

## TABLE OF CONTENTS

<b>1. ATTENDANCES &amp; APOLOGIES.....</b>	<b>1</b>
<b>2. PUBLIC QUESTION TIME.....</b>	<b>1</b>
<b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....</b>	<b>1</b>
<b>4. STATEMENTS, PETITIONS, MEMORIALS &amp; DEPUTATIONS .....</b>	<b>2</b>
<b>5. ANNOUNCEMENTS BY PRESIDING MEMBER .....</b>	<b>2</b>
<b>6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....</b>	<b>2</b>
6.1 Ordinary Council Meeting 25 <sup>th</sup> November, 2002 .....	2
6.2 Annual Electors Meeting – 4 <sup>th</sup> December, 2002 .....	2
<b>7. REPORTS OF COMMITTEES &amp; OFFICERS.....</b>	<b>2</b>
7.1 Corporate Services Committee Meeting – 9 <sup>th</sup> December, 2002.....	2
C063/12/02 REVIEW OF COUNCIL LOCAL LAW “STANDING ORDERS” (A0150) .....	3
C064/12/02 COMMUNITY BUS HIRE POLICY (A0176) .....	5
C071/12/02 POSTAL ELECTION – MAY 2003 (A0047) .....	9
7.2 Asset Services – 9 <sup>th</sup> December, 2002 .....	10
AS025/12/02 REALLOCATION OF DEVELOPER CONTRIBUTIONS FOR STATIC WATER SUPPLY (A0185) .....	10
AS026/12/02 JARRAHDAL OVAL RESERVE (RS0015) .....	11
AS027/12/02 FOOTPATH CONSTRUCTION LESLIE STREET, SERPENTINE (R0220) .....	13
AS028/12/02 INFORMATION REPORT .....	14
7.3 Community & Recreation Development Meeting – 9 <sup>th</sup> December, 2002 .....	16
CRD07/12/02 REQUEST TO ALLOW CARAVAN CLUB TO USE FACILITIES AT MUNDIJONG OVAL DURING ANZAC DAY WEEKEND 2003 (RS0016) .....	16
CRD08/12/02 INFORMATION REPORT .....	18
7.4 Strategic Management Committee Meeting – 16 <sup>th</sup> December, 2002 .....	22
SM026/12/02 SOUTH EAST REGIONAL ENERGY GROUP (A0283) .....	22
SM027/12/02 DECEMBER 2002 STATUS REPORT – BYFORD STRUCTURE PLAN IMPLEMENTATION (A0769-07) .....	26
SM028/12/02 JARRAHDAL HERITAGE PARK PARTNERING AGREEMENT (P05576/02).....	33
SM029/12/02 SERPENTINE DAMS TEAROOM LEASE (RS0141/01).....	38
7.5 Planning Development & Environment Meeting – 16 <sup>th</sup> December, 2002 .....	45
E011/12/02 PERTH BIODIVERSITY ROUND 2 SUBMISSIONS FOR FUNDING (A0397) .....	45

<b>P184/12/02</b>	<b>REVIEW OF PLANNING SERVICES DELEGATED AUTHORITY (A1047/03, A0582)</b>	<b>49</b>
<b>P188/12/02</b>	<b>APPLICATION FOR EXPLORATION LICENCE 70/2495 BY ILUKA RESOURCES (A0548)</b>	<b>63</b>
<b>P190/12/02</b>	<b>EXTRACTIVE INDUSTRY LICENCE RENEWAL – LOT 422 KING ROAD, OLDBURY (P00659/01)</b>	<b>67</b>
<b>P191/12/02</b>	<b>PROPOSED AUTOMOTIVE ACCESSORIES SHOP – LOT 2 CORNER THOMAS ROAD AND SOUTH WESTERN HIGHWAY, BYFORD (P00804/01)</b>	<b>73</b>
<b>P194/12/02</b>	<b>FINAL ADOPTION OF LOCAL PLANNING POLICY NO. 8 - LANDSCAPE PROTECTION (A1028)</b>	<b>81</b>
<b>P195/12/02</b>	<b>LOCAL PLANNING POLICY NO. 13 - WOODLOT SUBDIVISION DESIGN GUIDELINES – JARRAHDAL (A1147)</b>	<b>101</b>
<b>P198/12/02</b>	<b>PROPOSED FORMULA NIPPON RACING CIRCUIT AND OAKFORD VILLAGE – LOT 698 NICHOLSON ROAD, OAKFORD (P04120)</b>	<b>139</b>
<b>8.</b>	<b>MOTION OF WHICH NOTICE HAS BEEN GIVEN</b>	<b>143</b>
<b>9.</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING: ..</b>	<b>143</b>
<b>P200/12/02</b>	<b>CONFIDENTIAL ITEM: TRIBUNAL APPEAL NO. 123 OF 2002 - INERT LANDFILLING – LOT 1 JACKSON ROAD AND LOT 12 BIRD ROAD, OLDBURY (P005586/01)</b>	<b>143</b>
<b>9.1</b>	<b>INCLUDING CHIEF EXECUTIVE OFFICER/OFFICER REPORTS</b>	<b>153</b>
<b>9.2</b>	<b>COUNCILLORS QUESTIONS</b>	<b>153</b>
<b>10.</b>	<b>INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY</b>	<b>153</b>
<b>10.1</b>	<b>Corporate Services</b>	<b>153</b>
<b>C065/12/02</b>	<b>CONFIRMATION OF PAYMENT OF CREDITORS (A0917)</b>	<b>153</b>
<b>C066/12/02</b>	<b>DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)</b>	<b>153</b>
<b>C067/12/02</b>	<b>SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)</b>	<b>154</b>
<b>C068/12/02</b>	<b>RATE DEBTORS REPORT (A0917)</b>	<b>154</b>
<b>C069/12/02</b>	<b>INFORMATION REPORT</b>	<b>154</b>
<b>C070/12/02</b>	<b>CLOSURE OF MUNDIJONG LIBRARY (RS0118)</b>	<b>155</b>
<b>10.2</b>	<b>Asset Services</b>	<b>155</b>
<b>10.3</b>	<b>Community &amp; Recreation Development</b>	<b>155</b>
<b>10.4</b>	<b>Building Services</b>	<b>155</b>
<b>B16/12/02</b>	<b>INFORMATION REPORT</b>	<b>155</b>
<b>10.5</b>	<b>Health Services</b>	<b>156</b>
<b>H06/12/02</b>	<b>INFORMATION REPORT</b>	<b>156</b>
<b>10.6</b>	<b>Planning Development &amp; Environment</b>	<b>156</b>

