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- NOTE:**
- a) The Council Committee Minutes Item numbers may be out of sequence. Please refer to Section 10 of the Agenda – Information Report - Committee Decisions Under Delegated Authority for these items.

 - b) Declaration of Councillors and Officers Interest is made at the time the item is discussed.

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET, MUNDIJONG ON MONDAY, 23rd APRIL, 2001 - COMMENCING AT 7.00PM.

1. ATTENDANCES & APOLOGIES

PRESENT: Crs. J C Star President
D Buttfield
C H Rankin
D L Needham
I J Richards
W J Kirkpatrick
J E Price
J C Townsend
K W Hicks

APOLOGIES: Cr N D Fimmano
Mr G Dougall Director Corporate Services

IN ATTENDANCE: Mr. D E Price Chief Executive Officer
Mr A Watson..... Director Sustainable Development
Mr R Harris Director Asset Services
Mrs S E Langmair..... Minute Secretary

GALLERY: 8

2. PUBLIC QUESTION TIME

Mrs Bond, Stockmans Close

Question 1A What is the total cost of wetting down and grading Hopkinson Road between Bullock Drive and the corner of Abernethy and Hopkinson Road?

Answer 1A: Director Asset Services advised that approximately \$200.00 per month would be spent on Hopkinson Road until such time as the upgrading works are done, in the next financial year.

Question 1B What is the total cost of wetting down and grading Doley Road?

Answer 1B: Director Asset Services advised that there has been some maintenance upgrading on Doley Road recently – probably the first time this road has seen a grader this year. Total cost would be in the order of \$200.00.

Question 2 What are Council requirements before landfill may be accepted onto residential properties/special rural or rural? Please list requirements for each.

Director Sustainable Development advised that he would take Question 2 on notice.

Question 3 Did the majority of residents in Foxtan Drive want a community centre built in their street?

Answer Q3: Director Sustainable Development advised that residents of Foxtan Drive were notified prior to the community centre being built, not sure of the total number of responses from residents in Foxtan Drive, however there were more letters of supports versus objections. These were from people in the area, not just Foxtan Drive. Cr Star advised that this was a community centre, for the community and not just for the residents of Foxtan Drive.

Mrs Bond requested that the questions also be answered in writing.

Mr Bob Biggs, Summerfield Road

Re two questions put on Notice to the Executive Officer last week:

1. What happened with application for a bottling licence on 27 Feast Road?
2. What are the present standards to be applied on 42 Gladston Drive?

Reason behind these questions is because the water issue, although this is a Rivers Commission matter which is being negotiated, the Shire needs to take notice of this for future planning and subdivisions.

Answer: The Director Sustainable Development advised that he advised Mr Biggs on Friday that there was no development approval in place for the Feast Road water bottling plant and was also provided with a copy of the development approval relating to Gladston Drive matter.

Mr Biggs asked if there had been any changes to the Gladston Drive conditions that were put in place in 1996 when this matter was first discussed. Cr Star confirmed that this was the case and that it was not possible to make changes on these conditions.

Mr Biggs asked what has to be done to look into the Gladston Drive operation to see if Shire regulations have been breached? Cr Star advised that the matter was currently being investigated, however if it is a matter of quantity of water, it is a matter for the Waters & Rivers Commission.

Mr Paul Nield, Boomerang Road

Mr Nield asked that the questions put to the Chief Executive Officer earlier by facsimile be disregarded and he requested that these questions now be directed to Councillors.

Question Regarding questions to Council on 23rd April, 2001 a Councils published claim and Cr Star's answer to previous questions regarding Lot 12, that Council gained knowledge and results from three independent agencies.

Would you kindly advise:

- names and titles of those three independent agencies
- dates and times of the testing by those three independent agencies
- results of the testing by those agencies that caused you to arrive at your publicised conclusions.
- Names and titles of any other people or agencies that witnessed and/or guided those agencies at the time of testing or were involved with the testing.
- Distances upstream, downstream tests were taken and how many of each and specifically Berriga Brook 2.

The Chief Executive Officer advised Councillors not to respond to this question as it is a repetitive question, it has been asked previously and the Director Sustainable Development has provided a response to Mr Nield which was posted this evening, that he had also responded to those same questions advising Mr Nield that this information is available through the Freedom of Information.

Mr Nield advised that these questions had been asked before but not answered in a considered true sense therefore they are not considered repetitive.

The Chief Executive Officer reiterated that this information is available through the Freedom of Information process.

Question: Also to avoid the fact the Council President Star might have inadvertently answered incorrectly the questions directed to Councillor Ian Richards re would Councillor Ian Richards confirm or deny that he has told any Shire resident or any other, that there is no contamination:

- a) on Lot 12 Bird Road
- b) escaping from Lot 12 Bird Road
- c) contaminating the air
- d) contaminating the groundwater.

Could Councillor Ian Richards answer in the manner that would be expected of a person of his standing in the community as both a Councillor and a Sergeant in the Police Service.

The Chief Executive Officer advised Councillors, again this was answered at the 26th February meeting and a further response has been provided to Mr Nield.

Cr Star advised that this question has been dealt with over and over, once again, to the best of our knowledge there is no contamination on the results that we have been given. And that is how we understand it and that is how Cr Richards understands it and he is perfectly at liberty to say that to anybody else.

Question: Previous Council Minutes and claims 26 March 2001 – Page 87 – referred to Mr Nield not providing information. He tabled the following information – Water & Rivers Commission laboratory tests 31 July 1998 – ARLA lab tests 19 October 1999 and Conservation Council Fact Sheet 23 November 1999 – Waters and River Commission 18 August 1999. These are laboratory reports of contamination of organochlorines and other stuff from the site at Lot 12 Bird Road (confirmation).

The Chief Executive Officer pointed out to Mr Nield that Council's policy in relation to repetitive and abusive communication does state that facsimile correspondence does not necessarily have to be dealt with and since Mr Nield seems to be sending quite a lot of facsimile's through at the moment. The policy was reiterated to Mr Nield

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Response to Questions from the Gallery at Ordinary Council Meeting – 26th March 2001

Mr Foley

Question 1 – Is it a Shire matter where rubbish is carted in and dumped at Lot 5 Cumming Road, Oakford (on the 14th and 15th of March 2001) and if it is a Shire matter, what is being done? Will we have to pursue the cost of repair of the fence damage or will the Shire do that?

Response – A complaint was received about the dumping of rubbish on the subject land at Lot 5 Cumming Road, Oakford on 14 and 15 March 2001. The Senior Ranger carried out a site inspection and spoke to the daughter of the owner on 16 March 2001. She provided the following:-

1. Approval to operate a nursery has been given
2. The tree debris and roots are to be chipped for ground cover
3. They could not be chipped at the point of origin due to noise constraints
4. That if any further materials are brought on site Council will be advised

The problem regarding damage to fencing is understood to relate to a dividing fence. This is an issue Mr Foley will have to take up with his neighbours, dividing fences being a civil matter between property owners.

Question 2 – Can the Shire please look into why Lot 28 Cumming Road, Oakford has not screened its hot house and sheds from viewing from the road and surrounding developments.

Response – Planning approval was granted on 9 January 1997. There was not a condition placed on the planning approval for the screening of the hot houses from King Road. The only condition regarding landscaping was “Landscaping to the satisfaction of the Environmental Officer.” From an inspection of the property it was noted that native vegetation has been established to the King Road frontage but it has only just been planted and needs time to grow.

Mr Nield

Question 4. The road shoulder preparation on the southern end of King Road south of the railway line seems dangerous in design and a catastrophe waiting to happen. Will officers appraise the likely danger?

Response - Council advised Mr Nield in writing on the 28th March, 2001 that road pavement edge markings and guide posts are to be installed along the area in the immediate future as part of the works and will satisfactorily address traffic safety requirements.

4. STATEMENTS, PETITIONS, MEMORIALS & DEPUTATIONS

Mrs Bond, Stockmans Close.

Recent work on the intersection of Abernethy Road and Hopkinson Road was welcomed because of the dangerous situation that corner has presented for a long time. However, the road improvement have left us without a stop sign on the eastern side of Hopkinson Road. Creating a very dangerous situation was present until Saturday morning when two residents moved the roadwork signs further off the road to allow vehicles to pass with a little more safety. Hopkinson Road allows for about half the vehicle to be on the sealed part of the road when more than one vehicle is using this section of road, the road works sign left about eight inches of gravel road, with the amount of dust thrown up there could have been an accident.

Cr Star thanked Mrs Bond for bring this matter to our attention and advised that at any time there is a matter such as this to bring it to the attention of the Director Asset Services and the matter will be attended to.

Mr Nield

Regarding proposal that ratepayers fund retirement party for Mr Hans Hunter, Mr Nield did not think it was appropriate to take such an expense out of ratepayers funds.

The Chief Executive Officer advised that, to his knowledge, there was not such a proposal to recognise Mr Hans Hunters services.

5. ANNOUNCEMENTS BY PRESIDING MEMBER

Cr Star gave a brief report on her visit to United Nations Commission on Sustainable Development on behalf of Local Government. A full report will be available for public interest.

Cr Rankin asked how many other Councillors were invited from throughout Australia. Cr Star advised two, including herself.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Minutes Of The Ordinary Council Meeting –26th March, 2001

Council Decision

Moved Cr Buttfield seconded Cr Townsend
The minutes of the Ordinary Council Meeting held on 26th March, 2001 be received.
CARRIED 9/0

7. REPORTS OF COMMITTEES & OFFICERS

7.1 Corporate Services Committee Meeting – 9th April, 2001

Council Decision

Moved Cr Rankin seconded Cr Hicks
The minutes of the Corporate Services Committee Meeting held on 9th April, 2001 be received.
CARRIED 9/0

| | | | |
|------------------------|---|-----------------|----------|
| C159/04/01 | SERPENTINE-JARRAHDAL BASKETBALL ASSOCIATION – REQUEST TO WAIVER FEES (RS0016) | | |
| Proponent | Serpentine-Jarrahdale Basketball Association | | |
| Officer | G R Dougall – Director Corporate Services | Date of Report | 02/04/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee – In accordance with Resolution C061/10/00 | | |

Preamble

Consider a request to waiver the court fees for the Serpentine-Jarrahdale Basketball Association.

Background

Correspondence has been received from the Association requesting Council to consider waiving of their court fees as the club is forced to cover its members for public liability insurance and is proposing to make contributions to the court upgrade. An extract from their letter is provided below:

“For these activities to continue and attract the children we need to continually improve the facilities and provide the best possible opportunities that we can. With this in mind I ask you for your support and help to push the following ideas through council.

- ◆ *Relocate lights from Mundijong Tennis courts to the Mundijong basketball courts. As the tennis courts are no longer used at night this will free up \$4,000.00 we have budgeted for lights to be used on court resurfacing.*
- ◆ *Resurface courts. We have applied for community grants for \$12,000. The courts require recoating (see Robert Harris for full quote details) at a cost of \$8,000 per court, we will add another \$4,000 to complete two courts and ask the shire to cover the cost of the other two courts.*
- ◆ *With the policy of the shire not covering public liability at the courts, we are now forced to get our own policy at a cost of \$2,500 per annum. To help with this as well as help with the funding we propose to spend on upgrading the courts I ask for your support to waiver our court hire fees for the next five years.*

Comments

The Director Corporate Services has forwarded information to the Club in relation to providing public liability insurance to its members. In a meeting with Mr Lampitoc, Director of Asset Services and Director Corporate Services on 14th March 2001 the Club advised that they were seeking affiliation with the State Association and this would cover their liability. The Club will have to pass on a cost to member to affiliate. The Club has also been advised that as Council is not the Principal in organising its activities it could not be held responsible to cover its members for public liability, this matter is a point of law.

The current fees for use of the courts are \$150.70 per court per season plus lighting electricity costs, which amounts to \$602.80 per season for court hire. This equates to \$10.00 per week per court over the 15 weeks of the season. The 2000/2001 budget has committed \$4,500 to the netball/basketball court changerooms and \$1,000 towards court ground maintenance. Based on these costs it would seem that Council is already subsidising use of the facility.

Council will be supporting a CSRFF application to resurface two courts next financial year and may contribute up to \$10,000 of Municipal funds (subject to final approval by Council). It is noted that the Club will also be contributing to this application, and providing towards the provision of lighting of the courts. Exact funding for these projects are yet to be finalised and approved by Council.

Officers have also held discussions with Mr Lampitoc advising that Council would be supportive of a management agreement, subject to final approval, being established where the Club would become the caretakers of the facility.

Statutory Environment: No Statutory Environment

Policy Implications: No Policy Implications if no waiver is provided.

Financial Implications: No financial implication if no waiver provided. The Club currently pays \$602.80 for court fees.

Strategic Implications: No Strategic Implications

Community Consultation: No consultation required

Voting Requirements: Normal

Officer Recommended Resolution

The Serpentine-Jarrahdale Basketball Association be advised that as Council does contribute to the care and maintenance of the basketball courts and their fee is currently \$10.00 per court per week their request for Council to waiver their fee is not accepted.

CRC159 Council Decision/Committee/Officer Recommended Resolution

Moved Cr Richards seconded Cr Hicks

The Serpentine-Jarrahdale Basketball Association be advised that their request to waiver their fees is only accepted for the 2001 season as Council does contribute to the care and maintenance of the basketball courts and their fee is currently \$10.00 per court per week.

CARRIED 9/0

Note: Council feels they would like to give the Basketball Association additional encouragement to upgrade the courts.

| | | | |
|------------------------|---|-----------------|----------|
| C162/04/01 | WAMA VACANCY – MUNICIPAL LIABILITY/WORKCARE SELF INSURANCE SCHEMES BOARD OF MANAGEMENT (A0163-04) | | |
| Proponent | Western Australia Municipal Association | | |
| Officer | G.R. Dougall - Director Corporate Services | Date of Report | 03.04.01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee – In accordance with Resolution C061/10/00 | | |

Preamble

Consider nominations for four (4) vacancies.

Background

Four vacancies will exist for membership to the scheme boards at 30 June 2001. Three vacancies are four (4) year terms with one a two (2) year term.

Comments

A copy of the terms of reference provided by Western Australia Municipal Association is included with the attachments and marked C162/04/01. Applications close 16 May 2001 interest Councillors may nominate on meeting day.

Statutory Environment: No Statutory Environment

Policy Implications: No Policy Implications

Financial Implications: No Financial Implications

Strategic Implications: No Strategic Implications

Community Consultation: Community Consultation not required

Voting Requirements: Normal

Officer Recommended Resolution

The information relating to Western Australia Municipal Association vacancies for the Municipal Liability Workcare Self Insurance Schemes Board of Management be noted.

Committee/Officer Recommended Resolution

Information relating to the Western Australia Municipal Association vacancies for the Municipal Liability Workcare Self Insurance Scheme Board of Management be referred to the Ordinary Council Meeting to enable Councillors to nominate should they wish to.

CRC162 Council Decision

Moved Cr Rankin seconded Cr Richards

The information relating to Western Australia Municipal Association vacancies for the Municipal Liability Workcare Self Insurance Schemes Board of Management be noted.

CARRIED 9/0

| C163/04/01 RATES COLLECTION AND GENERAL DEBTORS POLICY | | (A0118) | |
|--|--|-----------------|----------|
| Proponent | | | |
| Officer | G.R. Dougall - Director Corporate Services | Date of Report | 03.04.01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Council | | |

Preamble

To review the collection of all outstanding monies.

Background

As the result of Council concern as to the size of the outstanding rate debtors and general debtor collection procedures it has been requested that a policy be drafted for dealing with these matters in a consistent manner.

Comments

The draft policy as provided below deals with general debtors and rate debtors. It provides for the issue of final notices, execution of summonses/warrants, provision of payment by instalments and providing of an interest charge.

The Local Government Act 1995 provides a limit on interest that may be charged for outstanding rates. The Act is silent in providing provisions for charging interest on general debtors.

For consistency Council could set the interest charge on general debtors with the setting of interest for rates with each annual budget. It would also be appropriate to keep these charges identical. The current interest charge applied for rates is 11% per annum. It is therefore suggested that Council impose an interest charge of 11% for general debtors. Invoices will be modified to reflect the new Council policy and advise debtors that interest will be charged for outstanding debts.

The timing to apply the interest for debtors is difficult to determine. Council should be mindful that local groups may require committees to sign-off on payments. This may require longer than 30 days to occur. As a substantial number of general debtors would be for local community groups the timing may need to be reviewed. It is considered appropriate to set 30 days in the first instance.

Provided below is the draft policy.

To provide policy procedure, direction and guidance in collecting all rates and administering general debtors.

Policy Statement

1. A copy of the rate assessment marked “Final Notice” shall be issued fifty (50) days after issue of the original assessment, allowing 14 (fourteen) days for payment of the account.
2. A letter advising of impending legal action for recovery of outstanding rates shall be issued seventy (70) days after issue of the original assessment, allowing seven (7) days for payment.
3. Outstanding rate accounts for which satisfactory arrangements to pay have not been made within ninety (90) days after issue of the original assessment.
4. Rates remaining unpaid shall be recovered by the issue of a Warrant of Execution through the Local Court.
5. Rates remaining unrecoverable after legal action a caveat will be lodged.
6. Back Rating of Properties:
 - a) That on provision of a valuation from the Valuer General’s Office indicating that a previously incorrect valuation has been applied, (either under valued or over valued) that Council’s Rates Officer shall forward a refund or adjusted assessment calculated to the date the valuation was effective, within the limitations of the *Local Government Act 1995*.
 - b) That where a property settlement has occurred, back rates raised in 1(a) shall only be backdated to the date of settlement, thus not effective on the previous owners.
7. Interim valuations shall only be applied where additional levies of at least \$10.00 result in the year in which the new valuation takes effect. Where additional levies of less than \$10.00 would otherwise result, the interim valuation is to be applied from 1 July in the next financial year.
8. Ratepayers subjected to back rates are to be given the option to pay the same by instalments over an extended period.

