complies with required standards.

Community Consultation:

Required: As an Educational Establishment is an "AA" use in the Rural zone and the Scheme recommends that applications for "AA" uses to be advertised prior to them being determined if it is considered that the proposed uses may impact on adjacent residents.

Support/Object: Two submissions received being one objection and one letter of support, which are summarized below:

Submitter	Summary of submission	Officer Comment
Buddhist Society of WA	<p>The Society gives their full support to the development, which abuts a property owned by the them. The applicants has liaised with the Society since they first began to plan their development and the submitter and applicants are currently working together to install underground power to both of their properties.</p> <p>The Society is also very supportive of the applicants' proposal to gazette the access track from Firms Road. The existing road reserve from Kingsbury Drive dissects the Society's property (Lot 1438), passes through an existing dam</p>	<p>The society's comments with regard to their support of the development and the gazettal of the alternative access track are noted.</p>

Submitter	Summary of submission	Officer Comment
	<p>on Lot 1438 and therefore is most impractical as a thoroughfare.</p>	
<p>Lot 737 Firms Road</p>	<p>Objects to the access to the lot being provided off Firms Road through a flora and fauna reserve instead of by the gazetted access from Kingsbury Drive. However, if the access is to be from Firms Road then the gazetted road reserve off Kingsbury Drive should be left open as a fire access track as this provides alternative fire access from Firms Road through Lot 481 to Kingsbury Drive in the event of emergencies. There are existing gates in place in this regard.</p> <p>A road reserve on the northern side of Lot 481 would increase traffic substantially as all construction materials and water would need to be transported in initially and then continuous water carting due to lack of water resources on site. Upon completion of buildings, caretaker and short-term residential traffic will follow. Firms Road as a one lane road would require substantial upgrading and possibly sealing to cater for the volume and type of traffic, to provide a safe environment for all road users. This includes sufficient road width for two trucks to pass one another safely.</p> <p>As this location has very limited water resources (plans show a stored capacity of 496,886 litres) this would have to be transported in up an extremely steep incline on Scrivener Road and then along Firms Road, making additional heavy traffic for this road system.</p> <p>The development of the southern proposed lot as a horse stud (as I believe is proposed) will increase traffic further through transportation of building materials and later</p>	<p>The only existing access to the site is via the track from Firms Road to the north east corner of the site. The Karnet Creek Road reserve on the southern side of the property has never been constructed and is unlikely ever to be possible as it runs through an existing dam and is extremely steep. There is an existing fire access track that runs from a gate in the southern boundary of Lot 481, along the northern boundary of Lot 1438 then down the eastern boundary of Lot 1438 to Kingsbury Drive. This is intended to be retained and protected as part of the implementation of the fire management plans for both Lots 481 and 1438.</p> <p>The transportation of construction materials to Lot 481 for the Yoga facility and the proposed developed on the southern half of Lot 481 will be short term and is something that could occur on any property along Firms Road if a dwelling or other structures were being constructed.</p> <p>Firms Road is considered to be adequate for the existing and proposed level of traffic. It needs to be noted that extractive industries have operated in Firms Road and Scrivener Road for over 20 years in the recent past (including from the submitter's property) and the roads were considered adequate to support the truck traffic associated with these operations.</p> <p>Visitors to the site will stay 1 night to 3 months (the maximum permitted for short-stay accommodation).</p> <p>The combined floor area of the four units and one main dwelling is approximately 480 square metres. This is no greater than many of the substantial single dwellings constructed on several of the large rural properties in the hills.</p> <p>The main dwelling will accommodate a maximum of 2-4 persons. Each of the units will accommodate a maximum of two persons each. Therefore a total of eight (8) short-term visitors and two (2) to four (4) permanent residents will be accommodated on site with a total of 4-6 cars. 10-12</p>

Submitter	Summary of submission	Officer Comment
	<p>horse floats, residents and visitors.</p> <p>In keeping with the Shire responsibility to have a duty of care for all road users, the upgrading of Firns Road should be completed before any transportation of construction equipment, road making equipment or building materials begins.</p> <p>I would like further clarification of short stay accommodation and total residential capacity in numbers of persons and for what time frame.</p> <p>I wish to question the amount of stored water for fire fighting purposes for six buildings.</p>	<p>occupants on site could be considered to be equivalent to a family and a few live-in rural workers or the equivalent of having two family dwellings on site as occurs on many large rural properties in the Shire.</p> <p>A potable water supply of 90 000 litres is required for a normal domestic dwelling (ie up to approximately 6 bedrooms). The accommodation on site will comprise a total of five bedrooms and the applicants are proposing to store five times that amount of water on site. This water will predominantly be collected via rainwater runoff from building roofs. In addition, there is an existing dam on the property. The Shire Emergency Services Officer will assess the fire fighting water needs as part of assessing the submitted fire management plan. Many properties in the area require carted water to refill rainwater tanks towards the end of the summer but it would be expected that this would not be a regular requirement except in times of severe drought.</p>

External Agencies' Comments

The application was required to be referred to the Department of Conservation and Land Management (CALM) for comment prior to being determined as the development site abuts a CALM managed nature reserve. CALM responded simply that they have no objections to the proposed development and that the developer has been liaising with CALM with regard to the development for some time.

Environmental Officer's Assessment

The Shire's Environmental Officer and a Shire Engineer have inspected the site with regard to the proposed subdivision of Lot 481 and the proposal to formalize access via the existing track from Firns Road. The following comment was provided at that time:

Access was investigated from Kingsbury Drive. However, the exact route of the gazetted road reserve could not be determined. What was evident was that the land was very steep, passed through dense forest growth that would require some clearing, and crossed through the middle of a resource enhanced wetland.

Access along this route would require an engineered solution to the problem of erosion, caused by surface water runoff along steep dirt roads being laden with sediment. Such sediment must not be allowed to pollute waterways or wetlands. The wetland appears to have an earth dam at the point where the road reserve crosses. Again an engineered solution would be needed to prevent further disruptions to water flows or unnecessary barriers to wildlife.

A constructed access route along the gazetted road reserve to the south of the property would need to be carried north within the property to the northern of the two proposed subdivision lots. This battle axe portion of the access passes along very steep land and over a heavily vegetated creek. The steepness of this access may be prohibitive and the proponent should be required to submit further details regarding access through this area,

including an explanation of, and commitment to, preventing erosion/water pollution and revegetating

Access through the forest on the eastern side of the lot was gained along a rough track off Firns Road just north of the creek. The construction of this track to a standard where 2 wheel drive vehicles could use it comfortably in all weather would require clearing, the importation of road base materials and the building of at least one bridge. This would result in significant environmental impact and an ongoing risk of erosion and water pollution.

A narrower track leads to the north eastern corner of the lot. Insufficient time was available to investigate along this track, but a close look at the aerial photographs and contour maps indicates that this route passes essentially along a ridge and might therefore be easier to construct a track along. Non-the-less, clearing would be required and erosion plus water pollution would need to be addressed in any track design.

A battleaxe access along the eastern side of the lot to the southern proposed subdivision lot would presumably go along the existing firebreak. However, this might still require track construction with fencing, clearing, the importation of material and the risk of spreading dieback.

*The Shire officers walked over part of the south eastern portion of the lot. There was insufficient time to walk over the rest of the lot. The land is well vegetated with remnant marri and wandoo woodland which has some remnant intact ground cover in places. Pastured clearings are interspersed with the woodland communities. A species of declared rare flora (*Acacia horridula*) has been located in similar terrain to the north of the lot and may be present on site.*

To protect the flora, building envelopes and a vegetation management plan should be prepared.

Recommendations

Access tracks/roads need to be finalised so that impact assessments and conditions on tracks both within and leading to the property can be drafted.

When a decision has been made regarding access routes, building envelopes, firebreaks and any other development requiring clearing, an assessment should be undertaken by State Government not only of the subdivision itself but also of associated clearing impacts.

Tracks need to be constructed in a manner that will not spread dieback and will not cause erosion or water pollution by sediment laden surface water.

The proponent should be required to provide a vegetation management plan to show how existing vegetation will be protected through the subdivision process. There is some pasture areas, but other areas should not be grazed as this would clear the ground cover. Portions of the land are also too steep to provide sustainable grazing land.

Following submission of the development application for the Yoga school the Environmental Officer visited the site to assess the proposed building envelope area. The following comment was provided:

Site visit and Inspection carried out 4th April 2006. A site visit showed areas pegged out as building envelopes for the proposed buildings. The pegged areas will have minimal impact on remnant vegetation on the site. Accordingly, the areas proposed for building sites are considered to acceptable.

A cursory inspection of other areas of the site showed evidence of significant weed population. Of particular concern are the Cape Tulip and Cottonbush Infestations. A weed management plan should be required particularly as vehicles going to an from the site may aid in spread of weed seeds from the site.

Conditions are included in the recommendation to address the following issues raised by the Environmental Officers:

1. Erosion and water pollution issues to be addressed in track design.
2. Prevention of dieback importation to the site.
3. Survey of site for possible declared rare flora.
4. Weed Management plan.
5. Vegetation management plan.

Comment:

Statutory and Strategic Context

Under the Shire's Town Planning Scheme an Educational Establishment is defined as follows:

Educational Establishment - means a school, college, university, technical institute, academy or other educational centre, but does not include a reformatory or institutional home.

The proposed development is considered to fit within this definition. An Educational Establishment is an "AA" (discretionary) use in the Rural zone.

The site is within the Agricultural Protection Policy Area under the Shire's Rural Strategy. Under the Shire's Rural Strategy school and tourism oriented uses, such as the Educational Establishment proposed, are included in the range of "Conditional" uses that may be considered in the Agricultural Protection Area.

Building Design

The design of the buildings is extremely appropriate for the site as, energy efficiency (including solar passivity) is maximised, views are maximised and the character, materials, bulk and scale of the dwellings is appropriate for the location. The development area is an existing clearing so there will be minimal impact on existing vegetation.

Bushfire Safety and Management

The proximity of the property to the State Forest and Karnet Nature reserve and the existing vegetation on Lot 481 and surrounding properties places the property within an Extreme Risk bushfire area. In addition, the development will attract visitors who may not be familiar with the area. Accordingly, the addressing of fire management issues is of extreme importance. The applicant has already prepared a fire management plan and this is with the Shire's Emergency Services Officer for assessment. In particular this plan addresses the following issues:

- construction of buildings will comply with the Australian Standard for buildings in bush fire prone areas;
- alternative vehicle access will be provided to Kingsbury Drive (via Lot 1438) in addition to the main access from Firms Road as an escape route during fire incidents;
- low fuel zones will be maintained around all buildings;
- water tanks will be fitted with connection valves consistent with FESA apparatus and mechanism to conserve minimum levels of water for fire fighting purposes;
- consideration is also being given by the applicants for the development of a fire proof bunker for emergency refuge.

Gazettal of access track to Firms Road

Action needs to be taken by the Shire as soon as possible to enact the motion carried by the Council with regard to the gazettal of the access track from Firms Road to Lot 481. Until this is done the finalisation of the subdivision and the carrying out of this development cannot occur.

Conclusion

The development will assist in the Shire achieving its strategic vision with regard to encouraging the protection and rehabilitation of natural resources, attracting and facilitating appropriate commercial activities and employment, developing tourism potential and enhancing economic futures for the Shire's communities. The design of the dwellings address energy efficient principles and will result in minimal site disturbance. The development will provide the impetus for weed management and revegetation of the site.

Approval is recommended, subject to conditions addressing the issues raised in this report and standard conditions.

Voting Requirements: Normal

SD134/05/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Wigg seconded Cr Price

The application for the development of an Educational Establishment on Lot 481 Kingsbury Drive, Serpentine be approved subject to the following conditions:

PLANNING

1. Prior to the issue of a building licence, the access track from Firms Road to Lot 481 is required to be gazetted to the satisfaction of the Executive Manager Planning and Regulatory Services.
2. Only materials identified in the approved plans are to be used in the construction of the buildings unless the prior written approval of the Shire is obtained.
3. Remnant vegetation and vegetation planted by the developer must be fenced from grazing livestock in order to protect trees and other vegetation from damage.
4. The caretakers/manager's residence shall be constructed and occupied prior to the habitation of the short-stay accommodation.
5. The short-stay accommodation units hereby approved shall be occupied by persons undertaking short stay accommodation only. Which for the purpose of this approval means accommodation for persons, during a single stay, for a period of not more than a total of three (3) months in any one (1) twelve (12) month period.
6. The use/development is not to interfere with the amenity of the locality or cause nuisance by reason of the emission of noise, odour, dust, light spill or waste products.
7. One sign identifying the name, address and phone numbers of the business/property only and having maximum dimensions for the sign face of 1 metre by 1 metre is permitted to be erected on the property. Such sign shall be fixed to the front fence or otherwise contained wholly within the boundaries of the lot and shall not be placed on or protrude into the adjacent verge.

BUILDING

8. A building licence is required to be obtained prior to the commencement of any development (including earthworks).
9. All structures to be constructed to comply with AS3959 Construction of Building in Bushfire Prone Areas.
10. A classification certificate to be obtained from the Shire's Principal Building Surveyor prior to the commencement of use of the short-stay accommodation units.

HEALTH

11. A guaranteed potable water supply of the equivalent of 90 000 litres per dwelling shall be provided prior to occupation of the dwellings.
12. Potable water supply may be tested by Council's Environmental Health Department prior to occupying the premises and thereafter as required. The

- proprietor shall maintain a potable water supply in accordance with the Australian Drinking Water Guidelines.
13. An approved effluent disposal system to the satisfaction of the Council and/or the Department of Health must be installed prior to the occupation of any building the subject of this approval requiring a system under legislation. Details of the proposed system are to be submitted as part of a building licence application.
 14. All onsite effluent disposal systems shall be set back a minimum distance of 100 metres from any streams, river or water course and/or dam (including non-perennial streams) and have a minimum 2 metre vertical separation from the groundwater table or any impermeable layer of bedrock.

ENGINEERING

15. Vehicle accessways within the property shall be constructed in a manner that avoids tight corners and steep grades, so that large tankers can easily obtain access and egress to buildings and water supplies on the property to the satisfaction of the Shire.
16. All stormwater runoff from roofs and hardstand areas (including driveways) shall be disposed of on site but is not be permitted to drain directly into watercourses or drainage lines.
17. The vehicle parking, accessways and crossover shall be designed, constructed and drained to a compacted gravel, limestone or similar material standard to the satisfaction of the Shire prior to the occupation of the development for the use hereby permitted.

FIRE MANAGEMENT

18. To enable standardisation of fire brigade access to the water supply, each water tank shall be fitted with a coupling at the base of the tank so that the total capacity (10,000 litre minimum) is available for fire fighting purposes. This coupling shall be installed with a full flow ball valve and maintained in a correct operating condition and adequately sign posted at all times. The nature and size of the coupling is to be to the satisfaction of the Shire.
19. A 30 metre low fuel zone measured from the outer wall of all buildings/structures is to be kept free of all combustible undergrowth and ground litter to the satisfaction of the Shire. Combustible trees should not form a continuous canopy or line between the fire source and the building. All fire suppressant trees and shrubs should be retained within this area. The low fuel zone is to be connected to the fire break system within the property.
20. At least one gate is to be provided within boundary fences adjoining private or public land, in a location to the satisfaction of the Council's Director Engineering, to allow free and easy movement of fire tenders in times of emergency.
21. The applicant must submit an Emergency Management Plan for approval by the Director Engineering for the development that addresses the Prevention, Preparation, Response and Recovery issues for the property to the satisfaction of the Shire prior to occupation of the facilities. The approved Emergency Management Plan is thereafter to be implemented in its entirety.

ENVIRONMENT

22. Prior to the issue of a Building Licence for the development, the proponent shall submit for approval by Executive Manager Strategic Community Planning a Landscape and Vegetation Management Plan that identifies an action plan for weed control, details the protection of existing vegetation, and describes the densities and distributions of any indigenous trees, shrubs and groundcover to be established. No deciduous trees are permitted.
23. The implementation of the approved Landscape and Vegetation Management Plan shall commence within 12 months of the development approval being granted and is to be completed within three years of the development approval

being granted. Vegetation on site is to be maintained in accordance with the approved Landscape and Vegetation Management Plan thereafter.

24. No clearing of native vegetation is permitted outside the building envelope, unless in accordance with the Bush Fires Act (as amended) or for the purpose of constructing an approved driveway, installing essential services, or removing dead or dangerous trees.
25. Prior to the issue of a Building Licence for the development a survey is to be undertaken of the development site to the satisfaction of Executive Manager Strategic Community Planning to identify the existence of any declared rare flora and if any declared rare flora is identified measures shall be put in place to the satisfaction of the Shire to protect this flora prior to the commencement of any site works.

Advice Notes:

1. A new application for planning approval will be required for any additional short stay accommodation units and any additional landuses, structures or facilities incidental to that use.
2. Native vegetation is valued and protected in the Serpentine Jarrahdale Shire. You are advised that the Shire's Town Planning Scheme requires separate approval for the clearing of native trees in most instances if approval for this is not given above.
3. Under Part 9 of the Environmental Protection Act 1986 a permit is required to be obtained from the Department of Environment for the clearing of any remnant indigenous vegetation. Failure to obtain the required clearing permit is an offence which carries a maximum penalty of up to \$250 000 for individuals and \$500 000 for a body coporate.
4. The proponent should consider the following matters with regard to the construction and operation of the development:
 - a) Positioning of all dwellings greater than 100 metres from CALM Managed Land to minimize the impact of Departmental activities on neighbours and vice versa.
 - b) That 1080 fox baiting is undertaken in the State Forest. Measures, such as fencing, should be undertaken to ensure domestic animals do not stray into State Forest.
 - c) The building site and track alignment need to be considered carefully to ensure minimal clearing of remnant vegetation including single trees.
 - d) Phytophthora cinnamomi (Dieback) hygiene should be addressed when developing the site. Vegetation in this area can be susceptible to dieback, which can have devastating effects on environmental and aesthetic values.
 - e) All dwellings should have closed-in eaves to prevent possums from inhabiting roof cavities. Such eaves will also provide protection from fire.
 - f) The CALM Managed land adjacent to this property is a Nature Reserve. Nature Reserves are set aside for the conservation of flora and fauna and may not be commercially exploited or used for recreation that may damage the natural environment. This includes horse riding and walking of domestic animals.
5. A species of declared rare flora (*Acacia horridula*) has been located in similar terrain on a property to the north of Lot 481 and may be present on the site.
6. The Shire can advise on energy efficient opportunities that can benefit your operations.
7. The Serpentine Jarrahdale Shire contains places of Aboriginal heritage significance. Proponents are advised to consider Aboriginal heritage issues and their obligations under the Aboriginal Heritage Act 1972 at an early stage of planning. Further information can be obtained from the Department of Indigenous Affairs.

8. This decision issued by the Serpentine Jarrahdale Shire does not remove any responsibility the proponent may have in obtaining approval from the Department of Environment for any works which may impact on any wetland on or within proximity of their property. Further information should be obtained from the Department of Environment.
9. This decision issued by the Serpentine Jarrahdale Shire does not remove any responsibility the proponent may have in notifying Environment Australia of their proposal for consideration of impacts in accordance with the Environmental Protection and Biodiversity Conservation Act 1999. Further information can be obtained from Environment Australia.
10. The applicant is advised that this planning consent does not absolve the applicant or owner from time to time from complying with the restrictions contained in any restrictive covenant, estate covenants or easement pertaining to the site. This is the case even if this planning consent is in respect of a development which if constructed or carried out, would necessarily breach such a covenant or easement. Any such restrictive covenant, estate covenant or easement is a matter of private rights between the applicant or owner from time to time and the owner and owners of the land with the benefit of that restrictive covenant, estate covenant or easement, and this planning consent does not authorise a breach of such private rights or prevent such owners from enforcing such rights.
11. Directional signage for placement on roads leading to the subject business can be applied for from the Shire. Application forms are available on the Shire's website or can be obtained by contacting the Shire's Asset Services.
12. The Shire has a Local Business Directory on the Shire website (www.sjshire.wa.gov.au) which can be used by anyone who runs a business locally. All you need to do is register your details online at no charge and you will be issued a password. You are then able to update your own details as the need arises.

CARRIED 7/2

Cr Richards left the meeting at 8.01pm and returned at 8.04pm

SD135/05/06 DRAFT DETAILED AREA PLANS 2. AND 3. FOR BYFORD CENTRAL RESIDENTIAL ESTATE (A0710)		
Proponent:	Gray and Lewis	<p>In Brief</p> <p>To consider draft Detailed Area Plans setting out design requirements for the future development of the 'Residential R30' zoned lots within the Byford Central subdivision. The draft Detailed Area Plans cover development requirements including dwelling placement, facade design, solar orientation, private open space, setbacks, garage design and placement, fencing, store areas and service provision.</p> <p>It is recommended that, subject to some minor modifications, the draft Detailed Area Plans be approved in accordance with clause 5.18.5.1(c)(i) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2.</p>
Owner:	Byford Central Pty Ltd	
Officer:	Meredith Kenny – Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	8 May 2006	
Previously	SD095/02/06	
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	

Owner: Byford Central Pty Ltd
 Applicant: Gray and Lewis
 Date of Receipt: 23 March 2006
 Advertised: N/A
 Submissions: N/A
 Lot Area: N/A
 L.A Zoning: Urban Development
 MRS Zoning: Urban
 Byford Structure Plan: Residential (R30)
 Rural Strategy Policy Area: N/A
 Rural Strategy Overlay: N/A
 Municipal Inventory: N/A
 Townscape/Heritage Precinct: N/A
 Bush Forever: N/A
 Date of Inspection: Various

Background:

Two Detailed Area Plans (DAP's) have been received for portions of the Byford Central residential estate that have been designated for R30 residential development. The areas covered by the DAP's are located adjacent to two future local public open space reserves. The conditional subdivision approvals issued by the Western Australian Planning Commission for the Byford Central estate requires DAP's for those lots abutting public open space areas, and/or having a density coding of R30 or greater.

A DAP was approved for part of Peppies Crescent within the Byford Central estate in February 2006. This is identified as Detailed Area Plan 1. The two new detailed area plans are identified as Detailed Area Plans 2 and 3.