<b>P185/12/02</b>	<b>PATERSON STREET, MUNDIJONG DESIGN GUIDELINES (A1112) .....</b>	<b>157</b>
<b>P186/12/02</b>	<b>PROPOSED EXTENSION TO EXISTING POULTRY FARM – LOT 505 HENDERSON ROAD, SERPENTINE (P00194/01).....</b>	<b>157</b>
<b>P187/12/02</b>	<b>BRISTLE LTD EXTRACTIVE INDUSTRY LICENCE RENEWAL - PT LOC 22 KILN ROAD, KARRAKUP (P04655/01) .....</b>	<b>161</b>
<b>P189/12/02</b>	<b>PROPOSED WHOLESALE NURSERY – LOT 112 GULL ROAD, SERPENTINE (P02703/01).....</b>	<b>164</b>
<b>P192/12/02</b>	<b>PROPOSED PARKING OF ONE COMMERCIAL VEHICLE – LOT 31 BULLARA RAMBLE, JARRAHDAL (P03118).....</b>	<b>165</b>
<b>P193/12/02</b>	<b>RETROSPECTIVE APPLICATION FOR A HOME BUSINESS - WHOLESALE GROWER OF TROPICAL FISH – LOT 86 KARBRO DRIVE, CARDUP (P00835/01) .....</b>	<b>166</b>
<b>P196/12/02</b>	<b>PROPOSED PLANNING SCHEME AMENDMENT NO. 128 – POWER OF ENTRY (A1144) .....</b>	<b>167</b>
<b>11.</b>	<b>CLOSE .....</b>	<b>167</b>

- 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 23<sup>rd</sup> DECEMBER, 2002. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.02PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

---

## 1. ATTENDANCES & APOLOGIES

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

**APOLOGIES:** Cr JE Price..... Leave of absence

### IN ATTENDANCE:

Mr D Price ..... Chief Executive Officer  
Mr R Harris ..... Director Asset Services  
Mr G Dougall ..... Director Corporate Services  
Mr A Watson ..... Director Sustainable Development  
Mrs S Langmair ..... Minute Secretary

**GALLERY:** 8

## 2. PUBLIC QUESTION TIME

Public Question Time commenced at 7.02pm

Judy Maetaga, 37 Wolfe Road, Oakford

Q Regarding Construction of racing facilities Nicholson/Thomas Road

1. How long have negotiations being taken place between Council and developers?
2. Why weren't residents in Pony Way/Thomas Road delivered pamphlets on this matter?
3. Why was Whiteman Park rejected for the above scheme?

- A
1. The CEO advised that Council have only had preliminary discussions with the Perth International Motorsports Management (PIMMS) and at this stage has not received anything formal from PIMMS.
  2. The CEO was unsure of the pamphlet distribution as this was undertaken by PIMMS.
  3. The CEO advised that this would have to be a question directed to PIMMS.

The Presiding Member advised that Council could enquire about Whiteman Park.

Cr Hoyer noted Cr Murphy's involvement in the community consultation process.

Public Question time concluded at 7.06pm.

## 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

#### **4. STATEMENTS, PETITIONS, MEMORIALS & DEPUTATIONS**

Evan Hicks, Byford Childcare Centre

Regarding the community bus and his use of the bus during school holidays. Over the past few years he has hired the bus (3 days every week during school holidays) for school holiday excursions at a half day rate and paying “local not for profit” rate. Background to use of bus by school aged children. He asked why should ratepayers subsidise the bus to non-ratepayers – the children that he takes on excursions all live in the Shire. There was a 60% reduction in school children attending this school holidays due to the possibility of the increase in costs due to the reviewed bus charges, with a lot of the families unable to afford the extra cost per day.

#### **5. ANNOUNCEMENTS BY PRESIDING MEMBER**

The Presiding Member advised that Council had won a Best Practice in Local Government Award for 2002 in Achievement of Best Practice in Innovation for Regional Greenhouse Plan.

The Director Corporate Services left the meeting at 7.13pm and returned at 7.15pm.

#### **6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

##### **6.1 Ordinary Council Meeting 25<sup>th</sup> November, 2002**

##### **COUNCIL DECISION**

Moved Cr Murphy seconded Cr Hoyer

That the minutes of the Ordinary Council Meeting held on 25<sup>th</sup> November, 2002 be confirmed with the following Supplementary Advice to item P179/11/02:

“Western Australian Planning Commission be advised further to Advice Note 2, that the Shire has great concerns for safety reasons at the granting of development approval to extract clay for five (5) years so long as the proposal continues to include the cartage of clay along Kingsbury Drive”

CARRIED 9/0

##### **6.2 Annual Electors Meeting – 4<sup>th</sup> December, 2002**

##### **COUNCIL DECISION**

Moved Cr Simpson seconded Cr Scott

That the minutes of the Annual Electors Meeting held on 4<sup>th</sup> December, 2002 be received.  
CARRIED 9/0

#### **7. REPORTS OF COMMITTEES & OFFICERS**

##### **7.1 Corporate Services Committee Meeting – 9<sup>th</sup> December, 2002**

##### **COUNCIL DECISION**

Moved Cr Simpson seconded Cr Wigg

That the minutes of the Corporate Services Committee Meeting held on 9<sup>th</sup> December, 2002 be received.

CARRIED 9/0

C063/12/02 REVIEW OF COUNCIL LOCAL LAW “STANDING ORDERS” (A0150)		
Proponent	Council	<b>In Brief</b>  <i>In accordance with s 3.12 of the Local Government Act 1995 Council advertise the proposed new Standing Orders Local Law for a period of not less than 6 weeks</i>
Officer	D.E. Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	26.11.2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

Council undertook a review of their delegated authorities in May 2002 and were advised as part of that report that it would be appropriate to also review a number of local laws.

The first of the local laws to be reviewed are the Council Standing Orders.

This draft proposed new local law was referred to the Local Law working group for review and comment in late October. ***A copy of the working groups proposed new local law is included with the attachments and marked C063/12/02*** for Council's information.

### **Comments**

A review of the existing Council “Standing Orders” Local Law has been undertaken in accordance with the Local Government Act 1995. Council is presented with the model local law for Standing Orders as amended in accordance with s3.9 of the Local Government Act 1995.

The text of the new model local law has been modified where appropriate to reflect the better parts of the existing local law and also includes a provision to enable the “Repeal” of the old local law upon the finalisation (1.4 Repeal) of the adoption of the new local law. The existing local law will remain in place until all the formalities are completed and the new local law becomes operative.

## **EXPLANATORY NOTES**

### **1 ADMINISTERING AUTHORITY**

Shire of Serpentine-Jarrahdale

### **2 TITLE OF LOCAL LAW**

Shire of Serpentine-Jarrahdale Model Local Law Standing Orders 2002

### **3 SECTION OF ACT**

The local law amendment is made under the Local Government Act 1995 ( s3.5, 3.8, 3.9 and 3.12)

### **4 PURPOSE AND EFFECT OF THE LOCAL LAW**

The local law is intended to provide for –

- the orderly conduct of all meetings dealing with Council business;
- increasing public participation in the local governments meetings and decision making process;
- greater accountability to the community;

- improving the community's understanding of the process of the conduct of meetings dealing with Council business; and
- the most efficient and effective use of time at all meetings dealing with Council business.

