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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET MUNDIJONG MONDAY 22<sup>nd</sup> SEPTEMBER, 2003. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.00PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

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## 1. ATTENDANCES & APOLOGIES

**PRESENT:** Crs DL Needham ..... Presiding Member  
JC Star  
JA Scott  
KR Murphy  
AW Wigg  
JE Price  
AJ Simpson  
WJ Kirkpatrick  
THJ Hoyer  
IJ Richards

### APOLOGIES:

**IN ATTENDANCE:** Mr D Price ..... Chief Executive Officer  
Mr G Dougall..... Director Corporate Services  
Ms J Abbiss ..... Director Sustainable Development  
Mr M Beaverstock..... Director Asset Services  
Mrs S Langmair ..... Minute Secretary

### GALLERY: 12

## 2. PUBLIC QUESTION TIME:

2.1 Response To Previous Public Questions Taken On Notice

2.2 Public Question Time

Public Question time commenced at 7.00pm

Richard Geiger, 175 Medulla Road, Jarrahdale

Q Why has the water tank budgeted for Millbrook been deferred again until next years budget?

A It was deferred from 03/04 to 04/05 as part of the 2003-2008 Forward Financial Review following advice on the introduction of an Emergency Services Levy. It was noted that the implementation of the collar tank system does assist in fighting fires in areas that do not have a static water supply.

Public Question time concluded at 7.05pm

## 3. PUBLIC STATEMENT TIME:

Public Statement time commenced at 7.05pm

Tara Maxwell – Chairperson of Youth Advisory Council (YAC) – thanked Councillors for their hospitality and the opportunity for the YAC members to meet Councillors and the Executive Team.

Public Statement Time concluded at 7.06pm

4. **PETITIONS & DEPUTATIONS:**
5. **PRESIDENT'S REPORT:**
6. **DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:**

Cr Hoyer declared a financial interest in item P020/09/03.

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 – 25<sup>th</sup> August, 2003

**COUNCIL DECISION**

Moved Cr Price seconded Cr Hoyer  
That the minutes of the Ordinary Council Meeting held on 25<sup>th</sup> August, 2003 be confirmed.  
CARRIED 10/0

**REPORTS OF COMMITTEES:**

7.2 Corporate Services Committee Meeting

C011/09/03 COMMITTEE & COUNCIL MEETING IN COUNCIL CHAMBERS		
Proponent	Chief Executive Officer	In Brief  Recommendation to conduct Committee and Council meetings in the Council Chambers commencing October 2003
Officer	D.E Price-Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	29 August 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

Council agreed to trial a portfolio group system with the members of the Planning, Development and Environment Committee in July 2003. Further to this Councillors have been undertaking training in the application of the new Council Standing Orders.

As a result of this, it has been mentioned in several forums that Council may like to consider conducting both Committee meetings and Council meetings in the Council Chambers.

**Comments**

The concept of conducting both Committee and Council meetings in the Council Chambers does have considerable merit, and would assist in overcoming the observations made by the consultant who has assisted Councillors and staff in the Standing Orders Training following her attendance at one of the Council Committees in the current room (Committee room).

These observations were as follows;

- Meeting room seems crowded
- Presiding Member 'hidden' in corner

- Cannot tell who is who - the differences between committee members, observers, staff

The Council chambers is ideally set up for lap tops and has the added benefit of a projector and screen which can be utilised by the support staff to assist in recording of meetings. It is recommended that Council agree to conduct both Committee and Council meetings in the Council Chambers. The room that was previously used for committee meetings, if Council adopts this recommendations should be continued to be used for Councillors Portfolio group meetings.

### **Sustainability Statement**

The relocation of Committee meetings to the Council Chamber provides better access to meetings for members of the public and creates a more formal meeting environment .

**Statutory Environment:** Local Government Act 1995

**Policy Implications:** This decision would be reflected in a the establishment of Council Policy for the conducting of Portfolio, Committee and Council meetings.

**Financial Implications:** No financial implications will be incurred by this decision.

**Strategic Implications:** Key Result Area 4 “Governance” Objective 1 “An effective continuous improvement program” sates “Identify and implement best practice in all areas of operations

**Community Consultation:** Not applicable

**Voting Requirements:** Normal

### **CRC011 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Wigg seconded Cr Hoyer  
Council agrees to conduct both Committee and Council meetings in the Council Chambers commencing October 2003.  
CARRIED 10/0

C013/09/02 SERVICE LEVEL ACCORDS (A0580)		
Proponent	Chief Executive Officer	<u>In Brief</u> Adopt Service Level Accord for Customer Relations, Finance Services and Information Services
Officer	G.R. Dougall - Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	30/07/02	
Previously	C016/08/01, C022/08/02	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Preamble**

Council endorsement the review of Service Level Accords for Customer Relations, Finance Services and Information Services.

**Background**

Each accord has been reviewed and include changes made to the team Key Performance Indicators.

**Comments**

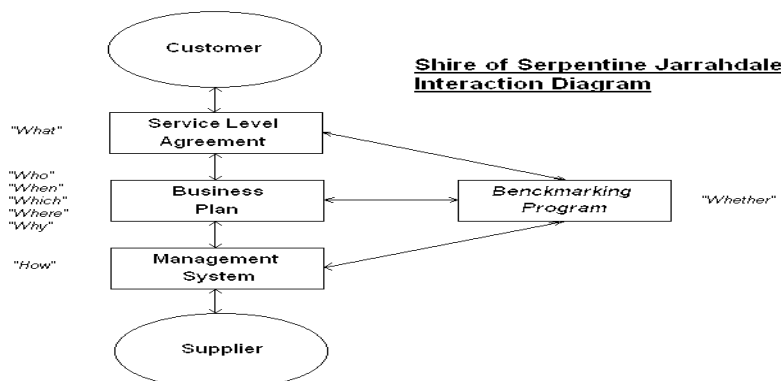
The “People and Partnerships” program involves the ongoing use of Service Level Accords which are agreed documents between Council and the service team that clearly define the levels of service that each service team provides to the community.

The Service Level Accords were developed on the premise that you must identify a starting point and then continue to move forward. The current framework has been refined to ensure teams are accurately reflecting their performance.

The attached Service Level Accords continue to provide both Council and the service team the opportunity to manage the various service provisions in a controlled equitable partnership. This partnership provides not only the opportunity for process improvements but also aligns budgets with levels of service.

Council will continue to have the opportunity to negotiate variations to the service teams Service Level Accords by utilising customer feedback mechanisms such as surveys and councillor contact, budget constraints, charges to circumstances etc. This information also provides the opportunity for the service teams to work with Council and to be able to offer alternative solutions to the delivery of both planned and unplanned service provisions in a true “partnering” environment.

This partnership aims to ensure that the service teams Service Level Accords are reflective of the levels of service our community is prepared to both accept socially and financially. This information should continue to be filtered into the Service Level Accord in the following way:





To reinforce the relationship the Service Level Accord has in the overall delivery of service to the community the following is provided.

**Service Level Accords are a “vehicle to define the service delivery to our community”.  
A Service Level Accord can be defined as follows:**

**What is a Service Level Accord?**

- *A Service Level Accord defines the level and quality of service as requested by the community and determined by Council whilst considering budget constraints.*

**From what source can we determine the service levels the community expects?**

- *Community opinion*
- *Customer feedback*
- *Focus groups*
- *Council*

*Who is Council’s representative and how will Council communicate the determined level of service and quality to the community?*

- *Management specifies and monitors service delivery on behalf of Council through the Service Level Accord in partnership with the service teams.*

**How will Council define and ensure agreed service levels?**

- *By formalising the Service Level Accord which will serve as the vehicle for delivering customer service.*

**Who delivers the services?**

- *In this instance Council’s service teams will provides the agreed levels of service to the community as detailed in each Service Level Accord.*

Can Council or the service team suggest changes or vary what has been agreed?

**Yes**

- Variations will always be possible provided that considerations such as resources, including funding are addressed. An example of this may be that Council would like to increase the levels of service in a particular area, but have not budgeted any additional funds.

In this situation Council may seek advice from the service team as to where they may be able to reduce a level of service to enable the specific increase in another area within the existing budget.

Alternatively Council may approve additional resources and request the relevant manager to vary the Service Level Accord accordingly.

Each Service Level Accord is aligned to a financial year. It is proposed that the attached accords will form the framework for the implementation of 2003/2004 budget.

It is important that Council and service teams recognise this document as a “living” document that can, and will be changed and improved on a regular basis.

The service teams will continue to provide a quarterly report to the relevant manager on the achievement of agreed performance targets and standards within each of the service teams

Accord. These in turn will be collated by the relevant Director and presented to the Chief Executive Officer, and through to Council via the relevant committees.

***A copy of the Customer Relations, Finance Services and Information Services Service Level Accords are included with the attachments and marked "C013.1/09/03 – C013.3/09/03".***

<b><u>Statutory Environment:</u></b>	No Statutory Environment
<b><u>Policy Implications:</u></b>	No Policy Implications
<b><u>Financial Implications:</u></b>	No Financial Implications
<b><u>Strategic Implications:</u></b>	No Strategic Implications
<b><u>Community Consultation:</u></b>	No Community Consultation required
<b><u>Voting Requirements:</u></b>	Normal

**CRC013 COUNCIL DECISION/Committee/Officer Recommended Resolution**

**Moved Cr Simpson seconded Cr Kirkpatrick**

- Council endorses the framework and principles of the Service Level Accords for the following service teams Customer Relations, Finance Services and Information Services and the Service Level Accords be adopted for the provision of service/s as amended for the 2003/2004 financial year.**
- The service level accords remain the intellectual property of the Shire and that any use of the accords will require authorisation by the Chief Executive Officer.**

**CARRIED 10/0**

C015/09/03 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent	Director Corporate Services	In Brief  To confirm the creditor payments made during August
Officer	R. Pryce – Senior Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Preamble**

Confirm the payment of Creditors in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996.

**Background**

Nil

**Comments**

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

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

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

Summary of creditor accounts paid and payable for the month of August.

From 33388 to 33579 and EFT3559 to EFT3658 totalling	\$525,950.22	MUNICIPAL FUND
	\$0	TRUST ACCOUNT
Nil	\$0	LOAN ACCOUNT
<b>TOTAL</b>	<b>\$525,950.22</b>	
Remaining balance outstanding (and yet to be paid) as at 31 August 2003	<b>\$155,001.66</b>	

***A copy of the vouchers numbered 33388 to 33579 and EFT3559 to EFT3658 totalling \$525,950.22 for the month of August is included with the attachments and marked C015/09/03.***

**Statutory Requirement:** No Statutory Requirement

**Policy Implications:** No Policy Implications

**Budget Implications:** No Budget Implications

**Strategic Plan Implications:** No Strategic Plan Implications

**Community Consultation:** Community Consultation is not required

**Voting Requirements:** Normal

**Officer Recommended Resolution**

Council notes the payments authorised and made by the Chief Executive Officer, exercising his delegated authority and detailed in the list of invoices for the month of August, presented to the Corporate 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.

**CRC015 COUNCIL DECISION/Committee Recommended Resolution**

**Moved Cr Simpson seconded Cr Price**

1. Council notes the payments authorised and made by the Chief Executive Officer, exercising his delegated authority and detailed in the list of invoices for the month of August, presented to the Corporate 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.
2. A policy on the payment of travel fees and councillor sitting fees, for councillors when they are on leave of absence be prepared and referred back to Council.
3. That a date be nominated in the policy for the payment of councillor fees referred to in part 2.

**CARRIED 10/0**

Committee Note: The Committee considered there was a need to create a policy with regard to the payment of fees and reimbursement when councillors are on a leave of absence.

7.3 Asset Services

AS015/09/03 SERVICE LEVEL ACCORDS FOR OPERATIONS, DESIGN & FIRE AND EMERGENCY SERVICES TEAMS (A0580-02)		
Proponent	Chief Executive Officer	In Brief  Council endorsement of Service Level Accords for Design, Operations and Fire & Emergency Services Teams.
Officer	Mick Beaverstock Director Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	4 September 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

Each accord has been reviewed and include changes made to the team's Key Performance Indicators.

**Comments**

The "People and Partnerships" programme involves the on going use of Service Level Accords which are agreed documents between Council and the service team that clearly define the levels of service that each service team provides to the community.

Service Level Accords were developed on the premise that you must identify a starting point and move forward. A good place to start is to capture initially the services currently provided to the community. Therefore the framework under which each document was initially developed reflected current Council resources and budget constraints.

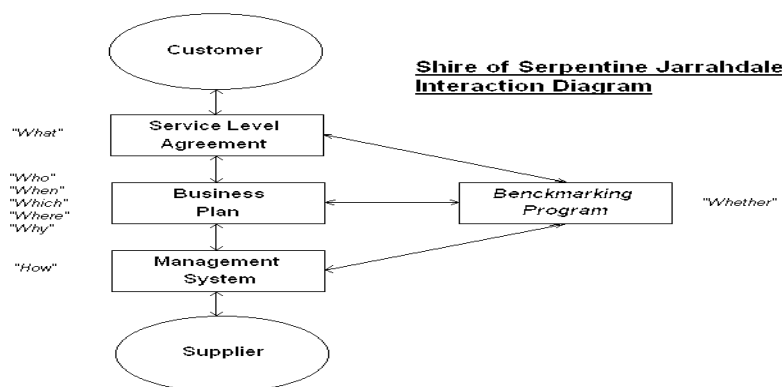
The 2002/03 Service Level Accords have been reviewed and refined as part of the "People and Partnerships" programme.

The Service Level Accords continue to provide both Council and the service team the opportunity to manage the various service provisions in a controlled equitable partnership.

This partnership provides not only the opportunity for process improvements but also aligns budgets with levels of service.

Council will continue to have the opportunity to negotiate variations to the service teams Service Level Accords by utilizing customer feedback mechanisms such as surveys and councillor contact, budget constraints, changes to circumstances etc. This information also provides the opportunity for the service teams to work with Council and to be able to offer alternative solutions to the delivery of both planned and unplanned service provisions in a true “partnering” environment.

This partnership aims to ensure that the service teams Service Level Accords are reflective of the levels of service our community is prepared to both accept socially and financially. This information should continue to be filtered into the Service Level Accord in the following interaction diagram.



To reinforce the relationship the Service Level Accord has in the overall delivery of service to the community the following is provided.

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**What is a Service Level Accord?**

- ❖ A Service Level Accord defines the level and quality of service as requested by the community and determined by Council whilst considering budget constraints.

**From what source can we determine the service levels the community expects?**

- ❖ Community opinion
- ❖ Customer feedback
- ❖ Focus groups
- ❖ Council

**Who is Council’s representative and how will Council communicate the determined level of service and quality to the community?**

- ❖ Management specifies and monitors service delivery on behalf of Council through the Service Level Accord in partnership with the service teams.

**How will Council define and ensure agreed service levels?**

- ❖ By formalizing the Service Level Accord which will serve as the vehicle for delivering customer service.

### **Who delivers the services?**

- ❖ In this instance Council's service teams will provide the agreed levels of service to the community as detailed in each teams Service Level Accord.

### **Can Council or the service team suggest changes or vary what has been agreed?**

Yes

- ❖ Variations will always be possible provided that considerations such as resources, including funding are addressed. An example of this may be that Council would like to increase the levels of service in a particular area, but have not budgeted any additional funds.

In this situation, Council may seek advice from the service team as to where they may be able to reduce a level of service to enable the specific increase in another area within the existing budget.

Alternatively Council may approve additional resources and request the relevant manager to vary the Service Level Accords accordingly.

Each Service Level Accord is aligned to a financial year. It is proposed that the attached Accords will form the framework for the implementation of 2003/04 budget.

It is important that Council and the service teams recognize this document as a "living" document that can and will be changed and improved on a regular basis.

Each quarter the service teams will continue to provide a report on the achievement of agreed performance targets and standards within each of the service team's Accord. These will be collated by the relevant senior manager and presented to the Chief Executive Officer, and through to Council via the relevant committee.

Performance over the 2003/04 year has been substantially at or marginally within the former Service Level Accord and modifications made to the current Accord are very minor and reflect only clarification of the intent of performance criteria, and include the modified Quarterly Report structure.

***A copy of the Service Level Accord for Engineering Design is with the attachments marked AS015.1/09/03.***

***A copy of the Service Level Accord for Operations is with the attachments marked AS015.2/09/03.***

***A copy of the Service Level Accord for Fire & Emergency Services is with attachments marked AS015.3/09/03.***

**Statutory Environment:** Nil.

**Policy Implications:** Nil.

**Budget Implications:** Nil.

**Strategic Plan Implications:** Nil.

**Community Consultation:** Nil.

**Voting Requirements:** Normal.

**CRAS015 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Scott seconded Cr Kirkpatrick

1. Council endorses the framework and principles of the Service Level Accord for the Operations, Design, and Fire & Emergency Services Teams and that they be adopted for the provision of service/s as amended for the 2003/04 financial year.
2. The Service Level Accords remain the intellectual property of the Shire and that any use of the Accords will require authorization of the Chief Executive Officer.

**CARRIED 10/0**

AS016/09/03 PROVISION OF WASTE & RECYCLING SERVICES KILN RD CARDUP (A0663)		
Proponent	Shire of Serpentine Jarrahdale	In Brief  <i>Committee is requested to consider residents' requests to install a caged area and supplying one bulk waste and one recycling bin for properties in Kiln Rd Cardup who currently do not receive a domestic waste and recycling service.</i>
Officer	Paul Bachman Contract Administration Officer	
Signatures – Author:		
Senior Officer:		
Date of Report	25 <sup>th</sup> August 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

Kiln Road currently falls outside of the compulsory waste services collection zone due to its difficult access route for kerbside collections. Following prior representations to the Shire by several residents of Kiln Road to be included in the current waste and recycling service route, a reply paid yes/no questionnaire was sent to each developed property to ascertain residents' views. The questionnaire aimed to measure opinions for or against the following:

1. To support the introduction of a weekly waste and fortnightly recycling service
2. To support waste bins being placed in a secure area near 104 Kiln Road next to the Brickworks if a kerbside collection service cannot be provided.

Survey results received of the above questionnaire from the nineteen Kiln Road properties are presented hereunder. Fifteen responses were received.

<u>Question</u>	<u>Answer</u>	<u>Number</u>
1	<u>YES</u>	6
	<u>NO</u>	9
2	<u>YES</u>	7
	<u>NO</u>	8
	<b>ADVISED VACANT</b>	2
	<b>NIL REPLY</b>	2
	<b>Total</b>	<b>19</b>

**Comments**

Ideally, the long-term value of compulsorily adding all occupied properties in Kiln Road to the waste services route is the most preferred option. This supports Council's policy of including as many reachable properties as possible within the waste services zone, and provides desirable long term environmental waste management benefits. Due to Kiln Road being outside of the compulsory waste zone, the generally divided resident opinion creates a difficulty in offering an equitable solution to affected properties. Both waste and recycling contractors advise that it is not possible to offer a kerbside collection to these properties due to the initial steepness of Kiln Road. Subsequent to the questionnaire, anecdotal feedback via phone calls from Kiln Road residents in favour of the proposed waste service indicate a willingness to accept any form of collection as none currently exists. An option was considered to install a suitable caged area and supply one 4m<sup>3</sup> bulk waste bin and one 4m<sup>3</sup> bulk recycling bin for all occupied properties not receiving a service in Kiln Road to utilise. The caged area is costed at approximately \$1500.00 to construct. This cage is required to comply with Health Act Local Law 41 (2) (e) and to prevent waste from spreading to adjoining properties retaining a clean surrounding environment.

The collection costs for the proposed bulk bins is \$3,729.50 per annum. Recovering this cost over the 15 properties results in a charge per property of \$250.00 which is significantly higher than the base kerbside service charge of \$175.00.

Of the 15 responses received, only 7 were in favour of a collection service. Imposing a \$250.00 charge on residents not in favour would not be equitable, and it is unlikely that those requesting the service would accept the full cost of collection being charged to their properties only.

It is recommended that Council advise residents that a collection service will not be introduced as it is cost prohibitive.

### **Sustainability Statement**

Supports the Shire's current environmental and long term waste management strategy of extending waste services to as many reachable properties as practicable and reducing landfill through encouraging higher participation rate in recycling.