Delegated Authority – Rate Collection

- a) The Chief Executive Officer may vary Rates Collection procedure dependent upon the prevailing economic situation.
- b) The Chief Executive Officer is given delegated authority to make arrangements with ratepayers wishing to make application for alternative instalment arrangements and extensions which will be completed within the current financial year.
- c) The Chief Executive Officer has delegated authority to allow extended instalment arrangements, which will be finalised outside the current financial year.

Sundry Debtors

- a) Whenever practical, prepayment be sought for works, services and facilities. The estimated cost may form the basis of prepayment.
- b) In all other cases invoices be forwarded within seven (7) days of the debt being incurred.
- c) If the account is outstanding beyond thirty (30) days, a reminder notice be forwarded requesting a payment within seven (7) days.

- d) Where the account remains outstanding after a further fourteen (14) days from reminder notice, a “Notice of Intended Legal Action” be forwarded.
- e) The Chief Executive Officer is granted delegated authority to proceed with legal action to recover debts overdue by 60 (sixty) days.
- f) A sundry debtor report be submitted monthly to the Corporate Services Committee.
- g) Interest on outstanding debtors will be set by Council with the adoption of the annual budget.

Exemption Policy

- a) Rating exemptions will be provided only in accordance with Section 6.26 of the *Local Government Act 1995*.
- b) Exemptions will be granted from 1 July of the financial year in which applications is received or from the relevant date eg settlement or lease where applicable. Exemptions shall not be backdated into prior financial years.
- c) Exemptions granted in accordance with Section 6.26 to be reviewed every two (2) years where practicable and the list submitted to Council on an informational basis.

Previous Year Write-Offs

1. The Chief Executive Officer be given delegated authority to approve previous year write-offs
 - ◆ up to \$150
 - ◆ where they occur due to error or oversight by Officersand a summary of these actions be presented to Council in a simplified schedule providing a brief description.
2. In all other situations a separate report is to be submitted to Council.

Instalment Options for Payment of Rates and Charges

In accordance with Section 6.45 (1) of the *Local Government Act 1995* the following instalment options will be offered for the payment of current rates and charges. All arrears must be paid with the first instalment for each option as follows:

- Option 1 – Pay in full within 35 days of the date of issue (ie by due date on original rate notice).
- Option 2 - Pay half within 35 days of date of issue (ie by due date on original notice) and the balance in approximately 3 months.
- Option 3 - Pay in 4 equal instalments with intervals of no less than 2 months and as specified within the Local Government Regulations.

After 35 days ratepayers forfeit the right to undertake the instalment options provided, however it will be at officers' discretion to place ratepayers on an instalment scheme should it be considered the best alternative.

Where options are provided with the final notice ratepayers must chose to undertake the instalment option by the due date on the final notice.

Note: Private arrangements may be made where necessary however both parties are to agree on the proposal, including any conditions imposed.

An administration fee and instalment interest will be imposed at the rate set within the budget each financial year.

Early payment – Should a ratepayer choose to undertake instalments and then clear their account within the original due date, then administration and interest costs will be reversed. Should full payment be received after this date, no adjustment will be made to the costs.

Statutory Environment: Local Government Act 1995

Policy Implications: New Policy

Financial Implications: There will be a requirement to purchase additional software modules to provide interest charges to general debtors. Other operational costs will be provided within the annual budget.

Strategic Implications: No Strategic Implications

Community Consultation: Community Consultation not required

Voting Requirements: Normal

Officer Recommended Resolution

1. The Rates Collection and General Debtors Policy as provided in this report be adopted.
2. An interest charge of 11% be applied to all outstanding general debtors overdue by more than 30 days effective 1 May 2001.

CRC163 Council Decision/Committee/Recommended Resolution

Moved Cr Price seconded Cr Hicks

1. The Rates Collection and General Debtors Policy as provided in this report be adopted.
2. An interest charge of 11% be applied to all outstanding general debtors overdue by more than 30 days following a 7 day notice period in writing effective 1 May 2001.

CARRIED 9/0

Note: The Committee was concerned that local organisations whose meetings occur monthly might have difficulty in meeting the 30 day limit.

| | | | |
|--|--|-----------------|----------|
| C169/04/01 SERPENTINE DAM TEA ROOMS (RS0141) | | | |
| Proponent | Water Corporation | | |
| Officer | Chief Executive Officer | Date of Report | 04-04-01 |
| Signatures | Author: | Senior Officer: | |
| Previously | A129, A155, A164, A183, C003/07/00, C024/08/00, C183/06/00, C059/10/00, C104/12/00 | | |
| Disclosure of Interest | | | |
| Delegation | Council | | |

Preamble

Consider the future operation of the Serpentine Dam Tea Rooms following advice from the Water Corporation that the proposed Serpentine Dam remedial works scheduled for 2001/2002 has been cut from the Water Corporation's budget.

Background

The Chief Executive Officer has been advised by Mr Keith Lynch, Project Manager, Water Corporation via facsimile dated 28 March 2001 the following;

"I have been advised today that the Serpentine Dam Remedial works project has been cut from the Corporation's Capital works program for 2001/2002.

Provided that funds are approved for 2002/2003, the revised project schedule is to commence major construction in Spring 2002, with the Tea Rooms and picnic facilities being closed for about six months until Autumn 2003.

The Corporation apologises for any inconvenience that this budget change may cause the Shire.

In particular, we wish to cooperate with the shire in varying lease arrangements for the Tea Rooms to try to maintain the operations during the deferred period, for both the benefit of the local tourism industry and the Tea Room operators.

It is unlikely the current operators would be aware of this deferral yet, so could you please notify them soon."

The Chief Executive Officer advised the Lessee's of this advice on the 29 March 2001, and met with the Lessee's at the Tea Rooms on the 4 April 2001 to discuss this advice received from the Water Corporation.

Comments

The Chief Executive Officer has contacted Mr Keith Lynch of the Water Corporation and expressed strongly the disappointment at the insensitive way in which their advice has been received.

Discussions with the Lessee on the 4 April 2001 confirmed that they have no intention of remaining and operating the Tea Rooms after their current lease expires. In fact the Lessee's have requested that Council;

- 1) Reconsider their decision of December 2000 not to purchase their plant and equipment at the Tea Rooms; and
- 2) Support an early release from their current lease.

The Lessee's have a number of personal matters which currently do and will continue to be requiring considerable time and support. The Lessee's advised also at the meeting, that due to their situation they have no desire to operate the Tea Rooms any longer.

The Lessee's have verbally advised the Chief Executive Officer that they are prepared to reconsider the purchase value of the plant and equipment.

In June 2000, via the following Council resolution, Council sought details on the Tea Rooms plant and equipment and its value (points 3 & 4) to assist any consideration of Council possibly purchasing it from the Lessee's.

1. *Council acknowledges and thanks the Boyd's for advising them of their decision to remain lessee of the Tea Rooms until the current lease expires in 2002.*
2. *Council agrees not to charge rent to the Boyd's under their current lease of the Serpentine Dam Tea Rooms from and including January 2000 to January 2002 on the understanding that the value of relief provided may form part of any compensations Council chooses to consider.*
3. *Council requests the Principal Building Surveyor to engage a licensed relevant plant and equipment valuer to undertake a sworn valuation of the equipment list provided by Mrs Boyd, and undertake an audit of Councils records of equipment it owns against the list of plant and equipment provided by Mrs Boyd to ensure that any of the equipment listed by Mrs Boyd does not already belong to Council.*
4. *That following the actioning of the above the Chief Executive Officer report back to Council with a position for Council to consider in regard to the purchase of the plant and equipment from the Boyd's.*
5. *That the Chief Executive Officer clarifies the position of the liquor licence.*

In relation to points 3 & 4 of the June 2000 decision the Chief Executive Officer advised Council in December 2000 the following;

It is clear that the Boyd's valuation (\$69,450) and that of Ross's Auctioneers and Valuers (\$14,660) for the same equipment are significantly different. It is also considered reasonable to assume that the Boyd's would not accept \$14,660 for the equipment now, and it would be highly unlikely they would accept a lesser amount, which may in fact be the case as the equipment depreciates in value further over time.

In December 2000 Council resolved to advise the Lessee's the following in relation to it purchasing the plant and equipment;

1. *Council advises the Mr & Mrs Boyd that the valuation as agreed has now been undertaken, and that the list is provided, including estimated auction values for their information.*
2. *Council advises the Boyd's that they may be better served privately selling the plant and equipment over the time remaining between now and the expiry of their lease.*

The Lessee's have now considered Council's response and advised verbally that they would be prepared to sell the plant and equipment to Council, "if Council offered a figure in the middle of what they feel the equipment is worth and what Ross's auctions have valued it".

Based on this Council would have to offer upto $(\$69,450 - \$14,660/50\% = \$27,395)$ \$27,395 to purchase the plant and equipment as listed on the valuation schedule dated 11 August 2000 by Ross's Sales and Auctions.

Given the change to the remedial works time frame at the Dam by the Water Corporation and the desires of the Lessee's to move on from the current lease arrangement, it may be appropriate for Council to reconsider the operation of the Tea Rooms.

Effectively, the deferment of works now means that the Tea Rooms could remain open for further two years (at a minimum) from now. If Council was prepared to release the Lessee's

from their current lease and accept the Water Corporations offer to “cooperate with the Shire in varying the lease arrangement”, Council could purchase the plant and equipment and seek to lease the premises as a going concern for a further two years.

It would be reasonable to assume that the current estimated auction value of the plant equipment as determined by Ross’s Sales and Auctions on the 11 August 2000 was the minimum value of the equipment at that time. To reduce any risk associated with the purchase of the plant and equipment, Council should, as a minimum, seek to recover any purchase costs negotiated with the Lessee’s in excess of the estimated auction valuation figure of \$14,660 over the period that the Tea Rooms can be re-leased.

Therefore as a guide and based on the current facts the following may be applied;

| | |
|---|----------|
| Maximum purchase price from the Lessee’s for plant an equipment | \$27,395 |
| Ross’s Estimated Auction Value | \$14,660 |
| Shortfall | \$12,735 |

Based the current lease arrangements being continued with the Water Corporation and therefore the Tea Rooms remaining operational for upto a further 24 months from now at least, Council could recover the shortfall of \$12,735 in this period by leasing the Tea Rooms as a going concern for approximately \$530 per month.

This option does not only enable Council to recover costs associated with the purchase of the plant and equipment, but also enable a very popular tourist facility to continue to operate in the Shire.

If Council supports this option, Council should consider making it a condition of the Lessee’s being released from their existing lease that it is subject to;

- a) Council re-leasing the Tea Rooms or their lease with Council expiring, whichever comes first.
- b) Further more, it would be reasonable to request the Lessee’s provide a “hand over period” to any future lessee, if the premises can be released prior to the Lessee’s current lease expiring.

The Chief Executive Officer tabled comments provided by Cr Buttfield received by facsimile prior to the meeting. These comments can be found in file RS0141 and marked tabled document item C169/04/01.

Statutory Environment:

Will require varying the current lease arrangement with the Water Corporation and the Shire of Serpentine-Jarrahdale.

Local Government act 1995

Policy Implications:

No Policy Implications are known

Financial Implications:

Potential purchase cost of up to \$27,395 for plant and equipment. Council has \$26,158.98 (March 2001 Interest on Investments C/S Ctee) in the Serpentine Dam Tea Room Reserve Account.

Cost of adverting and preparation of new lease documentation.

Strategic Implications:

Key Result Area 3 – Economic Development lists 5 Strategies. Strategy 3.2, 3.4 and 3.5 apply to this situation.

- 3.2 – Develop the tourist potential of the natural attractions of the Shire.
- 3.4 – Create a new economic future for Jarrahdale.
- 3.5 – Support the development of an enterprise culture.

Community Consultation:

It may be appropriate if the following recommendation is adopted by Council, and subject to satisfactory negotiations that Council advertise its intentions prior to making a final decision.

Voting Requirements:

Normal

Officer Recommended Resolution

1. Council agrees to consider the early release of the Lessee's from their current lease of the Serpentine Dam Tea Rooms subject to the Chief Executive Officer negotiating the following conditions (a, b and c below);
 - a) Council is able to negotiate a suitable lease extension with the Water Corporation.
 - b) Council is able to negotiate a reasonable purchase price, not exceeding \$27,395 for the plant and equipment in good working order that is associated with the Tea Rooms from the Lessee's.
 - c) The current Lessee's be released from the existing agreement before the expiration of the lease subject to a new lease agreement being entered into with another party and agreement to a "handover period" to any future leases.
2. Following successful negotiations, the proposal be advertised for public comment for seven (7) days prior to the matter being referred back to Council to be finalised. If negotiations are not successful the matter can be referred straight back to Council.
3. The Water Corporation be advised that Council is negotiating with the Lessee's subject to the above, and intends to accept their invitation to discuss and vary the existing lease arrangements, subject to the only change being an extension of the lease period, and all other conditions and costs remaining unchanged.

CRC169 Council Decision/Committee/Recommended Resolution

Moved Cr Price seconded Cr Hicks

1. Council agrees to consider the early release of the Lessee's from their current lease of the Serpentine Dam Tea Rooms subject to the Chief Executive Officer negotiating the following conditions (a, b and c below);
 - a) Council is able to negotiate a suitable lease extension with the Water Corporation.
 - b) Council is able to negotiate a reasonable purchase price, not exceeding \$27,395 for the plant and equipment in good working order that is associated with the Tea Rooms from the Lessee's, less 50% current rent relief Council have provided as per Council decision C183/06/00.
 - c) The current Lessee's be released from the existing agreement before the expiration of the lease subject to a new lease agreement being entered into with another party and agreement to a "handover period" to any future leases.
2. Following successful negotiations, the proposal be advertised for public comment for seven (7) days prior to the matter being referred back to Council to be finalised. If negotiations are not successful the matter can be referred straight back to Council.
3. The Water Corporation be advised that Council is negotiating with the Lessee's subject to the above, and intends to accept their invitation to discuss and vary the existing lease arrangements, subject to the only change being an extension of the lease period, and all other conditions and costs remaining unchanged.

CARRIED 9/0

Note: The changes are in line with Council's Decision C183/06/00.

7.2 Asset Services – 9th April, 2001

Council Decision

Moved Cr Kirkpatrick seconded Cr Rankin
The minutes of the Asset Services Committee Meeting held on 9th April, 2001 be received.
CARRIED 9/0

Note: All items under this committee were dealt with Under Delegation – see Section 10.2 for item details.

7.3 Community & Recreation Development Meeting – 9th April, 2001

Council Decision

Moved Cr Richards seconded Cr Needham
The minutes of the Community & Recreation Development Committee Meeting held on 9th April, 2001 be received.
CARRIED 9/0

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| CRD35/04/01 PROPOSED BYFORD SPORT, LEISURE & RECREATION CENTRE (A0195 & P00420) | | | |
| Proponent | YMCA | | |
| Officer | David Price - Chief Executive Officer | Date of Report | 2.04.01 |
| Signatures | Author: Senior Officer: | | |
| Previously | P228/04/99; P252/04/99; P276/06/99; R02/09/99, SM007/11/00 | | |
| Disclosure of Interest | | | |
| Delegation | Council | | |

Preamble

Presentation back to Community and Recreation Development Committee by YMCA of Stage 1 “Consultancy – Design/Operate and Maintenance” to progress the development of the Byford Sport and Leisure Recreation Centre

Background

SM007/11/00 Council Decision/Committee/Officer Recommended Resolution required the following outcomes by the YMCA:

- 1 *Undertake Stage 1 “Consultancy – Design/Operate and Maintenance” with the funds allocated to CEO529 in the 2000/2001 budget to enable Council to obtain budget indications for 2001/2002 to consider Stage 2 “Consultancy – Project Management/ Design and Construct.”*
- 2 The YMCA and Council agree to consider partnership opportunities available under Stage 3 “Joint Funding Proposal” to progress the development of the Byford Sport and Leisure Recreation Centre and report back to Council as part of the work to be undertaken in Stage 1 “Consultancy – Design/Operate and Maintenance”.

Stage 1 - Consultancy – Design/Operate and Maintenance

- 1 Provide a series of models and permutations that identify various annual operational costs under each design option.
- 2 Provide management and funding options for the operation and maintenance of the facility.
- 3 In conjunction with our architects, develop a preferred concept plan of a facility that meets the wishes of the Shire and the needs of the community.

Comments

Council was advised that the YMCA would provide a report to them in April 2001 reflecting the work agreed above in Stage 1.

The YMCA have produced a report which:

- (a) Reviews the costs associated with the proposed Byford Recreation facility as prepared by the Byford Sport and Recreation Committee and consultant, Mr George Vassiliou.
- (b) Identifies and reviews costs associated with the operation of various recreation facilities around Australia with similar demographic projections and features to the Shire of Serpentine-Jarrahdale.
- (c) Provides a recommendation report based on the findings of (a) and (b) above. This report recommends that Council builds a facility, which is staged, and development of each stage is “triggered” by population milestones. ***A copy of the final recommendation report is with the attachments marked CRD35/04/01.1 for Councillors information.***

In summary the YMCA has recommended the following facilities to the Shire of Serpentine-Jarrahdale based on population milestones:

Population 10,500

BYFORD RECREATION CENTRE: BRIGGS PARK MODEL C (YMCA APRIL 2001)

The facility is wholly integrated as a single structure. The facility consists of a stadium, health and fitness club, function/program component, a youth/extreme sports component, a childcare component, a retail component, a cafe/sports bar plus management/administration and ablution/change areas.

Stadium Component

2 courts over a 40m x 40m with multi-sport markings
Staggered height bleachers for spectators that run the length of one side of the stadium

Health and Fitness Club

350m gymnasium with cardio theatre
Separate 300m fitness room with a sprung floor
Separate reception, appraisal and lifestyle areas
Lifestyle area to cater for solaria, float tanks and hydro spas

Function/Program Component

Total area 700m (150m² for the stage and 100m² for the practice room) separated by by-fold/accordion door
Section 1 to include raised stage, dance floor and bar (consideration given to integrating with potential grandstand)
Section 2 to feature a multi function program area
Practice room located at the stage end of the function room

An Extreme Sports area covering 800m²

Fitted out with climbing walls, ramps, bowls and similar inclusions
Half the fit-out to be transportable to allow the set up of a 20m x 10m junior sports court

An indoor outdoor childcare area at 75m² indoors and 150m² outdoors

Fit out with play equipment

2 Retail offices at 40m² each

A cafe with sports bar and seating at 120m²

A commercial kitchen at 40m²

Administration area with a separate managers office at 80 m²

An entrance/reception area at 120 m²

An approximate total floor area of 4065 m².