A copy of the draft Detailed Area Plans 2 and 3 and the adopted Local Structure Plan for Byford Central are with the attachments marked SD135.1/05/06.

The DAP's cover a variety of design and development requirements including dwelling placement, facade design, solar orientation, private open space, setbacks, garage design and placement, fencing, store areas, service provision and passive surveillance of public spaces.

The provisions imposed under Detailed Area Plan 1. for Byford Central have been repeated in DAP's 2 and 3 along with additional site specific conditions where deemed necessary. This will provide for consistency in the development requirements for lots abutting or facing public open space areas and/or having a density coding of R30 or greater throughout the estate.

Sustainability Statement

Effect on Environment: The DAP's generally accord with the Byford Structure Plan and Byford Urban Stormwater Management Strategy, both of which focus on environmental sustainability as part of the urbanisation of Byford. The DAP's incorporate design requirements which are intended to create an efficient, highly attractive form of cottage development across the lots. This promotion of energy efficiency particularly will result in a positive effect on the environment through reduced energy consumption and dependency.

Use of Local, renewable or recycled Resources: Succinctly, the promotion of energy efficiency will result in reduced energy consumption and dependency upon resources.

Economic Viability: The DAP's focus on environmental and resource sustainability and appropriate design.

Social – Quality of Life: The DAP is considered to be socially responsible through a dedication to environmental sustainability and particularly to ensure an appropriate neighbourhood environment promoting social interaction will be achieved.

Statutory Environment:

Planning and Development Act 2005
Shire of Serpentine-Jarrahdale Town Planning Scheme
No. 2

Policy/Work Procedure Implications:

Statement of Planning Policy No. 1 (*State Planning Framework Policy - Variation 1*)
Statement of Planning Policy No. 2 (*Environmental and Natural Resources Policy*)
Statement of Planning Policy No. 3.1 (*Residential Design Codes*)
Draft Statement of Planning Policy No. 1 (*Draft State Planning Framework Policy - Variation 2*)
Draft Statement of Planning Policy No. 3 (*Draft Urban Growth and Settlement*)
Local Planning Policy No. 6 (*Water Sensitive Design*)
Byford Urban Stormwater Management Strategy

Financial Implications:

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

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

6. Ensure a safe and secure community.

Objective 2: Plan and develop towns and communities based on principles of sustainability

Strategies:

3. Design and develop clustered neighbourhoods in order to minimise car dependency.
4. Foster a strong sense of community, place and belonging.

2. Environment

Objective 1: Protect and repair natural resources and processes throughout the Shire

Strategies:

1. Increase awareness of the value of environmental requirements towards sustainability.
3. Encourage protection and rehabilitation of natural resources.

4. Governance

Objective 3: Compliance to necessary legislation

Strategy:

1. Ensure development and use of infrastructure and land complies with required standards.

Community Consultation:

As the 'Residential R30' zoning of the subject land has been established through adoption of the Local Structure Plan, there is no statutory requirement pursuant to the Scheme requiring the DAP's to be advertised. This is different to the situation involving the Local Structure Plan, which was advertised prior to final adoption being granted.

Given that the DAP's further refine details relating to the development of the 'Residential R30' zoned cottage lots surrounding the public open space areas, the Scheme does not require any formal advertising processes.

Comment:

Assessment of the DAP's has been undertaken in accordance with the Byford Structure Plan, which itself has been developed in accordance with the following key elements:

- i. Sustainable and best management practices for urban stormwater management;
- ii. Creation of urban nodes, town centre and neighbourhood centres to facilitate community formation and strong local identity;
- iii. Improved landscape elements;
- iv. Legible and robust street layout to encourage walking and cycling as alternatives to driving.

Assessment has also been undertaken in relation to the Byford Urban Stormwater Management Strategy and Statement of Planning Policy No. 3.1 (*Residential Design Codes*), with which the DAP's are compliant.

The provisions of the DAP's 2 and 3 for Byford Central estate are consistent with DAP 1., adopted by the Council in February 2006. Accordingly, it is recommended that the DAP's 2 and 3 for Byford Central estate be approved in accordance with clause 5.18.5.1(a)(ii) of the Scheme. The recommendation contains separate parts for each of the two DAP's as they contain references to different specific lot numbers in some of the provisions. Also all of the lots covered by DAP 3 run north-south so there is not a requirement for a 2 metre solar setback on side boundaries. The solar setback requirement is only required when lots run east-west and there is a need to ensure a reasonable standard of solar access on the northern side of a lot. In the case of the lots covered by DAP 3 solar access is provided by either the front or rear setback.

Voting Requirements:

Normal

SD135/05/06 Committee/Officer Recommended Resolution

**Moved Cr Hoyer seconded Cr Price
Council resolves that**

- A. Detailed Area Plan 2. for Byford Central estate be approved in accordance with clause 5.18.5.1(c)(i) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 subject to the following provisions being incorporated on the plans:**

R-CODING

- 1. The Residential Design Code applying to these lots is R30.**

SCHEME AND RESIDENTIAL DESIGN CODE VARIATIONS

- 2. The Scheme and Residential Design Codes are varied as described in these notations.**
- 3. The requirements of the Scheme and Residential Design Codes shall be satisfied in all other matters however.**

DESIGN ELEMENTS

- 4. The following matters apply to the development of lots affected by the Detailed Area Plan:**
- a) All houses and garages must be constructed within the nominated building envelope;**
 - b) At least one major opening to an indoor living area is to be installed on the northern elevation of a dwelling in order to maximise solar orientation;**
 - c) Houses are required to suitably address adjacent street frontages as indicated (excluding rear laneways), as well as the adjacent area of public open space.**

ELEVATIONS, OUTDOOR LIVING AREAS & POSTAL ADDRESSES

- 5. Houses shall have one or more major openings to a habitable room and an outdoor living area facing the public open space.**
- 6. The postal/street address is to be the street at the front of the dwelling and not the rear lane.**
- 7. Access to utilities is to be from the rear laneway unless otherwise approved by Council.**

SETBACKS

- 8. Setbacks for development shall be in accordance with the following:**

**Rear setback: Minimum 1.5m setback for house;
Minimum 1m setback for garage.**

Front setback: Minimum 4m setback for house (to allow outdoor living area within front setback). Averaging of front setback is not permitted.

**Side setback: Nil setback for garage to side boundary;
Minimum 2m solar setback along northern side boundaries of Lot 455;
Parapet walls may be developed along the southern side boundary of Lot 454 and along both side boundaries of lots 474-475 and 456-458, in accordance with the Residential Design Codes;
Second storey setbacks in accordance with the Residential Design Codes.**

GARAGES, VEHICULAR ACCESS & DRIVEWAYS

- 9. Garages shall be developed and accessed from the adjacent rear laneway only;**
- 10. Garages shall be a maximum two car width only (maximum 6m external width);**
- 11. An alternative garage location may be approved along the adjacent rear laneway of lots 456-457 and 475 subject to design, placement and accessibility requirements being met to the Shire's satisfaction;**
- 12. All vehicle access is to be from the adjacent rear laneway at all times;**

13. Each house shall have a driveway and crossover completed prior to occupation of the house;
14. Maximum width of crossover shall be 6m;
15. All driveways and crossovers shall be brick paved or asphalt sealed.

FENCING

16. Fencing within adjacent street frontages of lots (including rear laneways) shall be designed and constructed in accordance with clause 3.2.5A5 of the Residential Design Codes (open feature fencing);
17. All other fencing is to be installed in accordance with the following standard:
 - a) All side boundary fencing 1.8m high and fully installed prior to occupation of the dwelling.

OUTBUILDINGS

18. A storeroom of 4m² floor area, shall be integrated into the dwelling (ie under the same roof) and constructed of the same materials. This room shall only be accessible from outside the dwelling.
19. No additional sheds or outbuildings are permitted on lots.

WASHING LINES & RUBBISH BINS

20. Drying courts and rubbish bin storage must be provided out of sight from the public domain.
21. A paved bin pad is to be provided inside the lot abutting the boundary to the rear lane for pick up of bins by waste disposal contractors.

AIR CONDITIONING/COOLING UNITS & SOLAR HOT WATER SYSTEMS

22. Air conditioning/cooling units must be of similar colour to the roof and must not protrude above any roof ridgelines or gables. Units are not to be visible from the adjacent front street or public open space areas and must be positioned to prevent noise impacts in accordance with the Department of Environment's 'Installers Guide to Air Conditioner Noise' Publication;
23. Solar hot water systems must be integrated with the design of the roof, and where visible from the adjacent front street or public open space areas be a split system with the tank installed at ground level or out of public view.

Advice Note:

1. Planning approval is not required for the construction of a dwelling on any lot within the area covered by the Detailed Area Plan (including lots with a land area less than 350 square metres) except where variations to the provisions of the Detailed Area Plan are sought.

- B.** Detailed Area Plan 3. for Byford Central estate be approved in accordance with clause 5.18.5.1(c)(i) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 subject to the following provisions being incorporated on the plans:

R-CODING

1. The Residential Design Code applying to these lots is R30.

SCHEME AND RESIDENTIAL DESIGN CODE VARIATIONS

2. The Scheme and Residential Design Codes are varied as described in these notations.
3. The requirements of the Scheme and Residential Design Codes shall be satisfied in all other matters however.

DESIGN ELEMENTS

4. The following matters apply to the development of lots affected by the Detailed Area Plan:
 - a) All houses and garages must be constructed within the nominated building envelope;
 - b) At least one major opening to an indoor living area is to be installed on the northern elevation of a dwelling in order to maximise solar orientation;

- c) Houses are required to suitably address adjacent street frontages as indicated (excluding rear laneways), as well as the adjacent area of public open space.

ELEVATIONS, OUTDOOR LIVING AREAS & POSTAL ADDRESSES

5. Houses shall have one or more major openings to a habitable room and an outdoor living area facing the public open space.
6. The postal/street address is to be the street at the front of the dwelling and not the rear lane.
7. Access to utilities is to be from the rear laneway unless otherwise approved by Council.

SETBACKS

8. Setbacks for development shall be in accordance with the following:
 - Rear setback: Minimum 1.5m setback for house;
Minimum 1m setback for garage.
 - Front setback: Minimum 4m setback for house (to allow outdoor living area within front setback). Averaging of front setback is not permitted.
 - Side setback: Nil setback for garage to side boundary;
Parapet walls may be developed along both side boundaries of lots 495-499 and 521-525, in accordance with the Residential Design Codes;
Second storey setbacks in accordance with the Residential Design Codes.

GARAGES, VEHICULAR ACCESS & DRIVEWAYS

9. Garages shall be developed and accessed from the adjacent rear laneway only;
10. Garages shall be a maximum two car width only (maximum 6m external width);
11. An alternative garage location may be approved along the adjacent rear laneway of lots 496-498 and 522-524 subject to design, placement and accessibility requirements being met to the Shire's satisfaction;
12. All vehicle access is to be from the adjacent rear laneway at all times;
13. Each house shall have a driveway and crossover completed prior to occupation of the house;
14. Maximum width of crossover shall be 6m;
15. All driveways and crossovers shall be brick paved or asphalt sealed.

FENCING

16. Fencing within adjacent street frontages of lots (including rear laneways) shall be designed and constructed in accordance with clause 3.2.5A5 of the Residential Design Codes (open feature fencing);
17. All other fencing is to be installed in accordance with the following standard:
 - a) All side boundary fencing 1.8m high and fully installed prior to occupation of the dwelling.

OUTBUILDINGS

18. A storeroom of 4m² floor area, shall be integrated into the dwelling (ie under the same roof) and constructed of the same materials. This room shall only be accessible from outside the dwelling.
19. No additional sheds or outbuildings are permitted on lots.

WASHING LINES & RUBBISH BINS

20. Drying courts and rubbish bin storage must be provided out of sight from the public domain.
21. A paved bin pad is to be provided inside the lot abutting the boundary to the rear lane for pick up of bins by waste disposal contractors.

AIR CONDITIONING/COOLING UNITS & SOLAR HOT WATER SYSTEMS

22. Air conditioning/cooling units must be of similar colour to the roof and must not protrude above any roof ridgelines or gables. Units are not to be visible from the adjacent front street or public open space areas and must be positioned to prevent noise impacts in accordance with the

- Department of Environment's 'Installers Guide to Air Conditioner Noise' Publication;
23. Solar hot water systems must be integrated with the design of the roof, and where visible from the adjacent front street or public open space areas be a split system with the tank installed at ground level or out of public view.

Advice Note:

1. Planning approval is not required for the construction of a dwelling on any lot within the area covered by the Detailed Area Plan (including lots with a land area less than 350 square metres) except where variations to the provisions of the Detailed Area Plan are sought.

- C. Within ten days of the date of this resolution, a copy of the approved Detailed Area Plans 2. and 3. for the Byford Central estate be sent to the Western Australian Planning Commission in accordance with clause 5.18.5.1(e) of the Shire of Serpentine-Jarrahdale's Town Planning Scheme No. 2.

AMENDMENT

Moved Cr Richards seconded Cr Murphy

That a condition 24 be added to both A and B under a heading "NOTIFICATION TO PROSPECTIVE PURCHASERS - That the developer is required to give prospective purchasers a complete copy of all the requirements of this Detailed Area Plan prior to Offer and Acceptance being made".

After debate the Presiding Member then put the amendment which was CARRIED 9/0

The Presiding Member then put the amended motion which was

COUNCIL DECISION

Council resolves that

- A. Detailed Area Plan 2. for Byford Central estate be approved in accordance with clause 5.18.5.1(c)(i) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 subject to the following provisions being incorporated on the plans:

R-CODING

1. The Residential Design Code applying to these lots is R30.

SCHEME AND RESIDENTIAL DESIGN CODE VARIATIONS

2. The Scheme and Residential Design Codes are varied as described in these notations.
3. The requirements of the Scheme and Residential Design Codes shall be satisfied in all other matters however.

DESIGN ELEMENTS

4. The following matters apply to the development of lots affected by the Detailed Area Plan:

- a) All houses and garages must be constructed within the nominated building envelope;
- b) At least one major opening to an indoor living area is to be installed on the northern elevation of a dwelling in order to maximise solar orientation;
- c) Houses are required to suitably address adjacent street frontages as indicated (excluding rear laneways), as well as the adjacent area of public open space.

ELEVATIONS, OUTDOOR LIVING AREAS & POSTAL ADDRESSES

5. Houses shall have one or more major openings to a habitable room and an outdoor living area facing the public open space.

6. The postal/street address is to be the street at the front of the dwelling and not the rear lane.
7. Access to utilities is to be from the rear laneway unless otherwise approved by Council.

SETBACKS

8. Setbacks for development shall be in accordance with the following:
 - Rear setback: Minimum 1.5m setback for house;
Minimum 1m setback for garage.
 - Front setback: Minimum 4m setback for house (to allow outdoor living area within front setback). Averaging of front setback is not permitted.
 - Side setback: Nil setback for garage to side boundary;
Minimum 2m solar setback along northern side boundaries of Lot 455;
Parapet walls may be developed along the southern side boundary of Lot 454 and along both side boundaries of lots 474-475 and 456-458, in accordance with the Residential Design Codes;
Second storey setbacks in accordance with the Residential Design Codes.

GARAGES, VEHICULAR ACCESS & DRIVEWAYS

9. Garages shall be developed and accessed from the adjacent rear laneway only;
10. Garages shall be a maximum two car width only (maximum 6m external width);
11. An alternative garage location may be approved along the adjacent rear laneway of lots 456-457 and 475 subject to design, placement and accessibility requirements being met to the Shire's satisfaction;
12. All vehicle access is to be from the adjacent rear laneway at all times;
13. Each house shall have a driveway and crossover completed prior to occupation of the house;
14. Maximum width of crossover shall be 6m;
15. All driveways and crossovers shall be brick paved or asphalt sealed.

FENCING

16. Fencing within adjacent street frontages of lots (including rear laneways) shall be designed and constructed in accordance with clause 3.2.5A5 of the Residential Design Codes (open feature fencing);
17. All other fencing is to be installed in accordance with the following standard:
 - a) All side boundary fencing 1.8m high and fully installed prior to occupation of the dwelling.

OUTBUILDINGS

18. A storeroom of 4m² floor area, shall be integrated into the dwelling (ie under the same roof) and constructed of the same materials. This room shall only be accessible from outside the dwelling.
19. No additional sheds or outbuildings are permitted on lots.

WASHING LINES & RUBBISH BINS

20. Drying courts and rubbish bin storage must be provided out of sight from the public domain.
21. A paved bin pad is to be provided inside the lot abutting the boundary to the rear lane for pick up of bins by waste disposal contractors.

AIR CONDITIONING/COOLING UNITS & SOLAR HOT WATER SYSTEMS

22. Air conditioning/cooling units must be of similar colour to the roof and must not protrude above any roof ridgelines or gables. Units are not to be visible from the adjacent front street or public open space areas and must be positioned to prevent noise impacts in accordance with the Department of Environment's 'Installers Guide to Air Conditioner Noise' Publication;

23. Solar hot water systems must be integrated with the design of the roof, and where visible from the adjacent front street or public open space areas be a split system with the tank installed at ground level or out of public view.

NOTIFICATION TO PROSPECTIVE PURCHASERS

- 24 The developer is required to give prospective purchasers a complete copy of all the requirements of this Detailed Area Plan prior to Offer and Acceptance being made.

Advice Note:

1. Planning approval is not required for the construction of a dwelling on any lot within the area covered by the Detailed Area Plan (including lots with a land area less than 350 square metres) except where variations to the provisions of the Detailed Area Plan are sought.

- B. Detailed Area Plan 3. for Byford Central estate be approved in accordance with clause 5.18.5.1(c)(i) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 subject to the following provisions being incorporated on the plans:

R-CODING

1. The Residential Design Code applying to these lots is R30.

SCHEME AND RESIDENTIAL DESIGN CODE VARIATIONS

2. The Scheme and Residential Design Codes are varied as described in these notations.
3. The requirements of the Scheme and Residential Design Codes shall be satisfied in all other matters however.

DESIGN ELEMENTS

4. The following matters apply to the development of lots affected by the Detailed Area Plan:
- a) All houses and garages must be constructed within the nominated building envelope;
 - b) At least one major opening to an indoor living area is to be installed on the northern elevation of a dwelling in order to maximise solar orientation;
 - c) Houses are required to suitably address adjacent street frontages as indicated (excluding rear laneways), as well as the adjacent area of public open space.

ELEVATIONS, OUTDOOR LIVING AREAS & POSTAL ADDRESSES

5. Houses shall have one or more major openings to a habitable room and an outdoor living area facing the public open space.
6. The postal/street address is to be the street at the front of the dwelling and not the rear lane.
7. Access to utilities is to be from the rear laneway unless otherwise approved by Council.

SETBACKS

8. Setbacks for development shall be in accordance with the following:
- | | |
|----------------|--|
| Rear setback: | Minimum 1.5m setback for house;
Minimum 1m setback for garage. |
| Front setback: | Minimum 4m setback for house (to allow outdoor living area within front setback). Averaging of front setback is not permitted. |
| Side setback: | Nil setback for garage to side boundary;
Parapet walls may be developed along both side boundaries of lots 495-499 and 521-525, in accordance with the Residential Design Codes;
Second storey setbacks in accordance with the Residential Design Codes. |

GARAGES, VEHICULAR ACCESS & DRIVEWAYS

9. Garages shall be developed and accessed from the adjacent rear laneway only;
10. Garages shall be a maximum two car width only (maximum 6m external width);
11. An alternative garage location may be approved along the adjacent rear laneway of lots 496-498 and 522-524 subject to design, placement and accessibility requirements being met to the Shire's satisfaction;
12. All vehicle access is to be from the adjacent rear laneway at all times;
13. Each house shall have a driveway and crossover completed prior to occupation of the house;
14. Maximum width of crossover shall be 6m;
15. All driveways and crossovers shall be brick paved or asphalt sealed.

FENCING

16. Fencing within adjacent street frontages of lots (including rear laneways) shall be designed and constructed in accordance with clause 3.2.5A5 of the Residential Design Codes (open feature fencing);
17. All other fencing is to be installed in accordance with the following standard:
 - a) All side boundary fencing 1.8m high and fully installed prior to occupation of the dwelling.

OUTBUILDINGS

18. A storeroom of 4m² floor area, shall be integrated into the dwelling (ie under the same roof) and constructed of the same materials. This room shall only be accessible from outside the dwelling.
19. No additional sheds or outbuildings are permitted on lots.

WASHING LINES & RUBBISH BINS

20. Drying courts and rubbish bin storage must be provided out of sight from the public domain.
21. A paved bin pad is to be provided inside the lot abutting the boundary to the rear lane for pick up of bins by waste disposal contractors.

AIR CONDITIONING/COOLING UNITS & SOLAR HOT WATER SYSTEMS

22. Air conditioning/cooling units must be of similar colour to the roof and must not protrude above any roof ridgelines or gables. Units are not to be visible from the adjacent front street or public open space areas and must be positioned to prevent noise impacts in accordance with the Department of Environment's 'Installers Guide to Air Conditioner Noise' Publication;
23. Solar hot water systems must be integrated with the design of the roof, and where visible from the adjacent front street or public open space areas be a split system with the tank installed at ground level or out of public view.

NOTIFICATION TO PROSPECTIVE PURCHASERS

24. The developer is required to give prospective purchasers a complete copy of all the requirements of this Detailed Area Plan prior to Offer and Acceptance being made"

Advice Note:

1. Planning approval is not required for the construction of a dwelling on any lot within the area covered by the Detailed Area Plan (including lots with a land area less than 350 square metres) except where variations to the provisions of the Detailed Area Plan are sought.

- C. Within ten days of the date of this resolution, a copy of the approved Detailed Area Plans 2. and 3. for the Byford Central estate be sent to the Western Australian Planning Commission in accordance with clause 5.18.5.1(e) of the Shire of Serpentine-Jarrahdale's Town Planning Scheme No. 2.

CARRIED 9/0

Council Note: The Officer Recommended Resolution was changed to ensure that the prospective purchaser receives details of the Detailed Area Plan prior to signing the Offer and Acceptance documentation.