**Statutory Environment:** Health Act 1911 (Local Law 1999) Revised Nov 2000

**Policy Implications:** Nil

**Financial Implications:** Nil

**Strategic Implications:** Key Sustainability Result Areas

#### **2. Environment**

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

##### Strategies:

1. Implement known best practice sustainable natural resource management.
3. Reduce waste and improve recycling processes.

**Community Consultation:** Resident opinion received from a majority of affected Kiln Road properties through a reply paid questionnaire sent to each occupied property.

**Voting Requirements:** Normal

### **Officer Recommended Resolution:**

1. That residents of Kiln Road be advised a waste collection service will not be introduced as it is cost prohibitive.



**CRAS016 COUNCIL DECISION/Committee Recommended Resolution**

**Moved Cr Wigg seconded Cr Simpson**

- 1. That residents of Kiln Road be advised a waste collection service will not be introduced at this stage as it is cost prohibitive**
- 2. That officers provide a report to council that identifies all properties not included in the waste collection program and to offer a range of options that serves as far as possible a 100% waste collection outcome.**

**CARRIED 10/0**

Committee Note: The recommendation was changed to explore options for 100% coverage for waste collection.

AS017/09/03 2003/2004 FOOTPATH PROGRAMME (A0477)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief  <i>Council is requested to endorse the Footpath Programme in accordance with the approved 2003/04 budget.</i>
Officer	Patrick Rose	
Signatures - Author:		
Senior Officer:	Bryce Coelho	
Date of Report	26 <sup>th</sup> August 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

The Shire of Serpentine-Jarrahdale 2003/2004 approved budget has a provision of \$100,000.00 for paths within schedule 12 transport infrastructure roads - development of assets.

**Comments**

The enclosed table is a list of the current priorities as assessed from the 5 year programme. Asset Services staff have submitted a funding request to the Department of Planning & Infrastructure for grant funding under the Perth Bicycle Network programme for works listed on a 50/50 cost sharing basis. If the application is successful the programme will need to be revised to reflect the additional income and our 50% committal to the approved PBN projects.

Road	Location	Description	Length	Cost
Wanliss Street, Jarrahdale	In front of School	Infill between path and kerb	60	\$3,948.00
Leslie Street, Serpentine	Hall Road to Hardey Road	New Footpath	90	\$10,040.00
Hall Road, Serpentine	Bate Road to Leslie Street	Trotting Fines Trail	220	\$12,320.00
Soldiers Road	Bateman Street to Turner	New Footpath	160	\$13,440.00
Richardson Street, Serpentine	Wellard Street to Karnup Road	Replacement Footpath	260	\$16,016.00
Thatcher Road, Byford	Binshaw Avenue to Larsen Road	Kerb drain new footpath	700	\$39,900.00
South Western Highway	End of existing paying north to boundary L5 South Western Highway	Remove existing bitumen path and install new brick path as per townscape design	60	\$6,780.00
<b>TOTAL</b>				<b>\$102,444.00</b>

Officers are undertaking a review of the prioritisation of future works and this will be presented to Council in October 2003.

### **Sustainability Statement**

The provision of paths within the Shire of Serpentine-Jarrahdale allows better access for residents to facilities and services within the Shire. As such this fosters better community and promotes the use of paths for walking and cycling instead of the use of vehicles, further reducing greenhouse gas emissions.

**Statutory Environment:** Local Government Act 1995

**Policy Implications:** Nil

**Financial Implications:** In accordance with the approved 2003/04 Budget - Section 12 Transport Infrastructure Assets Roads Development of Assets – Paths & Trails \$100,000.00.

**Strategic Implications:** 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.
6. Ensure a safe and secure community.

**3. Economic**  
*Objective 2: Well developed and maintained infrastructure to support economic growth*  
Strategies:

1. Improved freight, private and public transport networks.

**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:** Advertised in 2003/04 Budget and Principal Activities Programme.

**Voting Requirements:** Normal

### **Officer Recommended Resolution:**

That the Council endorse the 2003/2004 Footpath Programme.

Road	Location	Description	Length	Cost
Wanliss Street, Jarrahdale	In front of School	Infill between path and kerb	60	\$3,948.00
Leslie Street, Serpentine	Hall Road to Hardey Road	New Footpath	90	\$10,040.00
Hall Road, Serpentine	Bate Road to Leslie Street	Trotting Fines Trail	220	\$12,320.00
Soldiers Road	Bateman Street to Turner	New Footpath	160	\$13,440.00
Richardson Street,	Wellard Street to	Replacement Footpath	260	\$16,016.00

Serpentine	Karnup Road			
Thatcher Road, Byford	Binshaw Avenue to Larsen Road	Kerb drain new footpath	700	\$39,900.00
South Western Highway	End of existing paying north to boundary L5 South Western Highway	Remove existing bitumen path and install new brick path as per townscape design	60	\$6,780.00
<b>TOTAL</b>				<b>\$102,444.00</b>

**CRAS017 COUNCIL DECISION/Committee Recommended Resolution:**

**Moved Cr Star seconded Cr Hoyer**

**This matter be deferred until Council adopts a prioritisation process for allocation of future funding of the Footpath Program.**

**CARRIED 10/0**

Committee Note: The recommendation was changed to have some items removed as Council had concerns with the relative priorities of some projects nominated and the potential for works to be undertaken as part of future land development.

7.4 Community & Recreation Development

CRD07/09/03 CONTROL OF OFF ROAD VEHICLES IN THE SHIRE (A0002)			
Proponent	Shire of Serpentine-Jarrahdale	<u>In Brief</u>	
Officer	Brian Owston – Senior Ranger	A Strategy and Action Plan to manage and reduce the illegal use of off road vehicles in the Shire	
Signatures - Author:			
Senior Officer:			
Date of Report			
Previously			
Disclosure of Interest			
<b>Delegation</b>	Council		

**Background**

Council's Ranger Services has been involved the establishment of an Off Road Vehicle "Action Plan" and "Strategy" to reduce a substantial increase in illegal off road vehicle activities within the Shire. An Off Road Vehicle Committee was formed to research, document and recommend a Strategy and an Action plan to reduce the illegal use of off road vehicles on public land within the Shire.

**Comments**

Council's Ranger Services in conjunction with the other government authorities and stakeholders have developed a number of strategies and actions to reduce and assist with the management of off road vehicles within the Shire. If adopted, and proven to be successful, a number of concepts and experiences learnt may be investigated for other districts.

The recommendations of the Committee are outlined below:

**1 *Westrail Reserves:***

1.1 *Additional and larger signage be put in place at the following locations - Pruden Road Mundijong, Banksia Road Oldbury, Eleventh Avenue Wungong, Thomas Road Byford.*

- 1.2 *Complete fencing across the following Rail Reserves - Pruden Road, Watkins Road and Wright Road Mundijong. This fencing should span across the entire unused rail reserve with locked access gates.*
- 1.3 *Signage be placed on strategic accesses to the Darling Scarp Regional Park and the Jandakot Regional Park.*

## **2 Patrol Schedule:**

- 2.1 *Maintain regular and visual active patrols in the affected areas by all of the relevant authorities.*
- 2.2 *Patrols remain ongoing and planned. All authorities indicated participation subject to notice and availability of staff.*
- 2.3 *Locate and target the most likely area where offenders park transport vehicles and trailers.*
- 2.4 *An owner and stolen motorcycle data base to be created and maintained.*

## **3 Education:**

- 3.1 *Education of enforcement agencies, the community, off road vehicle users, potential offenders and motorcycle retail outlets.*
- 3.2 *Enforcement agencies need to acquaint themselves with what motivates and challenges the offender.*
- 3.3 *Notice (as used for firearms) in the "for sale" columns of newspapers that the use of motorcycles in prohibited and unauthorised areas is an offence (listing the penalties and outcomes).*
- 3.4 *Seek industry and club support and assistance with public and off road vehicle user education on request.*
- 3.5 *For the community, authorities and other stakeholders to understand that the use of Registered Motor Cycles is permitted on any public road, track or area where normal vehicle access is permitted and in any area where off road vehicle activity is permitted or authorized.*

## **4. Legislative:**

- 4.1 *That a Serpentine Jarrahdale Shire Off Road Vehicle Advisory Committee be established to oversee these recommendations, advise Council and other agencies, authorities and stakeholders on matters relating to off road vehicle use, assist and advise on planning of any off road or recreational vehicle activity or event and to maintain a liaison with the State Off Road Vehicle Advisory Committee.*
- 4.2 *Creation of three categories of areas ie Prohibited, Unauthorized and Authorized/Permitted areas.*
- 4.3 *Create an alternative off road vehicles registration and identification system.*
- 4.4 *Review and recommend amendments to the existing Control of Off Road Vehicles Act in consultation with the industry, user groups and State Government.*

## **5. Motor Cycle Resource:**

*That two x 2 wheel motorcycles working in company with 4WD support is considered the most appropriate and effective tools available to access user areas and allowing approach, discussion, education and a more effective deterrent. The use of 4WD vehicles, although essential in off road vehicles operations, is inadequate for access into areas currently used by off road vehicle operators, and often creates a challenge to the offenders, in addition, offenders will be less likely to attempt evasion, as another motorcycle does not pose a threat.*

- 5.1 *That the affected authorities and agencies lease and operate two registered 250cc motorcycles on a trial basis for a period of 12 months. To seek funding for the lease, operating costs and ancillary and safety equipment through retail outlets, insurance*

- council and local industry, and to approach recognized motorcycle clubs to provide training and support).*
- 5.2 *That the affected authorities and agencies purchase and operate two Road Registered Motorcycles to maximum capacity of 250cc. (To investigate funding programs, approach retail outlets, insurance council and local industry to fund the purchase, operation and with the provision of associated equipment; and to approach a number of recognized motorcycle clubs to provide training support).*
- 5.3 *That the committee provide strict user operation guidelines.*

### **Sustainability Statement**

The Off Road Vehicle Strategy and Action Plan is intended to provide a long-term sustainable outcome in the reduction and management of off road vehicles within the Shire.

**Statutory Environment:** Control of Off Road Vehicle Act 1978 (as amended)

**Policy Implications:** Nil

**Financial Implications:** Any additional financial implications associated with the Strategy and Plan will be investigated and reported back to Council at a later date. At this time costings are not available however, will be within Council's budget.

**Strategic Implications:** Key Sustainability Result Areas:  
**1 People and Community**  
*Objective 1: Good quality of life for all residents*  
Strategies:  
5 Protect natural heritage assets in the Shire  
6 Ensure a safe and secure community  
**2 Environment**  
*Objective 1: Protect natural resources*  
Strategy:  
1 Increase awareness of the value of environmental requirements towards sustainability  
**4 Governance**  
*Objective 2: Formation of active partnerships to progress key programs and projects*  
Strategy:  
1 Improve coordination between Shire, community and other partners  
*Objective 3: Compliance to necessary legislation*  
Strategies:  
2 Develop a risk management plan  
3 Comply with relevant State policies and legislation

**Community Consultation:** Community consultation is recommended. Once an "Action Plan" and Strategy have been adopted, a joint authority and stakeholder advertising and media promotion will be undertaken.

**Voting Requirements:** Normal

### **Officer Recommended Resolution**

- 1 The owners of land along Westrail reserves and regional parks be requested to provide and install the items listed in 1.1 to 1.3 above as outlined in the Officer's report at their cost.

- 2 Ranger Services continues patrols and operations as required in consultation with other government authorities.
- 3 A community education program be undertaken jointly by all stakeholders.
- 4 The Shire's Off Road Vehicle Advisory Committee continues to meet as necessary to consult with the Department of Local Government & Regional Development on the recommendations of the Off Road Vehicle Advisory Committee.
- 5 Recommendation 5.1 of the Off Road Vehicle Advisory Committee be researched and investigations made for the lease of motorcycles as listed including training and safety equipment at no cost to Council and a report be presented to Council detailing funding, user arrangements and operator occupational, health and safety guidelines for such arrangements.
- 6 Operational outcomes be documented and the Strategy and Action Plan be reviewed by all stakeholders with a report to be presented to Council on the findings by October 2004.

#### **CRCRD07 COUNCIL DECISION/Committee Recommended Resolution**

##### **Moved Cr Star seconded Cr Scott**

- 1 That this item be deferred to the October 2003 Community & Recreation Development meeting.**
- 2 That a workshop be held with interested Councillors and staff to clarify some of the issues in the policy before the October 2003 meeting.**
- 3 That Council endorses the nomination of Cr Hoyer as Council's representative on the Control of Vehicles (Off Road Vehicles) Act Advisory Committee.**

**CARRIED 10/0**

Committee Note: The Committee Recommended Resolution reflects the Committee's concern that all issues have not been thoroughly clarified with regard to the Action Plan and Strategy and also that nominations for the Advisory Committee closed on 17 September 2003.

7.5 Strategic Management

SM010/09/03 ADOPTION OF THE BYFORD URBAN STORMWATER MANAGEMENT STRATEGY (A0827-02)		
Proponent	Shire of Serpentine - Jarrahdale	<b>In Brief</b>  The final Byford Urban Stormwater Strategy has been received and reviewed by council staff against the agreed changes that would be made to the draft.  This report is to endorse the final Byford Urban Stormwater Management Strategy.
Officer	Carlie Eldridge – Manager Sustainability Unit	
Signatures - Author:		
Senior Officer:		
Date of Report	2 September 2003	
Previously	SM040/02/03, SM035/01/03, P148/06/02, P082/01/02,	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

The draft Byford Urban Stormwater Management Strategy was reviewed by Council and comments were put up to Council in February 2003 for adoption into the final document. Council resolved as follows:

**“CRSM040 COUNCIL DECISION/Committee/Officer Recommended Resolution**

*Moved Cr Simpson seconded Cr Hoyer that Council endorses the comments, both in the comments section of the report and from the government agencies, to be addressed and incorporated into the final Byford Urban Stormwater Management Strategy report.  
CARRIED 8/0”*

The Byford Urban Stormwater Strategy project was commenced in 2001 and below is a brief table outlining the history of the project:

DATE	ACTION
23 <sup>rd</sup> July 2001	PB (formerly PPK) selected to undertake project, contract negotiations followed
November 2001	Final contract completed and accepted
March 2002	Working papers received, then reviewed internally and by state agencies
June 2002	Working papers comments considered by Council
26 <sup>th</sup> June 2002	Meeting held with Council, PPK to resolve outstanding issues
November 2002	Final draft received for review
January 2003	Council report with full review of draft comments - Council deferred the decision and called for a workshop with Waters and Rivers
10 <sup>th</sup> February 2003	Workshop held with Waters and Rivers
February 2003	Council reconsiders draft strategy review report and comments are accepted to be sent to PB for inclusion in final report
7 <sup>th</sup> March 2003	Letter sent to PB responding to Feb 4 <sup>th</sup> letter request for additional costs
11 <sup>th</sup> March	Letter sent to PB outlining the full comments on the draft BUSMS after being considered by Council at the January and February meetings for incorporation into final document
19 <sup>th</sup> May 2003	PB responded to Council on full comments to be incorporated and what they would complete under the contract and fee
24 <sup>th</sup> June 2003	Meeting held with consultants and executive to resolve outstanding issues especially work to be completed under current contract. Agreement made at this meeting

<b>DATE</b>	<b>ACTION</b>
July 2003	Final Strategy documents received

### **Comments**

#### Review of final document

The full comments from the Council resolution were sent to the consultants to incorporate into the final document. Agreement was reached with the consultant regarding which comments would be included within the final draft to fulfill a reasonable expectation of the scope of the brief.

The final draft has been reviewed and the agreed comments have been satisfactorily incorporated within the document.

A copy of the final document can be obtained on CD from the Manger Sustainability Unit. Hard copies are also available for viewing on request.

#### Next Steps

Now the Strategy has been completed it needs to be incorporated into the planning and engineering processes for the Byford Structure Plan by developing a number of documents which will address the needs of developers and Council staff in assessing applications and implementing the Strategy. These documents include:

- Developer Guidelines
- Local Planning Policy
- Developer Contributions

The Developer Guidelines will be a summary of the Byford Urban Stormwater Management Strategy which encapsulates the objectives and principles Council is trying to achieve. It will also contain clearly the targets developers are to design their subdivisions and will contain all the diagrams which articulate the subcatchment boundaries, multiple use corridors and detention areas required. An explanation will be given for all the figures and the information on how to achieve the targets will be included.

A local planning policy (LPP) will be developed on water sensitive urban design and stormwater management for the Byford Structure Plan area which will clearly articulate the planning requirements for developers and assessment. This LPP will be sent to WA Planning Commission for endorsement.

Developer contributions need to be developed for the entire Byford Structure Plan to allow Council to determine the amount required to complete stormwater management works in each subcatchment. The subcatchments detention requirements and generic costs have been presented in the Strategy and they need to be developed further.

It is the intention of the Director Sustainable Development and Director Asset Services to present an overall strategy for the development of the tools necessary to ensure the successful and orderly realisation of the Byford Structure Plan. The Strategy will prioritise the development of the tools and detail action plans for their implementation, one of which will be water sensitive urban design.

### **Sustainability Statement**

*Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?*



Water Sensitive Urban Design (WSUD) the principles on which the Byford Strategy is based is considered best practice in stormwater management in Australia. WSUD reflects a move away from the traditional urban stormwater management approach which focused on drainage and flood protection but not with water quality. WSUD incorporates the move to managing stormwater as a resource and encompasses the full spectrum of planning and engineering practices.

Adopting a WSUD approach for the Byford Structure Plan area will enhance the built environment through the incorporation of ecologically based stormwater management systems including bioretention swales, constructed wetlands and multiple use corridors into the new urban fabric as Byford is developed.

The adoption of the strategy for the Byford Structure Plan area aims to reduce environmental damage through taking a broad spectrum approach that includes quantity, recreation, aesthetic and quality issues into account. The proposed systems aim to improve the water quality through swales and constructed wetland systems reducing environmental impacts to receiving water bodies. The use of water quality ecological treatment systems also provide an educational function through residents and visitors being more aware of the impact they have on water bodies and stormwater as the treatment systems are integrated into streetscapes and recreational areas as opposed to the traditional method of in pipes which is “out of sight, out of mind”.

*Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?*

The WSUD approach reduces the amount of land dug up and used for traditional drainage systems and also hard paved road area and kerbing used for water collection and integrates the water management into the streetscape and recreational areas. The WSUD will use up more land area but provides many other functions beyond water collection including water treatment, recreational and aesthetic value.

*Does the proposal/issue use locally available or produced resources?*

The Byford USWMS is a strategy, it does not go into the detail of resource use and construction methods. This will be covered in the detailed area plan requirements which relate to the Structure Plan. It provides for local solutions to the treatment of water quality to ensure optimal water quality is achieved before the water leaves the precinct and enters into the receiving water body.

*Will the proposal/issue be economically viable in a way that incorporates its external costs?*

The proposed WSUD approach to managing stormwater in the Byford Structure Plan Area aims to incorporate the external costs of urban development and stormwater quality through addressing the water quality and quantity. The major external cost of stormwater and urbanisation is the increase of stormwater entering receiving water bodies in the catchment and the decrease in water quality of stormwater due to the increase in activity and resulting pollutants from cars, gardens and general rubbish. By implementing a new approach to dealing with stormwater that addresses both water quantity and quality and also integrates treatment systems into the urban form the costs of urbanisation are integrated. The cost of constructing the treatment systems are covered by the developers as they are required to meet minimum water quality standards and structure plan requirements within their catchment. The ongoing cost of maintaining the systems to ensure water quality is kept to optimal levels will be covered by Council and possibly by ratepayers in the area through a special levy. The cost of not treating water quality as in the traditional system is paid for by the community in the decrease in water quality within the catchment.

*Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?*

The strategy is designed to be both environmentally and socially responsible through taking a holistic approach to integrating stormwater management into the urban fabric of Byford. The construction of the urban stormwater systems will be undertaken by the developer/s. The community has been involved in the development of the Byford Structure Plan and will be involved in the long term ongoing success of the water systems through their use of the multiple use corridors and not polluting the water systems. The community is therefore key in the implementation and success of the ecological water treatment.