Population 21,000

BYFORD RECREATION CENTRE: BRIGGS PARK MODEL B (YMCA MARCH 2001)

The facility is wholly integrated as a single structure. The facility consists of an indoor wet component, stadium, health and fitness club, function/program component, a youth/extreme sports component, a childcare component, a retail component, a wet/dry cafe – sports bar plus management/administration and ablution/change areas.

Indoor Wet Component

3 x separate pools utilising a high rate pressure filtration system

1 x leisure pool with the following specifications:

- Beach entry with play equipment
- 10m x 8m leisure free form area with dual slides
- Heated to 29 - 30 degrees from a common gas boiler using and sharing a heat exchange unit with the 25m pool
- Leisure area depth 0.0m to 0.45m

1 x Hydro pool with the following specifications:

- 10m x 14m program area
- Program area depth 0.6m to 1.4m (consideration to be given to an adjustable floor)
- Heated to 33-34 degrees from a common gas boiler using an individual heat exchange unit

1 x 25m pool with the following specifications:

- 20m wide consisting of 8 lanes
- Depth ranging from 0.9m to 1.2m
- Heated to 27-28 degrees from a common gas boiler sharing a heat exchange unit with the leisure pool
- 8 removable starting blocks

Stadium Component

2 courts over a 40m x 40m with multi-sport markings.
Staggered height bleachers for spectators that run the length of one side of the stadium

Health and Fitness Club

350m gymnasium with cardio theatre
Separate 300m fitness room with a sprung floor
Separate reception, appraisal and lifestyle areas.
Lifestyle area to cater for solaria, float tanks and hydro spas

Function/Program Component

Total area 700m (150m² for the stage and 100m² for the practice room) separated by by-fold/accordion door
Section 1 to include raised stage, dance floor and bar (consideration given to integrating with potential grandstand)
Section 2 to feature a multi function program area
Practice room located at the stage end of the function room

An Extreme Sports area covering 800m²

Fitted out with climbing walls, ramps, bowls and similar inclusions
Half the fit-out to be transportable to allow the set up of a 20m x 10m junior sports court

An indoor - outdoor childcare area at 75m² indoors and 150m² outdoors

Fit out with play equipment

A wet/dry area cafe with sports bar and seating at 200m²

A commercial kitchen at 40m²

2 Retail offices at 40m² each

Administration area with a separate managers office at 80 m²

An entrance/reception area at 120 m²

An approximate total floor area of 4856.5 m².

Based on the recommended floor area (4,065m²) for model "C", Councils Principal Building Surveyor has estimated the cost of building the first stage of the facility at \$3,350,000 based on an industry cost per square metre for similar facilities. This, however, excludes fit out and equipment costs. **A copy of these costs is with the attachments marked CRD35/04/01.2.**

The recommended facility is estimated to have a 97% expense recovery based on the current catchment population of the Shire of Serpentine-Jarrahdale of 10,500. **The Key and Working Indicators are with the attachments marked CRD35/04/01.3.** This equates to an annual loss of just under \$25,000 but does not include a facility management fee. The YMCA has advised in their report that a reasonable facility management fee of \$25,000 per annum should be taken into consideration when budgeting for the operation of this facility if a private operator was appointed to manage the facility.

Council may also save significant costs if the project management of the construction of the facility was undertaken "in-house". This is an option that should be given serious consideration by Council based on the savings obtained with the recent library extension works.

Representatives of the YMCA will provide a Power Point presentation and identify the key findings and supporting justifications to the final recommendation/s.

The presentation will reflect a summary of what has been undertaken by the YMCA in this consultancy:

- 1 Researched the most efficient Recreation Centres by groupings (size/components included etc).
- 2 Researched the most efficient grouping and assessed performance of similar catchment populations to Serpentine Jarrahdale.
- 3 Discuss preferred concept/specifications of the plan developed by the consultant engaged by Council and overseen by the Byford Sport and Recreation Committee. This will include a “ground up” generated operating budget and benchmarked results.
- 4 Provide comment on this concept.
- 5 Research previous Serpentine-Jarrahdale Sport and Recreation reports and YMCA National Best Practice to provide recommended model for Serpentine-Jarrahdale's proposed Recreation Centre.
- 6 A “ground up” operating budget that has been generated for this model along with basic market research of potential competition will then also be presented. This model has been reproduced with four catchment population increments so that Council can determine “trigger points” for future expansion of the facility.
- 7 Provide comment on funding and management options.

Council's draft 2001-2004 Principal Activities Plan (PAP) has identified the following capital and operating expenditures for this facility:

2001/2002 PAP - \$150,000

- (a) \$20,000 Community consultation
- (b) \$130,000 Preparation of drawings

2002/2003 PAP - \$4,000,000

Construction and project management cost
Estimated cost excluding fit-out and equipment \$3,350,000

2003/2004 PAP - \$50,000

Operating costs – YMCA Report <\$25,000
It should be noted that this fee might be significantly higher in Year 1 as the facility starts up.

2004/2005 PAP - \$50,000

Operating costs – YMCA Report <\$25,000

Statutory Environment: Local Government Act 1995

Policy Implications: Nil

Financial Implications: Refer to Officer comments

Strategic Implications: Council has projected the commencement of the Byford Recreation Facility in the 2000-2004 Financial Plan of Principal Activities for 2001/2002. This is reflected also in the draft 2001-2005 Principal Activities Plan that has been out for public comment.

The 2001-2005 Strategic Plan “Key Result Area” 1 – People and Community

Strategy 1.1 “Establish a strategy for community facilities and needs as population milestones are met”

Community Consultation:

The draft 2001-2005 Principal Activities Plan provides funds to have the model Council endorses presented for public comment, working drawings completed, facility constructed and operated.

Voting Requirements:

Normal

Officer Recommended Resolution

Council adopts the following recommendations following consideration of the final report presented by the YMCA:

- 1 That the facility be progressed in two stages. Stage 1 - BYFORD RECREATION CENTRE: BRIGGS PARK MODEL C (YMCA APRIL 2001) being the dry components in 2002/2003 as per the draft 2001-2005 Principal Activities Plan, and Stage 2 being the inclusion of wet components, at a later time taking into account the YMCA March 2001 recommendations.
- 2 That the BYFORD RECREATION CENTRE: BRIGGS PARK MODEL B (YMCA MARCH 2001) is adopted as the Stage 1 and Stage 2 “preferred” concept plan for the Shire’s primary indoor recreation facility.
- 3 Subject to 2001/2002 budget funding and Council’s purchasing guidelines, the YMCA be requested to provide a quotation to undertake the appointment of preferred architects to prepare a concept design. The concept design is to reflect the Shire’s primary indoor recreation facility (MODEL B), but to be developed in two stages being Stage 1 MODEL C (2002/2003) and Stage 2 (Future Years). The concept plan is to be presented back to Council for endorsement prior to seeking public comment, and any minor amendments to it following Council and public consultation are also required to taken into consideration by the appointed architects.
- 4 Following a public consultation process, comments are to be referred back to Council for consideration with a report presented to Council seeking approval of the final concept design.
- 5 Following Council’s approval of the final concept design, tenders for the preparation of construction drawings are to be called. Council also agrees as part of this process to consider commissioning, or specifying in the contract documentation for the construction drawings, “the YMCA to critique the construction drawings in reference to management operations”.
- 6 Subject to 2001/2002 budget, Council requests a quotation from the YMCA to prepare a funding plan for Stage 1 of the project.
- 7 Subject to 2001/2002 budget approval, Council delegates authority to the Chief Executive Officer to appoint appropriate consultants associated with recommendations 3 and 6 above.

Mr Peter Bauchop and Mr Kirk Kitchin gave a Power Point presentation highlighting the main features of the YMCA report.

CRCRD35 Council Decision/Committee Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Rankin that Council adopts the following recommendations following consideration of the final report presented by the YMCA:

- 1 That the facility be progressed in two stages. Stage 1 - BYFORD RECREATION CENTRE: BRIGGS PARK MODEL C (YMCA APRIL 2001) being the dry components in 2002/2003 as per the draft 2001-2005 Principal Activities Plan, and Stage 2 being the inclusion of wet components, at a later time taking into account the YMCA March 2001 recommendations.
- 2 That the BYFORD RECREATION CENTRE: BRIGGS PARK MODEL B (YMCA MARCH 2001) is adopted as the Stage 1 and Stage 2 “preferred” concept plan for the Shire’s primary indoor recreation facility.
- 3 Subject to 2001/2002 budget funding and Council’s purchasing guidelines, the YMCA be requested to provide a quotation to undertake the appointment of preferred architects to prepare a concept design. The concept design is to reflect the Shire’s primary indoor recreation facility (MODEL B), but to be developed in two stages being Stage 1 MODEL C (2002/2003) and Stage 2 (Future Years). The concept plan is to be presented back to Council for endorsement prior to seeking public comment, and any minor amendments to it following Council and public consultation are also required to taken into consideration by the appointed architects.
- 4 Following a public consultation process, comments are to be referred back to Council for consideration with a report presented to Council seeking approval of the final concept design.
- 5 Following Council’s approval of the final concept design, tenders for the preparation of construction drawings, reflecting optimum energy efficiency and sustainability principles, are to be called. Council also agrees as part of this process to consider commissioning, or specifying in the contract documentation for the construction drawings, “the YMCA to critique the construction drawings in reference to management operations”.
- 6 Subject to 2001/2002 budget, Council requests a quotation from the YMCA to prepare a funding plan for Stage 1 of the project.
- 7 Subject to 2001/2002 budget approval, Council delegates authority to the Chief Executive Officer to appoint appropriate consultants associated with recommendations 3 and 6 above.
- 8 Mr Bauchop and Mr Kitchin of the YMCA be thanked for their presentation.

CARRIED 9/0

Cr Star commended the Chief Executive Officer for the work that he has put into this project.

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| CRD37/04/01 CENTENARY OF FEDERATION CELEBRATIONS – MUNDIJONG (A0167) | | | |
| Proponent | Committee | | |
| Officer | | Date of Report | 09.04.01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Council | | |

Comments

The Committee wishes to place on record their appreciation for the hard work done by the Community Development Officer in organising the Centenary of Federation Celebration in Mundijong on 8 April 2001. It is recognised that the amount of effort put in was over and above what can reasonably be expected of Officers and the success of the day reflected this commitment.

Very positive feedback was received from people attending – in particular they appreciated that there was no charge for the event and light refreshments were free. The excellent organisation of the art exhibition was also commented on with one individual being surprised that this was the first such exhibition to be held in the Shire.

CRCRD37 Council Decision/Committee Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Rankin that the Community Development Officer be thanked for her outstanding contribution to the success of the Mundijong Centenary of Federation Celebrations.

CARRIED 9/0

7.4 Strategic Management Committee Meeting – 17th April, 2001

Council Decision

Moved Cr Buttfield seconded Cr Price
The minutes of the Strategic Management Committee Meeting held on 17th April, 2001 be received.
CARRIED 9/0

Cr Rankin left the meeting at 7.27pm.

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| SM042/04/01 POSSIBLE LEGAL ACTION - SHIRE OF SERPENTINE-JARRAHDAL AND VAN RONGEN & LONGALINE PTY LTD (A0686-04) | | | |
| Proponent | Edwards Wallace – Lawyers | | |
| Officer | David Price - Chief Executive Officer | Date of Report | 5/4/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | C070/10/00 | | |
| Disclosure of Interest | Cr Rankin, declared an interest as she gets paid on an occasion by the Examiner Cr Price - Mr Nield and myself are candidates for the Central Ward in the elections being conducted at the moment. Under the Code of Conduct relating to Disclosure of Interest that may affect impartiality – I declare that I believe my impartiality will not be affected when voting in this matter. | | |

Preamble

Advise Council of possible legal action by Van Rongen and Longaline Pty Ltd (The Weekend Examiner) against Council following Mrs Christine Nield engaging legal action against the Weekend Examiner.

The legal action relates to the statement by the “Shire of Serpentine-Jarrahdale to questions by Mr P and Mrs C Nield Lot 195 Boomerang Road, Oldbury relating to contamination and pollution issues” which was placed in the Examiner newspaper on 26 October 2000.

Background

Council resolution C070/10/00 included the following be undertaken in relation to this matter

Council advertise, as a Public Notice in a local newspaper this policy, including a supporting media release as to why the decision has been taken.

As a consequence of this advertisement, Mrs Nield has commenced legal proceedings against the Examiner Newspaper. On the 18 December 2000 the owner of the Examiner met with the Chief Executive Officer and Councils solicitor, Mr Dennis McLeod of McLeod and Co, who assisted in the preparation of the media release to discuss the matter.

Council’s solicitors advised the representatives of the Examiner Newspaper that Council would not actively become involved, however we were prepared to consider assisting where requested only.

Comments

Since the meeting of 18 December 2000, the Examiner Newspaper has now engaged legal representation – Edwards Wallace Lawyers. Edwards Wallace Lawyers has now sought to implicate Council in the matter.

Edwards Wallace advised Council the following on the 15 March 2001 in relation to the advert placed by Council in the Examiner on the 26 October 2000;

“The advertisement was placed by the Shire pursuant to our clients’ advertising conditions”.

The Chief Executive Officer referred the matter to McLeod and Co and Councils insurers. Council insurers have now referred the matter to Phillips Fox Lawyers who will be representing Council on the matter if the matter develops further.

Further correspondence was received from Edwards Wallace on the 30 March 2001 requesting a response to their original letter of 15 March 2001.

Phillips Fox advised the following on the 3 April 2001;

I refer to Edward Wallace’s letter to you of 30 March 2001.

Please ignore this correspondence. We have been in contact with Edwards Wallace and are discussing this claim on both yours and your insurer’s behalf.

| | |
|---------------------------------------|--|
| <u>Statutory Environment:</u> | Possible legal action. |
| <u>Policy Implications:</u> | Nil |
| <u>Financial Implications:</u> | Costs are not yet known, or able to be identified. |
| <u>Strategic Implications:</u> | Not applicable |
| <u>Community Consultation:</u> | Not applicable |
| <u>Voting Requirements:</u> | Normal |

Officer Recommended Resolution

Council notes the information report on this matter in relation to the advertising statement by the “Shire of Serpentine-Jarrahdale to questions by Mr P and Mrs C Nield Lot 195 Boomerang Road, Oldbury relating to contamination and pollution issues” which was placed in the Examiner newspaper on 26 October 2000.

Committee Recommended Resolution

1. Council notes the information report on this matter in relation to the advertising statement by the “Shire of Serpentine-Jarrahdale to questions by Mr P and Mrs C Nield Lot 195 Boomerang Road, Oldbury relating to contamination and pollution issues” which was placed in the Examiner newspaper on 26 October 2000.
2. Council advises Phillips Fox to keep Council informed at all times and that no acceptance of liability is to be made without reference to this Council.
3. A copy of the Phillips Fox correspondence of 3 April 2001 be passed to McLeod and Co.

CRSM042 Council Decision

Moved Cr Buttfield seconded Cr Townsend

1. Council notes the information report on this matter in relation to the advertising statement by the “Shire of Serpentine-Jarrahdale to questions by Mr P and Mrs C Nield Lot 195 Boomerang Road, Oldbury relating to contamination and pollution issues” which was placed in the Examiner newspaper on 26 October 2000.
2. Council advises Phillips Fox to keep Council informed at all times and that no acceptance of liability is to be made without reference to this Council.
3. A copy of the Phillips Fox correspondence of 3 April 2001 and this decision be passed to McLeod and Co.

CARRIED 8/0

Cr Rankin returned at 7.30pm

| | | | |
|--|---|-----------------|----------|
| SM043/04/01 COMMUNITY CONSULTATION - PUBLIC RELATIONS STRATEGY (A0033) | | | |
| Proponent | Community Consultation-Public Relations Working Group | | |
| Officer | D.E Price – Chief Executive Officer | Date of Report | 09-04-01 |
| Signatures | Author: | Senior Officer: | |
| Previously | C047/09/00, SM037/03/01 | | |
| Disclosure of Interest | | | |
| Delegation | Council | | |

Preamble

Appoint consultant to develop the Shire of Serpentine-Jarrahdale’s Communication and Marketing Strategy.

Background

Council resolved the following in September 2000 (CRC047):

Council nominates Cr C Rankin, Cr D Buttfield, Cr J Star and Cr J Price to join a working group with the Chief Executive Officer and Executive Manager Corporate Services to investigate various possibilities to develop a Public Relations Strategy for the Shire of Serpentine-Jarrahdale.

The working group has developed a “draft” Communication and Marketing Strategy, which has been presented to several consultants for consideration.

Each consultant approached has presented back to the working group a number of proposals on how the draft document can be enhanced and implemented.

The working group has a preference to source a local consultant, which is in line with Council policy CSP2 “Buy Local”.

Esther Price Promotions (EPP) is a “Marketing & Communications Strategies, Project Management and Events Co-Ordination” consultancy based in Serpentine.

The principal consultant, Esther Price, has an extensive network of industry contacts spanning all sectors, which is used to maximum advantage in the coordination of events and the design and implementation of marketing programs.

Esther has a background in media and maintains close connections with all forms of media - a significant factor in being able to achieve the desired level of profile for EPP clients.

EPP has a reputation for establishing researched marketing strategies that successfully create excellent product or event profile.

EPP events have a reputation for their attractive presentation and programming, their high profile and delegate numbers, ability to attract strong sponsorship and a commitment to attaining budget targets and time deadlines.