The local law provides for the proceedings and conduct of all Council and Committee meetings of the Shire.

## **5 IDENTIFICATION OF UNUSUAL OR CONTROVERSIAL PROVISIONS**

There are no unusual or controversial provisions.

## **6 CONSULTATIONS, SUBMISSIONS AND RESPONSES**

In accordance with section 3.12 of the Local Government Act 1995, a state-wide public notice summarising the purpose and effect of the local law will be published in the West Australian newspaper and a copy forwarded to the Minister for Local Government. A copy of the notice will also be placed in a local newspaper and displayed on the notice boards at the Administration Centre and Shire Library. Written submissions will be received and presented to Council upon the conclusion of the Public comment period.

## **7 REASONS FOR FEES, CHARGES AND PENALTIES**

The new local law proposes maximum penalties as prescribed in the model local law for certain offences by members of the public and Council representatives. The penalties are considered by Council to be a sufficient penalty to apply to this local law and do not exceed the \$5,000 fine set out in s9.14 of the Local Government Act 1995.

## **8 NATIONAL COMPETITION POLICY**

National Competition Policy implications have been considered and are not applicable to this local law.

### **Sustainability Statement**

The local law provides for the proceedings and conduct of all Council and Committee meetings of the Shire.

### **Statutory Environment:**

Local Government Act 1995

s3.12.2 of the Local Government Act 1995 requires that the Presiding person read aloud or cause to be read aloud, a summary of the purpose and effect of the proposed local law.

### **Policy Implications:**

No Policy implications

### **Financial Implications:**

Cost of advertising the Local Law

### **Strategic Implications:**

No Strategic implications are known

### **Community Consultation:**

Statewide and local public notice advising that a copy of the proposed local law may be inspected or obtained at any place specified in the notice, and inviting submissions in accordance with s3.12 of the local Government Act 1995. This public comment period is to

be for a period of not less than 6 weeks after the notice is given.

**Voting Requirements:**                      **Normal**

**Officer Recommended Resolution**

1. In accordance with s 3.12 of the Local Government Act 1995 Council advertise the proposed new Standing Orders Local Law as provided in the attachment marked "C063/12/02" for a period of not less than 6 weeks.

**CRC063 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Simpson seconded Cr Needham

1. In accordance with s 3.12 of the Local Government Act 1995 Council advertise the proposed new Standing Orders Local Law as provided in the attachment marked "C063/12/02" for a period of not less than 6 weeks.
2. In part 6.1(1) include the definition of a quorum.

CARRIED 9/0

Note: The Committee felt that in Part 6.1(1) of the Standing Orders should include a definition of a quorum as provided in the Local Government Act 1995.

C064/12/02 COMMUNITY BUS HIRE POLICY (A0176)		
Proponent	Byford Child Care Centre	In Brief Implement a policy for use of the Community Bus and modify the fee structure.
Officer	G R Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	19/11/02	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

In the 2002/2003 Statutory Budget, Council provided three levels of fee structure to hire the community bus – these being;

GROUP CLASS	HALF DAY RATE	FULL DAY HIRE
Local Organisations	\$43.00	\$86.00
Other Community Organisations	\$57.00	\$114.00
Commercial Rate	N/A	\$178.50 (up to 200 kms – 25 cents per kilometre thereafter)

The bus is leased by Council for a period of four years. The annual lease is \$18,280 per year. Other operating costs of the bus have been budgeted at \$6,120 for the year, total budget costs being \$24,400. The bus is currently hired on about three days every week on average – which equates the operating cost of the bus to Council per day on hire at \$156.00 per day.

Currently it is at the discretion of officers as to the charge applicable (based on the classification) to each group, however, some confusion is being encountered where groups fit more than one classification. Other issues are also arising where groups are booking the bus for significant periods in advance limiting the availability of the bus. This has brought



comment from community groups that there should be some sort of priority given over certain groups.

### **Comments**

Whilst the request to have certain groups with greater priority is understood it does become somewhat difficult to put in place a suitable management system to deal the variety of circumstances. When a group makes a booking it is generally as a result of some commitment and by booking the bus they need some confirmation that it will be available at that time. There is a need to ensure that all groups have a reasonable expectation that they have access to the Community Bus.

The bus is currently being regularly booked by the Armadale Home and Community Care group, the Byford Bowling Club and the Byford Child Care Centre. The child care centre is being charged at the local organisation rate rather than the commercial rate as staff determined that they are a local organisation. The intent was for this type of group to be charged the commercial rate. The dilemma Council is now confronted with is that the centre is providing school holiday programs for our community.

In determining a suitable length of time to make bookings for the bus it must be remembered that community groups and businesses alike need sufficient time to ensure they can make appropriate arrangements. A suggested suitable length of time would be three months. This would give community groups and businesses time to plan ahead and undertake necessary arrangements to prepare themselves.

Councillors may also wish to consider the type of activity the bus can be hired for. In the past couple of months a politician has requested the bus for a week period to drive around the shire. It is suggested that this type of activity may not be the most appropriate use as it could be seen as a political campaign that is supported by Council. The policy should include the stipulation that no form of advertising or banner can be displayed from the bus and that the bus can only be hired for greater periods than two continuous days with the approval of the Chief Executive Officer.

The final consideration is the fee structure. As mentioned previously the current fee structure does provide some confusion when groups fit into more than one category. To resolve this it is suggested to amend the fee structure to provide for four categories, these being listed below;

<b>GROUP CLASS</b>	<b>HALF DAY RATE</b>	<b>FULL DAY HIRE</b>
Local Not for Profit Organisations	\$43.00	\$86.00
Other Not for Profit Community Organisations	\$57.00	\$114.00
Local Commercial Organisations	N/A	\$178.50
Other Commercial Organisations	N/A	\$178.50 (up to 200kms – 25 cents per kilometre thereafter)

These new rates will need to be advertised for a period of 28 days in accordance with the Local Government Act 1995 before being implemented.