*Does the proposal/issue disadvantage any social groups?*

The proposal takes a catchment approach to achieving water quality objectives. The whole catchment approach is essential though to achieve the required water quality that will be of benefit to the whole Byford area and the regional area in regards to water quality in the catchment.

*Does the proposal/issue create long- term employment or economic benefit to current and future residents of the shire?*

There is the potential economic benefit of reduced water quality problems in water bodies within the catchment which would have to be addressed.

**Statutory Environment:**

Town Planning and Development Act 1928 (as amended)  
Town Planning Scheme No. 2

**Policy Implications:**

1. Detailed Area Plan for Byford Townsite.
2. The Byford Urban Storm Water Management Strategy is an important part of the whole Byford Structure Plan and development process. This Strategy will set the requirements for drainage management within the Structure Plan prior to development commencing.
3. Local Planning Policy to be prepared.

**Financial Implications:**

The potential cost of land which may need to be acquired for integration of swales on existing major roads.

Ongoing maintenance of the drainage within Byford Structure Plan Area post developer maintenance period will require a different approach to funding allocation for maintenance that is applied for traditional stormwater management. As much of the area allocated for stormwater treatment will be within recreational areas the current separation of costs between stormwater and recreational areas will not be applicable. The proposed approach will cost more to maintain than the traditional pipe approach but will provide long term environmental and social benefits. A special levy or rate may be applicable within the Byford Structure Area to allow for the additional maintenance to ensure systems are kept at optimum.

There could also be the ongoing cost of post development monitoring after the developers maintenance period is complete. It was recommended by the independent reviewer that Council look at post development monitoring.

**Strategic Implications:**

**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 Develop compatible mixed uses and local employment opportunities in neighbourhoods.
- 3 Design and develop clustered neighbourhoods in order to minimise car dependency.
- 4 Foster a strong sense of community, place and belonging.
- 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:

- 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.
- 4 Reduce water consumption.
- 6 Value, protect and develop biodiversity.

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

Strategies:

- 1 Implement known best practice sustainable natural resource management.

**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.
- 4 Balance resource allocation to support sustainable outcomes.

**Community Consultation:**

Community consultation was undertaken for the preparation of the Structure Plan for Byford which the Byford Urban Stormwater Strategy forms part of. The setting of water quality objectives and requirements is a specialised technical area and the community has not been consulted in the setting of these.

Also a wide education program will have to be undertaken, once the intended tools have been completed, with developers and the community to ensure there is a full understanding of what Council is trying to achieve with water sensitive urban design and what the expectations are for subdivision applications.

**Voting Requirements:** Normal

**CRSM010 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Star seconded Cr Simpson

1. Council acknowledges receipt of the final Byford Urban Stormwater Management Strategy.
2. Council advises the WA Planning Commission that the Byford Urban Stormwater Management Strategy has been completed and that the Byford Structure Plan has been modified to reflect its recommendations.
3. A workshop be held during the month of October 2003 for interested Councillors and staff to review the outcomes of the final Byford Urban Stormwater Management Strategy.

**CARRIED 10/0**

Cr Hoyer asked several questions at the Council meeting in relation to timing of implementation of this plan. The Director Sustainable Development advised that in conjunction with Director Asset Services, an overall strategy for the development of the tools necessary to ensure the successful and orderly realisation of the Byford Structure Plan would be presented to Council. The tools would be prioritised to facilitate development without compromising the integrity of the plan. Wherever possible, information gathered from the Byford Detailed Area Plan and other sources would be used to minimise the resources required. Cr Star advised that the work being conducted by the Peel Development Commission on Water Sensitive Urban Design would also assist in the development of these tools.

SM011/09/03 INFORMATION REPORT		
Proponent	Chief Executive Officer	<b>In Brief</b>  Information Report.
Officer	D E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	2 September 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

SM011.1/08/03 COMMON SEAL REGISTER REPORT – AUGUST 2003 (A1128)

***The Common Seal Register Report for the month of August 2003 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked SM011.1/09/03.***

SM011.2/08/03 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2002 (A0435)

***In the attachments marked SM011.2/09/03 is a letter from the National General Assembly of Local Government with an update on progress on business outcomes of the 2002 National General Assembly of Local Government.***

SM011.3/08/03 LOCAL ECONOMIC DEVELOPMENT UNIT MINUTES (A0436-05)

***The Minutes of the Local Economic Development Unit meeting held on 14<sup>th</sup> August, 2003 are in the attachments marked SM011.3/09/03.***

SM011.4/08/03 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION –  
DRAFT STATE-LOCAL GOVERNMENT COMMUNICATION &  
CONSULTATION PARTNERSHIP AGREEMENT (A0163-06)

Resulting from the signing of the State-Local Government Partnership Agreement in December 2002, a draft Partnership Agreement on Communication and Consultation has now been developed.

The intent behind this partnership agreement is to effect positive changes by promoting a shared understanding of what constitutes effective communication and consultation and establishing best practice principles. The agreement provides principles and guidelines aimed at assisting all levels within State and Local Government. The draft Communication and Consultation Partnership Agreement has been developed to cover all employees and representatives within State and Local Government, including Officers, Managers, Executives, Ministers and Elected Members.

***A copy of the draft partnership agreement is in the attachments marked SM011.4/09/03 for the consideration.*** Comments on the draft agreement must be received by WALGA by 10<sup>th</sup> October 2003. Councillors who wish to make comment are requested to provide their feedback to the Chief Executive Officer's Personal Assistant before 6<sup>th</sup> October 2003 so that a response can be prepared, if required.

SM011.5/08/03 PEEL ECONOMIC DEVELOPMENT UNIT – PEEL DELEGATION TO  
CANBERRA (A0839-06)

At the Peel Economic Development Unit meeting held on Thursday 4 September 2003 it was confirmed that the Peel Region would again be taking a delegation to Canberra to lobby the Federal Government on key regional projects. Last financial year Council was represented on this delegation by the Shire President and the Chief Executive Officer. Council originally budgeted for two representatives to attend on behalf of Council this year, however, Council has since agreed to Cr Price attending the National General Assembly of Local Governments in Canberra later this year (23-26 Nov 2003). The timing of the National General Assembly and the delegation and Parliament unfortunately do not coincide, thus preventing Cr Price joining the delegation whilst in Canberra. It is proposed that this years delegation will be a smaller delegation, and in the 2003/04 budget account MOC 509 has an allocation of funds to still enable attendance of the Canberra Delegation by one Council representative.

Unfortunately, the timing of the delegation is not yet 100% finalised, however, if the delegation was to be undertaken this year it is proposed that it may occur as early as around 27 October - 7 November and be for approximately one week. Therefore, Council needs to provide a mechanism for the Chief Executive Officer to nominate a suitable attendee. It is proposed that the most appropriate way to deal with this matter given it has been agreed to in the 2003/2004 budget is to request the Chief Executive Officer and Shire President to nominate a suitable Councillor or officer when the dates are confirmed.

***In the attachment marked SM011.5/09/03 is the PEDU Canberra Delegation Position Paper.***

SM011.6/08/03 BYFORD INDUSTRIAL LAND (A1120)

Council was provided with background to proposals for the relocation of Australian Fine China (AFC) from their current site at Subiaco to Byford in Peel Region, or to Armadale. Council resolved the following in relation to the relocation of Australian Fine China in the item SM037/01/03 which was considered at the Council meeting of January 2003.

Since that time the Chief Executive Officer has been working with the Peel Development Commission in an attempt to get government support for the proposal. Previous briefings provide detailed background to proposals for the relocation of Australian Fine China (AFC) from their current site at Subiaco to Byford in Peel Region, or to Armadale.

In February 2003, Peel Development Commission engaged a consultant to undertake a comparative site analysis for potential industry relocation to either Byford or Armadale. The conclusion, in summary, was that there was not much difference to any of the stakeholders with regard to either site, however, the analysis highlighted that the long-term viability of AFC needed to be considered in any potential government-assisted relocation and that the relocation to Byford carried additional financial risk to any potential developer, a cost of which would have to be recouped from a developer, Shire of Serpentine Jarrahdale, or Government. Essentially this means that if a developer built the new factory AFC required at Byford, the greater risk to the developer of getting another "tenant" in Byford should AFC not prove viable, would lead to the developer needing to cover their risk through a greater yield to their investment in Byford compared to Armadale, and the Shire of Serpentine Jarrahdale is not in a position to provide substantial incentives over its contribution towards the land and its policy PP12 to overcome the yield difference.

Part of Council's resolution of January 2003 was that "any Peel Development Commission proposal for relocation of Australian Fine China to the Shire, incorporating Council incentives and assistance, be subject to Council final endorsement of a business plan in accordance with the major land transaction regulations". It has been concluded by the Peel Development Commission that no further action is to be taken in relation to relocating AFC to Byford and that it is not a viable proposition for either the State Government or the Shire. The Peel Development Commission have in their advice on this matter to the Minister for the Peel and South West, Hon R Kucera MLA, recognised the need and will continue to work with Shire of Serpentine Jarrahdale to implement an industry attraction strategy for the Shire and therefore the region, focusing primarily on supporting the development of industrial land there.

Council has included funding in the 2003-2004 budget to assist a partnership with State Government to enable the facilitation of industrial land in accordance with the 2003 Strategic plan "Economic Development - Key Result Area 3" Attract and facilitate appropriate industries, commercial activities and employment".

#### **CRSM011 COUNCIL DECISION/Committee/Officer Recommended Resolution**

##### **Moved Cr Price seconded Cr Scott**

- 1. The Information Report to 5 September 2003 be received.**
- 2. Peel Delegation to Canberra - Council requests the Chief Executive Officer and Shire President to nominate a suitable officer or Councillor to attend representing Council and the Peel Region when the dates are confirmed.**

**CARRIED 10/0**

7.6 Planning Development & Environment

H04/09/03 INFORMATION REPORT		
Proponent	N/A	<u>In Brief</u> Information report
Officer	David Richards - Environmental Health Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	08.09.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

H04.1/09/03 DELEGATED AUTHORITY – AUGUST 2003 (A0039-02)

CS1 – Section 26 (approval to construct an effluent disposal system)

Lot 62 Byford Meadows Drive, Oakford  
 Lot 213 Wright Road, Mardella  
 Lot 28 Gibson Top, Oakford  
 Lot 70 King Jarrah Circle, Jarrahdale  
 Lot 566 Bruns Drive, Darling Downs  
 Lot 518 Bruns Drive, Darling Downs  
 Lot 550 Bruns Drive, Darling Downs  
 Lot 23 Hopkinson Road, Cardup  
 Lot 23 Masters Road, Byford  
 Lot 217 Mardja Loop, Mardella  
 Lot 67 Jarrahglen Rise, Jarrahdale  
 Lot 583 Bruns Drive, Darling Downs  
 Lot 210 Wright Road, Mardella  
 Lot 117 Crossing View, Byford

CS1 – Section 26 (permit to use apparatus)

Lot 9 Wanliss Street, Jarrahdale  
 Lot 142 Hopkinson Road, Oakford  
 Lot 2/697 Thomas Road, Oakford  
 Lot 12 Johnson Road, Jarrahdale  
 Lot 507 Barip Place, Oakford  
 Lot 213 Bangap Place, Oakford  
 Lot 136 Angus Close, Oakford  
 Lot 888 Beenyup Road, Byford

CS6 – Licence and Registrations

Offensive Trades – expiry June 2004:	7
Offensive Trades – expiry June 2003:	1
Processing Establishments – expiry June 2004:	3
Processing Establishments – expiry June 2003:	1
Holiday Accommodation – expiry June 2004:	1

CS – Temporary Accommodation

Lot 502 Barip Place, Oakford – extension  
 Lot 102 Stockmans Close, Oakford – extension

H04.2/09/03 NOTIFICATION OF DECISION ON LICENCE APPLICATION DIR021/2002  
FROM BAYER CROPSCIENCE PTY LIMITED (A0966)

***A letter from the Office of The Gene Technology Regulator and the related Executive Summary are with the attachments marked H04.2/09/03.***

Officer Recommended Resolution

That Council accepts the information report for August 2003.

CRH04 Committee Recommended Resolution

1 That Council accepts the information report for August 2003.

That Council resolves to move the following motion at the National General Assembly in 2003:

- (a) That the Australian Local Government Association resolves to vigorously pursue a five year moratorium against the introduction of commercial genetically modified organisms and related trials for the Australian mainland and Tasmania.
- (b) That the Australian Local Government Association ensures that commensurate changes are made to the Commonwealth Gene Technology Act 2000 and related amendments, bills and regulations that give full effect to the five year moratorium.
- (c) That the Australian Local Government Association pursues the addition of full social, economic and environmental scientific evaluation criteria to the Office of the Gene Technology Regulator via changes to the Commonwealth Gene Technology Act 2000 and related amendments, bills and regulations.
- (d) That the Australian Local Government Association ensures that all commercial genetically modified organism scientific evaluations occur “off shore” during the life of the five year moratorium.
- (e) That the West Australian Local Government Association be advised of Council’s recommendation.

Committee Note: The Officer Recommended Resolution was altered to include a resolution to put forward a motion to the National General Assembly regarding a moratorium on genetically modified organisms.

Cr Richards left the meeting at 7.30pm and returned at 7.36pm



### **COUNCIL DECISION**

**Moved Cr Wigg seconded Cr Hoyer**

**1 That Council accepts the information report for August 2003.**

**That Council resolves to move the following motion at the National General Assembly in 2003:**

- (a) That the Australian Local Government Association resolves to vigorously pursue a five year moratorium against the further introduction of commercial genetically modified organisms and related trials for the Australian mainland and Tasmania.**
- (b) That the Australian Local Government Association seeks changes be made to the Commonwealth Gene Technology Act 2000 and related amendments, bills and regulations that give full effect to the five year moratorium.**
- (c) That the Australian Local Government Association pursues the addition of full social, economic and environmental scientific evaluation criteria to the Office of the Gene Technology Regulator via changes to the Commonwealth Gene Technology Act 2000 and related amendments, bills and regulations.**
- (d) That the Australian Local Government Association ensures that every effort be made for all commercial genetically modified organism scientific evaluations to occur “off shore” during the life of the five year moratorium.**
- (e) That the West Australian Local Government Association be advised of Council’s decision.**

**CARRIED 10/0**

Committee Note: The Committee Recommended Resolution was changed to correct the grammar.

P016/09/03 LOCATION OF MUNDIJONG RENEWABLE ENERGY PROJECT (A0938)		
Proponent	Shire of Serpentine – Jarrahdale	<p><b>In Brief</b></p> <p>The Mundijong Renewable Energy Project is planned to be constructed this financial year. Calls for expressions of interest were sought and Solar Energy Systems were awarded the project in May. A noise assessment has been undertaken for the Mundijong locations. In addition the alternative location of the Byford Recreation Centre has been proposed.</p> <p>The purpose of this item is to have a final location selected for the renewable energy project.</p>
Officer	Carlie Eldridge – Manager Sustainability Unit	
Signatures - Author:		
Senior Officer:		
Date of Report	29 August 2003	
Previously	P253/04/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

The Mundijong Renewable Energy Project was developed in 2002. The project consists of a hybrid renewable energy system of a wind turbine and a solar system. This system is designed to be an educative tool for the local and regional community and to also have a tourism impact. The energy generated will be used to provide power to the library.

In April Council considered a report on the Mundijong renewable energy project to grant delegation to the Director Sustainable Development to give planning approval for the project as follows:

#### **“CRP253 COUNCIL DECISION/Committee Recommended Resolution**

*Moved Cr Price seconded Cr Simpson that Council grants the Director of Sustainable Development delegated authority to grant planning approval for the hybrid solar wind system subject to satisfying community expectations with regard to minimising noise, vibration and visual impact on the Mundijong Administration reserve site.*

**CARRIED 10/0 ABSOLUTE MAJORITY”**

The contract for the project based in Mundijong was awarded to Solar Energy Systems on 7th May 2003 after expressions of interest were received on the project.

A noise consultant was engaged and undertook noise assessment for the wind turbine based on noise modelling for the administration reserve Mundijong looking at the preferred site behind the SES building and also locating the wind turbine in the carpark.

Since the noise assessment has been undertaken, potential for adverse noise impacts has been identified and consequently there has been much discussion on the most suitable location for the wind turbine. Part of these discussions has seen the option of delaying the project and moving it to the Byford Recreation Centre being proposed.

### **Comments**

#### **PROJECT GOALS**

The four key objectives are:

1. Promote reduction in greenhouse gas emissions in a high profile renewable energy project that increases awareness and knowledge in the community.
2. Situation of the project within a prime location that has high public exposure and makes maximum use of the wind energy potential.

3. Install a working renewable energy system to supply the electricity needs of Alcoa Mundijong Library.
4. Provide demonstration and interpretation of a system which could be replicated by local households to meet an average family's energy requirements.

### SITE SELECTION

#### Site Criteria

The criteria for site selection are:

Visible to the community as an educative tool  
 Accessible to visitors  
 Located close to the library which it is feeding power to (or building it is feeding)  
 Maintenance access  
 Distance from residents for noise

#### Sites being considered

There have been three sites being considered for the renewable energy project and they are:

1. Mundijong Administration Reserve – Behind the SES building
2. Mundijong Administration Reserve – Shire's main carpark
3. Byford Briggs Park Reserve – Byford Recreation Centre

#### Comparison of Sites

<b>REASONS FOR SITE SELECTION</b>	<b>ISSUES WITH SITE</b>
<b>SITE 1 – BEHIND SES BUILDING</b>	
Close proximity to library - visually beneficial Close proximity to library - construction costs and ease of construction Site already fenced off from public for safety	Noise – residences located within 30 metres of turbine (refer noise assessment)
<b>SITE 2 – MAIN CARPARK SHIRE ADMINISTRATION RESERVE</b>	
Large area to site wind turbine – ease of access for construction and maintenance High visual exposure from Mundijong Road	Turbine located a long distance from library and solar panels - poor visual connection Additional costs for extra cabling required from original quote, approx \$29/metre Possible complications/restrictions depending on future use of Shire office and carpark building
<b>SITE 3 – BYFORD RECREATION CENTRE</b>	
High visual impact Integrate the system into the design of the building Icon environmentally sustainable building	Delay in project Additional costs for project design and management with new site Storage costs associated with batteries and wind turbine

### PROJECT ISSUES

#### Noise Assessment:

A Noise Assessment was undertaken for the Administration Reserve in Mundijong for the proposed 5KW wind turbine and the modelling looked primarily at two sites, behind the SES

building and in the main visitor carpark. The modelling indicated that the preferred location behind the SES building was not suitable due to its proximity to residences and the carpark site was the better location. The formal conclusion of the noise assessment report is as follows:

***A copy of the full noise assessment is with the attachments marked P016.1/09/03.***

*“Conclusions and recommendations*

*5.1 N.D Engineering’s opinion is that the carpark site provides the greatest probability of compliance with the Environmental Protection (Noise) Regulations 1997 under all operating conditions.*

*5.2 N.D Engineering’s recommendations are:*

- a) The Carpark site be adopted for the new 5KW wind turbine site.*
- b) The 5KW turbine be positioned so that it is nominally 120m from any residence.*
- c) The existing trees be retained.*
- d) The number of trees in the vicinity of the residences be increased.”*

## FUNDING

### Peel Development Commission

Amount: \$18,000.00

The PDC do not see a problem with delaying the project and moving it to the Byford Recreation Centre. As long as the money was transferred by PDC this year and managed by the Shire they would be happy to change the deadline. The Shire would need to send a formal letter outlining the changed scope of the project.

### Alcoa

Amount: \$5000.00

Alcoa has advised that they have allocated \$5000 towards this project for the interpretive and educational component. The money is allocated for 2003 and the project must be completed by then. Alcoa allocated their funding by calendar year and in regards to regional greenhouse funding they will be using the funding next year for our regional greenhouse project “Switch your Thinking” being run by Jason Menzies. Therefore if we delay the project and move it to Byford they would not be able to fund the project. They are also looking to fund areas closer to their mining areas.

### PVRP Rebate – Commonwealth

Amount: \$4000.00

Council was successful in receiving Commonwealth funding under the photovoltaic rebate scheme for the amount of \$4000.00. This is conditional on it being for a community building and a range of educational programs being undertaken on an ongoing basis. SEDO have been contacted in regards to the project being potentially moved to the Byford recreation Centre and as this is a Shire owned community facility Council will still be eligible for the grant but will have to reapply closer to the time of construction.