The implementation of these strategies calls for skills that range from budgeting, communication, juggling multiple contracts and working to tight time deadlines. Individual tasks within this sphere include production of brochures, press advertisements, press releases, the design and lodgement of sponsorship requests, the development and maintenance of websites and much more, as is demanded by the individual nature of each client.

The Team at EPP

| | |
|----------------------|--|
| Esther Price | Director & Project Manager |
| Casey Stonham | Administration & Media Management |
| Donna Sykes | Research & Development/Monitoring & Evaluation; Project budgeting |
| Di Rowling-Wordcraft | Graphic Design and Copywriting |

Comments

The working group considers the following proposal from Esther Price Promotions acceptable and make these recommendations to the Strategic Management Committee and Council.

Stage 1.

Refine the working paper to achieve formal adoption of Strategy

- Workshop with committee to identify the desired outcomes/key community and council changes that should result from successful implementation of strategy
- Provide detailed examples of how this strategy in its entirety works.
- Analyse existing survey/community feedback as it relates to the existing strategy
- Make recommendation to Council in regard to the need for further community survey.
- Based on those recommendations and Council acceptance of those recommendations, possibly develop and implement further survey material
- Refine strategy and provide a detailed work plan for each proposed strategy.
- Seek formal endorsement.

Stage 2.

Manage the development of a complete style guide.

- Development of Shire logo/slogan and associated up-date of the complete range of all stationery and printed mediums.

Stock-take of all SJ Shire branding opportunities – building signage, cars, shop front, general signage/display boards, plus full stationery range and print and electronic media.

Brief graphic artist and develop logo concepts, working from the watermark that is already in existence.

Consult as necessary to develop slogan alternatives to support logo – commensurate with the desired image/perception of the region

Presentation to Shire of logo samples and slogan examples for discussion/approval. Make changes as required.

Research, development, consultation for the creation of Shire style guide – as it relates to all forms of communication opportunities, including development of implementation plan

Budget for the implementation of all branding opportunities, according to the needs of the signage/logo stock-take

Printing/Sign-writing as required. *(Price to be quoted once stock-take of signage/re-branding needs is completed: That is, quantities of stationery).*

Stage 3.

Creation of the “Welcome Business Pack”.

- Copy writing for folder and associated loose leaf inserts

Research/stock take of existing information, development of concepts and copy for both folder and inserts (Based on a 6-face full colour folder and 9 loose-leaf A4 inserts in two colour)

Meeting with Shire to present draft copy of the Welcome Business Pack, make changes as required.

- Seek appropriate photographs for use in folder (managed through a community photography competition).

Creation, implementation and management of community photographic competition, in order to source photographs for folder.

NOTE: not including prize money and the cost of advertising the competition

- Production of 5000 units (folders), plus 5000 x 9 two-colour loose-leaf inserts

The commencement date for the above proposal is May 1 with a completion date of 31 July 2001.

In relation to stage 3, Council resolved the following regarding a Council folder/brochure in March 2001;

- ◆ Council agrees to proceed with the appointment of a consultant to design and produce a folder and inserts focusing on economic development and promoting the Shire within the available 2000/2001 budgeted funds included in Community Consultation and Economic Development
- ◆ Council agrees to consider in the 2001/2002 the inclusion of \$8 500 to develop and print inserts promoting the Shire to potential new residents for insertion into the Shire folder.
- ◆ Council agrees that the working group currently in place is to consider a Public Relations Strategy for the Shire of Serpentine-Jarrahdale to project manage and authorise the consultant on all matters relating to the design and production of the folder and inserts.

The working group have also considered how is the most efficient and effective way to progress this decision and feel strongly that the development of such an information folder/brochure must reflect Council overall strategic approach to communications and marketing. Hence, it has been suggested that this would be undertaken at stage 3 of the proposal presented by the consultant.

Available Budget 2000-2001

Council has budgeted \$13 000 for Community Consultation (MOC525), which at this time is unspent.

A further review of funds expended against MOC 530 indicate that based on the current expenditure of \$7,250 (30/03/01), and the additional amount of \$3000 which is committed, this account should have approximately \$14,000 available, which is \$5,000 more than suggested in March 2001

Therefore in accordance with Councils decision of September 2000;

Whereby a working group was formed to “investigate various possibilities to develop a Public Relations Strategy for the Shire of Serpentine-Jarrahdale.

The working group recommends that the Chief Executive Officer be given delegated authority to appoint a suitable consultant to undertake stage 1, 2 and 3 as outlined in this item. The working group has a preference for a local consultant as mentioned earlier in this item, however would like to discuss further with Esther Price Promotions the approach suggested for stage 2 with a view to streamlining it.

The working group also suggest that the appointed consultant liaise with them throughout, the development of a Public Relations Strategy for the Shire of Serpentine-Jarrahdale.

Statutory Environment: Expressions of interest have been sought in accordance with Council’s Purchase of Goods and Services “guidelines”.

Policy Implications: In accordance with CSP2 “Buy Local”

Financial Implications: Council has included \$13,000 in the 2000-2001 budget for Community Consultation.

Revised funds available for Economic Development
Available funds in MOC 530 - \$14,000

Strategic Implications: Councils 2000-2004 Strategic Plan states the following;

1. People and Community

1.5 – Strengthen community groups and promote meaningful input into Council decision.

Community Consultation: Not required as part of this specific item, but may need to be considered as part of the process.

Voting Requirements: Normal

CRSM043 Council Decision/Committee/Officer Recommended Resolution

Moved Cr Price, seconded Cr Needham that

1. The Chief Executive Officer is given delegated authority to negotiate with and appoint a suitable Communication and Marketing consultant within budget constraints, subject to;
 - a) The working group investigating the need for/extent of changes in each stage and discussing/clarifying any of these further with the consultant/s.
 - b) The possible development of information brochures for new residents are considered as part of the overall consultancy/project.
2. The appointed consultant will liaise with the working group throughout, the development of a Communication and Marketing Strategy for the Shire of Serpentine-Jarrahdale.

CARRIED 9/0

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|---|-------------------------------------|-----------------|---------|
| SM044/04/01 DRAFT LOCAL PLANNING POLICY NO. 1 – BONDS AND BANK GUARANTEES (A0891) | | | |
| Proponent | Shire of Serpentine-Jarrahdale | | |
| Officer | Jocelyn Cockbain – Planning Officer | Date of Report | 23/3/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Council | | |

Preamble

Council is to consider a Local Planning Policy for Bonds and Bank Guarantees.

Background

Part 9 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No.2 sets out provisions for the preparation and adoption of Local Planning Policies. Clause 9.1.1 states:

“The Council may prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme Area so as to apply:-

- a) *generally or for a particular class or classes or matters and;*
- b) *throughout the Scheme Area or in one or more parts of the Scheme Area;*

and may amend or add to or rescind a Policy so prepared.”

Clause 9.1.2 goes on further to state:

“A Local Planning Policy is not part of the Scheme and shall not bind the Council in respect of any application for planning approval but the Council shall have due regard to the

provisions of any Policy and the objectives which the Policy is designed to achieve before making its decision.”

Comments

The need for a policy for bond and bank guarantees has arisen as a result of the continuing pressure from developers to clear subdivisions without works being completed and to allow the officer's to have some guidance and justification for the requesting of bond and bank guarantees.

The policy has already undergone a vigorous internal consultation process involving the Development Control Unit, Executive Management Team, Management Review Committee and the Corporate Services Team.

The policy was also referred to McLeod and Co for comments and feedback from a legal perspective.

The draft policy is as follows:

DRAFT LOCAL PLANNING POLICY NO.1 – BONDS AND BANK GUARANTEES

Policy Objective

To outline circumstances whereby Council may elect to require bonds or bank guarantees to secure compliance with planning approvals, subdivision approvals, extractive industry licences, and the arrangements associated with the bond.

The Policy

Where Council issues planning approval and/or extractive industry licence approval, and that approval is acted upon, the developer is obligated to comply with the approved application, along with any attendant conditions.

As a general rule, the Council will utilise powers available under respective legislation to enforce terms of any approval. Notwithstanding those powers, the Council reserves the right to require, by way of condition of approval, a performance bond in order to ensure compliance with an approval, or for Council to undertake works if required to do so.

Criteria for Bonds/Bank Guarantees

The primary obligation is on the developer to do the works required by the relevant conditions. Circumstances that may warrant a bond include, but are not limited to where:

1. The developer demonstrates that special circumstances exist that justify an early clearance of a development of subdivision conditions in exchange for a bond or bank guarantee.
2. The Council believes it is in the interest of good governance of the district to accept a bond or bank guarantee in the circumstances.
3. Significant works where there is a doubt as to whether the enforcement powers of Council are sufficient to enable it to ensure compliance with the condition.
4. The failure to comply with a condition may detrimentally affect the public.
5. The condition requires work to be done on an item which involves an aspect of use by the public.
6. The condition requires expenditure on conservation or rehabilitation works, where non-compliance will detrimentally affect the public.
7. The condition requires expenditure on public land in proximity to the development site (eg tree planting) or on private land used by the public (eg landscaping), where non compliance will for amenity reasons detrimentally affect the public.

Administration

The terms of a performance bond are to be identified in each instance and applied as a condition of approval, along with explanatory footnotes as may be necessary. In each instance, the approval notice is to identify the following:

- A deed between the Developer and the Shire will be required, which deed shall provide for the implementation and administration of the security. In appropriate cases the Shire may require an absolute caveat to be lodged pursuant to the deed. This deed is to detail the following;
- the nature and extent of work being secured by the bond;
- the amount of the bond (to be closely related to the cost of the works being secured);
- form of security to be cash bond or suitable bank guarantee;
- whether Council will undertake works in the case of default leading to forfeiture of the bond, or whether the bond will be forfeited without Council undertaking the works and in that case how to apply the funds;
- arrangements in respect to power of entry onto private land where the Council intends to remedy non compliance by completing the work.

Any bank guarantees lodged with Council are to be irrevocable and unrestricted (until returned by the Shire); ie. an expiry date is not to be placed on the guarantee, and it may be called upon in whatever circumstances the Shire sees fit where a breach of undertaking by the Developer has occurred without the need to justify the decision to call upon the guarantee to the bank.

A bank guarantee will not be accepted unless the value of the works being secured is estimated to be \$5,000 or more. Security for any works estimated to be worth less than \$5,000 may be provided by way of cash bond.

A number of processes and checklists have been developed and will be included in the management system to ensure that the registration and release of bonds and bank guarantees is properly recorded and tracked. One step within the processes is the recalling of bonds/bank guarantees over a set period (eg 12 months) where the officer that requested the bond will check to see if the works have been carried out. If the works have not been carried out then that officer is responsible to 'call in' the bond/bank guarantee and have the outstanding works carried out. This will benefit the Council by having outstanding works carried out and completed.

It should also be noted from the draft policy that the developer must give good reason as to why works must be bonded/bank guaranteed. This will stop developers of subdivision asking for clearance before all the works have been carried out, unless they have a legitimate reason.

The adoption of the above policy will ensure that bonds and bank guarantees are dealt with in a more controlled manner in the future.

Once the draft has been adopted by Council, the Town Planning Scheme No.2 requires that the draft policy be advertised for 21 days inviting public comment. Once the advertising period closes a report will be put to Council with all the submissions reviewed and a recommendation for adoption with changes, adoption without changes or not to adopt. If Council chooses to adopt the policy a copy will be forward to the Western Australian Planning Commission.

Statutory Environment:

Shire of Serpentine-Jarrahdale Town Planning Scheme No.2

Policy Implications:

Development of a new policy dealing with bonds/bank guarantees

Financial Implications: Greater control on the acceptance and release of bonds and bank guarantees

Strategic Implications: Greater compliance with development conditions as a result of Council having more control of accepting and acting upon bonds and bank guarantees

Community Consultation: A 21 day advertising period will be carried out upon adoption of draft

Voting Requirements: Normal

CRSM044 Council Decision/Committee/Officer Recommended Resolution

Moved Cr Price seconded Cr Needham that

1. Council pursuant to Part 9 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No.2, resolves to adopt the Draft Local Planning Policy No.1 – Bonds and Bank Guarantees as follows:

DRAFT LOCAL PLANNING POLICY NO.1 – BONDS AND BANK GUARANTEES

Policy Objective

To outline circumstances whereby Council may elect to require bonds or bank guarantees to secure compliance with planning approvals, subdivision approvals, extractive industry licences, and the arrangements associated with the bond.

The Policy

Where Council issues planning approval and/or extractive industry licence approval, and that approval is acted upon, the developer is obligated to comply with the approved application, along with any attendant conditions.

As a general rule, the Council will utilise powers available under respective legislation to enforce terms of any approval. Notwithstanding those powers, the Council reserves the right to require, by way of condition of approval, a performance bond in order to ensure compliance with an approval, or for Council to undertake works if required to do so.

Criteria for Bonds/Bank Guarantees

The primary obligation is on the developer to do the works required by the relevant conditions. Circumstances that may warrant a bond include, but are not limited to where:

1. The developer demonstrates that special circumstances exist that justify an early clearance of a development of subdivision conditions in exchange for a bond or bank guarantee.
2. The Council believes it is in the interest of good governance of the district to accept a bond or bank guarantee in the circumstances.
3. Significant works where there is a doubt as to whether the enforcement powers of Council are sufficient to enable it to ensure compliance with the condition.
4. The failure to comply with a condition may detrimentally affect the public.
5. The condition requires work to be done on an item which involves an aspect of use by the public.
6. The condition requires expenditure on conservation or rehabilitation works, where non-compliance will detrimentally affect the public.
7. The condition requires expenditure on public land in proximity to the development site (eg tree planting) or on private land used by the public (eg landscaping), where non compliance will for amenity reasons detrimentally affect the public.

Administration

The terms of a performance bond are to be identified in each instance and applied as a condition of approval, along with explanatory footnotes as may be necessary. In each instance, the approval notice is to identify the following:

- A deed between the Developer and the Shire will be required, which deed shall provide for the implementation and administration of the security. In appropriate cases the Shire may require an absolute caveat to be lodged pursuant to the deed. This deed is to detail the following;
- the nature and extent of work being secured by the bond;
- the amount of the bond (to be closely related to the cost of the works being secured);
- form of security to be cash bond or suitable bank guarantee;
- whether Council will undertake works in the case of default leading to forfeiture of the bond, or whether the bond will be forfeited without Council undertaking the works and in that case how to apply the funds;
- arrangements in respect to power of entry onto private land where the Council intends to remedy non compliance by completing the work.

Any bank guarantees lodged with Council are to be irrevocable and unrestricted (until returned by the Shire); ie. an expiry date is not to be placed on the guarantee, and it may be called upon in whatever circumstances the Shire sees fit where a breach of undertaking by the Developer has occurred without the need to justify the decision to call upon the guarantee to the bank.

A bank guarantee will not be accepted unless the value of the works being secured is estimated to be \$5,000 or more. Security for any works estimated to be worth less than \$5,000 may be provided by way of cash bond.

2. The Draft Local Planning Policy No.1 – Bonds and Bank Guarantees be advertised in accordance with clause 9.3 of Town Planning Scheme No.2.

CARRIED 9/0

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|---|--------------------------------|-----------------|---------|
| SM045/04/01 DRAFT LOCAL PLANNING POLICY NO. 3 – TELECOMMUNICATIONS INFRASTRUCTURE – MOBILE PHONE TOWERS (A0960) | | | |
| Proponent | Shire of Serpentine-Jarrahdale | | |
| Officer | David Lodwick – Senior Planner | Date of Report | 30/3/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Council | | |

Preamble

Council to consider a proposed local planning policy: Telecommunications Infrastructure – Mobile Phone Towers. It is recommended that Council adopt the policy for public advertising in accordance with the provisions of Town Planning Scheme No.2.

Background

Telecommunications companies need to install facilities in order to be able to deliver services to their customers. While current Government policy allows the rollout of these facilities the aim of the Telecommunications Act 1997 (the Act) is to balance the needs of telephone companies with the rights of owners, occupiers and local residents.

When installing telecommunications facilities such as mobile phone base stations and towers, telephone companies generally need to obtain local council planning permission and comply with other relevant State and Territory planning laws. However under Schedule 3 to the Act, those telephone companies licensed by the Australian Communications Authority (ACA) as ‘carriers’ may install a limited range of facilities without seeking State or Territory planning approval. The most common of these are known as low impact facilities.

The Telecommunications (Low-impact Facilities) Determination 1997 lists those types of facilities defined as ‘low impact.’ These are facilities which, because of their size and location, are considered to have a low visual impact and so not raise significant planning, heritage or environmental concerns. Examples of low impact facilities are:

- Small radio communications dishes and antennae;
- Underground cabling; and
- Public payphones.

Overhead cabling and mobile phone towers (which are generally 25 – 30 metres high) are not classified as low impact facilities and their installation requires local council approval.

Comments

A Policy has been prepared by Council’s Assessments Team to address the issue of high impact facilities and provide guidance for the siting of mobile phone towers in the Shire.

The draft policy is as follows:-

DRAFT LOCAL PLANNING POLICY NO. 3 - TELECOMMUNICATIONS INFRASTRUCTURE POLICY - MOBILE PHONE TOWERS

Background and Legislative Framework

Telecommunications companies need to install facilities in order to be able to deliver services to their customers. While current Government policy allows the rollout of these facilities the aim of the Telecommunications Act 1997 (the Act) is to balance the needs of telephone companies with the rights of owners, occupiers and local residents.

When installing telecommunications facilities such as mobile phone base stations and towers, telephone companies generally need to obtain local council planning permission and comply with other relevant State and Territory planning laws. However under Schedule 3 to the Act, those telephone companies licensed by the Australian Communications Authority (ACA) as 'carriers' may install a limited range of facilities without seeking State or Territory planning approval. The most common of these are known as low impact facilities.

The Telecommunications (Low-impact Facilities) Determination 1997 lists those types of facilities defined as 'low impact.' These are facilities which, because of their size and location, are considered to have a low visual impact and so not raise significant planning, heritage or environmental concerns. Examples of low impact facilities are:

- Small radio communications dishes and antennae;
- Underground cabling; and
- Public payphones.