**Statutory Environment:** Local Government Act 1995

**Policy Implications:** As provided in recommendation

**Financial Implications:** Will not impact on current budget projections

**Strategic Implications:** No strategic implications

**Community Consultation:** Advertising of new fees will be required

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

**Officer Recommended Resolution**

1. The following policy for the hire of the Community Bus be adopted;

**HIRE OF COMMUNITY BUS**

The Serpentine Jarrahdale Community Bus is available for hire on the following basis:

- The bus can only be pre booked up to 3 calendar months in advance (for a maximum of 48 hours per week);
  - Bookings cannot take place for a period greater than 48 hours in duration without prior written approval from the Chief Executive Officer;
  - The fee for use of the bus **MUST** be paid in advance of use (any additional kilometre rate charge will be determined on return and must be paid within 7 days);
  - The bus will only be made available after the designated driver has signed the conditions of use form.
  - No form of banner or advertising, besides that of the Shire of Serpentine-Jarrahdale can be displayed from the bus.
2. The fee structure for the hire of the bus be modified to the following and advertised in accordance with the Local Government Act 1995;

<b>GROUP CLASS</b>	<b>HALF DAY RATE</b>	<b>FULL DAY HIRE</b>
Local Not for Profit Organisations	\$43.00	\$86.00
Other Not for Profit Community Organisations	\$57.00	\$114.00
Local Commercial Organisations	N/A	\$178.50
Other Commercial Organisations	N/A	\$178.50 (up to 200 kms – 25 cents per kilometre thereafter)

**CRC064 Committee Recommended Resolution**

1. The following policy for the hire of the Community Bus be adopted;

**HIRE OF COMMUNITY BUS**

The Serpentine Jarrahdale Community Bus is available for hire on the following basis:

- The bus can only be pre booked up to 3 calendar months in advance (for a maximum of 48 hours per week);
- Bookings cannot take place for a period greater than 48 hours in duration without prior written approval from the Chief Executive Officer;
- The fee for use of the bus **MUST** be paid in advance of use (any additional kilometre rate charge will be determined on return and must be paid within 7 days);
- The bus will only be made available after the designated driver has signed the conditions of use form.
- No form of banner or advertising, besides that of the Shire of Serpentine-Jarrahdale can be displayed from the bus.

2. The fee structure for the hire of the bus be modified to the following and advertised in accordance with the Local Government Act 1995;
3. Cancellation within 4 weeks of the booking date will incur a 50% penalty.

GROUP CLASS	HALF DAY RATE	FULL DAY HIRE
Local Not for Profit Organisations	\$43.00	\$86.00
Other Not for Profit Community Organisations	\$57.00	\$114.00
Local Commercial Organisations	N/A	\$132.00 (up to 200 kms – 25 cents per kilometre thereafter)
Other Commercial Organisations	N/A	\$178.50 (up to 200 kms – 25 cents per kilometre thereafter)

Note: The recommendation was changed as the Committee felt the “Local Commercial Organisations” full day hire fee should be at a cheaper rate than “Other Commercial Organisations” and advertising or banners should not be displayed from the bus. The Committee also added a cancellation fee to ensure no ambit bookings for the bus are made.

#### **CRC064 COUNCIL DECISION**

Moved Cr Simpson seconded Cr Kirkpatrick

1. The following policy for the hire of the Community Bus be adopted;

#### **HIRE OF COMMUNITY BUS**

The Serpentine Jarrahdale Community Bus is available for hire on the following basis:

- The bus can only be pre booked up to 3 calendar months in advance (for a maximum of 48 hours per week);
  - Bookings cannot take place for a period greater than 48 hours in duration without prior written approval from the Chief Executive Officer;
  - The fee for use of the bus **MUST** be paid in advance of use (any additional kilometre rate charge will be determined on return and must be paid within 7 days);
  - The bus will only be made available after the designated driver has signed the conditions of use form.
  - No form of banner or advertising, besides that of the Shire of Serpentine-Jarrahdale can be displayed from the bus.
2. The fee structure for the hire of the bus be modified to the following and advertised in accordance with the Local Government Act 1995;
  3. Cancellation within 4 weeks of the booking date will incur a 50% penalty.

GROUP CLASS	HALF DAY RATE	FULL DAY HIRE
Local Not for Profit Organisations	\$43.00	\$86.00
Other Not for Profit Community Organisations	\$57.00	\$114.00
Local Commercial Organisations	\$66.00 (up to 200 kms – 25 cents per kilometre thereafter)	\$132.00 (up to 200 kms – 25 cents per kilometre thereafter)
Other Commercial Organisations	N/A	\$178.50 (up to 200 kms – 25 cents per kilometre thereafter)

**CARRIED 9/0 ABSOLUTE MAJORITY**

Cr Richards left the meeting at 7.20pm and returned at 7.22pm

Note: The Committee Recommended Resolution was changed because there was no half day rate for local organisations.

C071/12/02 POSTAL ELECTION – MAY 2003 (A0047)		
Proponent	Local Government Act 1995	<b>In Brief</b>  To appoint WA Electoral Commissioner responsible for the May 2003 Elections
Officer	G.R. Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	06/12/02	
Previously	C056/11/02	
Disclosure of Interest		
<b>Delegation</b>	Council	

### **Preamble**

To resolve that the Western Australian Electoral Commissioner be responsible for the conduct of the Ordinary Elections in May 2003 and to resolve that the elections be held by postal vote.

### **Background**

At the November Corporate Services Committee Meeting it was resolved to request the Western Australian Electoral Commissioner to be responsible for the conduct of the Ordinary Local Government Elections in May 2003. The Commissioner has now provided written confirmation that she is prepared to be responsible for the conduct of these elections on Council's behalf.

### **Comments**

Council must now declare the Electoral Commissioner to be responsible for the conduct of the election by special majority (under section 4.20(4) of the Local Government Act 1995). This declaration to appoint the Electoral Commissioner must be made before the 80<sup>th</sup> day prior to the election.

Council is also required to decide formally (section 4.61(2) of the Local Government Act 1995) to conduct the election as a postal election. Special majority is also required for this decision.

**Statutory Environment:** Sections 4.20 and 4.61 of the Local Government Act.

**Policy Implications:** No Policy Implications

**Financial Implications:** \$20,000 dollars remains from the election allocation as a result of no election occurring for the North Ward Extraordinary Election in September 2001.

**Strategic Implications:** No Strategic Implications

**Community Consultation:** Community Consultation not required

**Voting Requirements:** **SPECIAL MAJORITY REQUIRED** (ie absolute majority required for Council's with less than 11 members)

### **CRC071 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Kikrpatrick seconded Cr Richards

1. In accordance with section 4.20(4) of the Local Government Act 1995 the Shire of Serpentine Jarrahdale resolves the Western Australian Electoral Commissioner be responsible for the conduct of the May 2003 local government elections for the Shire of Serpentine Jarrahdale; and
2. In accordance with section 4.61(2) of the Local Government Act 1995 the Shire of Serpentine Jarrahdale will conduct the May 2003 local government elections by postal vote.

**CARRIED 9/0 SPECIAL MAJORITY**

## **7.2 Asset Services – 9<sup>th</sup> December, 2002**

### **COUNCIL DECISION**

Moved Cr Kikrpatrick seconded Cr SimpsonS

That the minutes of the Asset Services Committee Meeting held on 9<sup>th</sup> December, 2002 be received.