## CONTRACT FOR PROJECT

Contract Amount: \$41,140.00 (incl. GST)

The contract for the project based in Mundijong was awarded to Solar Energy Systems on 7th May 2003 after expressions of interest were received on the project. The company have been contacted in regards to the potential new location of the project at Byford and have advised that although the delay is not ideal they would be willing to agree to undertake the project next year. They have sent a letter outlining the implications of this delay in project

costs relating to components already ordered and project management work already undertaken as well as ongoing storage costs.

***A copy of the correspondence dated 28 August 2003 from Solar Energy Systems is with the attachments marked P016.2/09/03.***

### SITE SELECTION

Site 1, behind the SES Building at Mundijong is a risk due to the potential noise impacts from the wind turbine. Site 2 in the Administration building carpark at Mundijong is acceptable within noise limitations but may exceed the budget due to cabling costs and other additional costs if it is determined necessary to fence the turbine. Site 3 the Byford Recreation Centre site, although it provides a great opportunity to add a further energy efficient feature in the solar panels and wind turbine, this option would result in the potential loss of \$9 000 funding and also increased costs for storage of equipment and additional project management. For this option to be feasible additional funding would have to be allocated within the 2004/2005 budget. It is intended within Council funding constraints to make the recreation centre an energy efficient building.

### Sustainability Statement

*Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?*

The proposed hybrid wind and solar renewable energy system minimises environmental damage by reducing greenhouse gas emissions through traditional energy generation but also indirectly through educating and providing information to the community on renewable energy and energy efficiency options available which aim to have some of the local and regional community reduce their own greenhouse gas emissions.

*Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?*

The proposal reduces energy production which consumes non renewable resources and produces pollutants. The proposal aims to achieve behavioural change further reducing energy consumption.

*Does the proposal/issue use locally available or produced resources?*

The project uses a Perth based wind turbine manufacturer, consultant and construction team.

*Will the proposal/issue be economically viable in a way that incorporates its external costs?*

The use of renewable energy provides a free source of energy to be used for the library and also offers the opportunity if surplus is created to be sold back to the grid. The initial cost is quite large but the system selected also provides an educational benefit as well as a financial benefit.

*Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?*

The system is designed to be socially and environmentally responsible and aims to engage the community in becoming involved in education, debate and assessment of renewable energy and energy efficiency. The project aims to inform and build capacity in the community to assess their options available for reducing both their energy consumption but also the greenhouse emissions and achieving financial benefits.

*Does the proposal/issue disadvantage any social groups?*

No. The renewable energy system located within the Shire does not disadvantage any social groups.

*Does the proposal/issue create long- term employment or economic benefit to current and future residents of the shire?*

The proposal may provide long term economic benefit to the residents through the reduction in energy use and also the reduction in environmental damage which may require funds in the future.

**Statutory Environment:** Not applicable

**Policy Implications:** Not applicable

**Financial Implications:** Summary of Cost Implications – Renewable Energy Project Location

<b>BYFORD</b>		<b>MUNDIJONG- corner of carpark near Mundijong Road</b>		<b>MUNDIJONG- carpark corner nearest oval and admin building</b>	
ITEM	\$	ITEM	\$		\$
Alcoa Funding	5000				
Battery Storage \$100/month	1200	Additional Cabling (original quote for 75m) cost (\$28.00/m) Cost:205-75 =130m	3640	Additional Cabling (original quote for 75m) cost (\$28.00/m) Cost:135-75=60m	1680
Wind Turbine Storage	depot	Trenching 130m @ 20m	2600	Trenching 60m @ 20m	1200
Labour (design work and site visits)	2000				
<b>SUB TOTAL</b>	<b>8200</b>		<b>6240</b>		<b>2880</b>
*Fencing chainwire mesh full height- \$35/limn – 80 metres & gates \$475	3275	*Fencing chainwire mesh full height - \$35/limn – 40 metres & gates \$475	1875	*Fencing chainwire mesh full height- \$35/limn – 80 metres & gates \$475	3275
Potential loss of SEDO funds (unlikely unless any changes to federal funding program)	4000				
<b>TOTAL</b>	<b>15474</b>		<b>8075</b>		<b>6155</b>

If required, not usually installed around wind turbines.

Fencing was not included in the cost for the Mundijong site original budget.

Cheaper low fencing can be installed to ensure cars do not drive into guy wires.

**Strategic Implications:**

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.

*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:

- 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.
- 5 Reduce green house gas emissions.

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

Strategies:

- 1 Implement known best practice sustainable natural resource management.
- 2 Respond to Greenhouse and Climate change.

## **3 Economic**

*Objective 1: A vibrant local community*

Strategies:

- 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.
- 4 Balance resource allocation to support sustainable outcomes.

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

Strategies

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

### **Community Consultation:**

Community consultation was undertaken as part of the original feasibility through a range of community groups and organisations including LCDC, local schools and the Serpentine Jarrahdale Tourism Association. Given the previous Council resolution required the location to satisfy community expectations with respect to noise, the potential noise of the turbine were assessed against the Environmental Protection (Noise) Regulations 1997.

### **Voting Requirements:**

Normal

### **Officer Recommended Resolution**

The Renewable Energy project be located in Byford as part of the Shire Recreation Facility with any shortfall in funds being accommodated within the budget for the construction of the Shire Recreation Facility.

Ordinary Council Meeting Agenda Note: The Committee considered the Officer Recommended Resolution and an Alternative Motion prior to the following Committee Recommended Resolution to be considered by Council. Refer to the Planning Committee Minutes for details.

### **CRP016 COUNCIL DECISION/Committee Recommended Resolution/Alternative Motion**

**Moved Cr Star seconded Cr Hoyer**

**That the item on the Location of the Mundijong Renewable Energy Project be deferred and that Council seek advice for the Mundijong site from the Environment Technology Centre at Murdoch University. This advice is to be provided to Council prior to the October Planning Development and Environment Committee Meeting.**

**CARRIED 6/4**

Committee Note: The Officer Recommended Resolution was altered to defer a decision until advice had been sought from the Environment Technology Centre at Murdoch University.

### **FORESHADOW MOTION**

During debate Cr Needham foreshadowed that she would move the following motion if the motion under debate was defeated.

The Renewable Energy project be located in Byford as part of the Shire Recreation Facility with any shortfall in funds being accommodated within the budget for the construction of the Shire Recreation Facility.

Council Note: As the motion under debate was carried the foreshadowed motion lapsed.



P017/09/03 SERVICE LEVEL ACCORD - SUSTAINABLE DEVELOPMENT DIRECTORATE (A0580-02)		
Proponent	Chief Executive Officer	<b>In Brief</b>  Council endorsement of Service Level Accord in accordance with the “People and Partnerships” program.
Officer	Joanne Abbiss – Director Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	8 September 2003	
Previously	P125/08/02	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### Background

The initial Service Level Accords were endorsed by Council at its Ordinary Council Meeting of March 1999 and formed the basis of agreement between service teams and Council on service provision levels.

Revised Service Level Accords are now developed annually as part of an ongoing review process to reflect the partnership expectations of Council, community and service teams.

### Comments

The “People and Partnerships” program involves the ongoing use of Service Level Accords which are agreed documents between Council and the service team that clearly define the levels of service that each service team provides to the community.

The Service Level Accords were developed on the premise that you must identify a starting point and move forward.

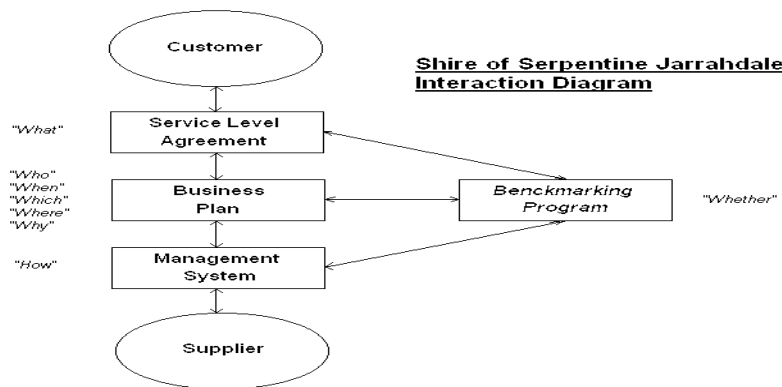
The 2003/2004 Service Level Accords have been reviewed and refined.

The Service Level Accords have variances from last years editions to reflect current staffing and resourcing and continue to provide both Council and the service team the opportunity to manage the various service provisions in a controlled equitable partnership. This partnership provides not only the opportunity for process improvements but also aligns budgets with levels of service.

***A summary of the major changes to the Service Level Accord for the Sustainable Development Directorate is with the attachments marked P017.1/09/03.***

Council will continue to have the opportunity to negotiate variations to the service teams Service Level Accords by utilising customer feedback mechanisms such as surveys and councillor contact, budget constraints, changes to circumstances etc. This information also provides the opportunity for the service teams to work with Council and to be able to offer alternative solutions to the delivery of both planned and unplanned service provisions in a true “partnering” environment.

This partnership aims to ensure that the service teams Service Level Accords are reflective of the levels of service our community is prepared to accept both socially and financially. This information should continue to be filtered into the Service Level Accord in the following interaction diagram:



To reinforce the relationship the Service Level Accord has in the overall delivery of service to the community the following is provided:

Service Level Accords are a “vehicle to define the service delivery to our community”. A Service Level Accord can be defined as follows:

*What is a Service Level Accord?*

- A Service Level Accord defines the level and quality of service as requested by the community and determined by Council whilst considering budget constraints.

*From what source can we determine the service levels the community expects?*

- Community opinion
- Customer feedback
- Focus groups
- Council

*Who is Council’s representative and how will Council communicate the determined level of service and quality to the community?*

- Management specifies and monitors service delivery on behalf of Council through the Service Level Accord in partnership with the service teams.

*How will Council define and ensure agreed service levels?*

- By formalising the Service Level Accord which will serve as the vehicle for delivering customer service.

*Who delivers the services?*

- In this instance Council’s service teams will provide the agreed levels of service to the community as detailed in each Service Level Accord.

*Can Council or the service team suggest changes or vary what has been agreed?*

Yes

- Variations will always be possible provided that considerations such as resources, including funding are addressed. An example of this may be that Council would like to increase the levels of service in a particular area, but have not budgeted any additional funds.

In this situation Council may seek advice from the service team as to where they may be able to reduce a level of service to enable the specific increase in another area within the existing budget.

Alternatively Council may approve additional resources and request the relevant manager to vary the Service Level Accord accordingly.

Each Service Level Accord is aligned to a financial year. It is proposed that the attached Accords will form the framework for the implementation of 2003/2004 budget.

It is important that Council and service teams recognise this document as a “living” document that can, and will be changed and improved on a regular basis.

Each quarter the service teams will continue to provide a report on the achievement of agreed performance targets and standards within each of the service teams Accord. These will be collated by the relevant manager and presented to the Chief Executive Officer, and through to Council via the relevant committee.

Performance over the 2002/2003 year has been lower than the former Service Level Accord and modifications have been made to the current Accord and reflect current staffing levels and resources.

***A copy of the Service Level Accord for the Sustainable Development Directorate is with the attachments marked P017.2/09/03.***

<b><u>Statutory Environment:</u></b>	No Statutory Environment
<b><u>Policy Implications:</u></b>	No Policy Implications
<b><u>Financial Implications:</u></b>	No Financial Implications
<b><u>Strategic Implications:</u></b>	No Strategic Implications
<b><u>Community Consultation:</u></b>	No Community Consultation required
<b><u>Voting Requirements:</u></b>	Normal

#### **CRP017 CONCIL DECISION/Committee/Officer Recommended Resolution**

##### **Moved Cr Price seconded Cr Star**

- 1. Council endorses the framework and principles of the Service Level Accord for the Sustainable Development Directorate and that they be adopted for the provision of service/s as amended for the 2003/2004 financial year.**
- 2. The Service Level Accords remain the intellectual property of the Shire and that any use of the Accords will require authorisation of the Chief Executive Officer.**

**CARRIED 10/0**

P018/09/03 EXTRACTIVE INDUSTRY MID-YEAR COMPLIANCE INSPECTIONS (P03215/01, P00659/01, P01767/01, P04655/01, P00133/01 & P00068/01)		
Proponent	Shire of Serpentine Jarrahdale	<b>In Brief</b>  To inform and update Council on compliance with conditions for extractive industry licences within the Shire.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	1 September 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

Council officers have undertaken inspections on 8 of the 10 extractive industries that currently have licences within the Shire, to ensure that the conditions are being complied with. This takes place on a six (6) monthly basis.

Two extractive industries have not yet been inspected by staff, Lot 737 Firns Road, Serpentine (Bristile Ltd) and Lot 10 Shale Road, Cardup (Bristile Ltd). These extractive industries will be inspected soon and a report presented to Council in October 2003.

### **Comments**

Issues and areas of non-compliance with specific conditions have been identified in relation to the following licenced extractive industries within the Shire:

#### **1. Lot 1304 Coyle Road (Sand Extraction)**

**Condition 2:** *“The proponent is to provide to Council a copy of the current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for the sum of not less that \$10 000 000 in respect of any one claim relating to any of the excavation operations prior to the issue of the Extractive Industry Licence”.*

The applicant stated on site that he would supply to Council a copy of the current public liability insurance policy. However, the Shire of Serpentine Jarrahdale is not noted on the policy as the proponent believes that it could lead to potential legal complications. This issue will need to be further pursued at the next licence renewal stage.

**Condition 3:** *“The proponent is to prepare and submit to Council for approval a Revegetation and Rehabilitation Plan prior to the issue of the Extractive Industry Licence.”*

**Condition 4:** *“The proponent is to prepare and submit to Council for approval a Weed and Dieback Management Plan prior to the issue of an Extractive Industry Licence.”*

Given that a licence renewal will be issued in December 2003, subject to compliance with the current licence conditions and at Council’s discretion, the current extractive industry licence was issued to provide the proponent with time to meet conditions 2, 3 and 4 above.

The proponent is now required to comply with the aforementioned conditions prior to Council issuing a licence renewal. The proponent will be advised in writing of the requirement to meet conditions 2, 3 and 4 prior to Council issuing a licence renewal.

The applicant stated that the weed *castor oil* has been eliminated on-site. The applicant stated on site that there is currently no issue with weed control and as such weeds are not being sprayed on a regular basis. This is unacceptable, as proper weed management requires on-going monitoring.

**Condition 11:** *“The proponent shall establish silt traps and stormwater detention basins to ensure that during storm events, sediment laden stormwater does not discharge into remnant vegetation or the Conservation Category wetland”.*

Silt traps and a stormwater detention basin have not been installed as required in Condition 11. This requirement has been a previous outstanding issue as stormwater management has not been implemented on-site. The applicant stated on site that there was no need for the establishment of silt traps or stormwater detention basins as the runoff is contained within the site boundaries as the water seeps straight through the sand rather than off the property. At the time of the site inspection no drainage issues were observed on-site. The necessity of Condition 11 will be reviewed in December prior to the issue of the licence renewal.

**Condition 14:** *“Within 90 days of the date of this approval, the applicant shall install and thereafter maintain fencing to protect the existing remnant vegetation within Stage 1 and 3, from degradation or encroachment by machinery, erosion or sedimentation, to the satisfaction of the Director Sustainable Development”.*

Rather than post and wire fencing or star pickets, the proponent has flagged the remnant vegetation with orange flagged string and bright survey tape where required. It is considered that the tape was adequate to protect the vegetation from encroachment by machinery.

**Condition 17:** *“The proponent shall ensure no vegetation is disturbed and stockpiled materials do not encroach into the Banksia Road Nature Reserve and the Conservation Category Wetland.”*

With respect to Condition 17 of the Extractive Industry Licence the applicant has maintained a 20 metre buffer to the Banksia Road Nature Reserve.

### Recommendation

It is recommended that Council writes to the proponent to advise of the following:

1. That silt traps and a stormwater detention basin need to be suitably constructed to ensure that during storm events, sediment laden stormwater does not discharge into remnant vegetation or the Conservation Category Wetland as per Condition 11 of the current licence.
2. Ongoing monitoring and treatment is necessary to ensure weeds do not spread throughout the site.

### **2. Lot 422 King Road (Sand Extraction)**

**Condition 1:** *“Revegetation works for 2003 is to include the infill and replacement of those plants lost in 2002. This includes the area surrounding the wetland on the lot and all additional areas indicated in the updated Rehabilitation Plan by Lindsay Stephens dated 15 November 2002”.*

There is a need to continue additional planting to establish a screen buffer along the western boundary of property to satisfy this condition. There is also a need to continue additional planting to establish a screen buffer along the eastern boundary of the property. The use of some local banksias was discussed in relation to this buffer to satisfy this condition.

**Condition 5:** *“Any fuel stored on-site will be located in a fenced hardstand area, surrounded by a perimeter bund of sufficient height to contain the total volume of stored fuel in the event of a leak”.*

The storage area was fenced, however the perimeter bund was not sufficient to contain any leaks or spills. It was noted that some seepage was occurring from the bund walls.

There is a need to ensure the stand where refueling takes place has an impermeable membrane and is covered by a material that can absorb small spills and be removed if necessary. The status of the refueling stand needs to be monitored to ensure that no fuel can seep into ground water. The proponent was also advised of the need to replace the bund wall lining.

### General Comments

Agreement was reached that the central area does not require further replanting at this stage. The requirement for parkland cleared pasture would be defined in more detail when the existing plants had grown sufficiently to identify clumps of native vegetation that could be fenced.

Weed control has been occurring on-site and needs to continue. Tussock grass is located throughout the site, however if the proponent were to spray the grass at this stage, it is likely that the existing native vegetation would be destroyed. Council officers recommended on-site that the landowner shall plant revegetation in clumped areas and establish this revegetation, prior to spraying the area for tussock grass.

The proponent was requested to rehabilitate a previous firebreak area using brushing techniques to spread seeds.

The significant efforts made on revegetation and the difficulties encountered on the site should be recognised.

### Recommendation

That Council writes to the proponent advising of the following:

1. The perimeter bund for the storage of fuel needs to be improved to meet Condition 5 of the current Extractive Industry Licence.
  2. The proponent shall be advised to rehabilitate a previous firebreak area using brushing techniques to spread seeds.
  3. The proponent shall be advised that additional planting to establish a screen buffer along the western and eastern boundaries is required by a set timeframe as specified by the Director Sustainable Development in order to satisfy Condition 1 of the licence.
  4. Continuous weed monitoring and control of weeds needs to occur. The central area shall not be sprayed at this stage, however the proponent is advised that a review of the revegetation in the central area will occur in 12 months time.
- 3. Lot 11 South Western Highway (Hard Rock Extraction)**

Compliance with all the current extractive industry licence conditions was occurring.

Weed control was occurring in November/December of each year. Cotton bush has been sprayed, however the Site Manager claimed the neighbouring property was not controlling cottonbush satisfactorily and this was causing the spread of cottonbush onto the subject land. The Site Manager advised that Pioneer Construction Materials (PCM) were looking at introducing a fungi (at the suggestion of the Shire of Serpentine Jarrahdale) to control the weed Bridle Creeper. The Site Manager advised that a contractor had been employed to control the weeds on site.

The Site Manager advised that it would be approximately two (2) years until PCM move into the next stage of extraction.

It was noted on site that the bund walls for the storage of fuel was weeping and a small amount of oil was observed around the outside base of the bund wall. The site Manager was advised that the matter would require attention. The Site Manager advised that they would spray seal the walls.

Since the landfill area has been subdivided off PCM land, the water testing for PCM is being undertaken on WA Landfill Services (WALS) land by WALS. The water testing is undertaken up to twice a week in one area and once a month in another area. The tests are of water that has flowed from the subject land (Lot 11) onto what is now WALS land.

The site is currently visible from the South Western Highway. However, currently seeds are being planted for the purposes of screening the next stage of extraction which will occur in the next two years.