CGAM135/05/06		WA BLUE METAL - OVERSIZE VEHICLE APPLICATION WHITBY TO KWINANA (R0003)	
Proponent:	W.A. Bluemetal	In Brief An application has been made by W.A. Bluemetal for Council approval to use long vehicles to supply and deliver crushed granite railway ballast from the Whitby quarry to a stockpile at Bertram Road, Kwinana	
Officer:	Nick Juricev Acting Manager Engineering		
Signatures Author:			
Senior Officer:			
Date of Report	3 May 2006		
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

W.A. Bluemetal has submitted a letter dated 2 March 2006 seeking Council approval to the use of oversize vehicles no greater than 27.5 metres in length. The applicant intends to supply and deliver approximately 300,000 tonnes of crushed granite railway ballast material produced at the W.A. Bluemetal site in Whitby via the South Western Highway, Watkins Road, Mundijong Road, Baldivis Road, Millar Road, Wellard Road and Bertram Road to a stockpile at Bertram Road Kwinana. Approval has been requested for the use of Watkins Road and Mundijong Road which are located within the Serpentine Jarrahdale Shire.

A copy of the letter is with attachments marked [CGAM135-05-06.tif](#).

Ian Tarling, a Consultant acting on behalf of W.A. Bluemetal has provided a submission indicating the types of vehicles proposed for hauling the railway ballast to Kwinana.

A copy of the “Submission to Serpentine Jarrahdale Council” is with attachments marked [CGAM135.2-05-06.doc](#).

The duration of the Contract is anticipated to be completed by December 2006. The times of operation will be between 7.00am and 5.00pm Monday to Friday and 7.00am and 1.00pm Saturdays with no cartage on Sundays. The number of trips is 4 loaded and 4 unloaded or equivalent to eight (8) trips per hour.

It should be noted that at its meeting of 13 September 2004, the Council considered roads to be included on the Main Roads Western Australia Notice Network for oversize vehicle use. At that meeting, the Council resolved to restrict heavy vehicle use on both Watkins Road and Mundijong Road to the conditions stipulated in the table below.

ROAD	SECTION	CONDITIONS
Mundijong Road	King Road to Watkins Road	<ul style="list-style-type: none"> ▪ No vehicles greater than 27.5m length ▪ School bus curfews to apply ▪ Livestock carriers only ▪ Delivery to only ▪ Monday – Friday only ▪ Daylight hours only
Watkins Road	Mundijong Road to South Western Highway	<ul style="list-style-type: none"> ▪ No vehicles greater than 27.5m length ▪ School bus curfews to apply ▪ Livestock carriers only ▪ Delivery to only ▪ Monday – Friday only ▪ Daylight hours only

Sustainability Statement

Properly managed permit vehicle operations have potential sustainability benefits in reduced social impact from transport and road maintenance costs.

Sustainable permit vehicle operations should be contingent upon the operations being demonstrated to be properly managed to realize the potential benefits.

Statutory Environment:

Motor Vehicle Act and Regulations

Policy Implications:

There are no work procedures/policy implications directly related to this application. However, at its meeting of 13 September 2004, the Council resolved to restrict heavy vehicle use on both Watkins Road and Mundijong Road. This information has been forwarded to Main Roads Western Australia for placement on the Notice Network for oversize vehicle use.

Financial Implications:

W.A. Bluemetal indicate that they propose to haul 300,000 tonnes of crushed granite railway ballast to Kwinana. This equates to four (4) loaded and four (4) unloaded trips per hour over a six (6) month or more time period.

If Council endorses the use of Watkins Road and Mundijong Road for the haulage of 300,000 tonnes of crushed granite railway ballast to Kwinana then this intensive use is likely to have a detrimental affect on the existing road infrastructure. Accordingly, this may result in financial implications to Council if both Watkins Road and Mundijong Road require future maintenance or upgrade to facilitate the increased heavy vehicle usage.

By allowing W.A Bluemetal to use Watkins Road and Mundijong Road for oversized vehicles, there will be a reduction in the number of trips to deliver the product to Kwinana, a reduction in the number of potential vehicle conflicts, fuel savings and lessened greenhouse emissions for each tonne carried. For example, an “as of right” vehicle with a 25 tonne payload requires 12,000 trips in either direction to deliver the contract quantities. A

B-double with a payload of 42 tonnes would require 7142 trips in either direction and a long vehicle (road train configuration) with a payload of 52 tonnes would require 5769 trips halving the trip requirement of the articulated vehicle.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

6. Ensure a safe and secure community.

Objective 2: Plan and develop towns and communities based on principles of sustainability

Strategies:

5. Protect built and natural heritage for economic and cultural benefits.

Objective 3: High level of social commitment

Strategies:

2. Build key community partnerships.

2. Environment

Objective 1: Protect and repair natural resources and processes throughout the Shire

Strategies:

3. Encourage protection and rehabilitation of natural resources.

Objective 2: Strive for sustainable use and management of natural resources

Strategies:

1. Implement known best practice sustainable natural resource management.

3. Economic

Objective 2: Well developed and maintained infrastructure to support economic growth

Strategies:

1. Improved freight, private and public transport networks.

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.
2. Represent the interests of the Shire in State and Regional planning processes.
3. Integrate and balance town and rural planning to maximise economic potential.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

1. Identify and implement best practice in all areas of operation.

Objective 3: Compliance to necessary legislation

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.

3. Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

Community Consultation: Nil

Comment:

Watkins Road and Mundijong Road are classified as District Distributor roads and are currently used by transport operators to convey freight to and from various ports of call. However, such heavy vehicle use is restricted to the conditions imposed by the Council at its meeting held 13 September 2004 and Main Roads Western Australia Notice Network for oversized vehicles.

The road pavement in Watkins Road is not designed to cope with intensive heavy haulage movements and any intensive use is only likely to cause the rapid deterioration of the road infrastructure. In fact, the road pavement is already showing signs of deterioration. In addition, Watkins Road and Mundijong Road traverse a residential precinct and such intensive use will only affect the residential amenity of the area.

Accordingly, it is recommended that Council not endorse the application by W.A Bluemetal to haul material using oversize vehicles via Watkins Road and Mundijong Road. Rather, such haulage operations should utilise the Main Roads network being the South Western Highway through Byford.

Voting Requirements: Normal

CGAM135/05/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Price seconded Cr Kirkpatrick

1. That Council does not endorse the use of oversize vehicles (B-doubles and Road Trains up to 27.5 metres in length) by W.A. Bluemetal to supply and deliver railway ballast from Whitby to Kwinana via the South Western Highway, Watkins Road and Mundijong Road (within the Serpentine Jarrahdale Shire east of the intersection of King Road and Mundijong Road).
2. That W.A. Bluemetal and Main Roads Western Australia be advised in writing of the Council's decision regarding the use of Watkins Road and Mundijong Road by oversize vehicles to convey railway ballast from Whitby to Kwinana.

Advice note: That the route of South Western Highway, Thomas Road and King Road is a designated heavy haulage route.

CARRIED 8/1

Committee Note: The Officer's Recommendation was altered to add the advice note, but the Presiding Officer determined that this did not affect the intent of the motion.

Council Note: There was a minor change to the Committee/Officer Recommended Resolution by way of clarification by adding the words "east of the intersection of King Road and Mundijong Road" to part 1.

Cr Star left the meeting at 8.32pm

Cr Scott declared an interest of impartiality in item CGAM143/05/06 ARMADALE HOME HELP INC. – CONCESSION ON HIRE FEES FOR SERPENTINE PAVILION as she is a member of the Board of Armadale Home Help. This will not affect the way in which she votes on this item.

CGAM143/05/06 ARMADALE HOME HELP INC. – CONCESSION ON HIRE FEES FOR SERPENTINE PAVILION (RS0180/12)		In Brief That Council consider a request from Armadale Home Help Inc. for a concession on the hire fees applicable to the Eric Senior Pavilion for the conduct of their Day Centre activities.
Proponent:	Armadale Home Help Inc.	
Owner:	Serpentine Jarrahdale Shire	
Officer:	Darren Long Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	03/05/06	
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

Armadale Home Help Inc. has been operating from the CWA Hall in Serpentine for some time. However, recent concerns regarding the ability to replace the glass louvres at the CWA Hall, has prompted Home Help to cease operations at this facility and in the interim relocate the Day Centre activities back to Armadale. This has not been conducive to the operations of the Day Centre and the organisation is looking to re-establish the Day Centre at a new venue in the Serpentine area.

Armadale Home Help Inc has written to Council seeking use of the Eric Senior Pavilion for their Day Centre activities.

A copy of the letter of request is with attachments marked [CGAM143-05-06.tif](#).

Sustainability Statement

Use of local, renewable or recycled Resources:

Locally Available:

The proposal involves utilizing a local facility for the provision of a service to residents of the Shire. The proposal will enable greater use of the Eric Senior Pavilion.

Economic Viability:

The proposed activities are deemed to be economically viable and research conducted by Armadale Home Help Inc. indicates that there is a need for the service within the local community. The proposal will also keep residents in a local atmosphere, rather than transporting them to locations outside the Shire district.

Economic Benefits:

Discussions with the applicant indicate that the proposal will support the local economy by sourcing supplies from local businesses.

Statutory Environment:

Local Government Act 1995.

Financial Implications:

Council's Schedule of Fees and Charges details that the hire rates applicable for the day use of the Eric Senior Pavilion, including kitchen, is \$27/hr. The applicant intends to use the pavilion for 5.5 hours per day, resulting in a daily hire charge of \$148.50. The proposed concession to reduce the hourly rate to \$14 per hour will result in a potential loss of revenue of \$71.50 per day of hire.

Council will need to closely monitor the cleanliness of the Pavilion following each use of the facility to ensure that cleaning costs are not borne by the Shire.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

1. People and Community

Objective 2: Plan and develop towns and communities based on principles of sustainability

Strategies:

1. Foster a strong sense of community, place and belonging.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

Community Consultation:

Consultation has been undertaken with the Serpentine & Districts Pony Club and the Polo Crosse Club in relation to the facility. The Polo Crosse Club has advised that they have no objections to the proposal. The Serpentine and Districts Pony Club have advised that whilst they have no issues with the use of the hall, they have indicated that there is no lock up space available in the Eric Senior Pavilion. The Pony Club suggested that the Ivan Elliott Pavilion could be used as the lock up storage area, with some minor modifications to improve the security of the facility.

Armadale Home Help Inc has personally consulted with Dr Taiwo in relation to the use of the Eric Senior pavilion on Tuesday's, (as detailed in their letter), which would coincide with Doctor's surgery days. The Doctor has advised that the hire of the pavilion by Armadale Home Help Inc. on the same days as the surgery would not adversely impact on the Doctor's operations, as the Doctor has a discrete room for the medical practice.

Comment:

Armadale Home Help Inc. is a not for profit organisation that provides varied services to residents within the Serpentine Jarrahdale Shire, including Day Centre activities.

The applicants seek Council's consideration to:

1. Operate from the Eric Senior Pavilion every Tuesday and Friday from 10:00am to 3:30pm, subject to the availability of the Pavilion.
2. Grant a concession on the hire fees for the Eric Senior Pavilion to conduct their Day Centre activities.
3. Granting access to on-going lock-up storage and kitchen facilities on the days of hire.

It is suggested that a fee reduction be considered, due to the localized service being offered under the proposal to residents of the Shire. It is recommended that the hire rate be reduced to \$14 per hour for the Armadale Home Help Inc for the hire of the Eric Senior Pavilion.

It is recommended that the Armadale Home Help Inc. be advised that a bond of \$250 will be applicable, (if alcohol is not to be sold). This bond will be held until such time the Armadale Home Help Inc. cease the hire arrangement.

Armadale Home Help's request for lock up storage can be accommodated by offering the Ivan Elliott pavilion as the storage location. Council's Building Maintenance Officer will need to inspect the Ivan Elliott pavilion and ascertain the level of repairs required to ensure security of facility, so it would meet their requirements. It is understood from discussions with the Pony Club that repairs to the door would need to be undertaken.

Voting Requirements: ABSOLUTE MAJORITY

Officer Recommended Resolution:

1. Council grant Armadale Home Help Inc. a concession on the hire fees associated with the use of Eric Senior Pavilion, and reduce the applicable hourly hire rate to \$14 per hour, inclusive of the kitchen, for the days of operation being Tuesday and Friday weekly;
2. Council advise Armadale Home Help Inc. of the concession granted on the hire fees;
3. Council advise Armadale Home Help Inc. that lock-up storage would only be available in the form of the Ivan Elliott pavilion, as there is no other storage space available in the Eric Senior Pavilion.
4. Council advise Armadale Home Help Inc that an appropriate bond will be applicable for the hire of the Eric Senior Pavilion and the hire of the facility shall be in accordance with Councils standard hire conditions.
5. Council advise Armadale Home Help Inc. that the concession on the hire fees associated with the use of the Eric Senior Pavilion is to be reviewed annually and that the approved concession concludes 30 June 2007.

CGAM143/05/06 COUNCIL DECISION/Committee Recommended Resolution:

Moved Price seconded Cr Scott

1. Council grant Armadale Home Help Inc. a waiver on the hire fees associated with the use of Eric Senior Pavilion, inclusive of the kitchen, for the days of operation being Tuesday and Friday weekly;
2. Council advise Armadale Home Help Inc. of the waiver granted on the hire fees;
3. Council advise Armadale Home Help Inc. that lock-up storage would only be available in the form of the Ivan Elliott pavilion, as there is no other storage space available in the Eric Senior Pavilion.
4. Council advise Armadale Home Help Inc that an appropriate bond will be applicable for the hire of the Eric Senior Pavilion and the hire of the facility shall be in accordance with Councils standard hire conditions.
5. Council advise Armadale Home Help Inc. that the waiver on the hire fees associated with the use of the Eric Senior Pavilion is to be reviewed annually and that the approved waiver concludes 30 June 2007.

CARRIED 8/0 ABSOLUTE MAJORITY

Committee Note: The Officer Recommended Resolution was changed to waive fees instead of granting a concession.

Cr Price declared an interest of impartiality in item CGAM114 CGAM144/05/06 PEEL CYCLING CLUB – WAIVER OF HIRE FEES FOR MUNDIJONG PAVILION & OVAL (RS0120/01). He is not a member of the club but he does cycle with the club from time to time and will compete in the forthcoming event. This will not affect the way in which he votes on this item.

CGAM144/05/06 PEEL CYCLING CLUB – WAIVER OF HIRE FEES FOR MUNDIJONG PAVILION & OVAL (RS0120/01)		
Proponent:	Peel District Cycling Club Inc.	In Brief That Council consider a request from the Peel District Cycling Club Inc. to grant a concession on the fees for the hire of the Mundijong Pavilion.
Owner:	Shire of Serpentine Jarrahdale	
Officer:	Darren Long Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	04/05/06	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

A letter has been received from the Peel District Cycling Club Inc. seeking Council's support by way of waiving or a reduction in the applicable fees for the hire of the Mundijong Oval and Pavilion. The Club will be meeting once per month for approximately 2-3 hours each time to plan and coordinate the 'Back to Mundijong Day' Cycling event to be held on the 5 November 2006.

A copy of the letter of request is with attachments marked [CGAM144-05-06.tif](#).

Sustainability Statement

Effect on Environment:

Energy Use/Greenhouse Gas Emissions:

The organizers of the event aim to utilize the proposed event day as an opportunity to educate individuals regarding the use of cycling as an alternative transport mode. This has the potential to reduce greenhouse gas emissions through decreased use of vehicles.

Use of Local, Renewable or Recycled Resources:

Locally Available:

The planning meetings and proposed event will increase the use of the Mundijong pavilion and attract visitors to the Mundijong area.

Economic Viability:

The proposed event is deemed to be economically viable and the Club is seeking other revenue sources, including sponsorship to assist with the promotion and coordination of the event.

Economic Benefits:

It is anticipated that the proposed event will attract a number of people and their families to Mundijong to experience the various attractions planned for the day, including cycling rides involving numerous cycling bodies from the metropolitan area.

Statutory Environment:

Local Government Act 1995.

Financial Implications:

Council's Schedule of Fees and Charges details that the hire rates applicable for the day use of the Mundijong Pavilion is \$25/hr. The applicant intends to use the pavilion for 3 hours per day, resulting in a hire charge of \$75.00 each time. The proposed concession to reduce the hourly rate to \$12.50 per hour will result in a potential loss of revenue of \$37.50 per hire.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

1. People and Community

Objective 2: Plan and develop towns and communities based on principles of sustainability

Strategies:

1. Foster a strong sense of community, place and belonging.

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Develop tourism potential by exposing the community to the metropolitan area of Perth.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

Comment:

The Peel and Districts Cycling Club Inc. is a not for profit community based organisation. The Mundijong Wheelers are closely allied with the Cycling Club and are a locally based organisation. The proposed event has the potential to expose the town of Mundijong to a broad range of metropolitan people and generate a reasonable amount of additional revenue with local businesses on the event day.

It is recommended that a concession on current hire rates be considered, due to the affiliation of the Cycling Club with the local Mundijong Wheelers and that the proposed event has the potential to be of benefit to local businesses. It will also expose local residents to the benefits of cycling and also raise the historical profile of Mundijong in relation to cycling. It is recommended that the hire rate be reduced to \$12.50 per hour for the Peel and Districts Cycling Club Inc for the hire of the Mundijong pavilion.

It is recommended that the Peel and Districts Cycling Club Inc. be advised that a refundable bond of \$500 will be applicable if alcohol is to be sold, or \$250 if alcohol is not to be sold, for the hire of the facility.

Voting Requirements:

ABSOLUTE MAJORITY

CGAM144/05/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Richards seconded Cr Murphy

1. Council grant Peel and Districts Cycling Club Inc. a concession on the hire fees associated with the use of Mundijong Pavilion, and reduce the applicable hourly hire rate to \$12.50 per hour on the basis of one meeting per month until 5 November 2006;
2. Council advise Peel and Districts Cycling Club Inc. of the concession granted on the hire fees;
3. Council advise Peel and District Cycling Club Inc that an appropriate bond will be applicable for the hire of the pavilion and oval at Mundijong, and the hire of the facility shall be in accordance with Council's standard hire conditions.
4. Council advise the Peel and Districts Cycling Club that after 5 November 2006 the concession on the hire fees associated with the use of the Mundijong Pavilion will no longer apply.

CARRIED 8/0 ABSOLUTE MAJORITY

8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

OCM040/05/06		PROPOSED EXTRACTIVE INDUSTRY (SAND MINING) – LOTS 200 & 441 COYLE ROAD AND LOTS 713 & 1242 KING ROAD, OLDBURY (P03577/01)
Proponent:	Caversham Properties	In Brief
Owner:	N J Cumming and the estate of J M Wade	
Officer:	Meredith Kenny, Senior Planner	To consider a request to extract sand from part of the above lots for use in residential subdivisions in Byford.
Signatures Author:		
Senior Officer:		It is recommended that planning approval be granted under the Town Planning Scheme subject to conditions. The power to determine applications for extractive industries under the Metropolitan Region Scheme has been retained by the Western Australian Planning Commission.
Date of Report	17 May, 2006	
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	

Date of Receipt: 16 December 2005
 Advertised: Yes
 Submissions: 6 submissions
 Lot Area: 109 hectares approximately over 4 lots
 L.A Zoning: Rural
 MRS Zoning: Rural
 Byford Structure Plan: N/A
 Rural Strategy Policy Area: Rural
 Rural Strategy Overlay: Rural
 Municipal Inventory: N/A
 Townscape/Heritage Precinct: N/A
 Bush Forever: N/A
 Date of Inspection: 25 January 2006

Background

The proposal comprises the excavation of a sand ridge that extends across part of Lot 200, 441, 713 and 1242. The subject properties are currently used for grazing. There are two dwellings on Lot 713 that are intended to be demolished because of their age and condition. None of the other lots contain dwellings. All four of the properties are in the same ownership.

References throughout the report to the excavation area refer only to those portions of Lots 713, 441, 1242 and 200 that are to be excavated and not the whole of the subject lots.

The intention is to use the excavated sand in the construction of the residential subdivisions being carried out by Caversham Properties in Byford. The excavation area rises from 28 metres AHD in the western portion to 34 metres AHD in the eastern portion of the excavation area. A final land surface of 21-22 metres AHD is proposed, which is the same as that used for the sand excavation on the other side of King Road opposite the subject site (part of the same ridge).

The ridge comprises sand that is sub rounded to rounded, quartz sand varying from fine to medium grained and is white to yellow in colour. This is commonly known as Bassendean sand. A thin layer of grey sand containing a small portion of organic matter occurs at the surface of the ridge.

It is intended to return the excavation area to parkland pasture containing clumps of trees and shrubs once excavation ceases. Batters at the end of excavation are intended to be retained at a gradient of 1:4.

The applicant provides the following information with regard to the operation of the excavations:

“Excavation will be conducted in accordance with the provisions of the Mines Safety and Inspection Act and Regulations.

Excavation Methods

Excavation will be carried out as a sequence as follows:

1. *Any shrub vegetation that is cleared will be used for rehabilitation of the batter slopes, to provide for sand stability.*
2. *Any topsoil will be removed and recovered for spreading directly onto areas to be revegetated. If direct spreading is not possible the top soil will be stored in low dumps 1 metre high, for spreading at a later date.*
3. *Sand will then be excavated from the floor of the pit to an elevation of 21-22 metres AHD.*
4. *Sand will be picked up by a loader and loaded directly onto road transport trucks.*
5. *Access roads made of road base will have to be constructed to the face to enable truck access.*
6. *Excavation will be commenced in the centre of the ridge and then work east and north allowing for the unexcavated areas to form visual buffers to the excavation.*
7. *All static and mobile equipment such as the loader, transport vehicles, possible screens or washing plant will be located on the floor of the quarry to provide visual and acoustic screening.*
8. *Stockpiles of products will generally not be required unless a screening or washing plant is used. Any stockpiles will be retained on the floor of the pit to reduce visual impact.*
9. *At the end of excavation the floor of the quarry will be deep ripped, covered in a layer of overburden and top soil and rehabilitated with pasture and local indigenous tree/shrub species as an interim to future rural living land use.*

Staging and Timing

Sand will be taken in short periods of time concurrent to the construction timeframe of Caversham Properties' subdivisions in Byford. In between subdivision construction periods there will be no excavation works carried out. Because of the way the resource is to be used most of the sand is likely to be excavated in the first year with the small amount of remaining sand excavated within several years after that time. Completion of excavation could take between 3 to 5 years or longer.