Overhead cabling and mobile phone towers (which are generally 25 – 30 metres high) are not classified as low impact facilities and their installation requires local council approval. The Policy below is to address the issue and provide guidance for the siting of mobile phone towers in the Shire.

PART 1 – STATEMENT OF RATIONALE AND PURPOSE

There are currently no provisions in Town Planning Scheme No. 2 relating to mobile phone towers.

The Policy below is to ensure that mobile phone towers are developed in a manner which is compatible with the surrounding environment and located in sensitive locations so as not to adversely impact on the amenity of the immediate area.

PART 2 – THE POLICY

1. Objectives

- (a) To facilitate the coordinated development of mobile phone towers in appropriate locations within the Shire.
- (b) To minimise adverse impacts of mobile phone towers on the locality, including visual impact/intrusion/clutter, impacts on residential amenity, environment and heritage.
- (c) To provide a level of certainty for the industry and community in regards to the development of mobile phone towers.
- (d) To establish suitable assessment criteria for the control and siting of Mobile Phone Towers.

2. Policy Provisions

Location

- (a) Towers should be located in the Light Industry, Showroom/Warehouse (Highway Commercial, Town Centre, Mixed Business zone(s) – as identified on Draft Byford Structure Plan) and Rural zone (excluding Landscape Protection Policy Area Overlay of Shire's Rural Strategy), and not in any other zone(s) listed in the Zoning Table of Town Planning Scheme No.2; as is the opinion of Council such land use/development in these zone(s) would have prospect for adverse environmental, visual, heritage impact which is not in the public/community interest and/or meet long term sustainable strategic planning objectives. Towers will also generally not be supported by Council

for location on local and/or Metropolitan Region Scheme reserves vested for an alternative purpose for reason of potential land use conflict, although each case will be considered on it's own merits.

- (b) Towers should not be located within 200 metres of land zoned Urban or Urban Deferred in the Metropolitan Region Scheme. Council may, however, consider the use of existing structures for the attachment of antennas and other equipment which does not require the construction of a tower and does not adversely impact on the visual amenity of an area.
- (c) Towers should not be located closer than 1km of each other, (other than in special circumstances accepted by Council).
- (d) Carriers are encouraged to locate towers in areas of concave topography and at the base and below prominent ridges, within existing public utility corridors, at a height which is in keeping with the height and bulk of surrounding built form, away from public roads, to the rear of buildings and where the base of the tower is screened by established significant vegetation.

Co-location

- (a) In order to provide for future co-location, all mobile phone tower facilities, including equipment sheds, are to be designed in such a manner as to permit at least 3 carriers to co-locate.
- (b) Carriers shall co-locate onto existing towers, other existing structures or replace existing structures wherever possible. Where there is an existing facility in the locality and the Carrier chooses not to co-locate onto that facility, the applicant will be required to demonstrate by means of certification from an appropriately qualified person (empirical statistical information would be required), that the proposal cannot be co-located for technical/structural reasons onto that facility.

Design

- (a) Towers and associated equipment are to be designed to have minimal impact on the streetscape and the visual amenity of the surrounding built and natural environment and amenity of the locality.
- (b) Carriers are required to use techniques to blend the facility into the environment in which it is located, including the use of natural, non reflective, compatible colours and finishes and innovative tower designs.
- (c) Where associated equipment such as antennae (not low impact facilities) are to be located on an existing tower or other structure, they shall be coloured and fixed onto or within buildings to blend/harmonise with the colour and design of the building, and, where possible, should be screened from public places by the building, and should not protrude from a building into or above a public road reserve, pedestrian accessway or other public space.
- (d) Towers should be of a monopole construction, although lattice or other towers may be supported by Council where the proponent demonstrates the technical necessity of the tower and where the tower may provide additional co-locational opportunities.
- (e) The base of the tower and associated installations shall be screened by vegetation in accordance with Council's Landscaping and Revegetation on Development Policy (PS03).

General Requirements

- (a) All decommissioned mobile phone towers shall be removed and the site reinstated to its original condition at the proponent's cost.

3. Planning Application Requirements

All planning applications for mobile phone towers should be accompanied by the following:

- (a) a completed Form 1 Development Application
- (b) the required application fee
- (c) location plans showing the location of the facility and any existing or known/planned facilities of the carrier and other carriers, within the Shire and adjoining local authorities.
- (d) site plans drawn to scale showing the existing and proposed improvements on the property, i.e landscaping, watercourses and other natural features and levels at 1m contour levels.
- (e) Colour photographs of the existing site and separate colour photomontages accurately depicting the proposed facility incorporated into the site.
- (f) Plans of the proposed mobile tower including the height, appearance, colour and location of equipment shelters.
- (g) A written submission detailing the following:
 - (i) the need for the facility;
 - (ii) details of co-location investigations;
 - (iii) whether the applicant has notified other licensed carriers about the proposal and whether the other licensed carriers intend to co-locate on the proposed tower;
 - (iv) how the requirements of Council's Policy have been addressed;
 - (v) a description of the proposed structure of building upon which the facility is proposed to be located (where appropriate);
 - (vi) detailed reasons for the design, location and configuration of the facility;
 - (vii) the intended service area of the facility;
 - (viii) whether excess space has been incorporated into the design and configuration of the structure of building for co-location and the suitability of that space for use by other licensed carriers;
 - (ix) natural features on site (vegetation, areas of inundation etc)
- (h) Council may require the submission of documentation showing sight lines demonstrating the level of visibility of the facility as viewed from adjacent properties or streets and elevations of all proposed improvements on the site;
- (i) any other relevant information which will assist Council in its assessment of the application.
- (j) Any of the above to be provided electronically if requested by Council.

(Two copies of the documentation are required)

4. Approval Process

Applications for mobile phone towers which do not comply with the requirements of the above policy or which, in the opinion of the Council, are likely to adversely impact on the amenity of the locality, will be advertised for public comment, prior to consideration or determination by Council.

It is recommended that Council resolve to advertise the policy for public comment with view to formally adopting the Policy after completion of advertising procedures.

| | |
|---------------------------------------|--|
| <u>Statutory Environment:</u> | Town Planning and Development Act 1928 |
| <u>Policy Implications:</u> | No policy at present |
| <u>Financial Implications:</u> | Nil |
| <u>Strategic Implications:</u> | To provide guidance for the siting of Mobile Phone Towers in the Shire |
| <u>Community Consultation:</u> | Advertising required prior to formal adoption |
| <u>Voting Requirements:</u> | Normal |

CRSM045 Council Decision/Committee/Officer Recommended Resolution

Moved Cr Price seconded Cr Needham that Council advertises the Draft Local Planning Policy No. 3 – Telecommunications Infrastructure – Mobile Phone Towers in accordance with Part 9.3 of Town Planning Scheme No.2 as follows:-

DRAFT LOCAL PLANNING POLICY NO. 3 - TELECOMMUNICATIONS INFRASTRUCTURE POLICY - MOBILE PHONE TOWERS

Background and Legislative Framework

Telecommunication companies need to install facilities in order to be able to deliver services to their customers. While current Government policy allows the rollout of these facilities the aim of the Telecommunications Act 1997 (the Act) is to balance the needs of telephone companies with the rights of owners, occupiers and local residents.

When installing telecommunications facilities such as mobile phone base stations and towers, telephone companies generally need to obtain local council planning permission and comply with other relevant State and Territory planning laws. However under Schedule 3 to the Act, those telephone companies licensed by the Australian Communications Authority (ACA) as 'carriers' may install a limited range of facilities without seeking State or Territory planning approval. The most common of these are known as low impact facilities.

The Telecommunications (Low-impact Facilities) Determination 1997 lists those types of facilities defined as 'low impact.' These are facilities which, because of their size and location, are considered to have a low visual impact and so not raise significant planning, heritage or environmental concerns. Examples of low impact facilities are:

- Small radio communications dishes and antennae;
- Underground cabling; and
- Public payphones.

Overhead cabling and mobile phone towers (which are generally 25 – 30 metres high) are not classified as low impact facilities and their installation requires local council approval. The Policy below is to address the issue and provide guidance for the siting of mobile phone towers in the Shire.

PART 1 – STATEMENT OF RATIONALE

There are currently no provisions in Town Planning Scheme No. 2 relating to mobile phone towers.

The Policy below is to ensure that mobile phone towers are developed in a manner which is compatible with the surrounding environment and located in sensitive locations so as not to adversely impact on the amenity of the immediate area.

PART 2 - POLICY STATEMENT

1. Objectives

- (a) To facilitate the coordinated development of mobile phone towers in appropriate locations within the Shire.
- (b) To minimise adverse impacts of mobile phone towers on the locality, including visual impact/intrusion/clutter, impacts on residential amenity, environment and heritage.
- (c) To provide a level of certainty for the industry and community in regards to the development of mobile phone towers.
- (d) To establish suitable assessment criteria for the control and siting of Mobile Phone Towers.

2. Policy Provisions

Location

- (a) Towers should be located in the Light Industry, Showroom/Warehouse (Highway Commercial, Town Centre, Mixed Business zone(s) – as identified on Draft Byford Structure Plan) and Rural zone (excluding Landscape Protection Policy Area Overlay of Shire's Rural Strategy), and not in any other zone(s) listed in the Zoning Table of Town Planning Scheme No.2; as is the opinion of Council such land use/development in these zone(s) would have prospect for adverse environmental, visual, heritage impact which is not in the public/community interest and/or meet long term sustainable strategic planning objectives. Towers will also generally not be supported by Council for location on local and/or Metropolitan Region Scheme reserves vested for an alternative purpose for reason of potential land use conflict, although each case will be considered on it's own merits.
- (b) Towers should not be located within 200 metres of land zoned Urban or Urban Deferred in the Metropolitan Region Scheme. Council may, however, consider the use of existing structures for the attachment of antennas and other equipment which does not require the construction of a tower and does not adversely impact on the visual amenity of an area.
- (c) Towers should not be located closer than 1km of each other, (other than in special circumstances accepted by Council).
- (d) Carriers are encouraged to locate towers in areas of concave topography and at the base and below prominent ridges, within existing public utility corridors, at a height which is in keeping with the height and bulk of surrounding built form, away from public roads, to the rear of buildings and where the base of the tower is screened by established significant vegetation.

Co-location

- (a) In order to provide for future co-location, all mobile phone tower facilities, including equipment sheds, are to be designed in such a manner as to permit at least 3 carriers to co-locate.
- (b) Carriers shall co-locate onto existing towers, other existing structures or replace existing structures wherever possible. Where there is an existing facility in the locality and the Carrier chooses not to co-locate onto that facility, the applicant will be required to demonstrate by means of certification from an appropriately qualified person (empirical statistical information would be required), that the proposal cannot be co-located for technical/structural reasons onto that facility.

Design

- (a) Towers and associated equipment are to be designed to have minimal impact on the streetscape and the visual amenity of the surrounding built and natural environment and amenity of the locality.
- (b) Carriers are required to use techniques to blend the facility into the environment in which it is located, including the use of natural, non reflective, compatible colours and finishes and innovative tower designs.
- (c) Where associated equipment such as antennae (not low impact facilities) are to be located on an existing tower or other structure, they shall be coloured and fixed onto or within buildings to blend/harmonise with the colour and design of the building, and, where possible, should be screened from public places by the building, and should not protrude from a building into or above a public road reserve, pedestrian accessway or other public space.
- (d) Towers should be of a monopole construction, although lattice or other towers may be supported by Council where the proponent demonstrates the technical necessity of the tower and where the tower may provide additional co-locational opportunities.
- (e) The base of the tower and associated installations shall be screened by vegetation in accordance with Council's Landscaping and Revegetation on Development Policy (PS03).

General Requirements

- (a) All decommissioned mobile phone towers shall be removed and the site reinstated to its original condition at the proponent's cost.

3. Planning Application Requirements

All planning applications for mobile phone towers should be accompanied by the following:

- (a) a completed Form 1 Development Application
- (b) the required application fee
- (c) location plans showing the location of the facility and any existing or known/planned facilities of the carrier and other carriers, within the Shire and adjoining local authorities.
- (d) site plans drawn to scale showing the existing and proposed improvements on the property, i.e landscaping, watercourses and other natural features and levels at 1m contour levels.

- (e) Colour photographs of the existing site and separate colour photomontages accurately depicting the proposed facility incorporated into the site.
- (f) Plans of the proposed mobile tower including the height, appearance, colour and location of equipment shelters.
- (g) A written submission detailing the following:
 - (i) the need for the facility;
 - (ii) details of co-location investigations;
 - (iii) whether the applicant has notified other licensed carriers about the proposal and whether the other licensed carriers intend to co-locate on the proposed tower;
 - (iv) how the requirements of Council's Policy have been addressed;
 - (v) a description of the proposed structure of building upon which the facility is proposed to be located (where appropriate);
 - (vi) detailed reasons for the design, location and configuration of the facility;
 - (vii) the intended service area of the facility;
 - (viii) whether excess space has been incorporated into the design and configuration of the structure of building for co-location and the suitability of that space for use by other licensed carriers;
 - (ix) natural features on site (vegetation, areas of inundation etc)
- (h) Council may require the submission of documentation showing sight lines demonstrating the level of visibility of the facility as viewed from adjacent properties or streets and elevations of all proposed improvements on the site;
- (i) any other relevant information which will assist Council in its assessment of the application.
- (j) Any of the above to be provided electronically if requested by Council.

(Two copies of the documentation are required)

4. Approval Process

Applications for mobile phone towers which do not comply with the requirements of the above policy or which, in the opinion of the Council, are likely to adversely impact on the amenity of the locality, will be advertised for public comment, prior to consideration or determination by Council.

CARRIED 9/0

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|--------------------------------|---------------------------------------|-----------------|----------|
| SM046/04/01 INFORMATION REPORT | | | |
| Proponent | Chief Executive Officer | | |
| Officer | David Price – Chief Executive Officer | Date of Report | 02/04/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |

SM046.1/04/01 TONKIN HIGHWAY EXTENSION WORKING GROUP MEETING (A0471)

A copy of the minutes of the abovementioned meeting held on 12 February and 26 March 2001 are with the attachments marked SM046.1/04/01.

SM046.2/04/01 LOCAL ECONOMIC DEVELOPMENT UNIT (A0436-03)

A copy of the confirmed minutes of the LEDU committee meeting held on Monday 26th February 2001 (including progress reports to 28 March 2001) is with the attachments marked SM046.2/04/01.

SM046.3/04/01 PEEL REGION TOURISM ASSOCIATION (A0143)

A copy of the Peel Region Tourism Association Executive Officers Report dated 12 March 2001 is with the attachments marked SM046.3/04/01.

SM046.4/04/01 PEEL ECONOMIC DEVELOPMENT UNIT – EXECUTIVE GROUP (A0839-03)

A copy of the minutes of the Executive Group Meeting held on 1 March 2001 is with the attachments marked SM046.4/04/01.

Officer Recommended Resolution

The Information Report to 9 April 2001 be received.

CRSM046 Committee Recommended Resolution

With regard to item SM046.1/04/01 that correspondence be jointly prepared by the Director Asset Services and the Director Sustainable Development addressed to Main Roads WA conveying Council's strong position with regard to Abernethy Road.

Council Decision

Moved Cr Rankin seconded Cr Price with regard to item SM046.1/04/01 that correspondence be jointly prepared by the Director Asset Services and the Director Sustainable Development addressed to Main Roads WA conveying Council's strong position with regard to Abernethy Road having a connection to the Byford. That this be an agenda item at the proposed meeting with Martyn Whitely and Allannah MacTiernan. The Mundijong Road connection, particularly the effect on the flora reserve, should also be raised and on the agenda for the meeting with Minister MacTiernan.
CARRIED 9/0

Moved Cr Buttfield seconded Cr Rankin that the Information Report to 9 April 2001 be received.
CARRIED 9/0

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|---|---------------------------------------|-----------------|---------|
| SM047/04/01 SOUTH EAST METROPOLITAN CHAMBER OF COMMERCE INC. (SEMCC) | | | |
| Proponent | Chief Executive Officer | | |
| Officer | David Price – Chief Executive Officer | Date of Report | 17/4/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |

Mr Price advised that he had received correspondence dated 10 April 2001 from the South East Metropolitan Chamber of Commerce Inc (SEMCC). This letter advises of a recommendation to form a new, dynamic Regional Chamber of Commerce and Industry. There will be a Special General Meeting for the dissolution of the SEMCC in order that the new structure can be proceeded. This meeting is being held at 6.00pm on Wednesday, 2 May 2001 at the Willow Pond Reception Centre.

CRSM047 Council Decision/Committee Recommended Resolution

Moved Cr Buttfield seconded Cr Rankin that Cr Buttfield attend the Special General Meeting of the South East Metropolitan Chamber of Commerce Inc on 2 May 2001.
CARRIED 9/0

7.5 Planning Development & Environment Meeting – 17th April, 2001

Council Decision

Moved Cr Hicks seconded Cr Price
The minutes of the Planning Development & Environment Committee Meeting held on 17th April, 2001 be received.
CARRIED 9/0

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|--|--------------------------------|-----------------|--------|
| P126/04/01 PROPOSED EXTENSIONS TO THREE EXISTING POULTRY SHEDS AND ONE NEW POULTRY SHED - LOT 12 KING ROAD, OAKFORD (P00174) | | | |
| Proponent | Dykstra and Associates | | |
| Officer | David Lodwick – Senior Planner | Date of Report | 4/4/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | P346/06/98 | | |
| Disclosure of Interest | | | |
| Delegation | Council | | |

Owner: Big Country Australia Pty Ltd
Lot Area: 4.0544ha
L.A. Zoning: Rural
MRS Zoning: Rural
Rural Strategy Policy Area: Rural Policy Area
Rural Strategy Overlay: N/A
Bush Forever: N/A
Date of Inspection: 3 April 2001

Preamble

Council to consider an application proposing extensions to three existing poultry sheds and one new poultry shed on the subject land. It is recommended that the application be conditionally approved.