The bund for the next stage of construction was approximately 3-4 metres high, and the site manager advised that the bund would be constructed to the full 10 metre height required as a condition of development approval prior to PCM moving into the next stage of construction. It is expected that once the bund wall is constructed to full height the quarry will be completely screened from South Western Highway.

#### Recommendation

General compliance with conditions was occurring on-site. The main concern noted on site was the bund wall which contained the fuel storage drums. It is recommended that Council writes to Pioneer Construction Materials Pty Ltd advising that the bund wall must be adequately sealed to contain all spills and leaks within a timeframe specified by the Director Sustainable Development.

#### **4. Lot 6 Nettleton Road (Shale Extraction)**

It is considered that there are a number of significant issues associated with this site, which relate to drainage and revegetation of the site. Council's Environmental Officer has provided the following comments:

Although the weather was fine at the time of the site inspection, there was significant evidence of recent storm water events where sediment laden runoff had entered a natural waterway.

**Condition 1:** *"An eradication program for cottonbush and all declared weeds be continues in 2003. The applicant to submit details of the eradication program to Council by 30 November 2003. Details to include, contractor details, weed species to be targeted and date eradication program is to be carried out."*

Weeds appeared to be under control but continued treatment is necessary.

**Condition 6:** *"Dust is not to leave the site boundaries."*

At the time, the wet weather conditions were controlling dust.

**Condition 10:** *"A Staging Plan indicating the future works to be undertaken on the subject land is to be submitted to Council by the 1 June 2003. The Staging Plan shall demonstrate a progression of works which will aim to minimise visual impact of the works from the coastal plain. The Staging Plan shall be shown in five (5) year stages. The Staging Plan shall be developed in conjunction with the Revegetation Plan. Revegetation works will occur in stages in conjunction with the excavation activities."*

Only one page of a revegetation plan has been received and this plan was not approved prior to the commencement of planting. The Revegetation Plan was received in May 2003. A map of where planting is to take place was not submitted and it is unclear what the agreed outcome of the planting is.

The plan and planting has been carried out contrary to the Shire's PS03 Info-Note: *Eucalyptus laucoxylon rosea* and *E. cladocalyx* are south Australian species, *E. camaldulensis* is not local and is of concern because it interbreeds with the local *E. rudis*. *Agonis flexuosa* is coastal and does not occur in the scarp.

There are no marri trees which are local, would grow well and provide habitat for the endangered black cockatoo species. There are no jarrahs or *E. patens*, *Banksias grandis* or any under storey. The plants have been planted at six by six metre spacings that will allow significant weed establishment underneath.

It is recommended that Council requires the proponent to maintain the planted stems and control weeds between them. Then next winter, they should be required to plant additional local native stems particularly marri trees plus locally native shrubs and groundcovers to increase the planting to the required density of at least 1000 native stems per hectare. When the complete Revegetation Plan is submitted, there may also be the requirement to alter locations of planting etc.

**Condition 11:** *"A Revegetation Plan along with proposed revegetation works is to be lodged with Council by 1 June 2003 for approval. The Revegetation Plan shall include the planting of a minimum of four (4) rows of local native mixed trees and shrubs to screen the pit from South Western Highway users. This work is to be completed by 30 September 2003."*

There has been more than 4 rows of trees planted prior to September 2003. However, most of these are not locally native.

**Condition 12:** *"Revegetation of land surrounding the pit and the worked area not to be less than 30 metres of mixed local native trees and shrubs."*

A 30 metre buffer has not been established all round the site. There is currently little or no planting on the eastern side of the site. It should be noted that there is no time limit on this condition.

**Condition 13:** *"Densities of all plantings are to be at a minimum of 1000 stems per hectare."*

Approximately 500 stems per hectare has been planted, which leaves no room for stems to die. It is considered that this condition has not been adequately complied with.

**Condition 14:** *"All revegetation work is to be carried out in accordance with Council's PS03 – Landscaping and Revegetation Policy."*

Revegetation has not been undertaken in accordance with Council's PS03 – Landscaping and Revegetation Policy.

**Condition 15:** *"The applicant is to submit a rehabilitation plan to Council for approval with the 2003 annual report on site performance."*

A rehabilitation plan was received in May 2003. It appears however, that this plan is incomplete and the applicant did not verify that Council was satisfied with it prior to proceeding with its implementation.



**Condition 16:** *“Measures are to be taken to contain stormwater within Lot 6 Nettleton Road.”*

Stormwater management is a significant problem on this site. The perimeter bund wall along the western side of the site had been breached. In several places sediment laden runoff had flowed through the bund wall and smothered adjoining native vegetation. These bund walls need to be reformed straight away to ensure that water runoff is directed into the mine settlement pond in the centre of the site.

The roadway heading north/south on the western side of the mine crosses a creek and it is evident that most of the sediment laden runoff that runs along the sides of this road goes directly into the creek. Consideration was given to this issue on site and there is scope to regrade the road at least on the northern side of the creek so that runoff from further north is directed east into the central settlement pond. Runoff from the section of road directly north and south of the creek can only go into the creek. However, the proponents need to be made aware that they must not pollute the creek water.

It is strongly recommend that this condition be reviewed in December 2003 to read as follows:

1. A Council approved water testing laboratory be employed by the owner of the subject lot so that water samples must be taken twice a year. The test sites to be downstream and upstream of where runoff from the subject lot enters the Brook and to be approved by Council. Tests should be taken twice a year, once in winter, July to September and once in summer, January to March. Tests to be taken within five hours after a rainstorm in excess of 25mm per hour. The tests should record percentage of clay and silt content and salt content. The test results to be forwarded to the owner and a copy to Council within 24 hours of the results becoming available.
2. If the water testing results demonstrate that the downstream results vary by more than 10% from the upstream results, the proponent shall provide a written report to Council within 24 hours of those results having been forwarded to Council, identifying the suspected cause of the variation, and providing evidence to satisfy the Director Sustainable Development that measures have been taken to prevent a recurrence.

It will then be in the best interests of the mine managers to address the sediment load in runoff currently entering the creek. It is suggested that Council put this issue back onto the company to solve. They could cover this section of gravel road with bluemetals to reduce the amount of clay fines picked up by the water runoff. They could filter the water runoff through geo fabrics or other filter structures and they need to repair the eroded creek bank or armour the bank with rocks or others materials.

A large area at the north eastern end of the mine consists of bare earth over which storm water flows to a settlement pond in the far north eastern corner. During the inspection, the mine managers were uncertain where the settlement pond over flowed but after walking right around it a small overflow pipe of about 10 to 15cm diameter was located. It was overflowing at the time, though it appeared a little blocked. Water from this overflow pipe flowed into a neighbouring property and it did not appear to flow into an established water course. I have concerns that this small settlement pond may not cope with large stormwater events and is likely to overflow not only through the pipe but elsewhere too.

The north eastern corner has not yet been rehabilitated and there is scope to regrade the area and construct additional settlement ponds prior to revegetation. It is recommend that Council require the proponents to have qualified engineers to certify that the settlement ponds are sufficient to manage a one in one hundred year storm event without significantly overflowing or polluting natural waterways.

### General Comments

Fly ash is being stockpiled on site. This is used to colour the bricks. It is a waste product from other industrial processes and this company uses it in bricks partly to assist with its disposal. Fly ash is nutrient laden and must be bunded to prevent its erosion into creeks.

Formal development approval will need to be obtained for the storage of flyash. This will be followed up in writing by Council officers as a separate issue.

### Recommendation

It is recommended that Council writes to the proponent advising of the following:

1. Requirement to lodge a complete Staging Plan to satisfy Condition 10 of the current Licence.
2. Requirement to lodge a complete Revegetation Plan to satisfy Condition 11 of the current Extractive Industry Licence.
3. Reminder to establish a 30 metre buffer with 1 000 stems per hectare as per Condition 12 and 13 of the current Extractive Industry Licence.
4. Additional planting in accordance with Council's PS03 - Info Note - Revegetation needs to occur in order to satisfy Condition 14.
5. Outlining the requirement to fulfill Condition 16 of the current Extractive Industry Licence as drainage and stormwater management issues were noted on-site.
6. The proponent be advised to store fly ash within an adequately bunded storage compound to prevent the erosion of the fly ash into any watercourses.
7. Council requests the proponent to provide an engineer certified Stormwater Management Plan to address stormwater issues identified on-site.
8. Council requests the proponent to submit a retrospective development application for the storage of flyash.

### **5. Pt Location 22 Kiln Road (Shale Extraction)**

Excavation of this site has not commenced.

Council's Environmental Officer provides the following comments in relation to the site:

**Condition 9:** *"A Revegetation Plan along with proposed revegetation works is to be lodged with Council by June 2003 for approval. The Revegetation Plan shall include the planting of four (4) rows of local native mixed trees and shrubs to screen the pit from South Western Highway users. This work is to be completed by 30 September 2003."*

A revegetation plan has been received. The species mix on the plan is considered inappropriate and the density of planting is not adequate to provide sufficient screening.

### General Comments

Following a site inspection of the applicant's other mine site at Lot 6 Nettleton Road, there are concerns regarding the management of stormwater runoff from this site. It is recommended that Council require a stormwater management plan for this new site prior to the commencement of excavation to ensure that any settlement ponds are able to cope with one in one hundred year storm events. The stormwater management plan would also be required to demonstrate how water quality would be managed.

### Recommendation

It is recommended that a Stormwater Management Plan be requested as a condition of the extractive industry licence, when the licence renewal is reviewed in December 2003.

It is recommended that Council writes to the proponent advising of the following:

A revised Revegetation Plan shall be submitted, which includes a revised species list, to the satisfaction of Council's Environmental Officer in order to satisfy Condition 9 of the current Extractive Industry Licence.

## **6. Lot 4 King Road (Sand Extraction)**

**Condition 6:** *"A rehabilitation plan is to be agreed to by the Shire prior to commencement of mining and rehabilitation activities.*

- a) *A minimum of six (6) hectares of the Lot 4 to be revegetated to local native vegetation and fenced to prevent stock from damaging the rehabilitated areas.*
- b) *The pasture areas include deep rooted perennial grasses with fenced clumps of native trees.*
- c) *The plan is to include success criteria to guarantee abundance and diversity of species at one, two and three years after rehabilitation is completed.*
- d) *Species diversity to exceed 20 species per 100m<sup>2</sup>.*
- e) *Rehabilitation screening along King Road is to be significantly established before commencing removal of the western face of the pit.*
- f) *A buffer of native vegetation be maintained in situ around the northern and eastern boundaries and that this be reinstated where clearing has taken place.*
- g) *Rehabilitation of the area east of the existing pit site marked on the approved plan as "Previously Rehabilitated."*

The proponent advised that the company was hiring a consultant to prepare the Revegetation and Weed Management Plan. The proponent advised that Council would have the plan within 60 days of the date of this inspection. It is coming up to 60 days now, and Council has not received the management plan. It is recommended that Council writes to the proponent reminding them of the timeframes to lodge the plan.

**Condition 7:** *"A weed control program to be provided to Council for approval by 30 November 2002 and implemented to the satisfaction of Council."*

A weed control program has not been received by Council. On site it was noted that Lovegrass, a local declared weed, was located throughout the site. It is recommended that Council request in writing a Weed Control Program within a set timeframe.

**Condition 9:** *"Applicant to prepare an Environmental Management System (EMS), which addresses potential environmental risks, associated with the mining and rehabilitation operations. This plan is to include management targets, methods used to ensure that operations adhere to management targets and operational procedures for instances when targets are not adhered to. As part of the EMS, a list of chemicals (including fuel and other petroleum products) used and/or stored on site to be provided along with a description of precautionary management practices to be used in order to minimise environmental risks, monitor management operations and address incidents. The risk of fire, excessive noise, dust, neighbourhood complaints, weeds and dieback should all be addressed in the EMS."*

No timeframe was specified in the condition requiring the proponent to lodge an EMS by a specified date. To date, Council has not received an Environmental Management System.

### **General Comments**

The proponent advised that the only sand left to extract formed the spur between the southern boundary of Lot 4 King Road and the northern boundary of Lot 422 King Road (Cook Industrial Minerals).

A fuel tank was located on site. The tank did not appear to be adequately bunded (although there was some gravel base placed under the tank). Council's Planning Officer advised that the matter would be further pursued in writing by Council and that there would need to be measures put in place to ensure the tank was adequately bunded.

Two (2) 205 litre drums which contained oil were also located on site, which were not sited on an adequate bund. The proponent advised that the two (2) drums would be removed from site.

Two (2) small piles of building rubble were noted near the site office and fuel tank. The proponent advised that the rubble was being used as road base on site.

On site it appeared that the extraction pit boundaries were more than 20 metres from the site boundaries, however this was to be confirmed later with a survey plan.

It appeared that an emergency access path had been cleared through the vegetation at the northern boundary to obtain access to the northern lot (Lot 5).

The current depth of the pit and the proposed depth of the pit after extraction was to be confirmed as a request in writing for the proponent to investigate. This will entail the landowner preparing a survey plan of the site to the satisfaction of Council.

### Recommendation

Council writes to the proponent regarding the following:

1. Reminder of the requirement to submit a Revegetation and Weed Management Plan as per Condition 6 of the current Extractive Industry Licence.
2. Reminder of the requirement to prepare and submit an Environmental Management System (EMS) as per Condition 9 of the current Extractive Industry Licence.
3. Request that all fuel that is stored on site is to be adequately bunded to prevent any leaks or spills.
4. Request that only clean fill is to be used for road base.
5. Request that the proponent prepare and submit to Council a survey plan showing the current depth of the pit and details of the proposed depth of the pit after excavation.
6. Request a Weed Control Program within a specified timeframe. The plan shall also specify the distances the quarry works are setback from each boundary of the property.

### Sustainability Statement

The extractive industry licence inspections which are undertaken on a six (6) monthly basis, ensures that environmental damage is minimised through appropriate development control measures. For example, weed eradication programs and rehabilitation of site mining areas. It also ensures that operators of each extractive industry are running the site in an environmentally responsible manner.

### Statutory Environment:

Town Planning and Development Act 1928, Town Planning Scheme No.2, Shire of Serpentine-Jarrahdale Extractive Industry Local Law

### Policy Implications:

Not applicable

### Financial Implications:

It is considered that there will not be any direct financial implications to Council as a result of this reporting.

### Strategic Implications:

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:

- 1 Increase awareness of the value of environmental requirements towards sustainability.
- 3 Encourage protection and rehabilitation of natural resources.
- 6 Value, protect and develop biodiversity.

**3 Economic**

*Objective 3: Effective management of Shire growth*

Strategies:

- 3 Integrate and balance town and rural planning to maximise economic potential.

**Community Consultation:** Not applicable

**Voting Requirements:** Normal

**Officer Recommended Resolution**

1. Council notes and endorses the report addressing seven of the ten Extractive Industry Mid-Year Compliance Inspections.
2. Council writes to each landowner and mine operator advising of areas of non-compliance with the Extractive Industry Licence and setting deadlines for the completion of the outstanding conditions.
3. Council notes that the two remaining extractive industries in the Shire that have not been inspected will be completed in September 2003 and a report presented to the October meeting of the Planning, Development and Environment Committee.

**CRP018 COUNCIL DECISION/Committee Recommended Resolution**

**Moved Cr Price seconded Cr Wigg**

1. Council notes and endorses the report addressing seven of the ten Extractive Industry Mid-Year Compliance Inspections.
2. Council writes to each landowner and mine operator advising of areas of non-compliance with the Extractive Industry Licence and setting deadlines for the completion of the outstanding conditions. The operators of Lot 6 Nettleton Road (shale extraction) are to be required to remove any *Eucalyptus camaldulensis*. The operators of Lot 422 King Road are to be advised that there are weedicides such as fusilade that can be used to kill grass species without impacting on revegetation.
3. Council notes that the two remaining extractive industries in the Shire that have not been inspected will be completed in September 2003 and a report presented to the October meeting of the Planning, Development and Environment Committee.
4. Staff be commended for their thoroughness in the preparation of the report on Extractive Industry Mid-Year Compliance Inspections.

**CARRIED 10/0**

Committee Note: The Officer Recommended Resolution was altered to commend officers for their thoroughness and to add additional notes to be included in advice to the operators.

Cr Hoyer declared a financial interest in Item P020/09/03 and left the meeting at 7.50pm.

P020/09/03 PROPOSED MODIFIED LAND FILL FOOTPRINT – SOUTH CARDUP LANDFILL SITE – LOTS 200 & 201 (FORMERLY LOT 10) SHALE ROAD, CARDUP (P00066/02)		
Proponent	West Australian Landfill Services	<b>In Brief</b> Consultation with government and community stakeholders has resulted in identification of a number of issues that require further investigation and clarification. The Department of Environment has committed to further examine recent elevated results from monitoring bores by undertaking more detailed sampling and assessment. The EPA is reconsidering whether the proposal is a non-substantial change (to the previously assessed proposal) or whether it needs to be formally referred back to the EPA under Section 46 of the Act. Until such time as additional advice is received from the Department of Environment and EPA, a decision by Council on this application is considered premature and is not recommended.
Officer	Henry Dykstra – Town Planning Consultant	
Signatures - Author:		
Senior Officer:		
Date of Report	8 September 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Owner: West Australian Landfill Service  
 Owner's Address: 116 Kurnall Road, Welshpool  
 Applicant: West Australian Landfill Service  
 Applicant's Address: 116 Kurnall Road, Welshpool  
 Date of Receipt: 17 April 2003  
 Advertised: Required by the Council pursuant to Clause 6.2.1 of the Scheme, with advertising closing on 20<sup>th</sup> August 2003  
 Submissions: (Summarised in report)  
 Lot Area: 17.9ha  
 L.A Zoning: Special Use No. 1 (Waste Disposal), Composting and Associated Landfill activities  
 MRS Zoning: Rural  
 Byford Structure Plan: Not applicable  
 Rural Strategy Policy Area: Basic Raw Materials Extraction  
 Rural Strategy Overlay: Landscape Protection Policy Overlay  
 Municipal Inventory: Not applicable  
 Townscape/Heritage Precinct: Not applicable  
 Bush Forever: Not applicable  
 Date of Inspection: 12 May 2003 – Town Planning Consultant

### **Proposal**

Succinctly, the proposal by West Australian Landfill Service (WALS) is to excavate and then to place landfill in the area between Stage 1 (Existing Landfill) and Stage 2 (Shale Pit) whereby the final landform will be a single continuous mound with reduced slopes that will be easier to maintain and revegetate.

The modified footprint will reduce the size of existing Stage 2 by 1.2ha, and will increase by approximately 4ha between the existing Stages 1 and 2. This net increase in the landfill footprint of 2.8ha will increase the volume of landfill from 3.0m cubic metres up to 4.8m cubic metres.

The existing sedimentation dam will be relocated further down the valley, and the drain that currently deviates between Stages 1 and 2 is proposed to be diverted around the western

edge of the entire landfill footprint, returning to the same point in the north west corner of the site.

The proposal will maintain the current operating methods and rate of landfilling. The increased airspace will extend the estimated operational life from 9.5 years up to 15 years.

### **Background**

The existing approved Stages 1 and 2 of the Cardup landfill site have been the subject of a Public Environmental Review (PER) that was prepared and advertised during 1993, and was granted Ministerial approval in May 1994.

In June 1994, Council refused an application for land fill on the subject site.

In September 1994, Council reconsidered the proposal and granted approval to valley fill (Stage 1) and shale pit fill (Stage 2). The land was subsequently given a Special Site zoning under Scheme Amendment No. 30 to the Shire of Serpentine-Jarrahdale Town Planning Scheme in order to reflect the approved land fill activity.

Scheme Amendment No. 30 was gazetted in 1996.

West Australian Landfill Services (WALS) own and operate the south Cardup landfill facility. The first stage of landfill was constructed in September 1999 and is now nearing completion.

Over the past three years, the operation has been subject to annual DEP licence approval, involving monitoring and inspection by DEP officers.