Rehabilitation is intended to be carried out as excavation of each area is completed so that the amount of open sand at any one time is minimised.

Hours of Operation

The pit will be operated 6.00am to 5.00pm Monday to Saturday excluding any public holidays.

Access, Transport & Security

The quarry will be accessed through the north western corner of the resource, opposite the entrances to the sand excavation across King Road which service Readymix and Cook Industrial Minerals.

A bitumen entrance and crossover will be constructed prior to commencement.

Structures & Equipment

At this stage a washing or screening plant is not proposed to be used. Site structures and equipment proposed to be used are as follows:

Site office and/or containers	May be required for the management and security of small items.
Toilet system	A serviced portable toilet will be available when the site is operating.
Water Tanker	For dust suppression on access roads and working floors. This may not be required if sprinklers are used along the access road.
Loader	Loading and excavating sand.
Fuel Storage	Fuel will be taken to the site as required in mobile tankers.

Workforce

Numbers will depend on level of operation and market demands but will usually comprise 1-2 persons plus truck drivers.

Copies of aerial photos depicting the excavation area, excavation profiles and existing and proposed contour plans are with attachments marked OCM040.1/05/06.

Sustainability Statement

Effect on Environment:

Impact on agricultural viability of land

Bassendean sand ridges have the lowest fertility of any soils of the Swan Coastal Plain because of the degree of leaching of the sand. Accordingly, the excavation area has little agricultural capacity to grow crops or pasture of any type. Additionally, the stocking rate for such soils has a stocking rate of only 2 dry sheep (DSE) per hectare. The resultant leached sand surface reached at the end of the excavation activities would have a stocking rate of up to 6 DSE per hectare.

Impact on groundwater

The water table on Lots 713, 200, 441 and 1242 is located at 19 metres AHD being 2-3 metres below the intended finished level of the excavation area of 21-22 metres AHD. Accordingly, the excavation should not impact on groundwater levels.

The applicant advises that at this stage it is expected that water will only be required to be used for wetting down of pit surface and access roads. It is intended to use bore water for this purpose. The proponents calculate that approximately 2000 KL of water will be required per year for this purpose based on the following calculation:

10mm of water on access road 200 metres long by 5 metres wide over 200 working days of the year (not required in winter): $200 \times 5 = 1000 \times 0.01 \times 200 = 2000 \text{ kL}$. This is only 500 kL more than the 1500 kL per year allowed by the Department of Environment as a domestic allocation for Rural Living lots.

As a comparison the applicant states that breeding cattle use up to 30 kL per cow and calf per year so 2000 kL is what it would take to sustain 67 breeding cattle per year.

It should be noted that the water quantity calculation does not include watering of the pit itself only the access roads.

The remainder of the lots outside the excavation area will continue to be used for grazing of livestock. There are several small dams on the lots that will provide water for this stock.

Water may also be required for watering of plantings carried out as part of the rehabilitation of the excavation area. However, if planting is carried out at the optimal time (ie during late autumn/early winter) then water needed for this purpose can be minimised.

Vegetation

The excavation area is partly totally cleared and partly parkland cleared. Vegetation is predominantly comprised of *Kunzea ericifolia* and *Scholtzia involucreta* with other species of the original vegetation of the site being scattered or isolated. A vegetation study showed that the majority of the vegetation is a mono-species with an average of 1.1 species per 100m².

Water Quality

Excavation will cease at least 2 metres above the highest known groundwater table as is required by the Department of Environment's guidelines. The extraction of sand is chemical free except for fuels and lubricants used for equipment. The site is outside of the Jandakot Underground Water Pollution Control Area. However, it should be noted that sand extraction is permitted to occur in Priority 1 water source protection areas because of the low risk for soil contamination.

Only mobile refuelling tankers will be used and these will move across the site as the operation progresses. The main spill risks are when hoses are removed or if the tank ruptures but tanks are designed to manage this eventuality. The applicant makes a commitment to notify both the Department of Environment and the Shire if a spill greater than 5 litres occurs. In these cases contaminated soil will be removed from site to an approved disposal area.

Dieback Management

The applicant advises that they will follow Conservation and Land Management's guidelines for preventing Dieback from occurring on site including:

- * Quarantining vegetation areas
- * Rehabilitation surface being free draining.
- * No plants, soils, weeds or other materials being brought to the site except for that used for rehabilitation of the site.
- * Plants used for rehabilitation will be certified dieback free.

- * Any vehicles or earthmoving equipment brought to the site from dieback affected areas will be cleaned prior to entering the site.

Weed management

The applicant advises that there are no environmental or declared weeds impacting the site. Ongoing grazing of non-excavation areas will control the spread of veldt grasses. The site is to be monitored regularly for the introduction of declared weeds and those that have the potential to become problematic. Weed management will be undertaken in accordance with the Agriculture and Related Resources Act.

Fire protection

The quarry will form a fire break which will reduce the risk of fire emanating from equipment used on site. Perimeter firebreaks around the boundaries of the four properties will be maintained through the excavation process.

Aboriginal heritage

The applicant has searched the Department of Indigenous affairs database and has not found any record of Aboriginal heritage sites.

Greenhouse Gas Emissions

The pit will provide a local source for sand needed in the Byford area for new subdivisions. The applicant provides the following information in support of a claim that the proposed excavation will provide a saving with regard to Greenhouse Gas emissions:

This quarry represents the closest sand pit to supply sand to subdivisions in the Shire of Serpentine-Jarrahdale. By using this site a minimum of 26 kilometres can be cut off the transport (ie when compared to the trip from other sources at Baldvis and Mandurah).

If an average of 30 tonnes of sand was transported per truck in semi trailers then the saving in truck kilometres supplying sand for approved subdivisions in Byford would be:

1.5 million tonnes / 30 tonnes per truck average x 26 kilometre saving = 1.3 million km saving of truck travel.

Calculations are based on a truck using between 20 to 25 litres of fuel per 100 km, and an energy conversion of 38.6 MJ/L diesel fuel and carbon dioxide emissions of 38.6 g/MJ energy.

This equates to a saving of 260,000 – 325,000 litres of diesel fuel and 702,000 – 878,000 kg of carbon dioxide.

Comment:

It should be noted that based on these calculations, there will be **at least** 100,000 truck movements (50,000 in each direction) between the sand pit and Byford.

Rehabilitation

It is proposed to return the excavation area to parkland pasture with clumps of trees and shrubs of local species at a rate of 200 per hectare.

In addition, it is intended to rehabilitate 2.4 hectares of vegetation linkage between existing remnant vegetation to the south of the excavation area thereby providing an ecological offset. The linkage will run from the remnant vegetation on Lot 439 to the west to the conservation category wetland east of King Road. The Ecological Offset will comprise:

- * A self sustaining cover of local native plant species.
- * 3000 tree and shrub stems per hectare at three years comprising 50% tree and taller shrubs such as Eucalyptus, Banksia and Kunzea, 30% medium sized shrubs and 20% groundcover, smalls shrubs and perennial herbaceous species.

- * Reduction of weed species to levels not likely to threaten native species.

Any shrub vegetation that is cleared will be used for rehabilitation of batter slopes for sand stability. The final landform will be an undulating floor between 21 to 22 metres AHD.

Trees and shrubs will be installed as tube plants during June-July in hollows on the rehabilitated land surface.

Monitoring of the success of the rehabilitation will be made in late summer to determine further rehabilitation requirements for the following winter. Monitoring will be carried out for three years.

Resource Implications and Use of Local, renewable or recycled Resources: The proposal will provide a local sand resource suited to a variety of end products including filling of land for residential purposes. There is the potential for greenhouse emissions to be reduced by saving 26 km from the current transport route of sand to Byford for each truck movement.

Economic Benefits: Due to lower transport costs the price of sand fill needed for the Byford residential subdivisions will be reduced. This may have a direct benefit for purchasers of land in Byford as it may help to keep lot prices lower. The additional sand resource in the southern metropolitan area may increase competition thereby helping to keep sand prices lower.

Social – Quality of Life, Social and Environmental Responsibility and Social Diversity: The proposal may impact upon the community by virtue of noise, dust and visual impact if the operations do not comply with statutory approvals and licence conditions. It is considered that the management practices proposed by the proponents with regard to these issues will, if consistently implemented, adequately ameliorate potential impacts on adjoining properties.

Statutory Environment: Metropolitan Region Scheme (MRS)
Town Planning Scheme No. 2
Planning and Development Act 2005
Local Government Act
Extractive Industries Local Law

Planning approval for the extractive industry is required from the Western Australian Planning Commission (WAPC) under the MRS and from the Shire under the Town Planning Scheme No. 2. A licence is required under the Shire's Extractive Industries Local Law.

State or Regional Significance - MRS Clause 32 Resolution

The WAPC has resolved under MRS Clause 32 to call-in any application for development in the Rural zone which includes an extractive industry.

Town Planning Scheme No. 2 (TPS 2)

The subject land is zoned "Rural" in Town Planning Scheme N^o 2. Industry – Extractive is classified as an "AA" use in the Rural zone. A classification of "AA" means that the Council may, at its discretion, permit the use.

Local Laws – Extractive Industries

The landowner is required obtain a License for the extractive industry in addition to planning approval. ***The application requirements for such Licence under the Shire's Local Laws relating to Extractive Industries are with attachments marked OCM040.2/05/06.***

The applicant has generally addressed all of the above information. However, it is considered that a complete operational acoustic assessment should be undertaken within 28 days of when excavation commences and an action plan prepared to ensure compliance with the prescribed limits contained in the Environmental Protection (Noise) Regulations. A condition has been included in the recommendation in this regard.

In addition, the applicant still needs to undertake the advertising required under the Extractive Industries Local Law and to pay the Licence fee of \$6000. Understandably the applicant seeks not to pay the licence fee unless planning approval is granted. Accordingly, it is recommended that if planning approval is granted the Executive Manager Planning and Regulatory Services be granted delegated authority to issue the Licence subject to the necessary advertising being carried out and the licence fee being paid prior to issuance of the licence. Conditions placed on the licence will be consistent with those applied to the other two existing sand pits in Coyle and King Roads along with any additional site specific conditions deemed necessary.

Policy/Work Procedure Implications:

Council policy relating to extractive industries
Work Procedure relating to fill.

Financial Implications:

Financial implications to Council associated with this application include the carrying out of bi-annual audits and following up any complaints and compliance issues as they arise.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

1. People and Community

Objective 2: Plan and develop towns and communities based on principles of sustainability

Strategies:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.

2. Environment

Objective 1: Protect and repair natural resources and processes throughout the Shire

Strategies:

1. Increase awareness of the value of environmental requirements towards sustainability.
3. Encourage protection and rehabilitation of natural resources.
4. Reduce water consumption.

Objective 2: Strive for sustainable use and management of natural resources

Strategies:

1. Implement known best practice sustainable natural resource management.

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.

Objective 2: Well developed and maintained infrastructure to support economic growth

Strategies:

2. Consider specific sites appropriate for industry /commercial development.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.
3. Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

Community Consultation:

Required: Yes

Support/Object: 6 submissions received (5 objecting/1 request for further information).

These are summarised below:

Affected Property	Summary of Submission	Officer's Comment
A129800	<p>Objects to the proposed development for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed development is inconsistent with the current land use in the area (Rural). 2. There are two sand mines in close proximity to subject site which are visible from the road and have very little or very poor rehabilitation. 3. Noise generated by the heavy machinery and vehicles used in the mining operation will impact on the local area. 4. Homes to the east and west of the site will be impacted upon by dust due to the direction of the prevailing winds. 5. There will be a lot of heavy truck traffic in the area and these trucks may try to use the shortest route to the site being Gossage Road which is not suitable for heavy vehicles. 6. What guarantees will be put in place to ensure that the site is rehabilitated after mining has ceased. 7. Future Use – will or can the mining operation be extended past the 5 year period proposed? What is the proposed use of the land after mining ceases? 8. Will the Conservation Category Wetland on Lot 200 be retained and protected? 9. Existing rural properties rely heavily on groundwater – will there be any impact on supply, quality and quantity? 10. Land Values – current 	<ol style="list-style-type: none"> 1. Under the Shire's town planning scheme, the land use of <i>Industry – Extractive</i> is a discretionary land use that may be permitted in the Rural zone. 2. The majority of the sand pit will be screened from view of King and Coyle Roads by existing on-site and roadside vegetation. Additionally screening would be required to be planted where it is currently lacking. <p>A comprehensive rehabilitation plan has been submitted by the applicant for not only the excavation area but also the Conservation Category wetlands on the site. The Shire's auditing processes are now more stringent with regard to extractive industries than occurred in the past and also performance bonds are taken from the applicants as a guarantee against the implementation of the rehabilitation plan.</p> <ol style="list-style-type: none"> 3. The operation will be required to comply with the Environmental Protection (Noise) Regulations. The proponent will be required to produce an Environmental Management Plan to control noise on site to within the legislative limits. Monitoring of the levels must occur within 28 days of commencement of operations and thereafter must be reported at least annually as part of the audit process. 4. The applicant has proposed measures to address any potential dust issues such as watering of access tracks and exposed pit areas and the retention of ridges at either end of the extraction areas. However verification of the effectiveness of these measures will be subject to auditing as part of the Environmental Management Plan and the Shire may require alternate actions if the measures prove ineffective.

Affected Property	Summary of Submission	Officer's Comment
	<p>surrounding land is zoned Rural. Whilst no change to the zoning is expected in the near future, this may be reviewed. Having a sand mine in the vicinity would have an adverse effect on land values.</p>	<p>5. The applicant advises that vehicles will use King Road, Thomas Road and South Western Highway to access the subdivision sites in Byford. A condition has been included in the recommendation specifying that this route must be adhered to. It would be expected that if this pit were not to go ahead and sand was required to be obtained from Baldvis and Mandurah then a similar route along King Road from the freeway and Mundijong Road would be taken.</p> <p>6. The operator is required to undertake landscaping/revegetation during the life of the operation. This includes rehabilitation of a completed stage prior to commencement of a subsequent stage. A condition in this regard has been included in the recommendation.</p> <p>7. Further licences in excess of the five years applied for could be issued by Council if the resource has not been exhausted.</p> <p>8. The wetland will be protected.</p> <p>9. The amount of groundwater required for this type of mining operation is minimal and consistent with that required for domestic use on a Rural Living property. Groundwater will only be required for watering of access roads and exposed areas of pit to prevent dust nuisance.</p> <p>10. There are no current proposals to change the zoning of the subject and surrounding land. The Draft Jandakot Structure Plan designates the land to remain in the Rural zone. There are already two sand mines in the vicinity of the subject site so it is unlikely that a third, relatively short-term operation, would have any impact on current land values. The land will be returned to grazing following completion of mining and rehabilitation.</p>
A153318	<p>Objects to the proposed development for the following reasons:</p> <ol style="list-style-type: none"> 1. There are already two sand pits in the area. 2. There is concern for noise pollution. 3. There is concern for the effect of more traffic, particularly industrial traffic in the area. 4. There is concern for the aesthetics. 5. The area is supposedly a "green 	<ol style="list-style-type: none"> 1. Refer to 1. above. 2. Refer to 3. above. 3. King Road is a designated heavy haulage route and as such will continue to carry industrial/commercial vehicles. The applicant advises that vehicles will use King Road, Thomas Road and South Western Highway to access the subdivision sites in Byford. A condition has been included in the recommendation specifying that this route must be adhered to.

Affected Property	Summary of Submission	Officer's Comment
	<p>area”, ie there are properties that are zoned “bush”.</p> <p>6. There is concern for the proposed hours of operation.</p> <p>7. There is concern for airborne dust created by such an operation.</p>	<p>4. and 5. The important environmental features on the subject lots (such as conservation category wetlands-CCW's) will not be adversely affected by the proposed extraction. The applicant proposes to protect and rehabilitate the existing CCW's on the properties as an ecological offset against the clearing undertaken to facilitate the proposed extraction. In addition, the extraction area will be rehabilitated throughout and at the end of the extraction activities.</p> <p>6. A condition is included in the recommendation restricting the hours of operation to 7.00am to 5.00pm. Monday-Saturday only (excluding Sundays and public holidays).</p> <p>7. The applicant has proposed measures to address any potential dust issues such as watering of access tracks and exposed pit areas and the retention of ridges at either end of the extraction areas. However verification of the efficacy of these measures will be subject to auditing as part of the Environmental Management Plan and the Shire may require alternate actions if the measures prove ineffective.</p>
A153317	<p>Objects to the proposed development for the following reasons:</p> <p>1. The area is for agriculture.</p> <p>2. There is already a sand pit over the road.</p> <p>3. The new pit will impact on their quality of life with noise and dust. The noise level of the loader at the existing pit is very unpleasant.</p>	<p>1. and 2. Refer to 1. and 2. in Comments section for first submission.</p> <p>3 and 4. Refer to 3 and 4 in Comments section for first submission.</p>
A173101	<p>Objects to the proposed development for the following reasons:</p> <p>1. The noise impact in the areas being excavated – we hope this will be at a low level, as noise and vibration will travel at a faster pace in an open area, such as ours is compared to a suburban area where noise is absorbed by building densities.</p> <p>2. Hopefully working hours will be of a reasonable time, no public holidays or Sundays and we won't have enormous machinery commencing operation (e.g. at 2</p>	<p>1. Refer to 3. in Comments section for first submission.</p> <p>2. refer to 6. in Comments section for second submission.</p> <p>3 and 4. Refer to 3 and 4 in Comments section for first submission.</p>

Affected Property	Summary of Submission	Officer's Comment
	<p>o'clock in the morning, on a regular basis or for a sudden rush order).</p> <p>3. We rely on rainwater runoff from roofs for drinking water and are concerned that the fine sands will fall onto catchment areas and clog piping to water tanks. Also concerned at micro-organisms being disturbed and also entering the water tanks.</p> <p>4. Hopefully the dust aspect will be carefully monitored as I am asthmatic.</p>	
A122700	<p>Objects to the proposed development for the following reasons:</p> <p>1. The plan contained in the application documents does not show all houses in the vicinity of the proposed sand mine – my house and the new house being constructed on my neighbour's property are not disclosed. How many other residences have been left off the plan. Both these houses will be in the path of the prevailing easterly winds and will be sand blasted throughout the summer months.</p> <p>2. If the ridge is removed how is the developer going to prevent a wind tunnel from being created.</p> <p>3. The sand is probably much finer than the 1.5mm stated in the application report.</p> <p>4. Under the heading of Climate 2.1 they state "maximum temperatures in the summer months are 31 degrees – where have they been during our summer months?"</p> <p>5. Hydrology – report states there is no surface runoff – a considerable amount of the southeast corner of the site is under water for 2-3 months of the year or else why do we have drains on both sides of King and Coyle Roads.</p> <p>6. A large amount of revegetation has been carried out on the property which will be lost through mining excavation.</p> <p>7. There is concern with regard to the possibly of truck traffic on</p>	<p>1. and 2. Refer to 4. in Comments section for first submission.</p> <p>3. The applicant has advised that the sand grains are approximately 1.5mm in size and the submitter has not provided any proof to the contrary.</p> <p>4. The applicant advises that the report meant to refer to the mean summer maximum which according to the Bureau of Meteorology is 31 degrees.</p> <p>5. With regard to there being no runoff from the site the applicant is referring to the excavation site rather than the whole of the lots. The free draining nature of the sand of the ridge is such that there is unlikely to be any runoff from the excavation area itself.</p> <p>6. Refer to 2. and 6. in Comments section for first submission.</p> <p>7. and 8. Refer to 5. in Comments section for first submission.</p> <p>9. A condition requiring all loads leaving the site to be covered is included in the recommendation.</p>

Affected Property	Summary of Submission	Officer's Comment
	<p>King Road conflicting with trucks leaving the sand mining operation.</p> <p>8. The trucks will use Orton Road or Gossage Road to get to Byford which are not suitable for heavy traffic.</p> <p>9. How many lazy truck drivers will actually cover their loads properly?</p>	
A197600	<p>Submitter advises that not enough information has been provided by the Shire to make an informed decision. Is not against development in principle but makes the following queries:</p> <ol style="list-style-type: none"> 1. What happens to the property after completion of mining? 2. Will trucks travel down Gossage Road? 3. Noise problems. 4. Dust problems. 5. Will the developers have an option to renew after 5 years? 6. How will the titles to these properties be affected as there are many (4)? 7. Submitters biggest concern is that development in the Shire is haphazard and he has grave concerns that the Council is allowing this area to become a defacto industrial area by stealth. 	<p>Copies of all documents submitted with the application have been provided to the submitter as requested. No further comment has been received from the submitter following the receipt of this information.</p> <ol style="list-style-type: none"> 1. The land will be returned to grazing following completion of mining and rehabilitation. 2. Refer to 5 in Comments section for first submission 3. Refer to 3 in Comments section for first submission. 4. Refer to 4 in Comments section for first submission. 5. Further licences in excess of the five years applied for could be issued by Council if the resource has not been exhausted. 6. The land titles will not be affected by this proposal. 7. Under the Shire's Town Planning Scheme, the land use of <i>Industry – Extractive</i> is a discretionary land use that may be permitted in the Rural zone. <p>There are no current proposals to change the zoning of the subject and surrounding land. The Draft Jandakot Structure Plan designates the land to remain in the Rural zone. There are already two sand mines in the vicinity of the subject site so it is unlikely that a third, relatively short-term operation, would have any impact on current land values.</p>

Comment from External Government Agencies

Department of Industry and Resources

The application does not impact on access to mineral or petroleum resources and there is no objection to the issue of an extractive industry licence.