Background

Recent history of development approval(s)

Council at its meeting of 22nd June 1998 (P346 refers) approved two additional broiler sheds subject to conditions.

The sheds were proposed for location at the rear of the site, one being 13 metre rear setback, and 11 metre side setback in line with an existing shed, and the other to be located between existing sheds.

The WA Planning Commission duly issued an approval for the additional sheds on 14 December 1998.

A copy of the previously approved plan is with the attachments marked P126.1/04/01.

Site Characteristics – Landform and Soils

The subject land is relatively flat and comprises sand over sandy clay to clayey sand of the Guildford Formation of eolian origin. Overall, the subject land comprises sand that is fine to medium grained, is white to pale grey at surface and yellow at depths, namely Bassendean Sand over Guildford Formation.

Existing Established Land Use

The applicant's report states:

“Lot 12 King Road has accommodated the existing poultry farm for at least the last seventeen (17) years. Accordingly, the existing poultry farm is part of the well established rural amenity of this locality. Given that the poultry farm has been in operation for such a long period of time, it would be unreasonable for surrounding landowners to expect that the operations will cease to continue within the foreseeable future.

Of the five existing sheds on the subject land, the last shed was built in 1995 after receiving planning approval from the Shire of Serpentine-Jarrahdale. The proposal for the extensions to three of the existing sheds and development of a new shed is consistent with the intent and usage of the subject land, and with the rural amenity expectations of the surrounding area.”

Details of proposal as described by applicant:

“Design and Layout

The positioning of the sheds is largely determined by the layout of the existing sheds and associated driveway. The proposed sixth poultry shed will be positioned parallel to the existing sheds, and as the existing sheds are setback approximately eleven (11) metres from the side boundary, the proposed sixth shed will be setback in accordance with these existing sheds.

The extensions are to be located between the existing sheds and are to be no closer to the side boundaries than the existing sheds.

Building

Construction materials comprise concrete floor and steel frame with cool room panel. The extensions are to be 45m long.

A staff amenities building, approximately 5m x 8m and shown on the plan is also required and forms part of this application.

Access

The existing driveway access provides for entry from King Road with the main driveway accessing the central area fronting all the existing sheds. The use of this existing access road is convenient and suitable for the effective operation and management of the poultry farm in a manner that is compatible with surrounding land uses. The existing access way will also service the proposed extensions and new shed.

Poultry Farm Activity

The operation of the poultry farm activities within the new shed and shed additions will be identical to the existing practice for the entire farm. The existing sheds operate on a dry litter system which is cleaned out regularly and taken off the site. The farm operates at a very high standard and complies with the requirements of the Code of Practice.

The main activities in the process occur only once every six (6) weeks, (i.e approximately eight (8) times per annum) and involve the removal of birds by trucks and the subsequent removal of the dry litter and cleaning of sheds.

Landscaping

The landowners have maintained tree planting with shelter belt planting occurring on the boundaries of the lot. These vegetation buffers will be enhanced and maintained to ensure adequate screening and buffering from surrounding land.”

A copy of the site plan is with the attachments marked P126.2/04/01.

Comments

The subject land is currently developed for the purpose of a poultry farm, comprising five (5) poultry sheds (accommodating approximately 122, 000 birds, and a floor area of some 7982m²), two (2) caretaker’s dwellings, and a machinery shed. A concrete water tank has been constructed west of the poultry sheds. All the poultry sheds are serviced by a single driveway of gravel construction which fronts onto each of the five poultry sheds.

Nearby lots are used for a variety of rural pursuits including horse agistment/equestrian uses, grazing, market gardening, wholesale nursery etc.

This fresh development application for extensions to three existing sheds and one new shed has come about as a result of the previous approval for the two additional sheds having recently expired, given substantial commencement of development had not taken place within the specified time period. The applicant advises “this will be more advantageous to site amenity and general land use than the previous application.”

Secondly, the applicant states that the owner, as a result of a direction and negotiations with the poultry industry, wishes to have as a viable and preferred option the extension of sheds 1,2 and 5, in preference to constructing a second new shed no.7 as indicated in the previous development application.

This current application has been referred to the Western Australian Planning Commission for separate determination under the Metropolitan Region Scheme. A decision is required from both the Local and State Planning Authorities.

“Poultry farming” in the Rural zone is categorised “AA” under the Town Planning Scheme, ie a use for which approval is at the discretionary determination of Council. No advertising is required by the Scheme. Notwithstanding this, the nearest 10 surrounding property owners were notified of the proposal in accordance with Council’s Community Consultation Policy for

applications deemed to be of a substantial nature with significant land use impact. This is also the preferred approach of Council under its adopted Poultry Policy Overlay Policy.

The development and/or control of poultry farms is regulated by the Western Australian Planning Commission's "Statement of Planning Policy No.5 – Poultry Farms Policy." The Commission in determining such applications also take into consideration the "Environmental Code of Practice: Poultry Industry (Department of Environmental Protection)."

Nutrient Management

With respect to nutrients the applicant advises:

"The existing poultry farm and the proposed extensions involve management practices where nutrient runoff is contained, with the dry litter being totally removed off site on a result basis. The cleaning of the floors of the sheds involves large volumes of water which results in only a very minimal nutrient loss into the soil. Given that the property is not stocked or grazed, there is no nutrient loss from animals on the land (as this would be the case for adjoining land). Silt traps will also be installed to contain wash-down water and thereby ensure that no nutrients enter the ground."

Drainage Management

Not addressed in application.

Applicant has not demonstrated that water flows from the property will be maintained at pre-development levels for the development/land use.

However, this matter may be effectively dealt with as a condition of development approval, should Council determine to approve the application.

Buffer Issue – WA Planning Commission Policy

The application does not comply with clause 5.6.2 of the Poultry Farms Policy which provides:

"Subdivision controls within rural areas should be designed to ensure sites for poultry farm are of sufficient size to allow minimum separation distances to be maintained and to minimise the number of rural housing sites within the 300 metre buffer zone."

However, the above policy effectively relates to new poultry farms. The applicant notes that whilst the extensions will not achieve greater than a 100 metre setback from any dwelling outside the poultry farm boundaries, the extensions will actually be positioned further from adjacent dwellings than any of the existing sheds.

Results of Advertising

The Oakford Oldbury Association does not object but raises some points for Council consideration, namely:

Notes the application would see an increase in capacity by approximately 50%. Considers the current operation is conducted in a proper manner: cleanliness etc but that some matters require placement of conditions of approval; 1) and 2) Adverse noise impacts with night deliveries and shed clean out. 3) Also, is noisy at night with loading out of mature chickens for despatch to abattoir. Suggest tree planting and note that the application makes no mention of the new shed being an environmentally controlled shed.

One submission objects to the proposal for reason of smell, abundant flies and adverse dust impact. Also, comments on vegetation clearance on the subject site and whether the use is appropriate for the area.

Owner at rear objects for reason of buffer distance, smell, lack of vegetation, noise generation after business hours and that an increase in scale of business would increase impact on residents.

In response, the recommended buffer distance for new farms under WA Planning Commission Policy is 300 metres not 500 metres. Whilst the 300 metres is not achieved, it should be recognised that the poultry farm has been in existence for many years with the proposed extra shed to be no closer to the lot boundaries than those existing.

A full copy of submissions including a response from the Brooker Farm to the Oakford Oldbury Association submission is with the attachments marked P126.3/04/01.

Conclusion

It is considered that the matters raised in the submissions may be satisfactorily addressed by way of conditions of approval listed hereunder.

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|---------------------------------------|---|
| <u>Statutory Environment:</u> | Town Planning and Development Act 1928 |
| <u>Policy Implications:</u> | Clause 32 Metropolitan Region Scheme; Western Australian Planning Commission's Statement of Planning Policy No.5 – Poultry Farms Policy |
| <u>Financial Implications:</u> | Nil |
| <u>Strategic Implications:</u> | Subject land is located outside the Poultry Policy Overlay area |
| <u>Community Consultation:</u> | Advertised to nearest 10 surrounding landowners |
| <u>Voting Requirements:</u> | Normal |

Officer Recommended Resolution

- A. Council approve proposed extensions to three existing poultry sheds and one new poultry shed at Lot 12 King Road, Oakford in accordance with application dated 22 December 2000 and associated plans and subject to the following conditions:
1. Drainage management to be to the satisfaction of Council's Design Engineer;
 2. Compliance with the requirements of the Water and Rivers Commission in respect of control and disposal of wastewater and nutrients;
 3. The sheds to be constructed in a manner and of materials that will adequately control, noise, dust and odours to the outside environment emanating from the activities within the sheds to the satisfaction of the Department of Environmental Protection;
 4. The floor of the sheds shall be constructed of materials which will facilitate removal of litter in accordance with the requirements of Council;
 5. Bore licence to be obtained from the Water and Rivers Commission as required;
 6. The developer shall provide/maintain landscaping around the proposed sheds to ensure adequate protection of rural amenity to the satisfaction of the Environmental Officer. In this regard, revegetation is to be undertaken over the property in accordance with Council's Info Note PS03 – Landscaping and Revegetation on Development Policy. In this regard, planting works to

- include three rows of trees along the rear and eastern boundaries of the property to the satisfaction/specification of Council's Environmental Officer;
7. Landscaping to be implemented by 30 September 2001 and from thereon maintained to Council's satisfaction;
8. Toilet facilities to be provided in accordance with the Occupational Health and Safety Regulations with suitable disabled access as required by the Building Code of Australia;
9. All external walls are to be colorbond;
10. An odour profile report to be submitted by the applicant for approval of Council prior to beginning new shed and shed extension operations, which satisfactorily demonstrates through modelling of odour movement that there will be no amplification of adverse odour impact on neighbouring residences with the proposed development;
11. A noise profile to be submitted by the applicant for approval of Council prior to beginning new shed and shed extension operations, which satisfactorily demonstrates that the proposed intensification of land use will be in compliance with the Department of Environmental Protection Noise Regulations;
12. Building licence to be obtained for development infrastructure;
13. All feed transport, shed(s) clean out and delivery is to be within daylight hours;
14. The proposed new shed is to be an environmentally controlled shed in accordance with Council Policy;
15. Static water supply to service the development to the satisfaction/specification of the Fire and Emergency Services Officer.

B. The WA Planning Commission be advised of Council's decision.

CRP126 Council Decision/Committee Recommended Resolution

Moved Cr Price seconded Cr Townsend that

A. Council approve proposed extensions to three existing poultry sheds and one new poultry shed at Lot 12 King Road, Oakford in accordance with application dated 22 December 2000 and associated plans and subject to the following conditions:

1. Drainage management to be to the satisfaction of Council's Design Engineer;
2. Compliance with the requirements of the Water and Rivers Commission in respect of control and disposal of wastewater and nutrients;
3. The sheds to be constructed in a manner and of materials that will adequately control, noise, dust and odours to the outside environment emanating from the activities within the sheds to the satisfaction of the Department of Environmental Protection;
4. The floor of the sheds shall be constructed of materials which will facilitate removal of litter in accordance with the requirements of Council;
5. Bore licence to be obtained from the Water and Rivers Commission as required;
6. The developer shall provide/maintain landscaping around the proposed sheds to ensure adequate protection of rural amenity to the satisfaction of the Environmental Officer. In this regard, revegetation is to undertaken over the property in accordance with Council's Info Note PS03 – Landscaping and Revegetation on Development Policy. In this regard, planting works to include three rows of trees along the rear and eastern boundaries of the property to the satisfaction/specification of Council's Environmental Officer;
7. Landscaping to be implemented by 30 September 2001 and from thereon maintained to Council's satisfaction;
8. Toilet facilities to be provided in accordance with the Occupational Health and Safety Regulations with suitable disabled access as required by the Building Code of Australia;
9. All external walls are to be colorbond;

10. An odour profile report to be submitted by the applicant for approval of Council prior to beginning new shed and shed extension operations, which satisfactorily demonstrates through modelling of odour movement that there will be no amplification of adverse odour impact on neighbouring residences with the proposed development;
11. A noise profile to be submitted by the applicant for approval of Council prior to beginning new shed and shed extension operations, which satisfactorily demonstrates that the proposed intensification of land use will be in compliance with the Department of Environmental Protection Noise Regulations;
12. Building licence to be obtained for development infrastructure;
13. All feed transport, shed(s) clean out and delivery is to be within daylight hours;
14. The proposed new shed and extensions to existing sheds are to be environmentally controlled sheds in accordance with Council Policy;
15. Static water supply to service the development to the satisfaction/specification of the Fire and Emergency Services Officer.

B. The WA Planning Commission be advised of Council's decision.
CARRIED 9/0

Cr Hicks left the meeting at 7.37pm.

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|--|---|-----------------|---------|
| P128/04/01 DRAFT LOCAL PLANNING POLICY NO. 2 – SUBDIVISIONS WITHIN THE BYFORD URBAN DEVELOPMENT CELL (A0891) | | | |
| Proponent | Shire of Serpentine-Jarrahdale | | |
| Officer | Jocelyn Cockbain – Planning Officer | Date of Report | 26/3/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | Cr Hicks – resident in one of the lots. | | |
| Delegation | Council | | |

Preamble

Council to consider a Local Planning Policy for Subdivision within Byford Urban Development Cell.

Background

Part 9 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No.2 sets out provisions for the preparation and adoption of Local Planning Policies. Clause 9.1.1 states:

The Council may prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme Area so as to apply:-

- a) *generally or for a particular class or classes or matters and;*
- b) *throughout the Scheme Area or in one or more parts of the Scheme Area;*

and may amend or add to or rescind a Policy so prepared.

Clause 9.1.2 goes on further to state:

A Local Planning Policy is not part of the Scheme and shall not bind the Council in respect of any application for planning approval but the Council shall have due regard to the provisions

of any Policy and the objectives which the Policy is designed to achieve before making its decision.

Comments

At its meeting on the 26th March 2001 Council resolved the following:

“Council does not consider any further subdivision in the Byford Structure Plan area unless a detailed area plan is carried out for each precinct other than the five lots zoned Rural Living A as part of Amendment No. 69.”

This resolution resulted from a subdivision Council had received for a property on Larsen Road. As a result of the development of the Byford Structure Plan and deep sewer being connected in Byford the pressure for Council to allow for subdivision is increasing.

Whilst the Council has adopted the Byford Structure Plan the Ministry for Planning has not. In an attempt to hold back subdivision until Council is fully prepared it is recommended that Council adopts a Local Planning Policy that requires for Detailed Area Plans to be carried out for a precinct prior to any form of subdivision approval be granted for properties within that precinct. Amendment No.113 to the Town planning Scheme No.2 split the Byford Structure Plan area into 12 precincts. Under clause 5.18.5 Council or the Commission may require that a detailed area plan be carried out. Detailed Area Plans will generally be submitted to enhance, elaborate or expand on the details or provisions contained in the Byford Structure Plan. The Plans will show such things as lot layout, infrastructure layout, provisions of open space, provisions of retail/commercial space and so on. They will be an integral part of the Byford Structure Plan and will be the framework for the ‘on the ground work’ that will develop.

The draft policy is as follows:

DRAFT LOCAL PLANNING POLICY NO.2 – SUBDIVISION WITHIN THE BYFORD STRUCTURE PLAN AREA

Policy Objective

To outline Council’s position on subdivision within the Byford Structure Plan Area.

The Policy

Where Council receives a referral from the Western Australian Planning Commission or a request from developers or owners of a property within the Byford Structure Plan Area for subdivision within the Byford Structure Plan Area the following shall apply:

1. The Council will not consider any application for subdivision in the Byford Structure Plan area unless a Detailed Area Plan is carried out for the precinct/s that the subject lot falls within.
2. The Council will only consider subdivision of lots within the Byford Structure Plan without Detailed Area Plans being previously carried out for the precinct for those five lots zoned ‘Rural Living A’ fronting Larson Road on the northern side.

Attachment 1 shows the Byford Structure Plan Area.

Attachment 2 shows the precincts within the Byford Structure Plan.

Whilst the requirement for a Detailed Area Plan for a precinct may hold up subdivision development within Byford it is thought by the Strategic Planning Team and the Development Control Unit that holding development up for a short period of time while a Detailed Area Plan is being developed will be for the better as the Detailed Area Plan will

ensure that development will be integrated throughout the entire Structure Plan Area and will ensure that the philosophies behind the Structure Plan are maintained. It will also allow Council to prepare Development Contribution Plans in accordance with clause 5.19 of the Town Planning Scheme No.2.

Point 2 of the policy states that the five properties fronting Larson Road on the northern side do not require Detailed Area Plans to be carried out prior to subdivision proposals being lodged. This point has been included in the policy as Council believes that these five properties will not have a significant impact on the overall Structure Plan and therefore should be exempt from the requirement of a Detailed Area Plan being carried out prior to a subdivision application being lodged. It should be noted that these five properties can only be split in half.

Once Detailed Area Plans have been developed for all 12 precincts within the Structure Plan Area this policy will need to be deleted.

| | |
|---------------------------------------|---|
| <u>Statutory Environment:</u> | Shire of Serpentine-Jarrahdale Town Planning Scheme No.2 |
| <u>Policy Implications:</u> | Development of a new Local Planning Policy dealing with subdivision within the Byford Structure Plan area |
| <u>Financial Implications:</u> | Nil |
| <u>Strategic Implications:</u> | Detailed Area Plans will ensure greater integration between the Byford Structure Plan and development within the Structure Plan area as a whole |
| <u>Community Consultation:</u> | A 21 day advertising period will be carried out upon adoption of draft |
| <u>Voting Requirements:</u> | Normal |

CRP128 Council Decision/Committee/Officer Recommended Resolution

Moved Cr Rankin seconded Cr Price

1. Council, pursuant to Part 9 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No.2 resolve to adopt the Draft Local Planning Policy No.2 – Subdivision within the Byford Structure Plan as follows:

DRAFT LOCAL PLANNING POLICY NO.2 – SUBDIVISION WITHIN THE BYFORD STRUCTURE PLAN AREA

Policy Objective

To outline Council's position on subdivision within the Byford Structure Plan Area.