**CARRIED 9/0**

AS025/12/02 REALLOCATION OF DEVELOPER CONTRIBUTIONS FOR STATIC WATER SUPPLY (A0185)		
Proponent	Shire of Serpentine-Jarrahdale	<b><u>In Brief</u></b> <i>Council to reallocate FIR406 developer contributions from Hopkinson road static water supply to Orton road static water supply. It is recommended that the funds be re allocated from the Hopkinson Road site to the Orton road site.</i>
Officer	D Gossage	
Signatures - Author:		
Senior Officer:	R Harris	
Date of Report	25 November 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

The developer contributions that were raised to build the Orton Road static water supply site were mistakenly allocated to the Hopkinson Road static water supply site as a part of the budget process. Council is requested to reallocate the \$38000.00 of funds back to the Orton Road site so that the facility can be constructed as was originally intended. The Local Government Act requires a Council resolution to allow the funds to be re allocated.

### **Comments**

The Hopkinson Road static water supply site was reserved as a part of the Settlers Rest subdivision to enable a static water supply to be built once the Tonkin Highway was constructed, as the highway would be cutting the access to the existing Abernethy Road hydrant water supply that is servicing the estate at present.

***A copy of the map showing proximity is with attachments marked AS026/12/02.***

The “hatched” area marked is the area where funds have come from developers for construction of a static water supply to service their estates. It is important to note that the Settlers Rest developers did not contribute to the construction of a facility, they appealed against having to pay due to the existing water supply coverage. The Hopkinson Road

static water supply is indicated by “HRSWS” and a circle, the Orton Road static water supply is indicated by “ORSWS” and a circle.

By constructing the Orton Road facility this will comply with Council’s obligations to the developers that have contributed to the reserve fund and strategically be of a greater asset to the emergency services that service the area.

### **Sustainability Statement**

The proposal is in line with best practise to minimise risk by fire and strategically located. It will reduce the turn around times of the emergency services and reduce the pressure on the domestic water supply by the use of a bore. The proposal gives a better coverage to the community as a whole.

**Statutory Environment:** Local Government Act, financial requirements .

**Policy Implications:** Not applicable.

**Financial Implications:** Nil, the funds are from a Shire reserve account established for developers’ funds to be held.

**Strategic Implications:** Nil.

**Community Consultation:** Not applicable.

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

### **CRAS025 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Needham seconded Cr Kirkpatrick Council reallocates the \$38,000.00 in FIR406 from the Hopkinson Road static water supply sight to the Orton Road site.  
**CARRIED 9/0 ABSOLUTE MAJORITY**

AS026/12/02 JARRAHDAL OVAL RESERVE (RS0015)		
Proponent	Shire of Serpentine Jarrahdale	<i>Council is requested to approve the discontinuation of the watering of Jarrahdale Oval due to low utilization of the facility in summer months.</i>
Officer	Mick Beaverstock Manager Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	29 November 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

Reticulation was installed in the Jarrahdale Oval in 1982, at which time the facility was intended to be regularly utilised as an active reserve throughout summer months.

Water for the reticulation system is sourced, via a pumping facility, from a storage dam constructed on a tributary of Gooralong Brook. This dam is fed by a relatively small catchment area which does not provide a reliable source of water in dryer periods.

In recent years the watering of the oval has continued, however use of the oval has become infrequent. Activities presently undertaken at this facility do not require the oval surface to be at a high standard throughout summer.

## **Comments**

The playing surface of the oval has been planted with kikuyu grass and is currently suffering stress due to the recent warm weather. To ensure the surface is maintained to a standard suitable for sporting activities, a regime of regular watering is required with the possibility of fertilisation and surface treatments such as top dressing being likely.

Officers have inspected the facility and have identified that the storage dam is currently at 50% of its capacity. A watering program, utilising the dam, would likely not be sustainable for the entire summer period.

Giving due consideration to the almost nil utilisation of the playing surface during summer months, the commencement of a watering program would appear to be a non-essential activity. The low volume of water available would result in a short period of operation which would have to be supplemented by an external water source at significant cost. To ensure sufficient water supplies are available in future years, the upgrading of the dam would be required.

Other active reserves within the Shire are utilised throughout summer with requests being made for the installation of reticulation. Due to the high capital cost of these works, such requests are difficult to accommodate within existing budget allocations.

Officers recommend that the reticulation system for Jarrahdale Oval be decommissioned and components such as the pump, valves and sprinklers utilised at other facilities should their development be considered by Council. As it is not cost effective to remove existing pipe work, it is intended that this would be capped and retained in the event that demand for the provision of a reticulated reserve occurs in Jarrahdale in the future.

As the existing grass is kikuyu species, while drying out in summer, it is extremely tolerant and will recover quickly in winter months.

## **Sustainability Statement**

The decommissioning of the reticulation at Jarrahdale Oval is in line with water conservation principles, and is a proactive means of encouraging the community to also use water responsibly.

Works required to preserve the playing surface to a standard suitable for a playing field would likely involve the application of fertilisers. As the facility is within the catchment area of Gooralong Brook, it is likely that some fertiliser residue would enter natural waterways.

Termination of pumping will also result in reduced energy use.

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** A reduced operating cost will result through not operating the pump. Reticulation and reserve maintenance costs will also be reduced.

**Strategic Implications:** Accords with the People and Community objectives and Environmental objectives of the Strategic Plan.

**Community Consultation:** Nil

**Voting Requirements:** Normal

### **Officer Recommended Resolution**

That Council approve the discontinuation of the watering of Jarrahdale Oval until such time that utilisation of the reserve warrants review.

### **CRAS026 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Richards seconded Cr Simpson

1. That Council approve the discontinuation of the watering of Jarrahdale Oval until such time as adequate water is available in the supply reservoir and the fixtures remain operational.
2. Asset Services undertake a review of watering of Council's reserves to ascertain opportunities for water conservation for reporting back to Asset Services Committee.

CARRIED 6/3

Cr Hoyer voted against this motion.

Note: The Officer's recommendation was added to by the Committee to have opportunities for water conservation measures available to the Shire to be assessed.

AS027/12/02 FOOTPATH CONSTRUCTION LESLIE STREET, SERPENTINE (R0220)		
Proponent	Shire of Serpentine Jarrahdale	In Brief  Council is requested to accept the public liability indemnity sort by WestNet Rail regarding the construction of footpath on leased land at Leslie Street, Serpentine.
Officer	Jason Elliott, Technical Officer Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	29 November 2002	
Previously		
Disclosure of Interest		
Delegation	Council	

### **Background**

The 2002/2003 Shire Footpath Program includes a proposed footpath along Leslie Street, Serpentine, from Hall Road to Hardy Road across the existing railway line.

The portion of Leslie Street which connects Hall Road to Hardy Road is currently on Rail Corridor Land under the control of WestNet Rail, and the Shire is unable to continue with the path's construction until such time as a road reserve has been created. Officers have commenced the process of excising the road reserve and WestNet Rail have advised no objection to the excise.

Negotiations have been undertaken with WestNet Rail to enable construction to proceed in the interim. WestNet Rail have agreed to the construction of the footpath subject to being indemnified for any public liability claims associated with the footpath.