Environmental Protection Authority

The application was referred to the Environmental Protection Authority (EPA) under Section 38 of the Environmental Protection Act as the Shire considered the proposal to be significant. The initial response from the EPA stated that whilst there were a number of environmental issues the Authority had decided not to subject the proposal to the formal environmental impact assessment process but would provide advice to the Shire, the proponent and relevant authorities on environmental aspects of the proposal. This decision of the EPA was advertised publicly with a 14 day period set for public comment. The EPA did not receive any public comment and accordingly released an advice statement on 24 March 2006 as follows:

The EPA Service Unit believes that the environmental impacts associated with the proposal can be managed through the setting of appropriate planning or development conditions in consultation with other relevant agencies. This includes consideration an application of the numerous statutory, non-statutory policies, guidelines, codes of practice, criteria, bulletins, statements and regulations produced by the Department of Environment (DoE) and the EPA. It is an expectation of the EPA that appropriate measures will be taken to minimize the environmental impacts of the proposal as follows:

- * *the excavation activities should be restricted to no lower than 2 metres above the highest known water table.*
- * *a 50 metre buffer should be maintained between the excavation activities and the adjacent wetlands, and*
- * *the adjacent wetlands should be fenced to protect the wetlands from grazing and other activities.*

The proponent subsequently wrote to the EPA and confirmed they will comply with the above conditions and provided a copy of their correspondence in this regard to the Shire. Conditions of approval placed on the development by the Shire would include the three conditions provided by the EPA.

Town of Kwinana

The application was referred to the Town of Kwinana for comment because of the proximity of the development site to the Serpentine Jarrahdale/Kwinana municipal boundaries. The Town of Kwinana stated that consideration of approval of the proposal should take into account the following issues:

- * *The proposal is inconsistent with the provisions of the Draft Jandakot Structure Plan, which identify the proposed excavation area (sand ridge) as a landform feature worthy of protection.*
- * *The sand resource is not identified as a priority raw material resource in the WAPC's Statement of Planning Policy 2.4 Basic Raw Materials (SPP 2.4).*
- * *There is a high risk of Actual Acid Sulfate Soils on the subject land as identified on the WAPC's Planning Bulletin 64. This raises the question of the land's viability for any form of extraction or disturbance of the soil as the process of disturbing the soils is what triggers the acid sulfate reaction. Further analysis into the feasibility of managing such risk would therefore be required.*

The issue of the proposal's inconsistency with the intent of the Draft Jandakot Structure Plan is discussed in detail in the Comment section below. It is considered that the fact that the excavation area has not been identified as a priority raw material resource in the WAPC's SPP 2.4 does not preclude the resource being considered to be a viable raw material resource. This issue also needs to be weighed up against the benefits of a locally available sand resource such as:

- * the enormous amount of development occurring in the Shire that requires such a resource;
- * the potential for significant reductions in Greenhouse gas emissions related to the reduction in transportation distances; and

- * the local environmental and ecological offset benefits that can be gained as a result of this proposal including the improvement and rehabilitation of linkages between Conservation Category Wetlands on both sides of King Road and the improvement of the agricultural viability of the land following completion of excavation.

Assessment by Shire's Environmental Consultant

Policy framework

Shire of Serpentine-Jarrahdale Rural Strategy (2003)

The Rural Strategy makes reference to SPP2.6 – Basic Raw Materials Policy. However, the subject site is not identified as being either a Priority Resource Area or a Key Extraction Area.

SPP2.4 – Basic Raw Materials Policy

The site is not identified as a Priority Resource Area or Key Extraction Area within the policy. Sand extraction operations to the east and west have been identified as Extraction Areas. These areas should be protected in the short term, however will be replaced with other land uses.

2002 mapping prepared by WAPC indicates that there are three existing sand extraction operations within close proximity of the site, based around the sand ridge that runs through the area. An additional sand operation was identified as 'pending' on the Serpentine-Jarrahdale/Kwinana border.

Jandakot Structure Plan

The site is identified for Rural land uses under the structure plan. It is further indicated the site is affected by:

*A landform/landscape protection area
Conservation Category Wetlands
Multiple Use Wetlands*

Site characteristics

Landform

Topography varies over the site, with the highest point corresponding to the sand resource proposed to be extracted.

Despite the topography, views to the site from the public domain are somewhat limited due to the existing vegetation along the surrounding road reserves, although a portion of the denuded ridge is visible from the northern approach to the site.

Groundwater

The Perth Groundwater Atlas indicates that groundwater levels are about 20m AHD in this location (about 13-14 metres below ground level at the highest point).

Surface water

The site is affected by several wetlands. The report Wetlands of the Swan Coastal Plain (1996) identifies several wetlands on the site. Wetland to the north of the ridgeline is classified as Dampland with a management category of Conservation. Wetland known as Big Bullrush Swamp and acts in part as a drainage basin for Water Corporation drain.

Wetland to the south of the ridgeline classified as Dampland with management category of Multiple Use. Several smaller components of well vegetated dampland within the main southern wetland has been classified as Conservation.

These categories have since been refined and are as shown in the draft Jandakot Structure Plan. Several smaller Conservation Category Wetlands are located on lots fronting Coyle Road. Larger wetlands (identified above as damplands) are classified Multiple Use (MU). It

would appear that the northern-most MU wetland encroaches into the area identified as Landform/Landscape Protection but is outside of the proposed sand extraction area.

A Water Corporation drain is located to the north of the property.

Vegetation

A vegetation survey of the site has been undertaken by the applicant. In essence, the survey concluded that the site contained no rare or priority flora, and that species diversity was extremely poor with an average of 1.1 species per 100m² and 1.8% representation of the original native species.

The report concludes that there will be opportunities for rehabilitation that will improve the vegetation quality on the site by way of improved diversity and the provision of linkages between wetlands.

Discussion

Groundwater protection

Excavation is proposed to extend to 21-22 metres AHD. The Perth Groundwater Atlas indicates that groundwater levels are about 19-20 metres AHD. As stated in the application a 2 metre final groundwater separation distance is proposed.

The extraction operation proposed is relatively simple, with sand being excavated by a loader and loaded directly onto trucks. No screening or washing is proposed at present. A modification to the licence and referral to the EPA would be required if these are proposed in the future.

Sandy soils have little ability to retain significant spills and groundwater would therefore be a threat should a significant spillage occur. Spillages possible as part of this application are minimal due to the simple nature of the operation and the small amount of on-site equipment proposed.

Wetlands

The extraction activities should not adversely impact on Conservation Category Wetlands in the area. Multiple Use wetlands have not been discussed in the application. A general description of multiple use wetlands is:

Wetlands with few important ecological attributes and functions remaining: Use, development and management should be considered in the context of ecologically sustainable development and best management practice catchment planning through land care. Should be considered in strategic planning (e.g. drainage, town/land use planning).

In considering the appropriateness of a land use, wetland management categories are regarded as equivalent to the Department of Environment public drinking water source protection areas. Therefore, the wetland management categories of conservation, resource enhancement and multiple use correspond to water source protection areas Priority 1 (P1), Priority 2 (P2) and Priority 3 (P3) respectively in terms of land use compatibility.

Extractive Industries are restricted in Priority 3 areas, however this relates primarily to the storing of fuels and chemicals. Neither are proposed to be stored as part of this application.

The sand extraction is obviously located on the highest portion of the site and runs between two Multiple Use wetlands. Given the simple nature of the operation it is unlikely there will be any adverse impact on the damplands as a result of extraction. Given that a 2 metre buffer distance is proposed between the bottom of the excavation and the groundwater the excavated area is unlikely to become a defacto dampland area. Nevertheless, it may be prudent for the application to recognise the presence of the multiple use wetland and propose, if practical, mechanisms to improve their environmental quality.

Landscape features

The excavation area is the highest area of land within the locality. It has been recognised as being of landscape significance in the draft Jandakot Structure Plan (JSP).

The applicant states that the inclusion of this area within the JSP is flawed, as no consideration has been given to the requirements of SPP2.4, and the fact that significant portions of the ridgeline have been removed as part of other existing extraction industries.

As shown on the WAPC Basic Raw Materials Plan there are three existing sand extraction operations on this ridgeline, with only the central portion on this site remaining. Irrespective of this, the implications of having the site included in the JSP will need to be considered.

The site is visually screened from the public domain in most instances due to roadside planting. Further screening is proposed along King Road as part of the application.

Similar extractive and rural activities occur in this locality and it is considered visual amenity is not going to be a major issue in this instance. Advertising of the application in the local community may ascertain this.

Noise, dust and buffers

EPA Guidance for the Assessment of Environmental Factors relating to Separation Distances between Industrial and Sensitive Land Uses indicates that a minimum separation distance of 300-500 metres is required for sand and limestone extraction where no milling or grinding works are occurring. The size of the buffer will depend on the size of the operation and relates to potential impacts associated with noise and dust. These buffer distances form the buffer distances referred to in SPP 4.1 (State Industrial Buffer Policy).

The EPA Guidance indicates that proponents and responsible authorities are encouraged to consider their proposals and schemes in the light of the guidance given. A proponent or responsible authority wishing to deviate from the advice in this Guidance Statement would be expected to put a well-researched, robust and clear justification arguing the need for that deviation.

In this instance there is a residence within 250 metres of the site and another within 350 metres. Both of these residences are due west of the proposed extraction site. Should noise and/or dust become a problem at the site, these residences may be affected. The situation would be made worse during summer months when the prevailing winds are from the east.

The sandy soils on the site, once disturbed and denuded of vegetation, would be somewhat subject to wind erosion unless suitable mechanisms were put in place to prevent this occurring. The applicant has provided several mechanisms to minimise dust nuisance. The measures proposed during pit operations should prevent dust nuisance to surrounding residences. The applicant has proposed measures to address any potential dust issues such as watering of access tracks and exposed pit areas and the retention of ridges at either end of the extraction areas. However verification of the efficacy of these measures will be subject to auditing as part of the Environmental Management Plan and the Shire may require alternate actions if the measures prove ineffective. Land clearing at the commencement of operations will also need to be carefully managed to ensure that no dust nuisance occurs.

It is recommended that these measures be reinforced as conditions on any approval issued.

Noise

The operation will be required to comply with the Environmental Protection (Noise) Regulations. The proponent will be required to produce an Environmental management Plan to control noise on site to within the legislative limits. Monitoring of the levels must occur within 28 days of commencement of operations and thereafter must be reported at least annually as part of the audit process.

Vehicle movement and local amenity

No information has been provided in relation to anticipated truck movements to and from the site. This may have implications on the local road network and amenity of nearby residences.

Dieback, weed management and fire protection

The measures proposed within the application are considered satisfactory.

Rehabilitation

The rehabilitation proposed within the application is considered satisfactory. Establishment and monitoring of rehabilitation and vegetation linkages in Conservation Category Wetlands should be undertaken and completed on the advice and requirements of the Department of Environment.

Conclusions and recommendations

The major constraints to the application include:

- * Destruction of the sand ridge identified as Landscape/Landform Protection in the draft Jandakot Structure Plan
- * Potential impacts on neighbouring properties due to proximity
- * Potential affects on local road network and local amenity due to truck movement

The major opportunities include:

- * Potential to improve the vegetation quality and diversity on the site
- * Establishment of linkages between CCW's
- * Potential to improve the environmental quality of the Multiple Use Wetlands.

It is recommended that:

- * the Shire advertise the proposal, and seek specific comments from landowners within a 500 metre radius of the site
- * the applicant be asked to provide details on implications of the extraction activity on the adjacent Multiple Use Wetlands, and how the proposal can benefit the environmental quality of these wetlands
- * details be sought from the applicant regarding traffic movement to and from the site.

Additional information provided by Proponent with regard to issues raised in submissions, government agency comments and by Shire's Environmental Consultant

The proponent was requested to provide further information to address the issues raised in public submissions, comments from government agencies and by the Shire's Environmental Consultant. The following additional information was provided with regard to the implication of the excavation activity on the adjacent Multiple Use Wetlands and how the proposal could benefit the environmental quality of these wetlands and, traffic volumes to and from the site:

Multiple Use Wetlands

Following consultation with the EPA it was recommended that a 50 metre buffer be maintained between the proposed extraction site and adjacent wetlands and a fence be installed to protect wetlands from grazing and other activities. A letter has been sent to the EPA confirming the proponents' intent to comply with these recommendations.

Traffic Movement

Traffic movement to and from the site will involve semi trailers and follow a route along King Road, Thomas Road and potentially South Western Highway, which are all designated haulage routes. The pit has a capacity to extract 1 million cubic metres of sand, assuming this is extracted over a 10 year period; the volume of trucks per day would be approximately

17. *The life of the pit is only an indication, if it were to be only 5 years the number of trucks would increase to approximately 34 per day.*

Acid Sulfate Soil Risk

The proponent's environmental consultant carried out an assessment of the acid sulfate risk associated with the extraction activities on the site and the following conclusions were reached:

The sand ridge only has a low to medium risk of acid sulfate soils. This classification applies to the majority of the Swan Coastal Plain. It is the low lying land to the north of the sand ridge that is classified as having a high potential for acid sulfate soils and this land will not be disturbed in any way through the excavation activities as it is at least 50 metres away from the extraction area.

Excavation of the ridge will cease a minimum of 2 metres above the highest known groundwater table as required by the EPA.

If there are no excavations or dewatering that will expose sulfides then there will be minimal or no risk.

The acid sulfate assessment was provided to the EPA for assessment. The EPA accepted the conclusions reached in the assessment that there was minimal risk of disturbing acid sulfate soils during sand excavation. However, it is considered that monitoring of groundwater levels and soils should be undertaken throughout the excavation process to:

- (i) confirm depth to groundwater table and ensure that a minimum 2 metre clearance is maintained between excavation floor and highest known groundwater.
- (ii) to verify that any potential contaminants not limited to acid sulfates, are liberated from the dunal systems as a result of mining activities; and
- (iii) ensure management actions in accordance with the Department of Environment's guidelines "Treatment and management of disturbed acid sulfate soils" and "General Guidance on Managing Acid Sulfate Soils".

A condition in this regard has been included in the recommendation.

Jandakot Structure Plan

The proponents planning consultant provided the following additional information with regard to the proposals inconsistency with the WAPC's *Draft Jandakot Structure Plan* and SPP 2.4 *Basic Raw Materials*:

Jandakot Structure Plan

The Jandakot Structure Plan (JSP) flags generic uses for land within the subject location but is not a fine detail guide which is to be used in lieu of specific planning and environmental analysis. It is noted that the landform earmarked in the JSP, is in reality sand which has and is being extracted in the quarries to the south west and east of the subject site. Therefore, it is asserted that the proposed extractive license does comply with the intent of the JSP by proposing a discretionary use – that being an extractive industry in a Rural zone.

With regard to the Town of Kwinana's comments related to CCW's on the subject land, it is noted that the proposed area to be extracted is not within the CCW. Additionally, it is noted that CCW's have coexisted with extractive industry to the south west and to the east in the past and currently. Part of the Rehabilitation Management Plan submitted with the extraction application notes the nature of the hydrology and concluded that there is no surface water runoff due to the porosity and permeability of the land. Therefore, potential impact from the proposed extractive industry is considered negligible. It is acknowledged that there is necessary due care required to protect the nearby CCW and rehabilitate the land during and after the extractive process, the proponent intends this and has demonstrated their commitment to this through the Rehabilitation Management Plan.

SPP 2.4 Basic Raw Materials

Although the subject site is not marked as an Extraction Area, this does not exclude areas from being mined if they do not have such status. In fact, the Extraction Areas are simply existing extractive industries operating under the Mining Act 1978, the Local Government Act 1996, a regional planning scheme or town planning scheme. In which case, it is noted that the subject land is zoned Rural under the Shire's Town Planning Scheme and therefore extractive industry is a discretionary use.

It is noted that to the east exists land marked as Extractive Area. The subject deposit is the remaining deposit to be concluded on for extractive purposes in the locality.

The proposed extractive license achieves the objectives of SPP No. 2.4. The subject deposit is located in a significant key extraction area being cognizant of surrounding quarries for the same resource. The impact of the proposed extractive industry on agricultural land will be negligible, in fact it is noted that the land proposed to be mined is degraded in state and the Rehabilitation Management Plan will in fact improve the subject land. The location provides ideal vehicular access via Orton and Thomas Road, which has been utilised by the previous quarries in the location. There is ability to rehabilitate the land to a form or use which is compatible with the long-term planning for the site and surrounding areas.

Clause 6.4 of SPP 2.4 requires a Management Plan for applications for extractive industries. This has been submitted with the application.

It is asserted that the proposed extraction license is in compliance with the criteria and intent of SPP 2.4.

It should be noted that Orton Road is not considered to be an appropriate road for use by heavy vehicles involved in sand extraction due to its current standard and width. It is considered that allowing vehicles involved with this proposal to use Orton Road, and indeed other local roads such as Gossage Road, would result in considerable damage to the road surfaces and could have traffic safety implications due to the narrowness of these roads.

Comment:

The Draft Jandakot Structure Plan (JSP) contains the following recommendations with regard to the sand ridges in Oldbury/Casuarina:

7.2.10 Landform/Landscape Protection

The prominent sand ridges in the southern rural areas have been highlighted on the structure plan as an area worthy of further consideration and detailed planning with a view to protection of this landform feature. Compatible residential, rural land use and subdivision should be encouraged to keep this feature. Guidelines are suggested in Appendix C.

C2.2 Landscape/Landform Protection of the Ridge in the South-East Area

The ridge is a prominent landform/landscape feature within the relatively flat rural terrain. It provides dramatic views of the area through to the foothills. Further investigation into the physical extent of the ridge, its character and context within the broader rural landscape, should be undertaken to ascertain areas that are strategic to the ridges' environmental enhancement. This should provide insight into what form of enhancement is required and the appropriate range of environmental improvement responses. The ridge face, top and adjoining areas are likely to be most significant for landscape protection. The following should be considered for the enhancement of the ridge,

- *A landform and landscape survey should be undertaken to:*
 - *Establish the extent and nature of the landform and vegetation upon it,*

- *Identify significant view lines to the ridge from public movement areas such as main roads, public open spaces and areas that support public activity,*
- *Identify landscapes, activity areas, development, buildings and structures that affect the amenity of the ridge when viewed from low lying rural land,*
- *Establish significant view lines from the ridge to lower lying rural land, and*
- *Identify landscapes, activity areas, development, buildings and structures that affect the amenity of the area when viewed from the ridge.*
- *Landform protection should be provided to the ridge from uses and activities that affect its form including,*
 - *Mining activity, which should be banned, and where the landform has been affected, landscape rehabilitation should be undertaken,*
 - *Horse agistment, that can lead to the deterioration of the soil and landform, and*
 - *Other activities that affect the appearance of the landscape and soil quality of the ridge.*
- *Landscape enhancement should, as a minimum, be undertaken in the most visually prominent and environmentally significant areas and view lines, as identified in dot points 2-5 of this section.*
- *Landscape screening of buildings and structures should be undertaken in visually prominent areas.*
- *Future subdivision upon the ridge and other areas should be structured to ensure that lots are of a size and shape that can sustain large tree canopy growth and layouts ensure that development is integrated into the landscape environment.*
- *Promote environmental improvement initiatives by landowners as advocated in point C2.5 of this section.*

It is important to note that the detailed investigation of the Oldbury portion of the sand ridge suggested by the JSP would reveal that half the ridge has already been removed by the existing excavation activities occurring in Coyle and King Roads. The WAPC's own Statement of Planning Policy (SPP) 2.4 Basic Raw Materials identifies a substantial amount of the ridge as a priority resource extraction area based, which is probably based on the sand extraction activities already occurring. Accordingly, it is considered contradictory that the WAPC's Draft JSP has paid no regard to its own SPP.

The sand ridge involved extends west to Casuarina and the most significant and extensive part of this landscape feature is located within Casuarina. An additional sand ridge is located to the south of the subject site in the vicinity of Boomerang Road and provides opportunities for protection measures to be put in place. Additional significant ridges are located in Wandi and Anketell and extend across the Jandakot Botanic Park, which is located in Oakford to the north of the subject site. Due to their location within the park these ridges are already protected from mining activities.

Given the above it is considered that the area involved in the sand mining proposal is small in terms of a total landscape. Also, it is considered that the potential benefits of this proposal far outweigh the benefits of retaining a 10 metre high sand ridge on the basis that it is a local landscape feature including:

- * the opportunities the proposal provides to improve the vegetation quality and diversity on the site;
- * Establishment of linkages between Conservation Category Wetlands (CCW's)
- * Potential to improve the environmental quality of the Multiple Use Wetlands (MUW's).
- * Protection of CCW's and MUW's from existing uses on the property (ie grazing).
- * Reduction in Greenhouse gas emissions through the availability of local sand resources for the Byford subdivisions.
- * Provision of ecological offsets

Proposed Traffic Route

An assessment was made of the proposed route to be used by the trucks (King and Thomas Roads and South Western Highway) and alternative routes such as King, Thomas and Hopkinson Roads. The Shire's Asset Services determined that while using Hopkinson Road provided a shorter route and meant that traffic associated with the industry would not have to go through the Byford town centre the road was not of a sufficient width or standard to accommodate large, concentrated increases in the numbers of heavy vehicles. Gossage and Orton Roads were also rejected by Shire officers for these reasons.

It is also not considered to be appropriate to impose a condition with regard to the type of vehicles to be used as part of the mining operations. Accordingly, a condition has been imposed restricting heavy vehicles associated with this proposal to King and Thomas Roads and South Western Highway as these roads are designated oversize vehicle routes and are constructed to a standard capable of withstanding a marked increase in heavy vehicle traffic without undue maintenance issues arising.

Conclusion

It is considered that with strict compliance with all proposed conditions the potential impacts of the proposal can be ameliorated to a satisfactory level. Therefore, it is recommended that planning approval be granted for the proposed development subject to conditions including standard conditions the Shire consistently applies to extractive industries and site specific conditions recommended by the Shire's Environmental Consultant and the Environmental Protection Authority.

It is recommended that operating hours be restricted to 7.00am to 5.00pm rather than 6.00am to 5.00pm as prescribed noise limits under the Environmental Protection (Noise) Regulations change at 7.00am. Prior to 7.00am night-time noise restrictions apply.

A copy of the Jandakot Structure Plan – Land Use Constraints and Social Infrastructure is with the attachments marked OCM040.3/05/06.

Appeal

The applicants lodged a Review application on 10 May, 2006 with the State Administrative Tribunal (SAT) on the basis that:

1. The applicant has an option to purchase the land subject to development approval; and
2. The option expires on 30 June, 2006.

The applicants were granted by SAT an urgent Directions Hearing on 12 May, 2006. At the hearing, the Shire advised that the development application was being considered by Council on 22 May, 2006. The Orders issued by SAT included a further Direction Hearing being scheduled on 25 May, 2006. This will allow the Shire to report back to SAT on the outcome of Council's determination of the application on 22 May, 2006.