This application was initially considered by Council at its meeting of June 2003, where Council resolved as follows:-

*“Moved Cr Wigg seconded Cr Kirkpatrick that*

- 1. Council receives the Development Application for the modified landfill footprint proposed at the Cardup Landfill site.*
- 2. Council requires the proposal to be advertised for public comment as this proposal is a matter of public interest.*
- 3. Upon advice being received from the Department of Environment, the proposal be referred back to Council for formal determination.*

*Advice Note:*

- 1. Director Sustainable Development to determine an appropriate advertising period once a response is received from the Department of Environment.*

*CARRIED 8/0”*

Following receipt of advice from the Department of Environmental Protection that the proposed change to the footprint is a non-substantial change to the existing Ministerial conditions, Council at its July 2003 meeting resolved as follows:

*“Moved Cr Star seconded Cr Price that Council writes to the Minister for the Environment referring to correspondence dated 5<sup>th</sup> June 2003 from J Treloar concerning the proposed landfill footprint modification of the South Cardup landfill site making the point that Council considers the proposed modification to the footprint a substantial change and requests that the Minister arrange for a suitably qualified Officer of the Department of Environment to meet with elected members and officers of Council to discuss this matter at the earliest opportunity.”*

## **Comments**

### Strategic Plans/Structure Plans

Council's Rural Strategy identifies the subject land as Raw Material Extraction policy area. The surrounding land is identified for both rural purposes and raw material extraction areas. The Watkins Road rural living area on the western side of South Western Highway represents the nearest identified rural living area under Council's Rural Strategy.

Council's Rural Strategy also includes the subject land within the Landscape Protection Policy area that covers much of the escarpment.

### Town Planning Scheme No. 2

The subject land is zoned "Special Site No. 1" under the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2, with the permitted use under this zone described as "Waste Disposal, Composting and Associated Landfill Activities". Council has the discretion to grant approval to the proposed modified landfill footprint, and may do so with or without public advertising of the proposal. In this context, it is noteworthy that the Special Site zoning of the land has previously been subject to a full public advertising period as part of Scheme Amendment No. 30.

### Council Policies

The application generally conforms with Council's Landfill Guidelines (PWP3), in terms of the required information to accompany the application. Some additional detail on the revegetation strategies and securities has been provided and confirmed as a prerequisite to a determination on Planning Approval.

The original landfill development commenced prior to the establishment of Council's Landscape Protection Policy. The proposal provides the opportunity to review and improve the rehabilitation and revegetation mechanisms that have been implemented to date. An improved mechanism will result in a better outcome in terms of restoring the visible landscape.

### External Policies

The existing landfill operations have been subject to a Public Environmental Review (PER) by the Environmental Protection Authority (EPA), with Ministerial conditions applied to the Environmental Approval. In accordance with the requirements of the EPA legislation and the Ministerial conditions, this proposal has been referred for comment to the Department of Environment (DOE). Comment was sought particularly to determine whether this proposal could be considered in the context of the PER and Ministerial conditions applicable to the current Stages 1 and 2.

Whilst the DOE initially responded to Council's referral of the proposal by advising that the proposal represented a non-substantial change to the previously assessed proposal, a review of this decision has been prompted and Council is yet awaiting the outcome of this review. In this respect, the EPA will provide advice to the Minister recommending that the proposal be dealt with either as a non-substantial change or in accordance with Section 46 of the Act given the uncertainty of the impact the proposal would be sent back to the EPA for assessment. In the event of the decision being the latter, the decision making authorities would be constrained from making any decision to implement the proposal until such time as an assessment had been undertaken by the EPA.

The DOE also requires an Annual Works Approval licence to be sought for the landfill operation, with such a licence incorporating certain conditions and requirements.



### Community Consultation

The proposal was advertised for public comment from 30 July 2003 until 20 August 2003. During the advertising period two submissions were received from government agencies, and no submissions were received from members of the community.

The submission received from the Department of Environment confirmed the department's view that the proposal represented a non-substantial change to the Ministerial conditions and would therefore be generally within the scope of issues considered by the EPA in the 1994 assessment of the proposal.

The submission received from Main Roads Western Australia confirmed that Main Roads had no concerns with the existing intersection arrangements from South Western Highway to Shale Road based on current usage level, and that given the proposal is to extend the life of the site and not increase the rate of usage Main Roads therefore has no objection.

Notwithstanding that no formal public submissions were received from the community during the public advertising period, it must be noted that a submission was received from the Serpentine-Jarrahdale Resident and Ratepayers Association prior to commencement of public advertising and further a submission was received from a local resident following the close of advertising. The key issues raised in these submissions include the following:-

- a) Visibility and height and blight on the escarpment;
- b) Material being received from Brookdale and other sites;
- c) Absence of verification and public display of environmental monitoring;
- d) Potential odour;
- e) Vehicle movements, noise, routes and times;
- f) Classification of the site being maintained or classified at a reduced level to accept benign materials;
- g) Potential for toxic gases and need for sampling these in the context of potential health affects;
- h) Need for additional ground water monitoring to further examine and assess results of elevated levels within existing monitoring bores;
- i) The location of the facility on a geological fault line;
- j) Potential for leakage and leachate due to ruptured membrane particularly through the creekline;
- k) Potential for storm water overflow;
- l) Need for assessment by WA Geological Survey and/or Department of Mines;
- m) Road safety issues; and
- n) Trucks entering site late at night.

In addition to the formal public consultation process required under Clause 6.2.1 of the Town Planning Scheme, Council hosted a stakeholders meeting with members of the community, relevant government agencies, technical advisers and the applicant in order to openly table and discuss the various opportunities, constraints and potential concerns associated with the proposal. In addition to the numerous detailed issues discussed, there was a consensus view in respect of the further processing of this development application, namely:-

- a) That the Department of Environment would prepare a sampling regime within one week and have more accurate sampling results and evaluations within approximately 4-6 weeks;
- b) That the EPA would provide advice to the Minister in respect of whether the proposal represented a non-substantial change to the previously assessed proposal, or whether under Section 46 of the Act the proposal would need to be sent back to the EPA for assessment; and
- c) That the preferred approach of the applicant was to work with Council and all stakeholders whilst the application is still progressing, rather than invoking a "deemed refusal".

- d) WALs gave an undertaking that they would consult with their Board with respect to withholding proceeding with an appeal until after the outcome of the Department of Environment's investigations.

### Land Capability

The site is already operating as an approved landfill facility in accordance with previous assessments, including a PER and conditions set by Council, the Minister for Environment and the annual DOE Licence Approval. Hence, the capability of the land to accommodate its current activity has already been established, and appropriate management measures put in place.

### Servicing

No additional services to the site will be necessary. However, given the extended operating life of the facility, the condition of Shale Road will need to be maintained for a longer period. This can be secured via a suitable planning condition.

The internal operations also involve the placement of internal and underground infrastructure including water pipes, pumps, bores, gas pipes etc. It is important that the internal infrastructure is properly recorded on surveyed and engineering plans for future reference. In this context it is noteworthy that under the 1994 planning approval and the developers commitments, the southern 18.99ha portion of the site will be offered to Council for an amount of \$1.00 at the completion of the post closure period.

### Environmental Impact

The key environmental issues identified in the preliminary assessment of the proposal, were reported in the initial presentation of this application to Council's June 2003 meeting. These issues included, clearing of additional vegetation, drainage and nutrient management, visual impact and revegetation.

Given that the EPA is now reconsidering the potential impact of the proposal, and in view of the additional sampling and evaluation to be undertaken by the Department of Environment, it would be premature to conclude that the proposal would not bring about any further environmental impacts until this additional information becomes available.

### Social/Economic Implications

In terms of localised social implications, it is noteworthy that the revised landfill footprint maintains at least a 50 metre perimeter buffer to site boundaries, and in fact, results in the northern portion of Stage 2 (approved) being pulled back to achieve a much greater setback from the northern boundary.

Further, from a local perspective, the revised landfill footprint will not alter the operations, however, the operational life of the facility will be increased by an estimated 5.5 years. At a district and regional level, the Cardup landfill site is extremely significant given that it is one of only five such facilities servicing the Metropolitan Area. The Cardup facility has the second highest annual capacity, and only two (2) of the other facilities have an operational life that exceeds the Cardup facility.

The proximity to the tip and the current arrangement allow Council to enjoy a cost effective waste service. The current proposal has the potential to deliver these same benefits.

### **Sustainability Statement**

*Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?*

The proposal builds upon an existing landfill operation utilising existing infrastructure. Stage 2 which was previously approved involves the filling of a large excavation area along the escarpment, and hence will ultimately assist in returning the landform and vegetation closer to its original form.

*Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?*

The proposal will result in a more efficient use of the existing landfill site, and provide the site with an increased operational life.

*Does the proposal/issue use locally available or produced resources?*

The landfill operation accepts waste from both the local area and the wider region.

*Will the proposal/issue be economically viable in a way that incorporates its external costs?*

Yes.

*Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?*

The existing landfill operation has been through a Public Environmental Review (PER) by the EPA and further, the rezoning of the land for this purpose has also been through a public consultation period.

*Does the proposal/issue disadvantage any social groups?*

All social groups contribute in some way to the need for the landfill facility and hence, are not disadvantaged. Provided the perimeter buffer requirements to the landfill area are maintained and improved, and the operating methods continue to accord with the statutory requirements, this proposal is unlikely to disadvantage any particular social group.

*Does the proposal/issue create long term employment or economic benefit to current and future residents of the shire?*

At least five (5) on site employees are local residents of the Shire. Further, three to four trucks servicing the facility are from an Oakford based transport company.

<b><u>Statutory Environment:</u></b>	Town Planning & Development Act 1928 Town Planning Scheme No. 2
<b><u>Policy Implications:</u></b>	Council's Landfill Guidelines
<b><u>Financial Implications:</u></b>	No direct financial implications to Council
<b><u>Strategic Implications:</u></b>	Objective 2.2.4 and 1.2.4.3 of Council's 2003 Strategic Plan.
<b><u>Community Consultation:</u></b>	No statutory requirement
<b><u>Voting Requirements:</u></b>	Normal

**CRP020 COUNCIL DECISION/Committee/Officer Recommended Resolution**

**Moved Cr Star seconded Cr Price**

**That Council, in respect of the Development Application for the modified Landfill Footprint proposed at the Cardup Landfill Site:-**

- 1. Requests the Department of Environment to provide the conclusions of more detailed sampling and assessment associated with the monitoring of the existing operations to Council by the end of October 2003, to assist Council in its decision making in respect of the new application;**
- 2. Requests the EPA to advise whether the proposal is a non-substantial change or whether it requires referral back to the EPA under Section 46 of the Act, with such advice being received by Council prior to the end of October 2003;**
- 3. Defers consideration of the Development Application for the proposed modified Landfill footprint until such time as the information requested under points (a) and (b) above has been received; and**
- 4. Advises the applicant of points (1 to 3) above.**

**CARRIED 9/0**

Cr Hoyer did not vote and returned to the meeting at 7.51pm.

P021/09/03 PROPOSED SECOND DWELLING – LOT 1 (NO. 646) KING ROAD, OLDBURY (P01314/05)		
Proponent	E Gambrell	<b>In Brief</b>  To consider an application for a second dwelling on the subject lot. Council had previously refused an application for a second dwelling on the lot and the owners have lodged an appeal against Council's decision. The appeal has been the subject of mediation where it was agreed by all parties that a modified application for a second dwelling would be lodged.
Officer	Brad Gleeson – Manager Planning & Regulatory Services	
Signatures - Author:		
Senior Officer:		
Date of Report	5 September 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Owner: E & G Gambrell  
 Owner's Address: 646 King Road, Oldbury  
 Applicant: As above  
 Applicant's Address: As above  
 Date of Receipt: 20 August 2003  
 Advertised: N/A  
 Submissions: N/A  
 Lot Area: 22.6ha  
 L.A Zoning: Rural  
 MRS Zoning: Rural  
 Byford Structure Plan: Rural  
 Rural Strategy Policy Area: Not applicable  
 Rural Strategy Overlay: Not applicable  
 Municipal Inventory: Not applicable  
 Townscape/Heritage Precinct: Not applicable  
 Bush Forever: Nil  
 Date of Inspection: 2 April 2003

## **Background**

A previous application was lodged for the construction of a second dwelling on the lot, approximately 81 metres from the existing residence. The application was refused under delegated authority on 14 April 2003 for the following reasons:

*“The proposed second residence does not satisfy the requirements of the document – “Statement of Planning Policy No. 11 – Agricultural and Rural Land Use Planning” produced by the Western Australian Planning Commission in that it does not achieve the following:*

- a) Accommodation for workers employed for agricultural and intensive agricultural activities on that holding;*
- b) The proposed second residence should generally be located in close proximity to the existing residence, to avoid future subdivision pressure and minimize constraints on adjoining uses; and*
- c) All services to the dwellings from the lot boundary (including access roads) are shared where practicable.”*

The landowners lodged an appeal to the Town Planning Appeal Tribunal against Council's decision to refuse the application. A case management conference was recently held at the Tribunal in order to discuss if there is any alternatives for the appeal to be resolved rather than the matter being considered by the Tribunal. The case management conference was attended by an officer of the Tribunal, Manager Planning and Regulatory Services and appellants. It was agreed by all parties that the appellants would submit a revised planning application to the Shire, for the second dwelling.

## **Comments**

The new application proposes to construct the second dwelling within 30 metres of the existing residence on the property. The previous application proposed the dwelling approximately 81 metres from the existing residence.

***A copy of the site plan is with the attachments marked P021.1/09/03.***

The applicants have previously advised the following in relation to the application:

*“Purpose of second dwelling.*

*My husband and I have purchased 27 acres from my sisters. We have requested subdivision, but the Shire said it was approximately 5 years away before it would be allowed. We want to build our home anyway and wait to divide the land in two at a later date”.*

### **Town Planning Scheme No. 2 (TPS 2)**

Clause 5.43 of TPS 2 states:

*“In the Rural Zone only one dwelling unit is permitted per lot for lots up to four hectares in area and only two dwelling units per lot for lots having an area greater than four hectares and less than 50 hectares and one dwelling unit per 25 hectares or part thereof for lots having an area of 50 hectares or more.”*

The proposal complies with this provision of the TPS 2.

### **Amendment No. 127**

Council has initiated an amendment to TPS 2 relating to multiple residences in the Rural zone. The amendment proposes the following clause to the Scheme:

***“5.10.3 Multiple dwellings within the Rural Zone***

- i) *In the Rural Zone only one dwelling unit is permitted per lot for lots up to four hectares in area.*
- ii) *For lots having an area greater than four hectares in the Rural Zone, an application for more than one dwelling on a lot in the “Rural Zone” will not be supported unless the additional dwelling(s) provides –*
  - a) *accommodation for workers employed for agricultural and intensive agricultural activities on that holding in accordance with Council’s definition of “Rural Workers Dwelling”; and*
  - b) *the dwellings would generally be clustered in one location, to avoid future subdivision pressure and minimise constraints on adjoining uses; and*
  - c) *all services to the dwellings from the lot boundary (including access roads) are shared where practicable.”*

Amendment 127 is currently being considered by the Western Australian Planning Commission.

As the previous application was located 81 metres from the existing residence and would not be utilising the existing services of the primary residence, Council refused the application.

#### Modified application

The new application proposes the construction of the second dwelling in close proximity to the main residence (30 metres). The second dwelling meets parts (b) and (c) of the new clause of the Scheme outlined above. The occupants of the dwelling are not workers employed on the land as outlined in (a) above.

The modified application is supported from a planning perspective, primarily as it is located in close proximity to the main residence. This means it is unlikely that the existence of the two dwellings on a lot is likely to justify arguments for the subdivision of the land, if such an application was lodged by the landowners.

The 30 metre separation distance between the two dwellings is similar to Scheme provisions and policies of other local authorities e.g. Shire of Mundaring.

TPS 2 currently permits the construction of two dwellings on Rural zoned land in the Shire, without the need for the second dwelling being occupied by farm workers only. The increasing trend of families such as children and grandparents wishing to live closer together is likely to see an increase in requests for such applications in the Shire.

#### Emergency Management

The application will not have a direct impact on emergency management.

#### Sustainability Statement

*Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?*

The proposal would not involve the clearing of any native vegetation.

*Does the proposal/issue minimise resource use, e.g. Energy, land, water, soil, compared to traditional development approaches?*

Not applicable.

*Does the proposal/issue use locally available or produced resources?*

It is uncertain whether the development will use locally available or produced resources.

*Will the proposal/issue be economically viable in a way that incorporates its external costs?*

Yes.

*Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?*

The previous proposal was referred to the surrounding landowners for comment and no submissions were received.

*Does the proposal/issue disadvantage any social groups?*

The proposal will allow extended family members to live on the same property.

*Does the proposal/issue create long term employment or economic benefit to current and future residents of the shire?*

Not applicable.

**Statutory Environment:** Town Planning and Development Act, Town Planning Scheme No. 2

**Policy Implications:** Western Australian Planning Commission – Statement of Planning Policy No.11 (Agriculture and Rural Land Use Planning).

**Financial Implications:** There will be no direct financial implications to Council.

**Strategic Implications:** This proposal relates to Strategy 1.4 of Key Result Areas – People and Community in Council's Strategic Plan, which is:

*“Strengthen community groups and promote meaningful community input into Council decision”.*

**Community Consultation:** The previous application was referred to surrounding landowners in accordance with Council policy and no submissions were received.

**Voting Requirements:** Normal

### **Officer Recommended Resolution**

Council grants planning approval for a second residence on Lot 1 (no. 646) King Road, Oldbury, subject to the following conditions:

1. Development shall be in accordance with the site plan dated 5 September 2003 as received by Council on 20 August 2003, subject to any modifications required as a consequence of any condition of this approval, being Planning Approval No. 050803. (P)
2. A building licence must be applied for and issued by Council before any work commences on the site. (B).
3. Notwithstanding the detailed specifications required to be submitted for a building licence approval, a separate schedule of colour and texture of the building materials shall be submitted and approved to the satisfaction of the Director Sustainable Development prior to the issue of a building licence and before the commencement of any site works or use authorised by this approval (P).
4. The second dwelling shall be located a maximum separation distance of 30 metres between the walls of the existing residence and the second dwelling.

Advice Notes:

1. 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.
2. If the development, subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without further approval being sought and obtained from Council.

**CRP021 COUNCIL DECISION/Committee Recommended Resolution**

**Moved Cr Price seconded Cr Murphy**

**A. Council grants planning approval for a second residence on Lot 1 (no. 646) King Road, Oldbury, subject to the following conditions:**

1. Development shall be in accordance with the site plan dated 5 September 2003 as received by Council on 20 August 2003, subject to any modifications required as a consequence of any condition of this approval, being Planning Approval No. 050803. (P)
2. A building licence must be applied for and issued by Council before any work commences on the site. (B).
3. Notwithstanding the detailed specifications required to be submitted for a building licence approval, a separate schedule of colour and texture of the building materials shall be submitted and approved to the satisfaction of the Director Sustainable Development prior to the issue of a building licence and before the commencement of any site works or use authorised by this approval (P).
4. The second dwelling shall be located a maximum separation distance of 30 metres between the walls of the existing residence and the second dwelling.
5. The applicant is to submit by October 2003 a revegetation plan that is to be implemented by August 2004 and maintained thereafter requiring a minimum of 25% of the lot area to be revegetated.

**Advice Notes:**

1. 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.
2. If the development, subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without further approval being sought and obtained from Council.
3. The applicant is advised that approval of the second dwelling is in no way an indication of a favourable consideration of subdivision by the Shire. There is no potential for subdivision under the Shires current 25 year Rural Strategy.

**B. Council advises the Town Planning Appeal Tribunal that this application does not accord with the intent of the Statement of Planning Policy No. 11 nor Council's Amendment 127 and that the only reason this alternate development application was granted was due to the date the original application was lodged and the fact that Amendment 127 has not yet been gazetted.**

**CARRIED 6/4**



Committee Note: The Officer Recommended Resolution was altered to require revegetation of the lot and to inform the Town Planning Appeals Tribunal of the rationale behind this decision.