The Policy

Where Council receives a referral from the Western Australian Planning Commission or a request from developers or owners of a property within the Byford Structure Plan Area for subdivision within the Byford Structure Plan Area the following shall apply:

1. The Council will not consider any application for subdivision in the Byford Structure Plan area unless a Detailed Area Plan is carried out for the precinct/s that the subject lot falls within.
2. The Council will only consider subdivision of lots within the Byford Structure Plan without Detailed Area Plans being previously carried out for the precinct for those five lots zoned 'Rural Living A' fronting Larsen Road on the northern side.

Attachment 1 shows the Byford Structure Plan Area.

Attachment 2 shows the precincts within the Byford Structure Plan.

2. Draft Local Planning Policy No.2 – Subdivision within the Byford Structure Plan be advertised in accordance with clause 9.3 of Town planning Scheme No.2.

CARRIED 8/0

Cr Hicks did not vote and returned to the meeting at 7.40pm

| | | | |
|---|--------------------------------|-----------------|----------|
| P133/04/01 PROPOSED AMENDMENT NO. 108, REZONING FROM "RURAL" TO "FARMLLET" – PT LOT 2 KARGOTICH ROAD, MUNDIJONG (A0860) | | | |
| Proponent | Gray & Lewis | | |
| Officer | David Lodwick – Senior Planner | Date of Report | 12.03.01 |
| Signatures | Author: | Senior Officer: | |
| | | | |
| Disclosure of Interest | | | |
| Delegation | Council | | |

Owner: Mundijong Nominees Pty Ltd
Lot Area: 151.2935ha
L.A.Zoning: Rural
MRS Zoning: Rural
Rural Strategy Policy Area: Rural Policy Area
Rural Strategy Overlay: Not applicable
Bush Forever: Not applicable
Date of Inspection: 12 March 2001

Preamble

The proponent wishes Council to initiate a scheme amendment to rezone the subject land from "Rural" to "Farmllet". It is recommended that Council initiate a scheme amendment accordingly.

The proposal is to facilitate the creation of 32 lots of minimum size 4ha.

A copy of subdivision guide plan is with the attachments marked P133.1/04/01.

Background

Existing Land Use

The subject land has been used for farming purposes for more than 50 years – the last 10 years for grazing beef cattle and prior to that as a dairy farm.

The applicant sees cattle grazing as no longer being a viable land use, nor is it the most appropriate use for an area that directly abuts urban zoned land.

There is an existing house and sheds on Pt Lot 2 fronting Kargotich Road

Topography

The site is generally flat falling gently from the east at an elevation of between 25 – 30 metres AHD towards the west at 15 – 20 metres AHD.

The site is almost totally cleared apart from occasional scattered trees and some parkland cleared remnant vegetation in the north – west corner of Lot 2.

There are a series of raised sandy mounds rising a few metres above the prevailing average ground level. The raised areas generally also comprise scattered vegetation. A number of small drainage lines run in an east – west direction and cross under Kargotich Road to connect into an open drain approximately 150 metres to the west of Kargotich Road. The Manjedal Brook is a relatively significant stream and crosses the north – east corner of Pt Lot 2.

Land Capability

The land capability study concludes that the subject land is capable of being subdivided into lots of 2 to 4 ha and even smaller subject to the availability of a reticulated water supply.

The change in use from cattle grazing to Farmlet is likely to reduce the level of phosphorous leaving the site.

It is recommended that all lots in any future subdivision of the land use alternative effluent disposal systems and that the land be drained utilising the existing drainage lines with the incorporation of appropriate detention basins to the satisfaction of Council.

Subdivision Design

The following points are made by the applicant regarding the proposed subdivision design:

- In terms of road structure, the applicant proposes that Leipold Road be closed and dedicated as a bridle path/drainage reserve.

Sparkman Road is proposed to be deviated 25 metres to the north of the existing reservation for a distance of 700m before reverting back to the existing alignment. The deviated portion of Sparkman Road is proposed to be incorporated into a future multiple use drainage corridor for the subdivision of Lots 11 & 12 south of Sparkman Road.

No additional crossovers to Kargotich Road will be allowed and therefore the proposed subdivision will front an internal subdivisional road with no direct frontage to Kargotich Road. Scott Road will be retained and upgraded to provide frontage to the lots generally north of Scott Road. A small cul-de-sac adjacent to the western boundary of Lot 6 shall provide access to the group of lots in the north west corner of Lot 2 which will have no access to Leipold Road (to be closed). Between Lots 7 and 9 Scott Road it is proposed to create 4 narrow lots with frontage to Scott Road in the same arrangement to existing lots 7 & 8. An alternative would be to create to battleaxe lots.

The balance of the lots will be provided with frontage from a proposed cul-de-sac extending north from the realigned Sparkman Road.

A north-south connection between Scott Road and Sparkman Road may be necessary to provide connectivity particularly in the longer term when Tonkin Highway is extended severing the connections of Scott Road and Sparkman Road to the Mundijong townsite. Such loop connector road should logically be located to the east in the vicinity of Lot 3.

The proposed road will be 25m wide designed in accordance with water sensitive design principles and accommodate bridle paths and shallow drainage swales.

- Building envelopes have been identified on the proposed Subdivision guide plan generally ranging from 2000m² to 4000m².
- Potable water supply shall be provided by roof collection and storage (90 000 litre rainwater tank).
- Underground power will be installed.

Structure Plan

A Structure Plan has been prepared by the applicant to show how the proposed subdivision may ultimately connect to the adjoining land directly to the east (Lot 3) which may be developed in a similar manner in the future if supported by Council.

A copy of this structure plan is with the attachments marked P133.2/04/01.

Drainage

The main multiple use corridor (M.U.C) effecting Lot 2 traverses the property from east to west exiting under Kargotich Road just south of Scott Road. To the west of Kargotich Road this drain connects to the Water Corporations Main Drain. The multiple use corridor will accommodate drainage detention basins and bridle paths which shall be linked to the proposed 25m wide roads that will also incorporate bridle paths. The size and location of the proposed detention basins will be subject to further engineering investigations at the subdivision design stage.

A second M.U.C which will incorporate the portion of Sparkman Road proposed to be closed will be created as part of the subdivision of the land south of Sparkman Road. The proposed M.U.C over Manjedal Brook affects only part of Lot 3 which is not included in the rezoning proposal.

Comments

The property is bound by Sparkman Road (unmade) to the south, Kargotich Road to west, Leipold Road (unmade) to the north and the Tonkin Hwy extension reservation to the east of the adjoining Lot 3.

Scott Road extends east-west through the property and severs Pt Lot 2. Scott Road is constructed to a gravel standard between Kargotich Road and the western boundary of Lot 9 and also from Taylor Road within the Mundijong townsite to the western boundary of Lot 7 leaving approximately 550 metres of Scott Road unmade.

The subject land is zoned Rural under both the Metropolitan Region Scheme (MRS) and the Shire of Serpentine-Jarrahdale Town Planning Scheme No.2. The land directly to the east of the subject land is zoned Urban under the MRS and Urban Development under Amendment 69 to the Shire of Serpentine-Jarrahdale Town Planning Scheme. Land directly to the south is identified as being in the Farmlot Policy Area of the Rural Strategy.

The subject land is currently identified in the Rural Policy Area under the Rural Strategy. A submission was made with regards to the Rural Strategy Review proposing the rezoning of the subject land to Rural Living B.

Council Officers in the Rural Strategy Review have not supported the rezoning of the land to Rural Living B, but rather, have supported the rezoning of the land to farmlot.

The Rural Strategy states that Farmlots are small farms that may be used for commercial production, alternative agriculture, and some intensive agriculture, or hobby pursuits in association with productive rural lifestyles. They also provide an even greater sense of space and privacy and may be considered by some buyers as rural 'retreats'. Farmlot Policy Areas provide a transitional zone between urban and rural areas where environmental values and their management become a focus, and where a role may be performed in controlling drainage and removing nutrients exported from urban areas 'off – site'. This is especially evident in the placing of Farmlot areas west of Mundijong.

As stated in the comments relating to the Rural Strategy Review, the area is closely located to Webb Road complex and therefore should take full advantage of this locality.

In summary, the Development Control Unit support the proposal. However, in terms of subdivision design it is considered that Leipold Road be kept open with no battleaxe legs in the northern portion of the subdivision. Also, there should be extension of construction of the internal subdivisional road east through to boundary of the subject land to provide future connectivity to adjoining land (Lot 3).

The recommendation presented hereunder addresses the required changes suggested by the Development Control Unit.

| | |
|---------------------------------------|---|
| <u>Statutory Environment:</u> | Town Planning and Development Act 1928 (as amended) |
| <u>Policy Implications:</u> | Rural Strategy Review |
| <u>Financial Implications:</u> | Nil |
| <u>Strategic Implications:</u> | Expansion of Farmlet development/Policy Area west of the Mundijong townsite |
| <u>Voting Requirements:</u> | Normal |

Officer Recommended Resolution

Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), resolves to initiate an amendment to the Shire of Serpentine Jarrahdale Town Planning Scheme No.2 by rezoning Pt Lot 2 Kargotich Road, Mundijong from “Rural” to “Farmlet” zone in accordance with the application dated 17 November 2000 and associated subdivision guide plan subject to submission of 5 copies of suitably prepared amending documents and subject to:

1. The subdivision guide plan to be amended to satisfaction of Council to reflect that Leipold Road is to be constructed to service Lot 2 to Lot 7;
2. Extension of construction of internal subdivisional road east through to boundary of the subject land to provide future connectivity to adjoining land (Lot 3);
3. Nomination of revegetation areas (local species) on subdivision guide plan 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;
4. Strategic firebreak arrangements/emergency access ways and provisions with respect to static water supply and fire management issues are to be provided to the satisfaction/specification of Council’s Fire and Emergency Services Officer as a part of the fire management plan which is to be completed prior to subdivision clearance;
5. A minor realignment of Sparkman Road Reserve is required to protect existing remnant vegetation;
6. Additional bridle path linkages as required by Council’s Development Control Unit;
7. Alternative effluent disposal systems are required.

CRP133 Council Decision/Committee Recommended Resolution

Moved Cr Price seconded Cr Townsend that the proposed amendment to rezone Lot 2 Kargotich Road, Mundijong from Rural to Farmlet be referred to a further Rural Strategy Working Group meeting as under the current Rural Strategy this is a Rural area and any change should be included under the Rural Strategy Review.
CARRIED 9/0

The Officer Recommendation was changed as it is premature to support this rezoning application prior to the Rural Strategy being finalised for advertising.

8. MOTION OF WHICH NOTICE HAS BEEN GIVEN

9. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING:

| | | | |
|--|--|-----------------|----------|
| C171/04/01 WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION – ASSOCIATION HONOURS (AO163-04) | | | |
| Proponent | Western Australian Municipal Association | | |
| Officer | Cr David Buttfield | Date of Report | 23.04.01 |
| Signatures | Author: | Senior Officer: | |
| Previously | C160/04/01 | | |
| Disclosure of Interest | | | |
| Delegation | Council | | |

Cr Rankin left the meeting at 7.40pm.

Council Decision:

Moved Cr Buttfield seconded Price

The Shire President be given delegated authority to nominate Cr Colleen Rankin for Distinguished Service to Local Government.

CARRIED 8/0

Cr Rankin returned to the meeting at 7.41pm.

Cr Rankin made the following statement to Council:

Looking back over a thirteen year career with Council the Shire of Serpentine-Jarrahdale has never been in better hands.

What I have always felt to be the most important attributes of any Councillor; integrity, common sense and the courage of one's convictions are more evident now than at any previous time. I hope this continues with the changes that are to come. Current staff who have the necessary expertise and a "can do" attitude will also continue to make improvements to Council services and projects.

I will miss many aspects of Council life and I thank, most sincerely, all those who contributed positively to my experience as a Councillor.

9.1 INCLUDING CHIEF EXECUTIVE OFFICER/OFFICER REPORTS

9.2 COUNCILLORS QUESTIONS

10. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY

10.1 Corporate Services – 9th April, 2001

| | | | |
|---|---|-----------------|----------|
| C157/04/01 PRESENTATION TO PAST COUNCILLORS (A0906) | | | |
| Proponent | Chief Executive Officer | | |
| Officer | D.E Price – Chief Executive Officer | Date of Report | 13-03-01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee - In accordance with Resolution C061/10/00 | | |

COMMITTEE DECISION/Officer Recommended Resolution **Delegated under Resolution C061/10/00**

Moved Cr Richards seconded Cr Needham:

1. Retiring Councillors' are to be presented with their name badge, a certificate of service and a Shire plaque suitably inscribed to recognise their contribution to the community by the Shire President at the most appropriately available ordinary meeting of Council after the election.
2. Where possible retiring Councillors' may be recognised at the last ordinary meeting of Council before the relevant election is due.

CARRIED 4/0

| | | | |
|--|---|-----------------|----------|
| C158/04/01 EXTRAORDINARY ELECTION – NORTH WARD (A0107) | | | |
| Proponent | WA Electoral Commission | | |
| Officer | G R Dougall – Director Corporate Services | Date of Report | 30/03/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | C153/03/01 | | |
| Disclosure of Interest | | | |
| Delegation | Committee - In accordance with Resolution C061/10/00 | | |

COMMITTEE DECISION/Officer Recommended Resolution **Delegated under Resolution C061/10/00**

Moved Cr Richards seconded Cr Needham:

1. The Electoral Commissioner conduct the extra-ordinary election for the North Ward vacancy created by the resignation of Councillor Fimmano,
2. The extra-ordinary election be conducted as a postal election, and
3. The date for the Extraordinary Election be 5th September 2001.

CARRIED 4/0

| | | | |
|--|---|-----------------|----------|
| C160/04/01 WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION – ASSOCIATION HONOURS (A0163-04) | | | |
| Proponent | Western Australia Municipal Association | | |
| Officer | G.R. Dougall - Director Corporate Services | Date of Report | 03.04.01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee – In accordance with Resolution C061/10/00 | | |

COMMITTEE DECISION/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Rankin seconded Cr Richards:
The correspondence relating to Western Australia Municipal Association Association Honours be received and noted.
CARRIED 4/0

| | | | |
|---|---|-----------------|----------|
| C161/04/01 INVITATION TO SUBMIT AGENDAS & MINUTES FOR ASSESSMENT (A0087-02) | | | |
| Proponent | Department of Local Government | | |
| Officer | G.R. Dougall - Director Corporate Services | Date of Report | 02.04.01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee – In accordance with Resolution C061/10/00 | | |

COMMITTEE DECISION/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Rankin seconded Cr Richards:
Copies of Council's agendas and minutes for the committee and ordinary meetings for the month of April be forwarded to the Department of Local Government as part of their Agendas and Minutes Project.
CARRIED 4/0

| | | | |
|---|---|-----------------|--|
| C164/04/01 CONFIRMATION OF PAYMENT OF CREDITORS (A0917) | | | |
| Proponent | Director Corporate Services | | |
| Officer | G.R. Dougall – Director Corporate Services | Date of Report | |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee – In accordance with Resolution C061/10/00 | | |

COMMITTEE DECISION/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Rankin seconded Cr Needham:
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 March, 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.
CARRIED 4/0

| | | | |
|--|---|-----------------|--|
| C165/04/01 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917) | | | |
| Proponent | Director Corporate Services | | |
| Officer | G.R. Dougall – Director Corporate Services | Date of Report | |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee – In accordance with Resolution C061/10/00 | | |

COMMITTEE DECISION/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Needham seconded Cr Rankin:

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 2 April 2001.

CARRIED 4/0

| | | | |
|---|---|-----------------|--|
| C166/04/01 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917) | | | |
| Proponent | Director Corporate Services | | |
| Officer | G.R. Dougall – Director Corporate Services | Date of Report | |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee – In accordance with Resolution C061/10/00 | | |

COMMITTEE DECISION/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Needham seconded Cr Richards:

Council receive and note the report on Sundry Debtor Outstanding Accounts as at 2 April 2001.

CARRIED 4/0

| | | | |
|--|---|-----------------|--|
| C167/04/01 RATE DEBTORS REPORT (A0917) | | | |
| Proponent | Director Corporate Services | | |
| Officer | G.R. Dougall – Director Corporate Services | Date of Report | |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee – In accordance with Resolution C061/10/00 | | |

COMMITTEE DECISION/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Rankin seconded Cr Richards:

Council receive and note the report of Rate Debtor accounts as at 31 March 2001.