Clause 6.6.3 of Council's Town Planning Scheme No 2 states:

“Notwithstanding that an application for planning consent may be deemed to have been refused under Clause 6.6.1 or 6.6.2 the Council may issue a decision in respect of the application at any time after the expiry of the period specified in these Clauses”

Voting Requirements: Normal

Cr Star returned to the meeting at 8.34pm

OCM040/05/06 Officer Recommended Resolution:

- A. That Council grants its approval to commence development of an Industry – Extractive (Sand) on portions of Lots 200 and 441 Coyle Road and 713 and 1242 King Road, Olbury for a period of five (5) years and subject to the following conditions:

PLANNING

1. The applicant shall comply with all commitments as stated in the Excavation and Rehabilitation Management Plan dated 24 November 2005 to the satisfaction of the Shire.
2. Operating hours are restricted to 7:00 am to 5:00pm Monday to Saturday and are not permitted to occur on Sundays and Public Holidays. Operations include, but are not limited to, the movement of all vehicles (bulldozers, front end loaders, water trucks, gravel trucks and fuels trucks) involved in the extractive industry. This includes external contractor's vehicles and those not specifically designated as Caversham Property Pty Ltd's property.
3. The applicant shall ensure that the site is kept in a neat and tidy condition at all times. When vehicles and equipment are not in use they shall be located in such a manner as to minimise their view from neighbouring residents and public roads to the satisfaction of the Shire.
4. A Building Licence is to be obtained for the construction or placement of any permanent or temporary structures on site such as a site office.
5. Any buildings/structures associated with the excavation activities such as site office, toilet facilities and sea containers used for storage are to be located so that they are screened from view from any adjacent roads or properties to the satisfaction of the Shire.
6. A Demolition Licence is required to be obtained from the Shire prior to the commencement of demolition of any existing dwellings.
7. Planning approval for the extractive industry is limited to five (5) years.

ENGINEERING

8. At the completion of each stage of mining operations, the landowner shall ensure that all sand faces, non operational stock piles and bund walls are safe and stable and must provide a report from a certified Geotechnical Engineer to verify their short, medium and long term stability.
9. Crossovers to be constructed in accordance with Serpentine Jarrahdale standard industrial crossover specifications and be located and maintained to the satisfaction of the Serpentine Jarrahdale Shire.
10. Turning radius of crossover to be of a size suitable for large trucks to the satisfaction of the Shire.
11. The width of the crossover shall be sufficient to accommodate two trucks (one entering and one exiting the site).
12. A loop road shall connect the crossover to the main vehicle access within the site to reduce risk of vehicle conflict and enable unimpeded entry and exit for trucks.
13. All driveways shall be constructed using road base quality material and bitumen sealed to limit dust generation and to ensure that no visible dust or material from the site extends beyond the site boundary. Such sealing shall extend a minimum of 20 metres from any road into the subject site.
14. Access on Kind Road from the subject site shall be located in the vicinity of the crest to minimise road safety impacts as a result of haulage operations. The location of the access shall satisfy stopping sight distance for 110 kilometres/hour as defined by AustRoads and be to the satisfaction of the Council's Director Engineering.

15. Where damage is caused to the road pavement and/or bitumen seal as a result of heavy haulage operations from the subject site, such damage shall be rectified at the applicants expense and to the satisfaction of the Council's Director Engineering.
16. A maximum speed limit of 20 kilometres per hour shall be applied to all internal roads, driveways and vehicle accessways and signs in this regard shall be displayed at the entrances to the site.
17. Haulage vehicles going to and from the subject site and Byford are to use King Road, Thomas Road and South Western Highway only.
18. The movement of any oversize vehicle, as per the interpretation contained in the Road Traffic Act 1974, to/from the subject site will require the separate approval of the Shire.

ENVIRONMENTAL

General:

19. No works including stockpiles are to be exposed to view from the Kwinana Freeway or Thomas, King or Coyle Roads.

Environmental Management Plan

20. An Environmental Management Plan shall be prepared for the extractive industry to the satisfaction of the Shire and shall be submitted to and approved by the Shire prior to the commencement of the use covered by this approval.
21. In carrying out the development the approved Environmental Management Plan must be complied with at all times.
22. A report (audit) on compliance with the approved Environmental Management Plan shall be submitted to the Shire within 28 days of the commencement of operation of the extractive industry and thereafter on an annual basis by the anniversary date of this approval. The annual audit must include:
 - a) an identification of the sources and nature of all emissions, discharges and wastes generated on the site.
 - b) an assessment of dust amenity (dust deposition) and health impacts (total suspended particulate, particulate matter less than 10 micron).
 - c) an assessment of environmental impacts associated with its operations and its compliance with planning and environmental requirements, in particular assessment of:
 - (i) its operations measured against the Environment Protection (Noise) Regulations and this shall include but not be limited to a complete operational noise survey; and
 - (ii) the verification of the maintenance of a minimum 2 metre separation to groundwater level.
 - d) an evaluation of its response to any complaints.
 - e) a review of operational and management practices relating to environmental performance and the management of environmental risk, including emergency response, contingency plans and other measures to prevent or minimise environmental impacts and any additional measures required to ensure compliance within accepted standards.
 - f) The results of monitoring that is conducted throughout the year at such times and for such periods as specified in the Environmental Management Plan or in relation to any written notice issued under Condition 23.

A suitably qualified and experienced person to the satisfaction of the Shire must conduct the audit.

23. In the event the Shire is not satisfied with any audit, the Shire may by notice in writing require the applicant to take the action stipulated in the notice in order to ensure the approved Environment Management Plan is complied with.

Vegetation and wetland protection and rehabilitation and weed management:

24. A performance bond for landscaping and rehabilitation works to the value of \$3 000 per hectare of disturbed ground shall be paid to the Shire, prior to the commencement of each stage. Subject to compliance with the completion criteria set out in the approved Biodiversity and Excavation and Management Plan to the satisfaction of the Shire, the bond will be returned.
25. The landowner is to maintain a 20 metre buffer between the top of all quarry pits and the property boundary and indigenous vegetation within this buffer is to be protected where possible, including where safe and practical the diversion of fire breaks around existing indigenous vegetation. Screening vegetation is to be established within the 20 metre buffer of all property boundaries to the satisfaction of the Shire.
26. The developer is not to commence excavation of Stage 2 until they have received written confirmation from the Shire that screen planting in the 20 metre buffer area has been established to the satisfaction of the Shire.
27. The developer is not to commence Stage 3 until they have received written confirmation from the Shire that Stage 1 has been rehabilitated and revegetated to the satisfaction of the Shire.
28. The landowner must complete the rehabilitation and revegetation of each subsequent stage within two years of commencing excavation of any preceding stage.
29. Stage 6 must be rehabilitated and revegetated within two years of the cessation of extraction from Stage 5.
30. The landowner shall control declared weeds throughout the site to the satisfaction of the Shire.
31. The excavation activities are to be restricted to a level no lower than 2 metres above the highest known water table.
32. A 50 metre buffer is to be maintained between the excavation activities and the Conservation Category and Multiple Use wetlands on Lots 713, 200, 441 and 1242.
33. Prior to the commencement of excavation activities, the Conservation Category and Multiple Use wetlands on Lots 713, 200, 441 and 1242 are to be fenced to protect the wetlands from grazing and other activities. Such fence to consist of post and wire or post and rail and to be located on the external edge of a 50 metre buffer area around each wetland.
34. Rehabilitation of the Conservation category wetland as an ecological offset to the proposed mining activity is to commence within one year of the commencement of mining operations and is to be completed to the satisfaction of the Shire prior to the commencement of Stage 6.
35. A Conservation Covenant is to be prepared by the developer for the Conservation Category Wetland to the satisfaction of the Shire and a caveat is to be placed on the Certificate of Titles for the subject lots binding the current landowners and their heirs and successors to the Conservation Covenant to ensure protection of the wetland in perpetuity.
36. Where extractive industry activities involve the use of machinery including stockpiling, the use of access ways, storage and haulages, are located within close proximity (30 metres) to the buffer and exclusion areas, rehabilitation areas or any other sensitive area, the landowner shall utilise post and wire fencing flagged with brightly coloured survey tape or flags, to prevent encroachment by machinery or any other materials that could damage the vegetation.

Noise:

37. All activity at the site is to comply with current noise regulations as enacted under the Environmental Protection Act 1986

38. Reversing beepers are to be removed from all forklifts and tractors used on the property and alternative non-audible warning measures such as flashing lights (subject to compliance with the relevant Australian Standard and any Worksafe codes) are to be fitted to these vehicles instead.
39. The proponent is to produce an Environmental Management Plan to control noise on site to within the legislative limits. Monitoring of the levels must occur within 28 days of commencement of operations and thereafter must be reported at least annually as part of the audit process.

Dust:

40. Measures shall be incorporated in the Environmental Management Plan and implemented to reduce dust production on vehicle accessways and the open excavation areas.
41. The developer shall prevent the generation of visible particulates (including dust) from access ways, trafficked areas, stockpiles and machinery from crossing the boundary of the premises by using where necessary appropriate dust suppression techniques.
42. A maximum emission dust target of 50 µg m⁻³ measured at the boundaries of the property must be achieved, with not more than five exceedances per year, to the satisfaction of the Shire.
43. Verification of the efficacy of the measures to control dust proposed in the Excavation and Management Plan submitted by the developer will be subject to auditing as part of the Environmental Management Plan and the Shire may require alternate actions if the measures prove ineffective.
44. The landowner shall ensure that all loads leaving the premises of sand, soil or other particulate material, are to be enclosed or completely covered by a secured impermeable tarpaulin or some other effective mechanism used to prevent dust nuisance.

Hazardous Chemicals:

45. Environmentally hazardous chemicals including, but not limited to, fuel, oil or other hydrocarbons (where the total volume of each substance stored on the premises exceeds 250 litres) shall be stored within low permeability (10⁻⁹ metres per second or less) compounds designed to contain not less than 110% of the volume of the largest storage vessel or inter-connected system, and at least 25% of the total volume of vessels stored in the compound.
46. A hardstand refuelling area bunded and drained to a pollutant receptor to prevent any spilled fuel entering the natural ground shall be provided on site to the satisfaction of the Shire. All refuelling shall take place within this hardstand area.
47. The landowner shall keep a register of the extent, location, environmental implications and remedial actions taken for any accidental contamination of soil or water resources in a logbook to be kept on-site and available for immediate inspection by the Serpentine Jarrahdale Shire.
48. The landowner shall ensure that no chemicals or potential liquid contaminants are disposed of on-site.
49. The landowner shall implement measures to minimise the risk of spills or leaks of chemicals including fuel, oil or other hydrocarbons and shall immediately remove and safely dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compounds.

Acid Sulfate Risk:

50. On site testing and monitoring of groundwater levels within the excavation area is to be undertaken during winter and spring of each year of excavation to:

- (i) confirm depth to groundwater table and ensure that a minimum 2 metre clearance is maintained between excavation floor and highest known groundwater.
- (ii) to verify that any potential contaminants not limited to acid sulfates, are not liberated from the dunal systems as a result of mining activities; and
- (iii) ensure management actions in accordance with the Department of Environment's guidelines "Treatment and management of disturbed acid sulfate soils" and "General Guidance on Managing Acid Sulfate Soils".

Minimal Impact Management:

51. The landowner shall ensure that materials suitable for recycling are recycled, and that all other wastes are disposed of at a suitably licensed waste disposal facility.
52. Outside lighting is to be kept to a safe minimum and should be angled to minimize light impacts on neighbouring properties.
53. Preparation of an Emergency Management Plan that addresses emergency response, access/egress and water supplies must be completed to the satisfaction of the Shire prior to excavation commencing.
55. Logs from on-site clearing are to be progressively used in rehabilitation or provided to organisations or businesses for re-use and must not be burnt.
55. No screening or washing of extracted material is to take place on site.
56. Commercial vehicles associated with the operation of the extractive industry on the subject site are not to use roads within the Shire during school bus travel times.

Advice Notes:

1. Site compliance inspections will be carried out every six months to check compliance with the extractive industry licence and any other approvals granted for the site.
2. The application and a copy of this decision has been referred to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme and you will be advised in writing by that authority once a determination in this regard has been made.
3. Separate approval may need to be obtained from the Department of Environment for a bore licence.
4. The landowner must comply with all provisions of the Shire's Extractive Industry Local Laws.
5. If screening or washing of excavated material is proposed in future then a new application for Planning Approval and a modified Licence will be required and assessment is to include referral to the Environmental Protection Authority for assessment. In addition, a Works Approval will first need to be obtained from DoE.
6. The compounds described in condition 45 shall:
 - be graded or include a sump to allow recovery of liquid;
 - be chemically resistant to the substances stored;
 - include valves, pumps and meters associated with transfer operations wherever practical - otherwise the equipment shall be adequately protected e.g. bollards and contained in an area designed to permit recovery of chemicals released following accidents or vandalism;
 - be designed such that jetting from any storage vessel or fitting will be captured within the bunded area - see for example Australian Standard 1940-1993 Section 5.9.3 (g);
 - be designed such that chemicals which may react dangerously if they come into contact, are in separate bunds in the same compound or in different compounds; and

- be controlled such that the capacity of the bund is maintained at all times e.g. regular inspection and pumping of trapped uncontaminated rain water.
 - 7. The applicant be requested to ensure truck operators comply with the conditions of approval and ensure that their operations do not adversely impact on the community by way of truck speeds, control of litter and following designated truck routes.
 - 8. Information with regard to school bus travel times and locations within the Shire of Serpentine Jarrahdale can be obtained from the Education Department.
 - 9. The movement of any oversize vehicle, as per the interpretation contained in the Road Traffic Act 1974, to/from the site will require the separate approval of the Shire.
- B. Subject to the licence fee of \$6 000 first being paid and advertising being carried out and all required information being provided by the proponent in accordance with the Shire of Serpentine Jarrahdale Extractive Industries Local Law, the Executive Manager Planning and Regulatory Services be authorised to issue a license for the extraction of sand from portions of Lots 713, 200, 441 and 1242 Coyle and King Roads Oldbury as depicted in the Excavation and Rehabilitation Plan dated 24 November 2005 for a period of five years subject to standard conditions and site specific conditions.
- C. The Shire apply to Main Roads Western Australia to relocate the 100 kilometre per hour speed limit signs in King Road to south of the subject lots to ensure that the speed limit past the subject site is a maximum of 80 kilometres per hour.

Cr Richards left the meeting at 9.00pm and returned at 9.04pm

NEW MOTION

Moved Cr Richards seconded Cr Murphy

That this item be deferred for a period of two (2) weeks (until Tuesday 6th June, 2006) for further consideration.

LOST 3/6

OCM040/05/06 COUNCIL DECISION

Moved Cr Hoyer seconded Cr Murphy

- A. That Council grants its approval to commence development of an Industry – Extractive (Sand) on portions of Lots 200 and 441 Coyle Road and 713 and 1242 King Road, Oldbury for a period of five (5) years and subject to the following conditions:

PLANNING

1. The applicant shall comply with all commitments as stated in the Excavation and Rehabilitation Management Plan dated 24 November 2005 to the satisfaction of the Shire.
2. Operating hours are restricted to 7:00am to 5:00pm Monday to Friday and 8.00am to 5.00pm on a Saturday and are not permitted to occur on Sundays and Public Holidays. Operations include, but are not limited to, the movement of all vehicles (bulldozers, front end loaders, water trucks, gravel trucks and fuels trucks) involved in the extractive industry. This includes external contractor's vehicles and those not specifically designated as Caversham Property Pty Ltd's property.
3. The applicant shall ensure that the site is kept in a neat and tidy condition at all times. When vehicles and equipment are not in use they shall be located in such a manner as to minimise their view from neighbouring residents and public roads to the satisfaction of the Shire.
4. A Building Licence is to be obtained for the construction or placement of any permanent or temporary structures on site such as a site office.

5. Any buildings/structures associated with the excavation activities such as site office, toilet facilities and sea containers used for storage are to be located so that they are screened from view from any adjacent roads or properties to the satisfaction of the Shire.
6. A Demolition Licence is required to be obtained from the Shire prior to the commencement of demolition of any existing dwellings.
7. Planning approval for the extractive industry is limited to five (5) years.

ENGINEERING

8. At the completion of each stage of mining operations, the landowner shall ensure that all sand faces, non operational stock piles and bund walls are safe and stable and must provide a report from a certified Geotechnical Engineer to verify their short, medium and long term stability.
9. Crossovers to be constructed in accordance with Serpentine Jarrahdale standard industrial crossover specifications and be located and maintained to the satisfaction of the Serpentine Jarrahdale Shire.
10. Turning radius of crossover to be of a size suitable for large trucks to the satisfaction of the Shire.
11. The width of the crossover shall be sufficient to accommodate two trucks (one entering and one exiting the site).
12. A loop road shall connect the crossover to the main vehicle access within the site to reduce risk of vehicle conflict and enable unimpeded entry and exit for trucks.
13. All driveways shall be constructed using road base quality material and bitumen sealed to limit dust generation and to ensure that no visible dust or material from the site extends beyond the site boundary. Such sealing shall extend a minimum of 20 metres from any road into the subject site.
14. Access on King Road from the subject site must be the subject of an engineering study to be submitted to the Council's Director Engineering and approved prior to the commencement of development. The location of the access will be to the satisfaction of the Council's Director Engineering given consideration of this study as well as visibility of the operations.
15. Where damage is caused to the road pavement and/or bitumen seal adjacent to the access as a result of heavy haulage operations from the subject site, such damage shall be rectified at the applicants expense and to the satisfaction of the Council's Director Engineering.
16. A maximum speed limit of 20 kilometres per hour shall be applied to all internal roads, driveways and vehicle accessways and signs in this regard shall be displayed at the entrances to the site.
17. Haulage vehicles going to and from the subject site and Byford are to use King Road, Thomas Road and Hopkinson Road only.
18. The movement of any oversize vehicle, as per the interpretation contained in the Road Traffic Act 1974, to/from the subject site will require the separate approval of the Shire.

ENVIRONMENTAL

General:

19. No works including stockpiles are to be exposed to view from the Kwinana Freeway or Thomas, King or Coyle Roads.

Environmental Management Plan

20. An Environmental Management Plan shall be prepared for the extractive industry to the satisfaction of the Shire and shall be submitted to and approved by the Shire prior to the commencement of the use covered by this approval.

21. In carrying out the development the approved Environmental Management Plan must be complied with at all times.
22. A report (audit) on compliance with the approved Environmental Management Plan shall be submitted to the Shire within 28 days of the commencement of operation of the extractive industry and thereafter on an annual basis by the anniversary date of this approval. The annual audit must include:
- a) an identification of the sources and nature of all emissions, discharges and wastes generated on the site.
 - b) an assessment of dust amenity (dust deposition) and health impacts (total suspended particulate, particulate matter less than 10 micron).
 - c) an assessment of environmental impacts associated with its operations and its compliance with planning and environmental requirements, in particular assessment of:
 - (i) its operations measured against the Environment Protection (Noise) Regulations and this shall include but not be limited to a complete operational noise survey; and
 - (ii) the verification of the maintenance of a minimum 2 metre separation to groundwater level.
 - (iii) to verify that any potential contaminants not limited to acid sulfates, are not liberated from the dunal systems as a result of mining activities
 - d) an evaluation of its response to any complaints.
 - e) a review of operational and management practices relating to environmental performance and the management of environmental risk, including emergency response, contingency plans and other measures to prevent or minimise environmental impacts and any additional measures required to ensure compliance within accepted standards.
 - f) The results of monitoring that is conducted throughout the year at such times and for such periods and reported as specified in the Environmental Management Plan or in relation to any written notice issued under Condition 23.

A suitably qualified and experienced person to the satisfaction of the Shire must conduct the audit.

23. In the event the Shire is not satisfied with any audit, the Shire may by notice in writing require the applicant to take the action stipulated in the notice in order to ensure the approved Environment Management Plan is complied with.

Vegetation and wetland protection and rehabilitation and weed management:

24. A performance bond for landscaping and rehabilitation works to the value of \$3 000 per hectare of disturbed ground shall be paid to the Shire, prior to the commencement of each stage. Subject to compliance with the completion criteria set out in the approved Biodiversity and Excavation and Management Plan to the satisfaction of the Shire, the bond will be returned.
25. The landowner is to maintain a 20 metre buffer between the top of all quarry pits and the property boundary and indigenous vegetation within this buffer is to be protected where possible, including where safe and practical the diversion of fire breaks around existing indigenous vegetation. Screening vegetation is to be established within the 20 metre buffer of all property boundaries to the satisfaction of the Shire.
26. The developer is not to commence excavation of Stage 2 until they have received written confirmation from the Shire that screen planting in the

- 20 metre buffer area has been established to the satisfaction of the Shire.
27. The developer is not to commence Stage 3 until they have received written confirmation from the Shire that Stage 1 has been rehabilitated and revegetated to the satisfaction of the Shire.
 28. The landowner must complete the rehabilitation and revegetation of each subsequent stage within two years of commencing excavation of any preceding stage.
 29. Stage 6 must be rehabilitated and revegetated within two years of the cessation of extraction from Stage 5.
 30. The landowner shall control declared weeds throughout the site to the satisfaction of the Shire.
 31. The excavation activities are to be restricted to a level no lower than 2 metres above the highest known water table.
 32. A 50 metre buffer is to be maintained between the excavation activities and the Conservation Category and Multiple Use wetlands on Lots 713, 200, 441 and 1242.
 33. Prior to the commencement of excavation activities, the Conservation Category and Multiple Use wetlands on Lots 713, 200, 441 and 1242 are to be fenced to protect the wetlands from grazing and other activities. Such fence to consist of post and wire or post and rail and to be located on the external edge of a 50 metre buffer area around each wetland.
 34. Rehabilitation of the Conservation category wetland as an ecological offset to the proposed mining activity is to commence within one year of the commencement of mining operations and is to be completed to the satisfaction of the Shire prior to the commencement of Stage 6.
 35. A Conservation Covenant is to be prepared by the developer for the Conservation Category Wetland to the satisfaction of the Shire and a caveat is to be placed on the Certificate of Titles for the subject lots binding the current landowners and their heirs and successors to the Conservation Covenant to ensure protection of the wetland in perpetuity.
 36. Where extractive industry activities involve the use of machinery including stockpiling, the use of access ways, storage and haulages, are located within close proximity (30 metres) to the buffer and exclusion areas, rehabilitation areas or any other sensitive area, the landowner shall utilise post and wire fencing flagged with brightly coloured survey tape or flags, to prevent encroachment by machinery or any other materials that could damage the vegetation.
- Noise:**
37. All activity at the site is to comply with current noise regulations as enacted under the Environmental Protection Act 1986
 38. Reversing beepers are to be removed from all forklifts and tractors used on the property and alternative non-audible warning measures such as flashing lights (subject to compliance with the relevant Australian Standard and any Worksafe codes) are to be fitted to these vehicles instead.
 39. The proponent is to produce an Environmental Management Plan to control noise on site to within the legislative limits. Monitoring of the levels must occur within 28 days of commencement of operations and thereafter must be reported at least annually as part of the audit process.
- Dust:**
40. Measures shall be incorporated in the Environmental Management Plan and implemented to reduce dust production on vehicle accessways and the open excavation areas.