P022/09/03 PROPOSED AMENDMENT TO REZONE PT LOT 7 THOMAS ROAD, BYFORD FROM URBAN DEVELOPMENT TO RURAL LIVING A (P04367/01)		<b>In Brief</b>  It is recommended that Council initiate an amendment to Town Planning Scheme No.2 to rezone the subject land from 'Urban Development' to 'Rural Living A'.
Proponent	Gray & Lewis	
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	8 August 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	Council	

Owner: P Gangemi  
 Owner's Address: Banksia Tourist Village Caravan Park, Hazelmere 6055  
 Applicant: Gray & Lewis  
 Applicant's Address: Suite 5, 2 Hardey Street, South Perth WA 6151  
 Date of Receipt: 16 May 2003  
 Advertised: Not applicable  
 Submissions: Not applicable  
 Lot Area: 4 ha.  
 L.A Zoning: Urban Development  
 MRS Zoning: Urban  
 Byford Structure Plan: Rural Residential  
 Rural Strategy Policy Area: Not applicable  
 Rural Strategy Overlay: Not applicable  
 Municipal Inventory: Not applicable  
 Townscape/  
 Heritage Precinct: Not applicable  
 Bush Forever: Nil  
 Date of Inspection: 2 September 2003

### **Background**

There is no background to this proposal.

### **Comments**

The applicant has provided the following comments with respect to the proposed amendment, which have been summarised under the following sub-headings:

#### **Servicing**

*"The proposed Rural Living 'A' lots will be connected to reticulated sewer, reticulated water, and underground power. The proposed road off Malarkey Road will also need to be constructed to the satisfaction of Council as a condition of subdivision".*

#### **Stables**

*"In order to maintain the integrity of the buffer, a maximum of 1 horse per lot is permitted providing horse stables are located adjacent to the bridle path to ensure a 100 metre separation between the stables and any future residence within the R20 area north of the*

*proposed subdivisional road. No commercial stables shall be permitted on the proposed Rural Living 'A' lots".*

### Scheme Requirements

The subject land is zoned 'Urban Development' under Council's Town Planning Scheme No.2 which contains the following clauses with respect to the 'Rural Living A' zone:

*"5.12.2 The Rural Living A Zone is intended to cater for rural residential development on a range of lots between 4, 000 square metres to one hectare in accordance with the objectives and guidelines of the Rural Strategy".*

*"5.12.4 Notwithstanding sub clause 5.12...above, where land capability and site constraints dictate a larger lot size than one hectare may be required".*

### Rural Strategy

The subject land is not identified within the Rural Strategy as it falls within the Byford Structure Plan area.

### Draft Byford Structure Plan

The subject land is identified as 'Rural Residential' under this plan. The 'Rural Residential' zoning within the Byford Structure Plan allows for subdivision between 2000 m<sup>2</sup> to 1 hectare. The intention of the 'Rural Residential' strip in this location is to provide a buffer between the existing Byford Trotting Complex and associated rural uses and the future residential development to the north.

The proposed rezoning of the land to 'Rural Living A' and accompanying subdivision guide plan would be in accordance with the draft Byford Structure Plan.

### Roads/Multiple Use Corridor

The draft subdivision guide plan that forms a part of this application proposes to create a 20 metre wide road reserve along the northern end of the proposed lots to accommodate a 6.1 metre sealed accessway to service the lots. The proposed road can later be upgraded to accommodate further subdivision if required.

A 20 metre wide road reserve is proposed to be created along the southern end of the proposed lots which will be used to accommodate a multiple use trail. The reserve can later be used to construct access for further subdivision, if required.

A number of multiple use trails already exist in the vicinity of the area, one trail is located approximately 40 metres to the south of the proposed trail and runs parallel to the proposed trail.

### Building Envelopes

Building envelopes of 1 000m<sup>2</sup> have been shown on the Subdivision Guide Plan, with setbacks to the front boundary of 12 metres. However the Scheme requires a 20 metre setback to the front setback and Council's Local Planning Policy No.17 – Residential and Incidental Development within the Shire of Serpentine-Jarrahdale requires a 15 metre setback. The purpose of the reduced front setback of 12 metres is to allow for an increased separation distance between existing stable development to the south and future residences on the proposed lots.

It is considered that the proposed 12 metre front setback is appropriate given that Council has recently approved the same reduced setback for lots to the west which were created under Amendment No. 121 to Town Planning Scheme No.2.

### Subdivision Guide Plan

**A copy of the Subdivision Guide Plan is with the attachments marked P022.1/09/03.**

The draft subdivision guide plan that forms part of this application proposes separate building envelopes along the southern boundary of the proposed lots for the purposes of stable development. Given that the proposed lots are only 4 000m<sup>2</sup> and Council has discretion to permit or not permit stables on the proposed lots it is considered that the indication of stable envelopes on the subdivision guide plan would give the wrong impression to prospective purchasers.

It is recommended that rather than denoting stable envelopes of the subdivision guide plan, that a provision of the rezoning amendment be used to stipulate a minimum 100 metre setback from the Urban Development zoned land to the north of the proposed lots.

### Draft Trails Master Plan

The draft Trails Master Plan does not identify any potential trails abutting or running through the subject lot.

### Infrastructure Contributions

The draft Byford Structure Plan has not been finally adopted and as a result issues such as developer contribution amounts towards the provision of infrastructure have not been considered at this stage. However, there will be a requirement for the subdivider to provide contributions towards the provision of infrastructure and this will be a condition imposed at the subdivision stage.

### Byford Urban Stormwater Strategy

The subject land is located within 'Catchment 3B' of Council's Byford Urban Stormwater Strategy. The Strategy identifies the following drainage requirements in regard to the subject land:

*"The ... [subject land] is rural residential and will drain through small swale drains directly to the waterway. Basin is situated on boundary of catchments with 4a and will also provide storage for stormwater..."*

### Environment

The subject lot is completely cleared of vegetation. A site assessment has not been undertaken to determine the height of the water table at this stage. It should first be a requirement for the applicant to provide a geotechnical report to demonstrate that the land is capable of residential development prior to Council initiating the subject amendment.

### Emergency Management

The proposed rezoning will not have a direct impact on emergency management of the land. It is considered that the draft subdivision guide plan submitted as part of the amendment documentation will meet emergency management requirements.

### Conclusion

Given that the land is identified for rural residential subdivision and development under Council's draft Byford Structure Plan it is recommended that Council resolves to initiate the proposed rezoning. The proposal can then be referred to pertinent government agencies and the community for comment.

### **Sustainability Statement**

*Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?*

It is considered that there will not be any significant environmental issues associated with the subject rezoning application.

*Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?*

The rezoning proposal does not identify specific measures to minimise resource use compared to traditional development approaches.

*Does the proposal/issue use locally available or produced resources?*

Not applicable.

*Will the proposal/issue be economically viable in a way that incorporates its external costs?*

It is considered that the proposal will be economically viable in a way that incorporates its external costs.

*Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?*

The amendment, if initiated, will be advertised at the next stage of the amendment process.

*Does the proposal/issue disadvantage any social groups?*

It is considered that the proposal will not disadvantage any social groups.

*Does the proposal/issue create long term employment or economic benefit to current and future residents of the shire?*

The proposed rezoning will allow for the creation of approximately ten rural living lots. The proposal has the potential to be economically viable for the subdivider of the land.

### **Statutory Environment:**

Town Planning and Development Act 1928, Town Planning Scheme No.2

### **Policy Implications:**

Not applicable

### **Financial Implications:**

Council will need to allocate funds to the ongoing maintenance of the multiple use trail proposed as part of the subdivision guide plan.

### **Strategic Implications:**

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.

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

##### Strategies:

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

- 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:

- 1 Increase awareness of the value of environmental requirements towards sustainability.
- 3 Encourage protection and rehabilitation of natural resources.
- 6 Value, protect and develop biodiversity.

## **3 Economic**

*Objective 3: Effective management of Shire growth*

### Strategies:

- 3 Integrate and balance town and rural planning to maximise economic potential.

### **Community Consultation:**

The community will have the opportunity to comment on the proposal when it is advertised for public comment.

### **Voting Requirements:**

Normal

### **Officer Recommended Resolution**

- A. The applicant be required to insert a section in the Amendment report describing site sustainability principles and how they will be applied to the estate. These principles shall include measures to prevent loss of solar access to the dwellings from proposed vegetation outside the building envelope.
- B. The applicant engaging a suitably qualified engineer to certify that the land does not contain any unsuitable landfill and that the land is physically capable of residential development including road and dwelling construction to the satisfaction of Council.
- C. The applicant making the following modifications to the Subdivision Guide Plan:
  1. A notation to be shown on the plan to state that no planting of trees that will grow above three metres in height between the building envelope and the side property boundary will be permitted.
  2. Nomination of indicative revegetation areas (local species) on subdivision guide plan to scale at the rate of 25% on each proposed lot at 600 stems per hectare and planted prior to clearance of subdivision in accordance with Council's Guidelines for Nutrient Management to the satisfaction of Council's Environmental Officer.
  3. A notation to be included on the subdivision guide plan stating that nomination of revegetation areas is indicative only and a revegetation plan will be required as a condition of subdivision. Revegetation areas shall be in accordance with Council's Guidelines for Nutrient Management and shall occur at the rate of 25% on each proposed lot at a minimum of 600 stems.
  4. Deletion of the proposed horse stable building locations on each lot.
  5. A notation to be shown on the subdivision guide plan stating that the subdivider shall ensure that prospective purchasers of the lots created are advised of those provisions of the Local Government's Town Planning Scheme which relate to the use and management of the land, in particular that 'stables' is a use that requires planning approval and may be permitted at the discretion of the Council.
- D. The applicant submitting a copy of the revised subdivision guide plan to scale over a current aerial photograph showing the proposed locations of building envelopes on each lot.

E. Subject to A, B, C and D above, Council pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended) resolve to initiate an amendment to Town Planning Scheme No. 2 to rezone Pt Lot 7 Thomas Road, Byford, from Rural to Rural Living A, subject to the preparation of formal scheme amendment maps with the amendment to include the following Special Provisions and any other deemed appropriate by Council:

1. Within the Rural Living A zone the following land uses are permitted, or are permitted at the discretion of the Council.  
Use classes permitted (P)  
    Single House  
    Public Recreation  
    Public Utility  
Discretionary Uses (AA)  
    Ancillary Accommodation  
    Home Occupation  
    Stables

All other uses are prohibited.

In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.

2. The applicant making arrangements with and to the satisfaction of the Water Corporation of Western Australia for the provision of reticulated sewerage to all lots within the subdivision.
3. The applicant making arrangements with and to the satisfaction of the Water Corporation of Western Australia for the provision of reticulated water to all lots within the subdivision.
4. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.
5. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.
6. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
7. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Fire and Emergency Services Authority.
8. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of the on-ground-works. Those easements and reserves required by Council or Water Corporation shall be provided to the Council or

- Water Corporation at the time of subdivision to provide for the ongoing maintenance of the drainage system components.
9. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.  
In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.
  10. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area.
  11. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.
  12. The Subdivision Guide Plan referred to in Clause 11 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.
  13. Multiple use trail shall be constructed to the satisfaction of the local authority by the subdivider in accordance with the Subdivision Guide Plan.
  14. Direct vehicle access is to be restricted in accordance with the endorsed Subdivision Guide Plan.
  15. Only one horse per lot may be permitted by Council.
  16. Effective buffer between stables on 4000 square metre Rural Living A lots providing the buffer to the Byford Trotting Complex is to be not less than 100 metres (including road reserve) to Urban Development to the north.
  17. The proposed multiple use trail at the rear of 4000 square metre Rural Living A lots providing the buffer to the Byford Trotting Complex is to be retained as a road reserve for access by horse floats to the lots.
  18. The drainage system is to be designed to maximise infiltration of roof and hard surfaces runoff as close to source as possible. Piped networks, where installed, are to be kept as small as practicable and incorporate gross pollutant and sediment trapping devices prior to outfall to infiltration areas incorporated into Public Open Space or Multiple Use Corridors.

### **CRP022 Committee Recommended Resolution**

- A. The applicant be required to insert a section in the Amendment report describing site sustainability principles and how they will be applied to the estate. These principles shall include measures to prevent loss of solar access to the dwellings from proposed vegetation outside the building envelope.
- B. The applicant engaging a suitably qualified engineer to certify that the land does not contain any unsuitable landfill and that the land is physically capable of residential development including road and dwelling construction to the satisfaction of Council.
- C. The applicant making the following modifications to the Subdivision Guide Plan:
  1. Nomination of indicative revegetation areas (local species) on subdivision guide plan to scale at the rate of 25% on each proposed lot at 600 stems per hectare and planted prior to clearance of subdivision in accordance with Council's Guidelines for Nutrient Management to the satisfaction of Council's Environmental Officer.
  2. A notation to be included on the subdivision guide plan stating that nomination of revegetation areas is indicative only and a revegetation plan

- will be required as a condition of subdivision. Revegetation areas shall be in accordance with Council's Guidelines for Nutrient Management and shall occur at the rate of 25% on each proposed lot at a minimum of 600 stems.
3. Deletion of the proposed horse stable building locations on each lot.
  4. A notation to be shown on the subdivision guide plan stating that the subdivider shall ensure that prospective purchasers of the lots created are advised of those provisions of the Local Government's Town Planning Scheme which relate to the use and management of the land, in particular that 'stables' is a use that requires planning approval and may be permitted at the discretion of the Council.
- D. The applicant submitting a copy of the revised subdivision guide plan to scale over a current aerial photograph showing the proposed locations of building envelopes on each lot.
- E. Subject to A, B, C and D above, Council pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended) resolve to initiate an amendment to Town Planning Scheme No. 2 to rezone Pt Lot 7 Thomas Road, Byford, from Rural to Rural Living A, subject to the preparation of formal scheme amendment maps with the amendment to include the following Special Provisions and any other deemed appropriate by Council:
1. Within the Rural Living A zone the following land uses are permitted, or are permitted at the discretion of the Council.
    - Use classes permitted (P)
      - Single House
      - Public Recreation
      - Public Utility
    - Discretionary Uses (AA)
      - Ancillary Accommodation
      - Home Occupation
      - Stables
- All other uses are prohibited.
- In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.
2. The applicant making arrangements with and to the satisfaction of the Water Corporation of Western Australia for the provision of reticulated sewerage to all lots within the subdivision.
  3. The applicant making arrangements with and to the satisfaction of the Water Corporation of Western Australia for the provision of reticulated water to all lots within the subdivision.
  4. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.
  5. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.
  6. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be



- responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
7. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Fire and Emergency Services Authority.
  8. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of the on-ground-works. Those easements and reserves required by Council or Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for the ongoing maintenance of the drainage system components.
  9. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.  
In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.
  10. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area.
  11. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.
  12. The Subdivision Guide Plan referred to in Clause 11 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.
  13. Multiple use trail shall be constructed to the satisfaction of the local authority by the subdivider in accordance with the Subdivision Guide Plan.
  14. Direct vehicle access is to be restricted in accordance with the endorsed Subdivision Guide Plan.
  15. Only one horse per lot may be permitted by Council.
  16. Effective buffer between stables on 4000 square metre Rural Living A lots providing the buffer to the Byford Trotting Complex is to be not less than 100 metres (including road reserve) to Urban Development to the north.
  17. The proposed multiple use trail at the rear of 4000 square metre Rural Living A lots providing the buffer to the Byford Trotting Complex is to be retained as a road reserve for access by horse floats to the lots.
  18. The drainage system is to be designed to maximise infiltration of roof and hard surfaces runoff as close to source as possible. Piped networks, where installed, are to be kept as small as practicable and incorporate gross pollutant and sediment trapping devices prior to outfall to infiltration areas incorporated into Public Open Space or Multiple Use Corridors.

Committee Note: The Officer recommendation was changed by deleting C1 – limiting the type of trees planted on the property.

## **FORESHADOWED MOTION**

Cr Star foreshadowed the following motion to amend No 15 of the Committee Recommended Resolution.

Moved Cr Star seconded Cr Kirkpatrick

- A. The applicant be required to insert a section in the Amendment report describing site sustainability principles and how they will be applied to the estate. These principles shall include measures to prevent loss of solar access to the dwellings from proposed vegetation outside the building envelope.
- B. The applicant engaging a suitably qualified engineer to certify that the land does not contain any unsuitable landfill and that the land is physically capable of residential development including road and dwelling construction to the satisfaction of Council.
- C. The applicant making the following modifications to the Subdivision Guide Plan:
  1. Nomination of indicative revegetation areas (local species) on subdivision guide plan to scale at the rate of 25% on each proposed lot at 600 stems per hectare and planted prior to clearance of subdivision in accordance with Council's Guidelines for Nutrient Management to the satisfaction of Council's Environmental Officer.
  2. A notation to be included on the subdivision guide plan stating that nomination of revegetation areas is indicative only and a revegetation plan will be required as a condition of subdivision. Revegetation areas shall be in accordance with Council's Guidelines for Nutrient Management and shall occur at the rate of 25% on each proposed lot at a minimum of 600 stems.
  3. Deletion of the proposed horse stable building locations on each lot.
  4. A notation to be shown on the subdivision guide plan stating that the subdivider shall ensure that prospective purchasers of the lots created are advised of those provisions of the Local Government's Town Planning Scheme which relate to the use and management of the land, in particular that 'stables' is a use that requires planning approval and may be permitted at the discretion of the Council.
- D. The applicant submitting a copy of the revised subdivision guide plan to scale over a current aerial photograph showing the proposed locations of building envelopes on each lot.
- E. Subject to A, B, C and D above, Council pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended) resolve to initiate an amendment to Town Planning Scheme No. 2 to rezone Pt Lot 7 Thomas Road, Byford, from Rural to Rural Living A, subject to the preparation of formal scheme amendment maps with the amendment to include the following Special Provisions and any other deemed appropriate by Council:
  1. Within the Rural Living A zone the following land uses are permitted, or are permitted at the discretion of the Council.
    - Use classes permitted (P)
      - Single House
      - Public Recreation
      - Public Utility
    - Discretionary Uses (AA)
      - Ancillary Accommodation
      - Home Occupation
      - Stables

All other uses are prohibited.

In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is

- satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.
2. The applicant making arrangements with and to the satisfaction of the Water Corporation of Western Australia for the provision of reticulated sewerage to all lots within the subdivision.
  3. The applicant making arrangements with and to the satisfaction of the Water Corporation of Western Australia for the provision of reticulated water to all lots within the subdivision.
  4. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.
  5. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.
  6. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
  7. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Fire and Emergency Services Authority.
  8. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of the on-ground-works. Those easements and reserves required by Council or Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for the ongoing maintenance of the drainage system components.
  9. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.  
In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.
  10. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area.
  11. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.
  12. The Subdivision Guide Plan referred to in Clause 11 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating

- or prescribing the use or development of land to overcome problems which would occur, should the land be developed.
13. Multiple use trail shall be constructed to the satisfaction of the local authority by the subdivider in accordance with the Subdivision Guide Plan.
  14. Direct vehicle access is to be restricted in accordance with the endorsed Subdivision Guide Plan.
  15. Keeping of livestock requires the prior approval of Council. No more than four (4) horses may be kept on any one lot.
  16. Effective buffer between stables on 4000 square metre Rural Living A lots providing the buffer to the Byford Trotting Complex is to be not less than 100 metres (including road reserve) to Urban Development to the north.
  17. The proposed multiple use trail at the rear of 4000 square metre Rural Living A lots providing the buffer to the Byford Trotting Complex is to be retained as a road reserve for access by horse floats to the lots.
  18. The drainage system is to be designed to maximise infiltration of roof and hard surfaces runoff as close to source as possible. Piped networks, where installed, are to be kept as small as practicable and incorporate gross pollutant and sediment trapping devices prior to outfall to infiltration areas incorporated into Public Open Space or Multiple Use Corridors.

LOST 4/6

Council Note: The Committee Recommended Resolution was changed in Point 15 by limiting the number of horses to be allowed to be up to four (4), subject to prior appropriate planning approval from Council.

Councillor Hoyer foreshadowed an alternative motion referring the matter to the Planning Portfolio Group for further consideration.

Cr Richards left the meeting at 8.51pm and returned at 8.52pm.

#### **CRP022 COUNCIL DECISION**

**Moved Cr Hoyer seconded Cr Price**

**That the item P022/09/03 be referred to the Planning Portfolio Group for consideration and consultation with industry representatives as to appropriate stocking and stabling rates applicable to this application.**

**CARRIED 9/1**

Council Note: The Council was generally happy with the committee recommendations with the exception of the recommended stocking rates. To clarify the stocking rates it was considered appropriate to defer the matter back to the Portfolio Group to consult industry representatives.