### **Comments**

The Leslie Street footpath forms part of a larger network that links Hall Road to the existing footpath on Richardson Street. The creation of this footpath network will provide a safe route for pedestrians to access the schools, churches, shops, etc within the Serpentine town site. The current budget has approved funds for the link between Richardson Street and Hall Road, with an extension along Hall Road, to the south, proposed in next year's program.



The process of excising the road reserve from the Railway Corridor is estimated to take from 12 to 18 months and a faster resolution to complete the works program has been identified. To achieve this, WestNet Rail are seeking an indemnity from the Shire's insurers to provide public liability cover for the period up to and including the time when the excise process is complete. The Shire's insurers have been notified of the indemnity requirements and have advised no objections.

### **Sustainability Statement**

The creation of a footpath to link the housing development on the west side of the railway line, to the township on the east side of the rail line, will encourage people to walk or ride bikes as a form of transport with the knowledge that they can cross the railway line in a safe controlled manner.

**Statutory Environment:** Section 21 of the Rail Freight System Act 2000 (WA)

**Policy Implications:** Nil

**Financial Implications:** Approved 2002/2003 Budget.

**Strategic Plan Implications:** Accords with the People and Community objectives and Environmental objectives of the Strategic Plan.

**Community Consultation:** Nil

**Voting Requirement:** Normal

### **CRAS027 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Wigg seconded Cr Needham

1. That Council indemnify WestNet Rail Pty Ltd for all public liability claims associated with the proposed footpath in Leslie Street, Serpentine within the Rail Corridor Land.
2. That Council initiate the excision of a road reserve from the rail corridor west of Leslie street to connect Leslie street to hall road.

CARRIED 9/0

AS028/12/02 INFORMATION REPORT			
Proponent	Director Asset Services		
Officer	Various	Date of Report	Various
Signatures	Author: Senior Officer		
Previously			
Disclosure of Interest			
Delegation	Council		

### **AS028.1/12/02 AUSLINK – NATIONAL LAND TRANSPORT PLAN (A0518)**

The Deputy Prime Minister and Minister for Transport and Regional Services, John Anderson, launched a Government Green Paper on reforms to the planning and funding of transport infrastructure and services on 7 November 2002.

Following community consultation the Government proposes to release a formal policy statement (White Paper) on the issue early in 2002, with the intention the "Auslink" plan be implemented in the 2004/2005 budget year.

***A copy of the summary of the Green Paper is with attachments marked AS028.1/12/02***

The full Green Paper can be accessed on the web [www.dotars.gov.au/transinfra/auslink.htm](http://www.dotars.gov.au/transinfra/auslink.htm) or a hard copy is located in the Councillor's library.

AS028.2/12/02      SUSTAINABLE TRANSPORT COALITION WA – TRAVELSMART  
(A1016)

Correspondence has been sent to the Council from the Sustainable Transport Coalition WA seeking support for restoration of funding levels for the State Government Travelsmart Program which had reduced funding granted in the current financial year.

***A copy of correspondence is with attachments marked AS028.2/12/02***

Within the context of the transport budget of the Department for Planning and Infrastructure priorities for available resources have been established which has reduced funding in a number of areas, including the Travelsmart program.

Whilst the merit of the program for inner and mid metropolitan areas is not questioned, and the program is continuing at an albeit reduced funding level, it has been necessary for the State Government to source funds for other initiatives considered by them to be more meritorious than maintaining funding levels for Travelsmart.

Reinstatement of Travelsmart funding would potentially be at the detriment of other public transport initiatives, such as alternate fuel technology buses, path network funding and expanded public transport services.

There have not been proposals for the Travelsmart program to be conducted in Serpentine-Jarrahdale.

AS028.3/12/02      DELEGATED AUTHORITY    (A0039)

The Director Asset Services exercised the following delegated authority since the last meeting in August 2002 –

AS-22. Crossing From Public Thoroughfare to Private Land or Private Thoroughfare  
Sch 9.1, cl.7(2) LG (Uniform Local Provisions) Regulations 1996 (r12)

Approval was granted to for one (1) property owner for the construction of a crossover.

AF-24 – Bushfire Act 1954 – Prohibited Burning Time Variation

This was enacted by the Shire President and Chief Bushfire Control Officer

AS028.4/12/02      ROADWISE    (A0491)

***A copy of the minutes of the meeting held on 23 October 27 November are with the attachments marked AS028.4.1/12/02 and AS028.4.2/12/02***

AS028.5/12/02      FIRE BREAK VARIATIONS    (A0202)

Number of fire break variations approved for the month of November 2002 was thirty three (33).

**CRAS028 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Simpson seconded Cr Scott that the information report to the 29 November 2002 be received .  
CARRIED 9/0

7.3 Community & Recreation Development Meeting – 9<sup>th</sup> December, 2002

**COUNCIL DECISION**

Moved Cr Hoyer seconded Cr Scott  
That the minutes of the Community & Recreation Development Committee Meeting held on 9<sup>th</sup> December, 2002 be received.  
CARRIED 9/0

CRD07/12/02 REQUEST TO ALLOW CARAVAN CLUB TO USE FACILITIES AT MUNDIJONG OVAL DURING ANZAC DAY WEEKEND 2003 (RS0016)		
Proponent	Aileen Martin - Western Rovers (Cr J Price)	<b><u>In Brief</u></b>  <i>Council direction is sought in relation to the use of Council facilities in Mundijong by the Western Rovers Caravan and Motorhome Club in March 2003</i>
Officer	DE Price - Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	04.12.2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

Cr Price has received a request from Ms Aileen Martin representing the Western Rovers, a Chapter of the Campervan & Motorhome Club of Australia, to allow the Club to visit Mundijong and base themselves at the Mundijong oval on the Anzac Day weekend in March 2003.

**Comments**

They intend to arrive in Mundijong on Thursday, 24 April and depart on Monday, 28 April 2002. The Club's preference is to park in the area surrounding the oval and use the shade of the trees.

No information has been provided with the request as to whether or not access to toilet facilities etc would be required, and if this was required, advice from Council's Health team would be necessary.

It was suggested earlier this year when the group first approached Council that approximately 20 campervans of an average size of a "coaster bus" would visit Mundijong.

Several issue have been raised at Officer level which Council may need to consider. Firstly, we are unable to confirm if a football match is scheduled in Mundijong for this particular weekend (the club have been asked but cannot confirm as fixtures have not yet been set), and secondly, what implications would supporting this decision have in the future for requests by similar clubs to use Council facilities, particularly in regard to fact that the Serpentine Caravan Park offers bays for caravans.

### **Sustainability Statement**

There would appear to be no history available to assist in guiding whether this type of “event” is sustainable and if it brings economical, social or environmental benefits to the Shire.

On the economic front, the Western Rovers have indicated that they would use the local stores and hotels, however, whilst this may be good for local business, Council needs to also consider the business such an event may be taking away from the local caravan park operator.

Socially, the additional people attending the Anzac Day ceremony in Mundijong would be very good.

Environmentally, this needs to be further considered depending on the facilities the group may or may not require, and how they dispose of their own wastes.