41. The developer shall prevent the generation of visible particulates (including dust) from access ways, trafficked areas, stockpiles and machinery from crossing the boundary of the premises by using where necessary appropriate dust suppression techniques.
42. A maximum emission dust target of 50 µg m⁻³ measured at the boundaries of the property must be achieved, with not more than five exceedances per year, to the satisfaction of the Shire.
43. Verification of the efficacy of the measures to control dust proposed in the Excavation and Management Plan submitted by the developer will be subject to auditing as part of the Environmental Management Plan and the Shire may require alternate actions if the measures prove ineffective.
44. The landowner shall ensure that all loads leaving the premises of sand, soil or other particulate material, are to be enclosed or completely covered by a secured impermeable tarpaulin or some other effective mechanism used to prevent dust nuisance.

Hazardous Chemicals:

45. Environmentally hazardous chemicals including, but not limited to, fuel, oil or other hydrocarbons (where the total volume of each substance stored on the premises exceeds 250 litres) shall be stored within low permeability (10⁻⁹ metres per second or less) compounds designed to contain not less than 110% of the volume of the largest storage vessel or inter-connected system, and at least 25% of the total volume of vessels stored in the compound.
46. A hardstand refuelling area bunded and drained to a pollutant receptor to prevent any spilled fuel entering the natural ground shall be provided on site to the satisfaction of the Shire. All refuelling shall take place within this hardstand area.
47. The landowner shall keep a register of the extent, location, environmental implications and remedial actions taken for any accidental contamination of soil or water resources in a logbook to be kept on-site and available for immediate inspection by the Serpentine Jarrahdale Shire.
48. The landowner shall ensure that no chemicals or potential liquid contaminants are disposed of on-site.
49. The landowner shall implement measures to minimise the risk of spills or leaks of chemicals including fuel, oil or other hydrocarbons and shall immediately remove and safely dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compounds.

Acid Sulfate Risk:

50. On site testing and monitoring of groundwater levels within the excavation area is to be undertaken during winter and spring of each year of excavation to:
 - (i) confirm depth to groundwater table and ensure that a minimum 2 metre clearance is maintained between excavation floor and highest known groundwater.
 - (ii) to verify that any potential contaminants not limited to acid sulfates, are not liberated from the dunal systems as a result of mining activities; and
 - (iii) ensure management actions in accordance with the Department of Environment's guidelines "Treatment and management of disturbed acid sulfate soils" and "General Guidance on Managing Acid Sulfate Soils".

Minimal Impact Management:

51. The landowner shall ensure that materials suitable for recycling are recycled, and that all other wastes are disposed of at a suitably licensed waste disposal facility.
52. Outside lighting is to be kept to a safe minimum and should be angled to minimize light impacts on neighbouring properties.
53. Preparation of an Emergency Management Plan that addresses emergency response, access/egress and water supplies must be completed to the satisfaction of the Shire prior to excavation commencing.
55. Logs from on-site clearing are to be progressively used in rehabilitation or provided to organisations or businesses for re-use and must not be burnt.
55. No screening or washing of extracted material is to take place on site.
56. Commercial vehicles associated with the operation of the extractive industry on the subject site are not to use roads within the Shire during school bus travel times.

Advice Notes:

1. Site compliance inspections will be carried out every six months to check compliance with the extractive industry licence and any other approvals granted for the site.
2. The application and a copy of this decision has been referred to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme and you will be advised in writing by that authority once a determination in this regard has been made.
3. Separate approval may need to be obtained from the Department of Environment for a bore licence.
4. The landowner must comply with all provisions of the Shire's Extractive Industry Local Laws.
5. If screening or washing of excavated material is proposed in future then a new application for Planning Approval and a modified Licence will be required and assessment is to include referral to the Environmental Protection Authority for assessment. In addition, a Works Approval will first need to be obtained from DoE.
6. The compounds described in condition 45 shall:
 - be graded or include a sump to allow recovery of liquid;
 - be chemically resistant to the substances stored;
 - include valves, pumps and meters associated with transfer operations wherever practical - otherwise the equipment shall be adequately protected e.g. bollards and contained in an area designed to permit recovery of chemicals released following accidents or vandalism;
 - be designed such that jetting from any storage vessel or fitting will be captured within the bunded area - see for example Australian Standard 1940-1993 Section 5.9.3 (g);
 - be designed such that chemicals which may react dangerously if they come into contact, are in separate bunds in the same compound or in different compounds; and
 - be controlled such that the capacity of the bund is maintained at all times e.g. regular inspection and pumping of trapped uncontaminated rain water.
7. The applicant be requested to ensure truck operators comply with the conditions of approval and ensure that their operations do not adversely impact on the community by way of truck speeds, control of litter and following designated truck routes.

8. Information with regard to school bus travel times and locations within the Shire of Serpentine Jarrahdale can be obtained from the Education Department.
 9. The movement of any oversize vehicle, as per the interpretation contained in the Road Traffic Act 1974, to/from the site will require the separate approval of the Shire.
 10. The applicant is advised to seek the necessary approvals from the Department of Environment for any clearing of native vegetation on site.
- B. Subject to the licence fee of \$6,000 first being paid and advertising being carried out and all required information being provided by the proponent in accordance with the Shire of Serpentine Jarrahdale Extractive Industries Local Law, the Executive Manager Planning and Regulatory Services be authorised to issue a license for the extraction of sand from portions of Lots 713, 200, 441 and 1242 Coyle and King Roads Oldbury as depicted in the Excavation and Rehabilitation Plan dated 24 November 2005 for a period of five years subject to standard conditions and site specific conditions.
- C. The Shire apply to Main Roads Western Australia to relocate the 100 kilometre per hour speed limit signs in King Road to south of the subject lots to ensure that the speed limit past the subject site is a maximum of 80 kilometres per hour.

CARRIED 5/4

AMENDMENT

Moved Cr Richards

In part A Condition 2 to amend the times of 7.00am to “8.00am”

Motion LAPSED for want of a seconder.

FORESHADOWED MOTION

During debate Cr Needham foreshadowed that she would move to go back to the Officer’s Recommended Condition 17 to use the South West Highway instead of Hopkinson Road if the motion under debate was defeated.

Council Note: The Officer Recommended Resolution was changed in Part A as follows:

Condition 2 – operating hours

Condition 14 – Engineering study

Condition 15 – clarification of condition

Condition 22 – part c (iii) added and clarify part (f)

Condition 22 – part f reporting included

Advice Note 10 – new advice note added

The Chief Executive Officer left the room at 10.09pm

OCM041/05/06		TOWARDS A BIODIVERSITY STRATEGY FOR SERPENTINE JARRAHDAL (A0397)
Officer:	Michael Taylforth A/Environmental Coordinator	In Brief
Signatures Author:		Council is requested to reconsider its resolution made in regards to this matter in March 2006 on the basis of comments received from WALGA on the funding application Expression of Interest. It is recommended that the amount of Council funding proposed (\$15,000) will remain the same however the whole amount of funding will now go towards the preparation of a Biodiversity Discussion Paper.
Senior Officer:		
Date of Report	16 May 2006	
Previously	SD102/03/06	
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 if no interest	
Delegation		
	Council	

Background

Council considered a request to allocate funds of \$15,000 towards the preparation of a Biodiversity Discussion Paper and ongoing development of the Shire’s vegetation database. The \$15,000 was to be used as leverage to seek an additional \$15,000 from the South West Biodiversity Project (SWBP). The Paper is necessary to progress the Local Planning Strategy, Structure Plans and the Environmental Landscape Program.

Council considered the matter at the March 2006 meeting and resolved as follows:

SD102/03/05 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Star seconded Cr Kirkpatrick

1. *Council gives in principle support for the development of a Biodiversity Strategy based on the four phase approach outlined in the Local Government Biodiversity Planning Guidelines 2004.*
2. *Council considers the allocation of \$15,000 of Shire funds during the 2006 / 2007 financial year to both continue to support the Shire vegetation database and Peel-Harvey Catchment Council decision support system and to be used as leverage to seek an additional \$15,000 from the South West Biodiversity Project to undertake phases one and two of the Biodiversity Strategy development framework set out in the Local Government Biodiversity Planning Guidelines 2004.*

CARRIED 9/0

Based on the resolution of Council, an initial Expression of Interest was forwarded to the Western Australian Local Government Association (who are administrating the grants on behalf of the SWBP) for review and comment.

Comments were subsequently received from WALGA on the Expression of Interest. While there was general support for the project, it was suggested that the vegetation database component of the project be deferred at this stage because it was likely that all the funding allocated would be required for the preparation of the Biodiversity Discussion Paper. This suggestion was based on the past experience of WALGA officers in project managing the preparation of similar Discussion Papers.

A formal application for funding from WALGA has now been made as requested to meet the closing deadline of May 12 2006. The application has been modified by incorporating the comments of WALGA and deleting reference to the vegetation database component of the project. This has resulted in a discrepancy between the original Council resolution of March

2006 and the lodged application. WALGA has been advised that the application will only remain valid if Council chooses to amend its March resolution to remove reference to the vegetation database.

A copy of the item considered at the March meeting, along with comments received on the initial EOI and the final funding application, are attached and marked OCM041.1a/05/06 and OCM041.1b/05/06.

Sustainability Statement

Effect on Environment: This proposal will see a significant advance towards protecting biodiversity in the Shire by progressing the preparation of a Biodiversity Strategy based on the WALGA four-phase process.

Resource Implications: The proposal seeks to strategically protect biodiversity assets in the Shire and will enable the Shire to advance its Environmental and Landscape program.

Use of Local, renewable or recycled Resources: Not applicable

Economic Viability: This proposal is designed to strategically protect vegetation that remains within the Shire. This Shire has already experienced significant loss of biodiversity assets and this proposal seeks to identify what biodiversity assets should be protected or reinstated and how that should be done.

Environmental management has an ongoing cost. However, there is also a significant cost if environmental assets are not managed. Once biodiversity values have been destroyed, they are very expensive to put back. Many people consider it impossible to put back natural vegetation communities.

Economic Benefits: The proposal will work towards protecting that image of “beauty” that attracts residents and tourists to the Shire. The proposal will also create a part time position or provide work for a consultant.

Social – Quality of Life Biodiversity is an essential component of our heritage and identity. In addition to providing social values such as recreational opportunities and spiritual renewal, biodiversity also provides essential ecosystem services.

Social and Environmental Responsibility: The four phase WALGA approach includes community and other stakeholder participation.

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

Statutory Environment:

The preparation of a Local Biodiversity Strategy will enable the Shire to proactively address the requirements of the following legislation as they relate to biodiversity conservation:

- * Environment Protection and Biodiversity Conservation Act 1999
- * 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 Controls regulations)

The conservation of biodiversity is also a relevant factor in the application of the Town Planning and Development Act 1928 and the Shire Town Planning Scheme.

Once prepared, parts of a Local Biodiversity Strategy will need to be incorporated into the Shire Town Planning Scheme to have effect and standing in town planning processes. This will require the approval of the Western Australian Planning Commission.

Local Biodiversity Strategies are proposed under the draft Statement of Planning Policy: Bushland Policy for the Perth Metropolitan Region (a policy under Section 5AA of the Town Planning and Development Act 1928, Western Australian Planning Commission in preparation).

The Local Planning Policy that is recommended within a Local Biodiversity Strategy is a policy under Part 2 of the Town Planning Amendment Regulations 1999.

State Government environmental policies that will be addressed in a Local Biodiversity Strategy include:

- * Bush Forever (Government of Western Australia 2000a, 2000b & 2000c) and related bushland policies (e.g. Urban Bushland Strategy)
- * 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)
- * EPA Guidance Statement No. 33 (Draft): Policies, Guidelines and Criteria for Environmental Impact Assessment - Guidelines for Environment and Planning (Environmental Protection Authority 1997)
- * Forest Management Plan 2004 – 2013 (Conservation Commission 2003)
- * System 6 report (Department of Conservation & Environment 1983) and the System 6 Update program (Department of Environmental Protection unpublished (1996)
- * 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 (Environmental Protection Authority 2000b)
- * State Weed Plan (State Weed Plan Steering Group 2001);
- * Draft Policy Statement No. 9 Conserving Threatened Species and Ecological Communities (Department of Conservation and Land Management 2003a)
- * 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) (Environmental Protection Authority 2003c)
- * EPA Guidance Statement No. 56: Guidance for the Assessment of Environmental Factors – Terrestrial fauna surveys for environmental impact assessment in Western Australia. (Draft) (Environment Protection Authority 2003d)
- * Draft Statement of Planning Policy: Bushland Policy for the Perth Metropolitan Region (Western Australian Planning Commission in preparation)
- * 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)
- * Jandakot Groundwater Protection Policy Statement of Planning Policy No. 2.3 (Government of Western Australia 1998b)
- * Public Drinking Water Source Policy Statement of Planning Policy No. 2.7 (Government of Western Australia 2003g).
- * Development Control Policy No. 2.3 Public Open Space in Residential Areas (Western Australian Planning Commission 2002)
- * Position Statement: Wetlands. (Water and Rivers Commission 2001)
- * Wildlife Conservation (Rare Flora) Notice 2001 (Government of Western Australia 2001b)
- * Wildlife Conservation (Specially Protected Fauna) Notice 2001 (Government of Western Australia 2001c)
- * Statement of Planning Policy No. 2.6: State Coastal Planning Policy (Government of Western Australia 2003c).

Policy/Work Procedure

Implications:

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

Financial Implications:

The proposal seeks Council to consider an allocation of \$15,000 in biodiversity management during the 2006/2007 financial year.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

1. People and Community

Objective 1: Good quality of life for all residents

Strategy:

5. Value and enhance the heritage character, arts and culture of the Shire.

Objective 2: Plan and develop towns and communities based on principles of sustainability

Strategy:

5. Protect built and natural heritage for economic and cultural benefits.

Objective 3: High level of social commitment

Strategy:

1. Encourage social commitment and self determination by the SJ community.

2. Environment

Objective 1: Protect and repair natural resources and processes throughout the Shire

Strategies:

1. Increase awareness of the value of environmental requirements towards sustainability.
2. Develop partnerships with community, academia and other management agencies to implement projects in line with Shire objectives.
3. Encourage protection and rehabilitation of natural resources.
6. Value, protect and develop biodiversity.

Objective 2: Strive for sustainable use and management of natural resources

Strategy:

1. Implement known best practice sustainable natural resource management.

3. Economic

Objective 1: A vibrant local community

Strategy:

3. Develop tourism potential.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

1. Identify and implement best practice in all areas of operation.
2. Promote best practice through demonstration and innovation.

Objective 2: Formation of Active Partnerships to progress key programs and projects

Strategies

1. Improve coordination between Shire, community and other partners.

3. Develop specific partnerships to effectively use and leverage additional resources.

Objective 3: Compliance to necessary legislation

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.
3. Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

Community Consultation:

Required: No

Comment:

The Western Australian Local Government Association reviewed the Shire's initial Expression of Interest that was lodged with them in accordance with the resolution of Council in March 2006.

Comments were subsequently received and a follow-up meeting was held with WALGA officers to discuss the matter. It was the opinion of WALGA that the full \$30,000 (comprising \$15,000 from the Shire and \$15,000 grant money from SWBP) would be required to complete the Biodiversity Discussion Paper and that it would be too difficult to also further refine the vegetation database within the same funding arrangement.

Inclusion of the vegetation database component of the project would possibly reduce the chance of success in obtaining the grant from the SWBP, and thus threaten the whole project.

In order to maximise the chances of obtaining funding from the SWBP for this project it was considered that the advice of WALGA officers should be followed. As such, the vegetation database component of the project has been dropped.

Final applications for funding were required to be lodged with WALGA on the 12th May 2006. The application was lodged by this time, on the provision that Council would consider the discrepancy described in this report and endorse the allocation of \$15,000 for the preparation of only the Biodiversity Strategy.

Voting Requirements: Normal

OCM041/05/06 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Richards seconded Cr Price

Council receives the updated information about the WALGA grant application and endorses that the \$15,000 allocated by the Shire will now only be used for the purposes of seeking an additional \$15,000 from the South West Biodiversity Project to undertake phases one and two of the Biodiversity Strategy.

CARRIED 9/0

OCM042/05/06		COMMUNITY FACILITIES & SERVICES PLAN TO 2020 (a1354)
Proponent:	Council	In Brief That Council accepts the short listing recommendations for Expressions of Interest received in relation to the Serpentine Jarrahdale Community Facilities and Services Plan to 2020, and endorses the calling of tenders from: Sustainable Development Facilitation; and CCS Strategic Management in association with Geografia.
Owner:	Not Applicable	
Officer:	Carole McKee, Community Development Coordinator	
Signatures Author:		
Senior Officer:		
Date of Report	17 May 2006	
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

The services to be provided under this Expression of Interest are for the development of a strategic plan to 2020, for the sustainable provision of community facilities and services to meet the needs of a strongly connected community, preparing for rapid growth.

This unique project is a collaborative and shared funding partnership between the Council and land developers. It will be underpinned by sustainability principles, local cultural values, strong community engagement principles and a wide view of what constitutes future facilities and services.

The Expression of Interest was advertised: in The West Australian Saturday 18 February, 2006; directly to 30 potential consultancies on 20 February, 2006 and through Tenderlink.com on 20 February, 2006. An information session was held on 23 February 2006.

A list of interested consultants contact details was circulated on 28 February, 2006 for the purposes of networking and encouraging joint ventures. Question and answer information was emailed to the list of potential consultants and posted on the Shire website on 9 March, 2006.

Submissions closed on Monday 13 March, 2006. This was then extended to 3 April, 2006 due to non compliance with insurance criteria.

Five submissions have been received, compliance checked, and then assessed through qualitative and pricing criteria.

Sustainability Statement

Effect on Environment:

This proposal will be underpinned by sustainability principles and local cultural values and aims to enhance the built and social environment without being detrimental to the natural environment.

Resource Implications:

This proposal aims to strategically plan for future resources through a staged and sustainable approach.

Use of Local, renewable or recycled Resources:

The assessment process considers local and regional knowledge as part of the selection criteria, and the plan will consider local facilities and services.

Economic Viability:

The assessment process aims to ensure value for money is a high consideration, with 40% weighting allocated to this criteria. The process has requested stages to be separately costed and has encouraged alternative methodologies, that may, through consideration in the next stage, provide Council with some economies of scale.

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 project to be economically viable.

Economic Benefits:

It is anticipated that the plan will stage the provision of facilities and services which will generate and justify employment opportunities, enhance tourist opportunities, and provide local resources that would otherwise not be available.

Social – Quality of Life

The plan for sustainable provision of community facilities and services to 2020 aims to meet the needs of a strongly connected community, preparing for rapid growth.

It will be 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:

This plan will be based on partnerships and its implementation will broker further partnerships.

The community will be heavily involved; from the acknowledgement of what they have already provided Council through past consultations, through to community engagement throughout the planning, implementation & monitoring stages.

Social Diversity:

The proposal aims to provide for the social diversity of a rapidly growing and changing population.

Statutory Environment:

Local Government Act 1995

Policy/Work Procedure Implications:

Serpentine Jarrahdale Shire: Purchasing Policy; and
General Conditions of Contract for the Engagement of
General Services Consultants 2002

Financial Implications:

There are no Financial implications to Council related to this application at this stage in the process. The analysis of fee proposals/value for money has been built into the weighting system/assessment tool in order to shortlist potential providers. As the final tenders have not been called yet, financial bids cannot be disclosed. Cost

implications will be factored into the 2006/07 budget deliberations.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

1. Provide recreational opportunities.
2. Develop good services for health and well being.
3. Retain seniors and youth within the community.
4. Respect diversity within the community.
5. Value and enhance the heritage character, arts and culture of the Shire.
6. Ensure a safe and secure community.

Objective 2: Plan and develop towns and communities based on principles of sustainability

Strategies:

4. Foster a strong sense of community, place and belonging.
5. Protect built and natural heritage for economic and cultural benefits.

Objective 3: High level of social commitment

Strategies:

2. Build key community partnerships.

2. Environment

Objective 2: Strive for sustainable use and management of natural resources

Strategies:

1. Implement known best practice sustainable natural resource management.

3. Economic

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.
3. Integrate and balance town and rural planning to maximise economic potential.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

1. Identify and implement best practice in all areas of operation.
2. Promote best practice through demonstration and innovation.
5. Harness community resources to build social capital within the Shire.

Objective 2: Formation of Active Partnerships to progress key programs and projects

Strategies

1. Improve coordination between Shire, community and other partners.
3. Develop specific partnerships to effectively use and leverage additional resources.

Objective 3: Compliance to necessary legislation

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.

Community Consultation:

Extensive community consultation will take place as part of the project.

Comment:

Submissions have been analysed against the criteria set for the Expressions of Interest. The following matrix represents the scores from the qualitative and fee proposal criteria.

Name of Consultancy/Consortiums	Qualitative criteria (60% weighting)	Fee proposal (40% weighting)	Total
Syme Marmion & Co	23.5	12.67	36.17
Sustainable Development Facilitation	36.2	35.33	71.53
Estill & Associates with Stephen Goode Consulting	25.4	16.00	41.40
Community Perspectives with Belton Taylforth and Asset Research	32.7	20.67	53.37
CCS Strategic Management with Geografia	35.9	25.33	61.23

The following Expressions of Interest are recommended for short listing:

- CCS Strategic Management in association with Geografia
- Sustainable Development Facilitation

The successful short listed companies will now be asked to submit a formal tender. This will include requests of clarification related to their Expressions of Interest submissions, and a request to do a formal presentation in relation to their tender.