**8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**9. CHIEF EXECUTIVE OFFICER'S REPORT**

**10. URGENT BUSINESS:**

**COUNCIL DECISION**

Moved Cr Star seconded Cr Hoyer  
 That Item P024/09/03 be dealt with as an item of new business of an urgent nature  
**CARRIED 10/0**

P024/09/03 SALE OF COUNCIL PROPERTY- WOODLOT SUBDIVISION, JARRAHDAL (P05575, A1147) AND MILLARS ROAD COTTAGES (A1165)		
Proponent	Chief Executive Officer	In Brief
Officer	D.E Price – Chief Executive Officer	
Signatures - Author:		a) Delegate authority to the Chief Executive to accept tenders on behalf of Council for the Woodlot Sub-division, Jarrahdale is sought.  b) Agreement on the process to set the listing price for any remaining woodlot properties, or Cottages in Millar’s not sold by public auction or tender is sought.
Senior Officer:		
Date of Report	16.09.03	
Previously	P014/07/02, SM14/09/02, SM007/08/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

Council resolved to appoint agents to dispose of the above properties in September 2002. The seven (7) lots were advertised for public tender in August and September 2003 by Council’s appointed agent, Heritage Country Real Estate, Jarrahdale. Tenders closed on Monday 15 September 2003 at 2pm.

**Comments**

**Woodlot Tenders**

The Licensee of Heritage Country Real Estate, Mr Ron Iannello has confirmed that five (5) tenders were received for seven (7) lots which were available for purchase. Mr Ianello is currently reviewing each tender submitted and has advised that several tenders are requiring finance approval, and therefore it is not possible to put forward a recommendation to Council at this time on what tender should be accepted for a particular lot.

To ensure tenders are able to be dealt with in a timely manner, and responses provided to tenderers, it is recommended that Council delegate authority to the Chief Executive Officer to accept tenders on behalf of Council in accordance with s5.43 “Limits on Delegations to the Chief Executive Officer” for each lot agreed to be disposed of in the property (SM014/09/02) known as the Woodlot Sub-division located on the corner of Jarrahdale Road and Kingsbury Drive, Jarrahdale for tendered amounts of equal to or above the Market Valuation as determined by a licensed valuer for the same lot.

**Listing of properties for sale**

It is further suggested that as several lots may not be sold via the tender process, that Council will need to establish a price which the lots may be listed for sale. This needs to be done remembering the current delegation that the Chief Executive Officer has been given to dispose of properties if they don’t sell at auction or tender.

*“Council in accordance with s5.43 “Limits on Delegations to the Chief Executive Officer,” part (d) delegates authority to the Chief Executive Officer to dispose of any of the following properties .....which Council is not initially able to dispose of by either auction or tender in accordance with s3.58 “Disposing of Property” for amounts of:*

- 1) *not more than 10% below the Market Valuation/Reserve price.*
- 2) *equal to or above the Market Valuation/Reserve price.*

Therefore, it is recommended that the listing price for any remaining woodlot properties, or Cottages in Millar's not sold by public auction or tender is to be set by the Chief Executive Officer, in consultation with Councils appointed agent at equal to or above the market valuation as determined by a licensed valuer.

<b><u>Sustainability Statement</u></b>	Not applicable
<b><u>Statutory Environment:</u></b>	Local Government Act 1995
<b><u>Policy Implications:</u></b>	Not applicable
<b><u>Financial Implications:</u></b>	Council has included income from the disposition of Woodlot Subdivision, cnr Jarrahdale and Kingsbury Drive, Jarrahdale in the 2003/2004 budget.
<b><u>Strategic Implications</u></b>	The disposition of these properties is reflected in Key Result Area 3 "Economic Development" Objective 3: Effective Management of Shire Growth.
<b><u>Community Consultation:</u></b>	As per the requirements of s5.43 "Limits on Delegations to the Chief Executive Officer and s3.58 "Disposition of property" of the Local government Act 1995 and the Local Government (Functions and General) Regulations 1996 Part 6 Miscellaneous 30(2)

**Voting Requirements:**                    **ABSOLUTE MAJORITY**

Cr Wigg left the Council meeting at 8.59pm after he had seconded the motion.

**CRP024 COUNCIL DECISION/Officer Recommended Resolution**

Moved Cr Star seconded Cr Wigg

- a) Council delegates authority to the Chief Executive Officer to accept tenders on behalf of Council in accordance with s5.43 "Limits on Delegations to the Chief Executive Officer" for each lot agreed to be disposed of (SM014/09/02) in the property known as the Woodlot Sub-division located on the corner of Jarrahdale Road and Kingsbury Drive, Jarrahdale for tendered amounts equal to or above the market valuation, as determined by a licensed valuer for the same lot.
- b) The listing price for any remaining Council woodlot properties on the corner of Jarrahdale Road and Kingsbury Drive, or Cottages in Millar's Road, Jarrahdale (SM007/08/03) not sold by public auction or tender are to be set by the Chief Executive Officer, in consultation with Councils appointed agent at equal to or above the market valuation as determined by a licensed valuer and disposed of in accordance with Council delegation AF30.

**CARRIED 9/0 ABSOLUTE MAJORITY**

Cr Wigg was not present and did not vote.

**11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:**

**12. CLOSURE:**

There being no further business the meeting closed at 9.00pm.

I certify that these minutes were confirmed at the ordinary council meeting held on 27<sup>th</sup> October, 2003

.....  
Presiding Member

.....  
Date

### 13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

#### 13.1 Corporate Services

<b>C010/09/03 LAND TAX RELATING TO LAND ZONED CONSERVATION (A0299)</b>		
Proponent	Council	<u>In Brief</u>
Officer	G.R. Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	26/08/03	
Previously	C136/06/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

#### **C010 COMMITTEE DECISION/Officer Recommended Resolution**

A meeting be sought with Mr Bill Sullivan, Commissioner, Office of State Revenue on the matter of Land Tax being applied to land zoned Conservation and to raise with the Treasurer the issue of exemption not being provided should land owner's Business Plans not prove acceptable.

<b>C012/09/03 BRIGGS PARK PAVILION LEASE – SERPENTINE JARRAHDAL CRICKET CLUB (RS0081/06)</b>		
Proponent	Serpentine Jarrahdale Cricket Club	<u>In Brief</u>
Officer	G.R. Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	01/09/03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

#### **C012 COMMITTEE DECISION/Officer Recommended Resolution**

Council agrees to enter into a lease agreement with the Serpentine-Jarrahdale Cricket Club for the management of day to day use of Briggs Park Pavilion (Reserve 17490), except for the Byford & Districts Friendly Club Inc and Learning Centre areas, for a period not exceeding twelve months and subject to final confirmation of approval to lease being provided by the Department of Planning and Infrastructure in the vesting order for the reserve and Ministers approval of the lease.

After a period of nine months of the agreement an item be brought back to Council to consider the effectiveness of this agreement and to consider the possibility of entering into a longer term lease.



<b>C014/09/03 COUNCIL MEETINGS AND SERVICES OVER CHRISTMAS &amp; NEW YEAR PERIOD (A0023-02)</b>		
<b>Proponent</b>	Chief Executive Officer	In Brief  Confirm the schedule for Committee/Council meetings and operating arrangements for the Council administration in Mundijong and Byford over the Christmas period.
<b>Officer</b>	Chief Executive Officer	
<b>Signatures - Author:</b>		
<b>Senior Officer:</b>		
<b>Date of Report</b>	02.09.2003	
<b>Previously</b>		
<b>Disclosure of Interest</b>		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

**C014 COMMITTEE DECISION/Officer Recommended Resolution**

Council agrees to the following meeting and administrative arrangements over the month of December 2003 and January 2004;

- a) The meetings for December 2003 remain unchanged and in accordance with what has previously been advertised;
- b) The Committee and Council meetings for January 2003 be advertised as per the following;

12-01-03	Corporate Services, Asset Services, Community & Recreation Development
19-01-03	Strategic Management, Planning Development & Environment
27-01-03	Ordinary Council Meeting (Note this is a Tuesday as the Monday 26/1 is a Public Holiday).

- c) The Mundijong library is closed from the public from the close of business on Friday 19 December 2003 with it reopening for business on Monday 29th December 2003.
- d) Byford Office is closed over the Christmas and new year period from the close of business on Friday 19 December 2003 with it reopening for business on Monday 5th January 2004. This is to be advertised and the office is to be well signed to indicate that the Mundijong office is open for business to ensure our customers experience minimal inconvenience.
- e) The Mundijong administration and operations team office is closed at noon on Christmas Eve, but to otherwise remain open with adequate staff present to provide the full range of services during the Christmas and New Year period, with the exception of recognised Public Holidays.
- f) Over the Christmas and New Year period as per previous years, it will again be the responsibility of the Chief Executive Officer, or the Acting Chief Executive Officer to ensure that staff coverage is adequate at the Mundijong administration office and library.

<b>C016/09/03 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)</b>		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the statement of debtors over \$1,000 as at 31 August 2003
Officer	R Pryce – Senior Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

**C016 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 31 August 2003.**

<b>C017/09/03 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)</b>		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the sundry debtor balances as at 31 August 2003
Officer	R Pryce – Senior Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

**C017 COMMITTEE DECISION/Officer Recommended Resolution**

**Council receive and note the report on Sundry Debtor Outstanding Accounts as at 31 August 2003.**

<b>C018/09/03 RATE DEBTORS REPORT (A0917)</b>		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the rates report as at 31 August 2003
Officer	Ray Pryce – Senior Finance Officer - Rates	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

**C018 COMMITTEE DECISION/Officer Recommended Resolution**

**Council receive and note the report the Rate Debtors accounts as at 31 August 2003.**

C019/09/03 INFORMATION REPORT		
Proponent	Director Corporate Services	In Brief  To receive the information report to 31 August 2003
Officer	Various	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

**C019 COMMITTEE DECISION/Officer Recommended Resolution**

The information report to 3 September 2003 be received.

13.2 Asset Services

AS018/09/03 2003/2004 RESEAL PROGRAMME (A0477)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief  <i>Council is requested to endorse the Reseal Programme in accordance with the approved 2003/04 budget.</i>
Officer	Patrick Rose	
Signatures - Author:		
Senior Officer:	Bryce Coelho	
Date of Report	26 <sup>th</sup> August 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee in accordance with resolution SM054/05/03</b>	

**AS018 COMMITTEE DECISION/Officer Recommended Resolution:**

That the Council endorse the 2003/2004 Reseal Programme.

Road Name	From	To	Cost
Abernethy Rd	Bridge	Bridge Vic. Intersection Meadowbrook Dve east approx. 300m	\$10,000
Bateman St	Soldiers Rd	Gordon Way	\$3,500
Cardup Siding Rd	South Western Hwy	End Bitumen	\$28,000
Cumming Rd	Thomas Road	Orton Road	\$35,000
Daisy Rd	Soldiers Rd	Alice Road	\$2,500
Doley Road	Abernethy To # 89	Refer to AS011/08/03.	\$7,200
Feast Rd	Feast SLK 1.54 (L58)	South Western Hwy SLK 1.97	\$7,500
Gossage Rd	Bridge 250m west of Bournbrook Ave	Kargotich Road	\$7,500
Hella Kipper Dr	Nettleton Rd	Entry Statement	\$6,500
Hopeland Rd	South of Punrak Rd SLK 4.9	North of Henderson Rd SLK 5.3	\$4,000
Hopkinson Rd	Bishop Rd	North 730m Vic. L22	\$19,000
Hopkinson Rd	Gloaming Way	Rowley Rd	\$34,000
Kingsbury Dr	South Western Hwy	East 1.62Km	\$40,000
Lowlands Rd	Wright Rd	200m west Kargotich Rd	\$43,000
McKay Dr	Lewis Rd	End cul-de-sac	\$21,000
Nettleton Rd	Alcoa Railway Crossing	South 1.5Km	\$22,000

Road Name	From	To	Cost
Punrak Rd	Hopeland Rd	Henderson Rd	\$43,000
Rapids Rd	Lowlands Rd	200m North Rowe Rd	\$35,000
Shanley Rd	Wright Rd	Coogly Rd	\$10,000
Wescott Rd	m	North Elliott Rd	\$14,000
Wright Rd	200M south of Randell Rd	500m further south	\$15,000
<b>TOTAL</b>			<b>\$407700</b>

AS019/09/03 2003/2004 GRAVEL ROAD RESHEETING PROGRAMME (A0477.)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief <i>Council is requested to endorse the Gravel Road Resheeting Programme in accordance with the approved 2003/04 budget.</i>
Officer	Patrick Rose	
Signatures - Author:		
Senior Officer:	Bryce Coelho	
Date of Report	26 <sup>th</sup> August 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee in accordance with resolution SM054/05/03</b>	

**AS017 COMMITTEE DECISION/Officer Recommended Resolution:**

**That the Council endorse the 2003/2004 Gravel Road Resheeting Programme.**

Name	Description of current road condition	Cost	Work requirements
Rudall Rd	Start cul-de-sac finish "T" section with Turner St		
	SLK 0.000-SLK 0.272(Tonkin Rd) Gravel , thick approx. 75mm, form 6m pave 4m. Section is heavy corrugated	\$9,000	Need gravel resheeting thick approx. 150mm.
	SLK 0.272-SLK 0.440(Turner Rd) Do not upgrade		Construct diverse trench every 50m and form cross & longitudinal fall.
Arnold Rd	Start "T" section with Lefroy St finish "T" section with S.W.Hwy	\$37,000	Need gravel resheeting thick approx 150mm.
	SLK 0.000-SLK 01.030 Gravel , thick approx.100mm, form/pave 6m Section is heavily corrugated.		Construct diverse trench every 50m and form cross & longitudinal fall.
Robertson Rd	Start intersection with Evelyn and Roman St finish cul-de-sac		
	SLK 0.000-SLK 0.500 Gravel, thick approx.100mm, form/pave 5m	\$15,000	Need lime stone resheeting thick approx 150mm. Construct diverse trench every 50m and form cross & longitudinal fall.
Jarrah Rd	Road surface corrugated		
	Start "T" section with Karnup rd, finish to existing bitumen(SLK1.076)		
	SLK 0.000-SLK 0.380 Gravel/Sand, thick approx.100mm, form/pave 3m	\$32,000	Need gravel resheeting thick approx 200mm. Construct diverse trench every 50m and form cross & longitudinal fall. Form table drain both side 300mm below road level
Henderson Rd	Start "T" section with Punrak Rd, finish in half curve to River Rd(SLK 3.122)		
	SLK 0.476-SLK 0.763 Gravel , thick approx.100mm, form/pave 7m	\$21,000	Need gravel resheeting thick approx 300mm. Construct diverse trench every 50m and form cross & longitudinal fall. Form table drain both side 300mm below road level

Name	Description of current road condition	Cost	Work requirements
Fisher Rd	Start "T" section with S.W. HWY, finish to gate to property Lot=? (SLK 1.356)		
	SLK 0.719-SLK 1.356 Gravel , thick approx.100mm, form 9m, pave 6m	\$20,000	Need gravel resheeting thick approx 100mm. Construct diverse trench every 50m and form cross & longitudinal fall.
<b>TOTAL:</b>		<b>\$134,000</b>	

AS020/09/03 LANDSCAPING WORKS ON MEDIAN STRIP, SOUTH WESTERN HIGHWAY, BYFORD (A0864)		
Proponent	Byford Townscape Committee	In Brief  <i>Council is requested to contribute \$4,086.50 towards the costs of works proposed by the Byford Townscape Committee, with funding being sourced from the Townscape Works budget allocation..</i>
Officer	Mick Beaverstock Director Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	4 September 2003	
Previously	AS009/08/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Committee in accordance with resolution SM054/05/03</b>	

**AS020 COMMITTEE DECISION/Officer Recommended Resolution:**

1. That Council allocate an amount of \$4,086.50 towards works proposed by the Byford Townscape Committee on the South Western Highway median island, adjacent to the Bowling Club, subject to approval from Main Roads Western Australia.
2. That funding be sourced from the Townscape Works budget allocation (Account TPP900).

AS021/09/03 INFORMATION REPORT		
Proponent		In Brief  <i>To receive the information report to the 31 August, 2003</i>
Officer		
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee in accordance with resolution SM054/05/03</b>	

**AS021 COMMITTEE DECISION/Officer Recommended Resolution**

**That the information report to the 31 August 2003 be received .**

13.3 Community & Recreation Development

CRD05/09/03 SERPENTINE JARRAHDAL E YOUTH ADVISORY COUNCIL - DISCO (A1172)		
Proponent	SJ Youth Advisory Council	<u>In Brief</u>  Council is requested to underwrite any shortfall of up to \$500 from budgeted youth activity related funds in order for the Serpentine Jarrahdale Youth Advisory Council to organize a disco/karaoke night
Officer	John Stewart – Youth Liaison Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	29.08.03	
Previously	CRD19/04/03	
Disclosure of Interest		
<b>Delegation</b>	Committee – in accordance with resolution SM054/05/03	

**COMMITTEE DECISION/Officer Recommended Resolution**

**That Council endorses the one-off use of up to \$300 of SJ Youth Advisory Council project funds from CDO529 in the 2003/04 budget in order to underwrite any shortfall to enable the SJ Youth Advisory Council to organise a disco/karaoke night and agrees to provide a \$200 donation to meet Council venue hire charges.**

CRD06/09/03 INFORMATION REPORT		
Proponent		<u>In Brief</u>  <i>Information Report</i>
Officer	Carole McKee - Community Development Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	01.09.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	Committee – in accordance with resolution SM054/05/03	

**COMMITTEE DECISION/Officer Recommended Resolution**

**That Council accepts the August 2003 Information Report.**

13.4 Building Services

B04/09/03 INFORMATION REPORT		
Proponent	N/A	<u>In Brief</u>  Information report
Officer	Wayne Chant - Principal Building Surveyor	
Signatures - Author:		
Senior Officer:		
Date of Report	8.09.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	Committee – in accordance with resolution SM054/05/03	

**COMMITTEE DECISION/Officer Recommended Resolution**

**That Council accepts the August 2003 Information Report.**

13.5 Planning Development & Environment

E004/09/03 INFORMATION REPORT		
Proponent	Director Sustainable Development	<b>In Brief</b>  Information Report.
Officer	Carlie Eldridge – Manager Sustainability Unit	
Signatures - Author:		
Senior Officer:		
Date of Report	4 September 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee in accordance with resolution SM054/05/03</b>	

**CRE004 COMMITTEE DECISION/Officer Recommended Resolution**

**That the Information Report to 5 September 2003 be received.**

P019/09/03 MID-YEAR COMPLIANCE INSPECTION REPORT - LOT 344 SOUTH WESTERN HIGHWAY, BYFORD (P00035/01)		
Proponent	WA Bluemetal	<b>In Brief</b>  This report identifies areas of compliance/non-compliance with the current 2003 extractive industry licence conditions. The report recommends actions to ensure that outstanding conditions are appropriately enforced and addressed.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	6 August 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee in accordance with resolution SM054/05/03</b>	

**CRP019 COMMITTEE DECISION/Officer Recommended Resolution**

1. Council advises the landowner that they have 30 days to meet with staff and prepare a report addressing all outstanding licence conditions and what actions will be taken to address each condition. The report shall also specify timeframes to meet the conditions. The report shall be prepared to the satisfaction of the Director Sustainable Development.
2. If the landowner does not comply with the directive of (1) above to the satisfaction of the Director Sustainable Development, then a report will be presented to Council recommending that legal action be commenced for a breach of the licence conditions pursuant to the Local Law.

<b>P023/09/03 INFORMATION REPORT</b>		
<b>Proponent</b>	Director Sustainable Development	<b>In Brief</b>  Information Report.
<b>Officer</b>	Lisa Fletcher – Support Officer Sustainable Development	
<b>Signatures - Author:</b>		
<b>Senior Officer:</b>		
<b>Date of Report</b>	21 August 2003	
<b>Previously</b>		
<b>Disclosure of Interest</b>		
<b>Delegation</b>	<b>Committee in accordance with resolution SM054/05/03</b>	

**CRP023 COMMITTEE DECISION/Officer Recommended Resolution**

**That the Information Report to 5 September 2003 be received.**