CARRIED 4/0

| | | | |
|-------------------------------|---|-----------------|---------|
| C168/04/01 INFORMATION REPORT | | | |
| Proponent | Director Corporate Services | | |
| Officer | G.R. Dougall – Director Corporate Services | Date of Report | Various |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee – In accordance with Resolution C061/10/00 | | |

COMMITTEE DECISION/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Richards seconded Cr Needham:
The information report to the 2 April 2001 be received.
CARRIED 4/0

10.2 Asset Services – 9th April, 2001

| | | | |
|--|---|----------------|----------|
| AS061/04/01 APPLICATION FOR A PERMIT VEHICLE, JARRAHDAL ROAD (A0512-02/R0002-02) | | | |
| Proponent | QUARRY PARK PTY LTD | | |
| Officer | Simon Kenworthy-Groen Design Engineer | Date of Report | 29.03.01 |
| Signatures | Author: | Senior Officer | |
| Previously | N/A | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Officer/Committee Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Townsend seconded Cr Richards Council not support the application from Quarry Park Pty Ltd for a heavy vehicle permit to use Nettleton Road and Jarrahdale Road, in line with Council's current position on heavy vehicle access.
CARRIED 4/0

| | | | |
|---|---|----------------|----------|
| AS062/04/01 HEAVY VEHICLE ROAD NETWORK ACCESS STUDY (A0516) | | | |
| Proponent | National Road Transport Commission | | |
| Officer | Robert Harris Director Asset Services | Date of Report | 30.03.01 |
| Signatures | Author: | Senior Officer | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Officer/Committee Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Hicks seconded Cr Richards that the comment be made on the National Road Transport Commission Key Issues Paper on its Vehicle Access Project as set out in the comments section of the Officer's Report.
CARRIED 4/0

| | | | |
|---|---|----------------|---------|
| AS063/04/01 ROAD TRAIN SUMMIT (A0512-02) | | | |
| Proponent | Minister for Planning & Infrastructure | | |
| Officer | Robert Harris Director Asset Services | Date of Report | 2/04/01 |
| Signatures | Author: Senior Officer | | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Officer/Committee Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Hicks seconded Cr Richards that a Councillor nomination and the Director Asset Services be registered to participate in the Road Train Summit convened by the Minister for Planning and Infrastructure for Saturday 5 May 2001.
CARRIED 4/0

| | | | |
|---|---|----------------|----------|
| AS064/04/01 LIGHT VEHICLE CHANGEOVERS – TENDER ACCEPTANCE DELEGATION (A0536) | | | |
| Proponent | Director Asset Services | | |
| Officer | Robert Harris Director Asset Services | Date of Report | 02/04/01 |
| Signatures | Author: Senior Officer | | |
| Previously | CRAS008/07/00 CRAS021/09/00 | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Officer/Committee Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Richards seconded Cr Townsend the Chief Executive Officer be authorized to accept tenders for Council light vehicles replacement or disposal where provision has been included in the budget for the vehicle changeover including where the disposal value of a vehicle exceeds \$20,000 or the aggregate of the purchase price and disposal value exceeds \$50,000 but is less than \$80,000.
CARRIED 4/0

| | | | |
|--|---|----------------|---------|
| AS065/04/01 PUBLIC TENDER PAVEMENT REPAIRS CO01/2000-01 & CO02/2000-02 (A0958) | | | |
| Proponent | Shire of Serpentine-Jarrahdale | | |
| Officer | Simon Kenworthy-Groen Design Engineer | Date of Report | 2.04.01 |
| Signatures | Author: Senior Officer | | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Officer/Committee Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Townsend seconded Cr Hicks:-

1. The tender of Western Paving Services for CO01/2000-01 Pavement Repairs Box Out & Replace for \$84,333.70 be accepted.
2. The tender of BGC Contracting for CO02/2000-01 Pavement Repairs Cement Stabilize for \$92,512.20 be accepted.

CARRIED 4/0

| | | | |
|--------------------------------|---|----------------|--|
| AS066/04/01 INFORMATION REPORT | | | |
| Proponent | Director Asset Services | | |
| Officer | Various | Date of Report | |
| Signatures | Author: Senior Officer | | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Officer/Committee Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Richards seconded Cr Hicks that the information report to the 30 March 2001 be received.

CARRIED 4/0

10.3 Community & Recreation Development – 9th April, 2001

| | | | |
|---|---|----------------|---------|
| CRD33/04/01 CHAMPION LAKES RECREATION PARK – MANAGEMENT BOARD (A0129) | | | |
| Proponent | City of Armadale | | |
| Officer | C McKee – Community Development Officer | Date of Report | 2.04.01 |
| Signatures | Author: Senior Officer: | | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee – in accordance with Resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Kirkpatrick seconded Cr Needham

- 1 That Council decline to elect a representative to the Champion Lakes Recreation Park Management Board.

- 2 That the Management Board be requested to forward minutes of these meetings to Council for information.

CARRIED 4/0

| | | | |
|--|---|----------------|---------|
| CRD34/04/01 PERTH HILLS TOURISM GROUP – 2001/2002 FUNDING REQUEST (A0168) | | | |
| Proponent | Perth Hills Tourism Group | | |
| Officer | C McKee – Community Development Officer | Date of Report | 2.04.01 |
| Signatures | Author: _____ Senior Officer: _____ | | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee - in accordance with Resolution C061/10/00 | | |

Committee Decision

Delegated under Resolution C061/10/00

Moved Cr Richards seconded Cr Kirkpatrick

- 1 That Mr Stewart be thanked for his presentation on the proposed Hills Marketing Alliance.
- 2 Council looks forward to receiving more detailed information in the next few weeks.

CARRIED 4/0

| | | | |
|--------------------------------|---|----------------|---------|
| CRD36/04/01 INFORMATION REPORT | | | |
| Proponent | N/A | | |
| Officer | C McKee – Community Development Officer | Date of Report | 2.04.01 |
| Signatures | Author: _____ Senior Officer: _____ | | |
| Previously | N/A | | |
| Disclosure of Interest | | | |
| Delegation | Committee – in accordance with Resolution C061/10/00 | | |

Committee Decision

Delegated under Resolution C061/10/00

Moved Cr Richards seconded Cr Kirkpatrick

- 1 That Council accepts the March 2001 information report.
- 2 It be noted that Council's decision on the Jarrahdale Skate Park (CRD29/03/01) was received with enthusiasm.

CARRIED 4/0

10.4 Building Services – 17th April, 2001

| | | | |
|------------------------------|---|-----------------|----------|
| B29/04/01 INFORMATION REPORT | | | |
| Proponent | N/A | | |
| Officer | S Searle – Building/Health Support Officer | Date of Report | 03.04.01 |
| Signatures | Author: | Senior Officer: | |
| Previously | N/A | | |
| Disclosure of Interest | | | |
| Delegation | Committee – in accordance with Resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Price seconded Cr Townsend that Council accepts the March 2001 Information Report.
CARRIED 4/0

10.5 Health Services – 17th April, 2001

| | | | |
|--------------------------------|---|-----------------|----------|
| H22/04/01 INFORMATION BULLETIN | | | |
| Proponent | N/A | | |
| Officer | H Hunter – Principal Environmental Health Officer | Date of Report | 06.04.01 |
| Signatures | Author: | Senior Officer: | |
| Previously | N/A | | |
| Disclosure of Interest | | | |
| Delegation | Committee – in accordance with Resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Townsend seconded Cr Price that Council accepts the March 2001 Information Report.
CARRIED 4/0

10.6 Planning Development & Environment – 17th April, 2001

(Please note that Item E019/04/01 was incorrectly numbered and should read E022/04/01)

| | | | |
|---|---|----------------|--------|
| E022/04/01 BUSH RESERVES ADJACENT TO RAIL RESERVE, SERPENTINE (A0922) | | | |
| Proponent | Serpentine Bushland Group | | |
| Officer | Andrew Del Marco – Environmental Officer | Date of Report | 6/4/01 |
| Signatures | Author: Senior Officer: | | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Needham, seconded Cr Price that

1. Council receives and notes the report on Bush Reserves Adjacent to Rail Reserve, Serpentine.
2. The Serpentine Bushland Group is thanked for its efforts in protecting these two bushland areas.

CARRIED 4/0

| | | | |
|---|---|----------------|--------|
| E020/04/01 CONSERVATION COVENANT OVER LOT 45 BANKSIA ROAD, OLDBURY (P01397) | | | |
| Proponent | Department of Conservation and Land Management | | |
| Officer | Andrew Del Marco – Environmental Officer | Date of Report | 9/4/01 |
| Signatures | Author: Senior Officer: | | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision
Delegated under Resolution C061/10/00

Moved Cr Hicks, seconded Cr Needham that

1. Council in its comments to CALM provides no objection to the creation of a conservation covenant over the above property between Mr Edward Love and CALM.
2. A report be submitted to Council on the financial implications of rating the conservation-covenanted area on Lot 45 Banksia Road under the current Conservation Zone rate and valuation conditions and other options of financial incentives be explored.

CARRIED 4/0

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|-------------------------------|---|----------------|--------|
| E021/04/01 INFORMATION REPORT | | | |
| Proponent | Environmental Officer | | |
| Officer | Andrew Del Marco - Environmental Officer | Date of Report | 2/4/01 |
| Signatures | Author: Senior Officer: | | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Price, seconded Cr Townsend that the Information Report to 9 April 2001 be received.
CARRIED 4/0

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|---|---|----------------|---------|
| P124/04/01 UPDATE ON THE JARRAHDALÉ HERITAGE PARK MANAGEMENT PLAN GRANT APPLICATION (A0961) | | | |
| Proponent | Shire of Serpentine-Jarrahdale | | |
| Officer | Jocelyn Cockbain – Planning Officer | Date of Report | 29/3/01 |
| Signatures | Author: Senior Officer: | | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Hicks, seconded Cr Price that the report on Update On The Jarrahdale Heritage Park Management Plan Grant Application be noted.
CARRIED 4/0

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|--|---|----------------|---------|
| P125/04/01 UPDATE ON THE PROPOSED ADDITIONAL USE FOR THE STORAGE OF MINE MACHINERY – LOT 422 KING ROAD, OLDBURY (P00659) | | | |
| Proponent | Cook Industrial Minerals Pty Ltd | | |
| Officer | Jocelyn Cockbain – Planning Officer | Date of Report | 26/3/01 |
| Signatures | Author: Senior Officer: | | |
| Previously | P032/0/00; P146/02/00 | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Townsend, seconded Cr Price that the report on the Update On The Proposed Additional Use For The Storage Of Mine Machinery – Lot 422 King Road, Oldbury be noted.
CARRIED 4/0

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| P127/04/01 PROPOSED DEVELOPMENT FOR 20 DEMENTIA SPECIFIC BEDS AND ALTERATIONS TO ADMINISTRATION AREA AT BYFORD HOSTEL FOR BAPTIST CARE – LOT 108 TURNER ROAD, BYFORD (P01301) | | | |
| Proponent | Scott Hambley Architect | | |
| Officer | David Lodwick – Senior Planner | Date of Report | 6/4/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution

Delegated under Resolution C061/10/00

Moved Cr Hicks, seconded Cr Price that Council approves the proposal for 20 dementia specific beds and alterations to administration area at existing Byford Hostel for Baptist Care at Reserve 44374 in accordance with application dated 1 March 2001 and associated plans subject to the following conditions:

1. Compliance with Building Code of Australia for Class 9A Health Care Buildings;
2. Strict compliance with the Building Code of Australia does not obviate obligations to comply with the Disability Discrimination Act 1992;
3. Landscaping to be carried out to the satisfaction of the Environmental Officer in accordance with Council's Info Note PS03 – Landscaping and Revegetation Policy on Developments Policy. Landscaping works to include aesthetically pleasing landscaping strip along Turner Road frontage of the development area. Works to be bonded to the sum of \$1000;
4. Landscaping to be implemented by 30 September 2001 and from thereon suitably maintained to Council's satisfaction;
5. Connection to an alternative effluent disposal treatment system to requirements of the Health Department of Western Australia;
6. All hardstanding areas (driveways, crossovers, vehicle manoeuvring space etc) shall be designed and constructed as a sealed pavement in accordance with AUSTRROADS, Pavement Design or Main Roads WA Engineering Road Note No.9. Details of the Pavement Design shall be shown on the detailed engineering drawings;
7. The development shall be designed in accordance with accepted engineering standards. Two copies of detailed engineering drawings showing the development car park and drainage management in accordance with the "Local Government Guidelines for Subdivisional Development", Institute of Municipal Engineering Australia WA Division Inc, October 1998, shall be provided to the Director of Asset Services for approval prior to issue of a building licence;
8. Stormwater shall be suitably compensated on site in accordance with accepted engineering standards to ensure that discharge from the site is compensated to a maximum of 5.0L/s per gross hectare. Details of compensation structures shall be shown on the detailed engineering drawings. Alternatively, the developer may pay a drainage headworks charge to the Council of \$2.26 per metre square of the gross development area to provide stormwater drainage compensation in the Byford drainage district;
9. Building Licence to be obtained for development infrastructure;
10. Development to be designed and of same materials to complement existing built form to satisfaction of Council's Principal Building Surveyor;
11. Nine displaced car parking bays to be permanently provided, sealed and marked as visitor parking elsewhere on the site and/or within adjoining Turner Road reserve at applicant's cost. Location and construction of bays to be to the satisfaction/specification of Council's Executive Manager Asset Services and in accordance with Council's Town Planning Scheme requirements.

CARRIED 4/0

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| P129/04/01 DEVELOPMENT ISSUES WITHIN THE URBAN DEVELOPMENT ZONE | | | |
| Proponent | Shire of Serpentine-Jarrahdale | | |
| Officer | Jocelyn Cockbain – Planning Officer | Date of Report | 30/3/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Needham, seconded Cr Townsend that

1. The report on “Development Issues Within The Urban Development Zone” be noted.
2. Delegated authority be given to the Chief Executive Officer to approve/refuse the following developments within the Urban Development zone:-

1. Single Dwellings and extensions to existing dwellings
2. Sheds, Outbuildings, Patios, Pergola
3. Swimming Pools
4. Granny Flats and Ancillary Accommodation
5. Car Park
6. Signs

3. A planning application fee of \$50 apply to the following developments within the Urban Development zone:

1. Single Dwellings and extensions to existing dwellings
2. Sheds, Outbuildings, Patios, Pergola
3. Swimming Pools
4. Granny Flats and Ancillary Accommodation
5. Car Park

CARRIED 3/0

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| P130/04/01 PROPOSED COUNCIL POLICY PP10 – APPEALS AGAINST EXTRACTIVE INDUSTRY LICENCE DECISIONS (A0405) | | | |
| Proponent | Director Sustainable Development | | |
| Officer | Andrew Watson – Director Sustainable Development | Date of Report | 6/4/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Hicks, seconded Cr Townsend that Council adopts policy PP10 - Objections to Extractive Industry Licence Applications as set out in report P130/04/01.

CARRIED 4/0

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| P131/04/04 ADOPTION OF AMENDMENT NO. 113 TO TOWN PLANNING SCHEME NO. 2 (A0890) | | | |
| Proponent | Shire of Serpentine-Jarrahdale | | |
| Officer | Jocelyn Cockbain – Strategic Planner | Date of Report | 4/4/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | P253/07/00 | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Price, seconded Cr Townsend that

A. Council in pursuance to Clause 17 of the Town Planning Regulations 1967, resolves to adopt for final approval Amendment No.113 subject to:

1. Delete the base data shown on Plan 15.2;
2. Amend the boundaries of Precinct 8 and 7 shown on Plan 15.2;
3. Add Precinct 11 and 12 to Plan 15.2

B. The Chief Executive Officer and Shire President be authorised to execute the amendment documentation for final approval upon changes being effected.

C. Council confirms the officer's comments in the Schedule of Submissions circulated as an attachment to the report – Schedule of Submissions to Amendment No.113.

CARRIED 3/0

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| P132/04/01 AMENDMENT NO. 116 TO TOWN PLANNING SCHEME NO. 2 (A0926) | | | |
| Proponent | Shire of Serpentine-Jarrahdale | | |
| Officer | Jocelyn Cockbain – Planning Officer | Date of Report | 21/3/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | SM022/01/01 | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution
Delegated under Resolution C061/10/00

Moved Cr Price, seconded Cr Needham that the report on Amendment No. 116 to Town Planning Scheme No. 2 be noted and the actions of the Officer's be endorsed.

CARRIED 4/0

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| P134/04/01 AMENDMENT NO. 112 - FINAL ADOPTION - PROPOSED REZONING FROM RURAL TO FARMLLET – LOT 668 GULL ROAD, SERPENTINE (A0886) | | | |
| Proponent | Dykstra & Associates | | |
| Officer | David Lodwick – Senior Planner | Date of Report | 2/8/00 |
| Signatures | Author: | Senior Officer: | |
| Previously | P023/08/00 | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution

Delegated under Resolution C061/10/00

Moved Cr Price, seconded Cr Hicks that Council in pursuance to Clause 17 of the Town Planning Regulations 1967 resolves to adopt for final approval Amendment No. 112 to rezone Lot 668 Gull Road, Serpentine from 'Rural' to 'Farmllet' subject to deletion of bridle path requirement.

CARRIED 4/0

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| P135/04/04 PROPOSED AMENDMENT NO. 115 – REZONING LOTS 65 SOUTH WESTERN HIGHWAY AND LOT 66 THOMAS ROAD, BYFORD (A0901) | | | |
| Proponent | Dykstra and Associates | | |
| Officer | David Lodwick – Senior Planner | Date of Report | 20/03/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | P089/01/01 | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution

Delegated under Resolution C061/10/00

Moved Cr Townsend, seconded Cr Price that the proposed amendment to rezone Lots 65 South Western Highway and Lot 66 Thomas Road, Byford from Rural to Rural Living A be referred to a further Rural Strategy Working Group meeting, as under the current Rural Strategy this is a Farmllet area and any changes would have to be included as part of a Rural Strategy review.

CARRIED 4/0

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|-------------------------------|---|-----------------|---------|
| P136/04/01 INFORMATION REPORT | | | |
| Proponent | Director Sustainable Development | | |
| Officer | Andrew Watson – Director Sustainable Development | Date of Report | 2/04/01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Committee in accordance with resolution C061/10/00 | | |

Committee Decision/Officer Recommended Resolution

Delegated under Resolution C061/10/00

Moved Cr Hicks, seconded Cr Townsend that the Information Report to 10 April 2001 be received.

CARRIED 4/0

11. RETIRING COUNCILLOR PRESENTATION

Cr Star made presentations of a plaque, certificate and name plate to retiring Councillors: Cr Colleen Rankin, Cr Kim Hicks, Cr Jack Townsend.

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|--|---------------------|-----------------|----------|
| C170/04/01 COUNCILLOR KIRKPATRICK – LEAVE OF ABSENCE | | | |
| Proponent | Cr John Kirkpatrick | | |
| Officer | | Date of Report | 23.04.01 |
| Signatures | Author: | Senior Officer: | |
| Previously | | | |
| Disclosure of Interest | | | |
| Delegation | Council | | |

Cr Kirkpatrick requested leave of absence from Council for the period 18th May to 30th June, 2001.

Council Decision

Moved Cr Richards seconded Cr Price that Cr Kirkpatrick application for leave of absence for the period 18th May to 30th June be accepted.
CARRIED 8/0

12. CLOSE

The meeting closed at 7.47pm.

I certify that these minutes were confirmed at the
Ordinary Council Meeting held on 28th May, 2001

.....
Presiding Member

.....
Date