This next stage also provides the opportunity to assess alternative methodologies as part of the assessment process. Both of the short listed submissions provided alternative methodologies which would be worthwhile exploring further as they may offer some additional benefits to Council. These can now be firmed up as part of this next stage of assessment.

Voting Requirements: Normal

OCM042/05/06 COUNCIL DECISION/Officer Recommended Resolution

Moved Cr Star seconded Cr Richards

That Council accepts the short listing of Expressions of Interest for the development of the Serpentine Jarrahdale Shire Community Facilities and Services Plan to 2020, and endorses the calling of Tenders from

- **CCS Strategic Management in association with Geografia, and**
- **Sustainable Development Facilitation**

CARRIED 9/0

9. CHIEF EXECUTIVE OFFICER'S REPORT

Cr Needham declared an interest of impartiality in item OCM043.5/05/06 SUSTAINABILITY OF INDIGENOUS COMMUNITIES – NATIONAL CONFERENCE – 12-14 JULY, 2006 (A0906) as the recipient of conference attendance. This will not affect the way in which she votes on this item.

OCM043/05/06		INFORMATION REPORT	
Proponent	Chief Executive Officer		
Officer	S Langmair – PA to the Chief Executive Officer		
Signatures - Author:	In Brief Information Report for the month of May, 2006.		
Senior Officer:			
Date of Report			18 th May, 2006
Previously			
Disclosure of Interest			
Delegation	Council		

OCM043.1/05/06 COMMON SEAL REGISTER REPORT – APRIL, 2006 (A1128)

The Common Seal Register Report for the month of April, 2006 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked OCM043.1/05/06.(E02/5614)

OCM043.2/05/06 POLICY FORUM – May, 2006 (A0429/05)

ITEMS FOR PRELIMINARY DISCUSSION		INFORMATION TO BE PROVIDED
1	Local Laws and Emergency Management Act	David Gossage (presentation)
2	Forward Financial Plan	Darren Long (to be tabled)

OCM043.3/05/06 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – NOTICE OF PROPOSED AMENDMENTS TO WALGA CONSITUTION (A1164)

The Western Australian Local Government Association (WALGA) have given notice of proposed amendments to Constitution of the Western Australian Local Government Association. The amendments will be included in detail within the Agenda for the Annual General Meeting. In the attachments marked OCM043.3/05/06 (IN06/5212) are the proposed amendments for Councillors information.

OCM043.4/05/06 PEEL ECONOMIC DEVELOPMENT UNIT MEETING MINUTES – 13TH APRIL, 2006 (A0839-06)

The Minutes of the Peel Economic Development Unit Meeting held on 13th April, 2006 are in the attachments marked OCM043.4/05/06 (IN06/15223).

OCM043.5/05/06 SUSTAINABILITY OF INDIGENOUS COMMUNITIES – NATIONAL CONFERENCE – 12-14 JULY, 2006 (A0906)

A copy of the Sustainability of Indigenous Communities National Conference to be held at Murdoch University from 12-14 July, 2006 is with the attachments marked OCM043.5/05/06. The cost of attendance to this conference is \$600.00. Cr Denyse Needham requests Council's consideration under Council Policy CSP25 – Council Training, Development & Conference Attendance Policy to attend this conference.

OCM043/05/06 COUNCIL DECISION/Officers Recommended Resolution

Moved Cr Price seconded Cr Wigg

1. The Information Report to 18th May, 2006 is received.
2. That Council approves Cr Needham's attendance at the Sustainability of Indigenous Communities National Conference to be held in July 2006.

CARRIED 9/0

The Chief Executive Officer returned to the meeting at 10.10pm

10. URGENT BUSINESS:

Nil

11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:

Nil

12. CLOSURE:

There being no further business the Presiding Member declared the meeting closed at 10.18 pm.

13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

SD130/05/06 BUILDING INFORMATION REPORT		
Proponent:	N/A	In Brief Information report
Owner:	N/A	
Officer:	Jason Robertson - Principal Building Surveyor	
Signatures Author:		
Senior Officer:		
Date of Report	02.05.06	
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	Committee – in accordance with resolution SM051/06/04	

SD130/05/06 COMMITTEE DECISION/Officer Recommended Resolution

**That Council accepts the April 2006 Building Information Report.
 CARRIED 7/0**

SD131/05/06 HEALTH INFORMATION REPORT		
Proponent:	N/A	In Brief Information report
Owner:	N/A	
Officer:	Tony Turner - Principal Environmental Health Officer	
Signatures Author:		
Senior Officer:		
Date of Report	2.05.06	
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	Committee – in accordance with resolution SM051/06/04	

SD131/05/06 COMMITTEE DECISION/Officer Recommended Resolution

**That Council accepts the Health Information Report for April 2006.
 CARRIED 7/0**

SD136/05/06 PLANNING INFORMATION REPORT		
Proponent	Executive Manager Planning & Regulatory Services	In Brief Information Report.
Officer	Lisa Fletcher – Support Officer Planning & Regulatory Services	
Signatures – Author:		
Senior Officer:		
Date of Report	1 May 2006	
Previously		
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM051/06/04	

SD136/05/06 COMMITTEE DECISION/Officer Recommended Resolution

The Planning Information Report to 11 May 2006 be received.
CARRIED 7/0

CGAM136/05/06 TENDER NUMBER 002/2006-07 DRY HIRE OF SELF PROPELLED COMPACTIVE EQUIPMENT (A1353/08)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Council is requested to approve the recommended tenderer for the Dry Hire of Self Propelled Compactive Equipment for the period 1 st July 2006 to 30 th June 2007.
Owner:		
Officer:	Gabor Komaromi, Senior Technical Officer	
Signatures Author:		
Senior Officer:		
Date of Report	3 rd May 2006	
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	Committee in accordance with resolution SM051/06/04	

CGAM136/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

That Council accept the Tender submitted by Mayday Earthmoving for the Dry Hire of Self Propelled Compactive Equipment in accordance with Tender Number 002/2006-07 for the period 1st July 2006 to 30th June 2007 inclusive at the following schedule of rates (GST inclusive):

Vibrating Steel	Static Steel	Static Multi-tyred	Static Multi-tyred	Double Drum Vibratory Roller	Deliver/Retrieve
Roller 9-12 tonnes	Roller 8-12 tonnes	Roller 11-15 tonnes	Roller 30 tonnes	Roller 2-4 tonnes	
\$286.00 per day	\$231.00 per day	\$242.00 per day	\$297.00 per day	\$264.00 per day	\$302.50 and \$95.00 (Double Drum Vibratory Roller only)

CARRIED 7/0

CGAM137/05/06 TENDER NUMBER 003/2006-07 SUPPLY AND DELIVERY OF CRUSHED LIMESTONE (A1353/07)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Council is requested to approve the recommended tenderer for the Supply and Delivery of Crushed Limestone for the period 1 st July 2006 to 30 th June 2007 inclusive.
Owner:		
Officer:	Gabor Komaromi, Senior Technical Officer	
Signatures Author:		
Senior Officer:		
Date of Report	3 rd May 2006	
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	Committee in accordance with resolution SM051/06/04	

CGAM137/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

That Council accepts the Tender submitted by WA Limestone Pty Ltd for the Supply & Delivery of Crushed Limestone in accordance with Tender Number 003/2006-07 for the period 1st July 2006 to 30th June 2007 inclusive at the following schedule of rates (GST inclusive):

Quarry	Item Description	Tender Unit	Tendered Price
WA Limestone Millar Rd Baldivis	75mm Crushed Limestone	\$/Tonne	\$7.04
	19mm Crushed Limestone	\$/Tonne	\$10.45

Kms	WA Limestone Pty Ltd (\$/km)
0 – 4	\$0.44
5 – 9	\$0.28
10 – 14	\$0.21
15 – 19	\$0.18
20 – 24	\$0.16
25 – 29	\$0.15
30 – 34	\$0.15
35 – 39	\$0.15
40 – 44	\$0.15
45 – 49	\$0.14
50+	\$0.14

CARRIED 7/0

CGAM138/05/06 TENDER NUMBER 004/2006-07 SUPPLY AND PLACEMENT OF HOT ASPHALT (A1353/06)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Council is requested to approve the recommended Tenderer for the Supply and Placement of Hot Asphalt for the period 1 st July 2006 to 30 th June 2007 inclusive.
Owner:		
Officer:	Gabor Komaromi - Senior Technical Officer	
Signatures Author:		
Senior Officer:		
Date of Report	3 rd May 2006	
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	Committee in accordance with resolution SM051/06/04	

CGAM138/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

That Council accept the Tender submitted by Boral Asphalt for the Supply and Placement of Hot Asphalt in accordance with Tender 004/2006-07 for the period of 1st July 2006 to 30th June 2007 inclusive at the following schedule of rates.

(1) SCHEDULE OF RATES – BLACK ASPHALT

SUPPLY AND LAY TENDER PRICE (\$/TONNE)									
NAME	MIX TYPE (mm)	MARSHALL BLOW	0 – 25 (t)	26 – 50 (t)	51 – 100 (t)	101 – 200 (t)	201 – 300 (t)	310 – 400 (t)	400 + (t)
BORAL ASPHALT	20	50	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
	20	75	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
	14	35	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
	14	50	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
	14	75	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
	HD Gap	3 – 5 Voids	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
	14	75	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
	HD Gap	4 – 7 Voids	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
	10	75	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
	HD Gap	3 – 5 Voids	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
10	75	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60	
HD Gap	4 – 7 Voids	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60	
10	35	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60	
10	50	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60	

	10	75	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
	7	35	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60
	7	50	\$386.50	\$219.75	\$173.65	\$145.15	\$113.60	\$113.60	\$113.60

All Tender prices are GST Inclusive

(2) SCHEDULE OF RATES – RED ASPHALT LATERITE WITH 1% RED OXIDE

SUPPLY AND LAY TENDER PRICE (\$/TONNE)									
NAME	MIX TYPE (mm)	MARSHALL BLOW	0 – 25 (t)	26 – 50 (t)	51 – 100 (t)	101 – 200 (t)	201 – 300 (t)	310 – 400 (t)	400 + (t)
BORAL ASPHALT	7	35	\$399.25	\$232.55	\$186.40	\$157.95	\$126.35	\$126.35	\$126.35
	7	50	\$399.25	\$232.55	\$186.40	\$157.95	\$126.35	\$126.35	\$126.35
	10	35	\$399.25	\$232.55	\$186.40	\$157.95	\$126.35	\$126.35	\$126.35
	10	50	\$399.25	\$232.55	\$186.40	\$157.95	\$126.35	\$126.35	\$126.35
	14	35	\$399.25	\$232.55	\$186.40	\$157.95	\$126.35	\$126.35	\$126.35
	14	50	\$399.25	\$232.55	\$186.40	\$157.95	\$126.35	\$126.35	\$126.35

All Tender prices are GST Inclusive

(3) SCHEDULE OF RATES – DOG WITH 3% RED OXIDE

SUPPLY AND LAY TENDER PRICE (\$/TONNE)									
NAME	MIX TYPE (mm)	MARSHALL BLOW	0 – 25 (t)	26 – 50 (t)	51 – 100 (t)	101 – 200 (t)	201 – 300 (t)	310 – 400 (t)	400 + (t)
BORAL ASPHALT	7	35	\$455.40	\$288.70	\$242.55	\$214.10	\$196.30	\$196.30	\$196.30
	7	50	\$455.40	\$288.70	\$242.55	\$214.10	\$196.30	\$196.30	\$196.30
	10	35	\$455.40	\$288.70	\$242.55	\$214.10	\$196.30	\$196.30	\$196.30
	10	50	\$455.40	\$288.70	\$242.55	\$214.10	\$196.30	\$196.30	\$196.30
	14	35	\$455.40	\$288.70	\$242.55	\$214.10	\$196.30	\$196.30	\$196.30
	14	50	\$455.40	\$288.70	\$242.55	\$214.10	\$196.30	\$196.30	\$196.30

All Tender prices are GST Inclusive

CARRIED 7/0

CGAM139/05/06 TENDER NUMBER 005/2006-07 SUPPLY OF CASUAL LABOUR (A1353/05)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Council is requested to approve the recommended tenderer for the Supply of Casual Labour for the period 1 st July 2006 to 30 th June 2007 inclusive.
Owner:		
Officer:	Gabor Komaromi, Senior Technical Officer	
Signatures Author:		
Senior Officer:		
Date of Report	3 rd May 2006	
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	Committee in accordance with resolution SM051/06/04	

CGAM139/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

That Council accept the Tender submitted by LO GO Appointments for the Supply of Casual Labour in accordance with Tender Number 005/2006-07 for the period of 1st July 2006 to 30th June 2007 inclusive at the following schedule of hourly rates (GST inclusive).

POSITION	
MACHINE OPERATORS	\$/HR/PERSON
Motor Grader	\$29.43
Front End Loader	\$28.06
Roller Driver	\$27.61
Truck Driver	\$26.16
Ride-on Mower	\$26.16
GENERAL	
General Hand	\$25.25
Work Site Traffic Controller	\$25.25
Concrete Finisher	\$25.25
Horticulturist	\$26.16

CARRIED 7/0

CGAM140/05/06 TENDER NUMBER 009/2006-07 SUPPLY PLACEMENT AND FINISHING OF EXTRUDED CONCRETE KERBING (A1353/01)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Council is requested to approve the recommended Tenderer for the supply, placement and finishing of extruded concrete kerbing for the period 1 July 2006 to 30 June 2007 inclusive.
Owner:		
Officer:	Gabor Komaromi, Senior Technical Officer	
Signatures Author:		
Senior Officer:		
Date of Report	3 rd May 2006	
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	Committee in accordance with resolution SM051/06/04	

CGAM140/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

That Council accept the Tender submitted by Glenview Machine Kerbing for the Supply, Placement and Finishing of Extruded Concrete Kerbing in accordance with Tender Number 008/2006-07 for the period of 1st July 2006 to 30th June 2007 inclusive at the following schedule of rates (GST inclusive).

TENDERER	METRES	MOUNTABLE KERB – \$/M	SEMI MOUNTABLE KERB – \$/M	BARRIER KERB – \$/M
GLENVIEW MACHINE KERBING	0 to 99	\$18.15	\$18.15	\$18.15
	100 to 499	\$12.10	\$12.10	\$12.10
	500 to 999	\$12.10	\$12.10	\$12.10
	1000+	\$11.00	\$11.00	\$11.00

TYPE OF WORK	LUMP SUM
Handwork	\$6.65
Pram Ramp	\$192.50
Island Bull Nose	\$27.50

All Tendered prices are GST inclusive

CARRIED 7/0

CGAM141/05/06 TENDER NUMBER 007/2006/07 SUPPLY SPRAYING & COVERING OF HOT BITUMEN PRIMER SEALS & RESEALS (A1353/03)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Council is requested to approve the recommended tenderer for the Supply Spraying & Covering of Hot Bitumen Primer Seals and Reseals for the period 1 st July 2006 to 30 th June 2007 inclusive.
Owner:		
Officer:	Gabor Komaromi – Senior Technical Officer	
Signatures Author:		
Senior Officer:		
Date of Report	3 rd May 2006	
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	Committee in accordance with resolution SM051/06/04	

CGAM141/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

That Council accept the Tender submitted by Boral Asphalt for the Supply, Spraying, and Covering of Hot Bitumen Primer Seals & Reseals in accordance with Tender Number 007/2006-07 for the period of 1st July 2006 to 30th June 2007 inclusive at the following rates (GST inclusive).

Item	Description	Quantity	Unit	\$/m ²
1.0	10mm Reseal			
1.1	Supply and Apply 10mm reseal	<1500	m2	5.05
1.2	Supply and Apply 10mm reseal	1500 to 4000	m2	3.64
1.3	Supply and Apply 10mm reseal	4000 to 6000	m2	3.00
1.4	Supply and Apply 10mm reseal	6000 to 10000	m2	2.85
1.5	Supply and Apply 10mm reseal	>10000	m2	2.62
2.0	14mm Reseal			
2.1	Supply and Apply 14mm reseal	<1500	m2	5.68
2.2	Supply and Apply 14mm reseal	1500 to 4000	m2	4.70
2.3	Supply and Apply 14mm reseal	4000 to 6000	m2	3.95
2.4	Supply and Apply 14mm reseal	6000 to 10000	m2	3.55
2.5	Supply and Apply 14mm reseal	>10000	m2	3.28
3.0	14mm Primer-Seal			
3.1	Supply and Apply 14mm Primer-seal	<1500	m2	5.54
3.2	Supply and Apply 14mm Primer-seal	1500 to 4000	m2	4.23
3.3	Supply and Apply 14mm Primer-seal	4000 to 6000	m2	3.75
3.4	Supply and Apply 14mm Primer-seal	6000 to 10000	m2	3.61
3.5	Supply and Apply 14mm Primer-seal	>10000	m2	3.37
4.0	Variations			

Item	Description	Quantity	Unit	\$/m ²
4.1	Variation to Binder Application Rate	0.80	litres	0.88
4.2	Variation of 10mm Aggregate Spread Rate	35.00	m3	38.50
4.3	Variation of 14mm Aggregate Spread Rate	34.00	m3	37.50
5.0	Supply & Spray 14mm Primer Seal			
5.1	Supply and Spray only 14mm Primer Seal	<1500	m2	3.04
5.2	Supply and Spray only 14mm Primer Seal	1500 to 4000	m2	2.22
5.3	Supply and Spray only 14mm Primer Seal	4000 to 6000	m2	2.06
5.4	Supply and Spray only 14mm Primer Seal	6000 to 10000	m2	1.98
5.5	Supply and Spray only 14mm Primer Seal	>10000	m2	1.93

All Tender prices include GST

CARRIED 7/0

CGAM142/05/06 TENDER NUMBER 008/2006-07 TRUCKS FOR BULK CARTAGE AND INDIVIDUAL TRUCKS FOR GENERAL CARTAGE (A1353/02)	
Proponent:	Serpentine Jarrahdale Shire
Owner:	
Officer:	Gabor Komaromi, Senior Technical Officer
Signatures Author:	
Senior Officer:	
Date of Report	3 rd May 2005
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	Committee in accordance with resolution SM051/06/04
	In Brief Council is requested to approve the recommended tenderers for the supply of Trucks for Bulk Cartage & Individual Trucks for General Cartage for the period 1 st July 2006 to 30 th June 2007 inclusive.

CGAM142/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

That Council accept the Tender submitted by Mayday Earthmoving for Individual Trucks for General Cartage in accordance with Tender Number 008/2006-07 for the period of 1st July 2006 to 30th June 2007 inclusive at the following schedule of rates (GST inclusive):

Company	Type of Truck	Capacity (G.V.M.-Tare)	Hire Rate (\$/hr)	Mobilisation Charges
Mayday Earthmoving	6 Wheeler Tipper	11 m3	\$65.00	At the nominated Hire Rate/Hour
	8 Wheel Tipper	14 m3	\$75.00	
	Semi Tipper	18m3	\$95.00	

CARRIED 7/0

CGAM145/05/06 MONTHLY FINANCIAL REPORT – APRIL 2006 (A0924/06)		
Proponent:	Local Government Act 1995	In Brief To receive the Monthly Financial Report as at 30 April 2006
Owner:		
Officer:	Casey Mihovilovich – Manager Finance Services	
Signatures Author:		
Senior Officer:		
Date of Report	05/05/06	
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 1995	
Delegation	Committee in accordance with resolution SM046/05/04	

CGAM145/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

Council receives the Monthly Financial Report, as at 30 April 2006, in accordance with Section 6.4 of the Local Government Act 1995.

CARRIED 7/0

CGAM146/05/06 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent:	Director Corporate Services	In Brief To confirm the creditor payments made during April 2006
Owner:	N/A	
Officer:	S. O'Meagher – Finance Officer	
Signatures Author:		
Senior Officer:		
Date of Report	05/05/06	
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	Committee in accordance with resolution SM051/06/04	

CGAM146/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

Council notes the payments authorised under delegated authority and detailed in the list of invoices for the month of April, presented to the Corporate Governance & Asset Services Committee and to Council, per the summaries set out above include Creditors yet to be paid and in accordance with the Local Government (Financial Management) Regulations 1996.

CARRIED 7/0

CGAM147/05/06 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the statement of debtors over \$1,000 as at 30 April 2006
Owner:	Not Applicable	
Officer:	Megan Mateljan – Finance Officer - Debtors	
Signatures Author:		
Senior Officer:		
Date of Report	05/05/06	
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	Committee in accordance with resolution SM051/06/04	

CGAM147/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

**Council receive and note the report on Debtors accounts with a balance in excess of \$1,000 outstanding for 90 days or greater as at 30 April 2006.
 CARRIED 7/0**

CGAM148/05/06 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the sundry debtor balances as at 30 April 2006
Owner:	Not Applicable	
Officer:	Megan Mateljan – Finance Officer - Debtors	
Signatures Author:		
Senior Officer:		
Date of Report	05/05/06	
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	Committee in accordance with resolution SM051/06/04	

CGAM148/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

**Council receive and note the report on Sundry Debtor Outstanding Accounts as at 30 April 2006.
 CARRIED 7/0**

CGAM149/05/06 RATE DEBTORS REPORT (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the rates report as at 30 April 2006
Owner:	Not Applicable	
Officer:	V Tapp – Finance Officer - Rates	
Signatures Author:		
Senior Officer:		
Date of Report	01/05/06	
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	Committee in accordance with resolution SM051/06/04	

CGAM149/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

**Council receive and note the report the Rate Debtors accounts as at 30 April 2006.
CARRIED 7/0**

CGAM150/05/06 INFORMATION REPORT		
Proponent:	Director Corporate Services	In Brief To receive the information report to 30 April 2006
Owner:	Not Applicable	
Officer:	Various	
Signatures Author:		
Senior Officer:		
Date of Report	05/05/06	
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	Committee in accordance with resolution SM051/06/04	

CGAM150/05/06 COMMITTEE DECISION/Officer Recommended Resolution:

**The information report to 5 May 2006 be received.
CARRIED 7/0**