#### **Statutory Environment:**

Caravan Parks & Camping Grounds Act 1995, Local Government Act 1996 and possible Local Laws

#### **Policy Implications:**

Council does not currently have a policy for this type of event, and it is reasonable to expect that this decision will enable the establishment of a future policy to be able to deal with such events at Officer level

#### **Financial Implications:**

The Western Rovers have previously indicated that in other local government areas they have visited, a fee of \$5 per van per night for 2 people and \$3 per night for singles has been charged

Council's fees and charges provide for Caravan Park (per bay) \$200 min (\$6 per site)

#### **Strategic Implications:**

Council's 2001-2005 Strategic Plan does encourage the development of tourist potential in the Shire (Strategy 3.2)

#### **Community Consultation:**

Not applicable, however, liaison with the football club by the Western Rovers strongly recommended

#### **Voting Requirements:**

Normal

### **Officer Recommended Resolution**

- 1 Council agrees to the request by the Western Rovers, a Chapter of the Campervan & Motorhome Club of Australia, to visit Mundijong in April 2003 subject to the club:
  - (a) Confirming with the Mundijong Football Club that they are happy with such an arrangement should a football match be scheduled for this weekend.
  - (b) Demonstrating that all of Council's health requirements associated with this visit are addressed to the satisfaction of the Principal Environmental Health Officer.
  - (c) Council's Manager Asset Services is consulted to determine the area in which the Caravans are able to be located during the stay.

- (d) Paying in advance a booking fee for each Caravan that will be attending in accordance with Council's fees and charges eg Caravan Park (per bay) \$200 min (\$6 per site) per night.
- 2 A Council policy is not established for these types of events in future based on this decision.

**CRCRD07 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Hoyer seconded Cr Wigg

- 1 Council agrees to the request by the Western Rovers, a Chapter of the Campervan & Motorhome Club of Australia, to visit Mundijong in April 2003 subject to the club:
- (a) Confirming with the Mundijong Football Club that they are happy with such an arrangement should a football match be scheduled for this weekend.
  - (b) Demonstrating that all of Council's health requirements associated with this visit are addressed to the satisfaction of the Principal Environmental Health Officer.
  - (c) Council's Manager Asset Services is consulted to determine the area in which the Caravans are able to be located during the stay.
  - (d) Paying in advance a booking fee for each Caravan that will be attending in accordance with Council's fees and charges eg Caravan Park (per bay) \$200 min (\$6 per site) per night.
  - (e) No open fires will be permitted.
- 2 A Council policy not be established for these types of events in future based on this decision.

CARRIED 9/0

Note: The Officer's Recommended Resolution was altered to ensure that no bushfires would be started as a result of the camping activity.

CRD08/12/02 INFORMATION REPORT		
Proponent		<b><u>In Brief</u></b>  <i>Information Report</i>
Officer	Carole McKee - Community Development Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	29.11.02	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**CRD08.1/12/02 WILDFIRE YOUTH SERVICE (A0164-02)**

Negotiations with Gary Butcher of the Wildfire Youth Service have led to him trialling a one-off dedicated bus for the four key Serpentine-Jarrahdale localities. To assist with his promotion, posters and permission forms were prepared and delivered to the five local primary schools.

**CRD08.2/12/02 YOUTH LEADERSHIP SEMINAR (A0164-02)**

National Young Leaders Day 2002: Three aspiring youth leaders, Melyssa Hollis from Serpentine, Elizabeth Lyster from Jarrahdale and Martina Hughes-Odgers from Byford attended the National Young Leaders Day at Burswood Convention Centre on Monday,

25 November. The girls were invited to attend by the Shire due to the outstanding leadership qualities they have shown, both in their communities and their schools.

They were lucky to hear six outstanding speakers - the inspirational (and very funny) John Coutis, Olympic pole vaulter Emma George, solo sailor David Dicks, Premier Geoff Gallop, tennis legend Margaret Court and BankWest Chairman Ian McKenzie.

Melyssa, Elizabeth and Martina are to be congratulated and the Shire is delighted to be able to have provided these future community leaders the opportunity to attend such an inspirational conference.

It is hoped that the Youth Liaison Officer will be able to involve these young leaders in contributing to youth development in the shire.

CRD08.3/12/02      YOUTH SURVEYS (A1064-02)

The youth surveys to ascertain base line information regarding youth facilities, activities and participation, as well as youth safety and security, are currently being distributed. The surveys were circulated to Principals for comment. The Youth Liaison Officer will collect surveys from all outlets regularly and continue to promote participation. Some difficulties may be encountered with accessing secondary students who have finished school for the year - other means of obtaining returns will be investigated (eg individual contacts, community group assistance). Surveys have to be returned by 18 December 2002. Councillors who may be able to assist in the distribution should contact the Youth Liaison Officer. The target group is 11 – 19 year olds.

***A copy of the Youth Participation and Safety and Security Survey, as well as the cover page which doubles as a flyer/poster are with the attachments marked CRD08.3/12/02.***

CRD08.4/12/02      SJ YOUTH ACTIVITY GROUP MINUTES (A0164-02)

***The minutes of the SJ Youth Activity Group for September and October 2002 are with the attachments marked CRD08.4/12/02.***

CRD08.5/12/02      ARMADALE HOME HELP SERVICE (A0173)

Armadale Home Help Service currently requires to book the Shire bus on Tuesdays and Fridays to enable them to provide an ongoing satellite service for Serpentine-Jarrahdale residents.

Further information relating to Armadale Home Help Service's application for a grant to get a bus with a hoist will be provided to the meeting. This application was supported by Council.

***A report from Armadale Home Help Service is with the attachments marked CRD08.5/12/02.***

CRD08.6/12/02      SERPENTINE-JARRAHDAL COMMUNITY EVENTS COMMITTEE MINUTES (A0167-02)

***Minutes of the Serpentine-Jarrahdale Community Events Committee Meeting (incorporating the Australia Day Project Management Group) held on 7 November 2002 are with the attachments marked CRD08.6/12/02***

CRD08.7/12/02      COMMUNITY ARTS PROJECT – ROB EWING (A0034-03)

***A letter received from Rob Ewing regarding the funding fellowship outcomes for the proposed Community Arts Project is with the attachments marked CRD08.7/12/02.***

CRD08.8/12/02      COMMUNITY FORUMS (A0301)

The following media release has been forwarded for inclusion in Council's December Column, JAZZ Newsletter, Community Crier as well as for the Shire website and Heritage FM:

*SERPENTINE COMMUNITY FORUM SETS THE SCENE*

*Residents from Serpentine & Districts gathered together for the first Locality Community Forum on Wednesday 13<sup>th</sup> November, as part of the on-going community visioning and Strategic Plan review process, which also ties in with the re-energising of the Local Agenda 21 Towns with Heart program.*

*Attendance for the evening meeting was excellent, with a wide variety of Serpentine residents and group representatives, as well as Councillors and Council officers present to help identify and explore ways in which everyone can better communicate, support, develop and build the local community.*

*Major items that were identified as being of particular interest for this locality to clarify and progress included transport, youth activities and community facilities. Preservation of the area's peace and tranquillity was also a key area of interest.*

*The next Serpentine & Districts Community Forum will be held on Wednesday January 8, 2003 from 7–9pm in the St John's Ambulance Hall, where a more detailed action plan will be formulated with the assistance of the Shire's Community Development and Youth Liaison Officers. All welcome.*

*Look out for the other Community Forums that are happening across the Shire on the following dates, with all residents encouraged to attend:*

<i>Mundijong &amp; Districts:</i>	<i>Monday 2<sup>nd</sup> December 7-9pm at the Meeting Place</i>
<i>Oakford &amp; Districts:</i>	<i>Wednesday 4<sup>th</sup> December 7-9pm at the new Oakford Community Hall</i>
<i>Jarrahdale &amp; Districts:</i>	<i>Tuesday 10<sup>th</sup> December 7-9pm at the Bruno Gianatti Hall</i>
<i>Byford &amp; Districts:</i>	<i>Thursday 12<sup>th</sup> December 7pm-9pm at the Byford Hall"</i>

CRD08.9/12/02      PEEL COMMUNITY DEVELOPMENT GROUP (A1123)

***The minutes of the Peel community Development Group for October 2002 and November 2002 (unconfirmed) are with the attachments marked CRD08.9/12/02.***

CRD08.10/12/02      SOUTH EAST REGIONAL RECREATION ADVISORY GROUP (A0146-02)

As requested by Councillors, the question was asked of the South East Regional Recreation Advisory Group as to why the South East Regional Recreation Plan was being revised so soon. The response was as follows:

The last Plan was actually completed in June 1998, although it was some time later before all Councils formally adopted it. The rationale was that it was over 4 years since the last one was completed, and it would be over 5 years by the time the review commenced.

***The minutes of the South East Regional Recreation Advisory Group for November 2002 are with the attachments market CRD08.10/12/02.***

CRD08.11/12/02      SERPENTINE SPORTS RESERVE MANAGEMENT COMMITTEE (RS0180)

***The minutes of the Serpentine Sports Reserve Management Committee for September***

**2002 are with the attachments marked CRD08.11/12/02**

CRD08.12/12/02 NIGHT NETBALL (RS0006)

A report will be provided to the meeting on the position of night netball in the Shire, following the closure of Serpentine Night Netball Association as reported in CRD06.6/11/02.

CRD08.13/12/02 SOUTH WEST SPORTS SAFE GAMES (A1107/04)

The Shire's South West Games Coordinators have reported that the South West Games Organising Committee is currently having problems with regard to confirming public liability insurance for the games. Nomination forms, which were originally due to be available in October, have now been delayed until at least January 2003.

The South West Games rotating display was set up at the Jarrahdale Log Chop and is due to be available for Serpentine-Jarrahdale to utilize again (at shops etc) during the Christmas holidays.

A Serpentine-Jarrahdale promotional event had been earmarked for November, but the Coordinators were reluctant to proceed until the forms and system were in place. In the meantime they have advertised the event in the Community Crier with an expression of interest form attached so that those who wish to nominate in principle can get started. They are also circulating information which has been produced by the Equine competition organisers.

Following concerns raised by the Shire's South West Games Coordinators and the problems that were being experienced by the South West Games Organising Committee in regard to public liability insurance, the following information (e-mail) was received from the South West Games Coordinators through Nic Lanyon, at the City of Mandurah:

*I have been speaking with Paul Shand of Mandurah Insurance Brokers, both the Host Town Committee and the Games Management Committee have been lobbying them.*

*Paul has confirmed that the brokers are currently sitting on the fence waiting for the outcomes of government legislation however he assured me that the brief that had been handed to him did fit within the realms of the brokers as the ones he had approached deal mainly with sporting events. He was confident we would be able to get insurance, however did stress that some sports ie equestrian would have to be covered by their association.*

*It is planned to launch the inaugural South West Sports Safe Games website in the second week of December. On the website will be a nomination form that can be down loaded. The delay with this has been the approval from the Management Committee and the inability to set nomination fees this relates directly to insurance.*

*Hardcopy will not be available until late January 2003. Hopefully by then the insurance situation will be finalised.*

*If you manage to get information in any local newsletters or papers I would really appreciate a copy as the Management Committee are convinced no one is promoting the event even though we tell them you are.*

*I will certainly relay your comments about the promotional banner to Caroline.*

CRD08.14/12/02 HARVEST HIGHWAY (A1151)

**Minutes for the Harvest Highway Steering Committee meeting held 5 November 2002 are with the attachments marked CRD08.14/12/02.**



**CRCRD08 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Richards seconded Cr Needham that Council accepts the November 2002 Information Report.  
CARRIED 9/0

7.4 Strategic Management Committee Meeting – 16<sup>th</sup> December, 2002

**COUNCIL DECISION**

Moved Cr Needham seconded Cr Simpson  
That the minutes of the Strategic Management Committee Meeting held on 16<sup>th</sup> December, 2002 be received.  
CARRIED 9/0

SM026/12/02 SOUTH EAST REGIONAL ENERGY GROUP (A0283)		
Proponent	Shire of Serpentine - Jarrahdale	<b>In Brief</b>  Serpentine Jarrahdale Shire, City of Gosnells and City of Armadale form the South East Regional Energy Group and have a regional greenhouse coordinator undertaking implementation of the regional greenhouse strategy until March next year. This business plan outlines a proposal to extend the position and project for three years (2003-2006).
Officer	Carlie Eldridge - Sustainable Development Project Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	28 October 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

The South East Regional Energy Group comprises representatives of the City of Armadale, City of Gosnells and Serpentine-Jarrahdale Shire. The Group's long-term objective is to reduce regional community emissions by 15% by 2010 based on 1998/99 levels, a reduction goal for the region that has been formally adopted by each member Council.

The current first phase of this Project, which is being delivered under the brand "switch your thinking!," has been running for 18 months from September 2001 to March 2003.

The objectives of the current phase of the "**switch your thinking!**" project are to:

- Directly induce greater conservation behaviour and awareness with respect to energy use and greenhouse gas emissions in the residential sector of the regional community.
- Indirectly begin to impact the commercial and industrial sectors through creating change in community expectation, and providing greater consumer awareness of corporate energy, water and resource efficiencies, products and services.
- Impact the community sector in both the short and long term through a strong emphasis on schools throughout the campaign.
- Assist member Councils to individually achieve Milestone 4 of the Cities for Climate Protection programme.

The vision for the future of the group is:

*"Work in partnership with our communities as responsible members of the global community to facilitate a reduction in regional greenhouse gas emissions by 15% by 2010, based on 1998/1999 levels."*

The mission for the group is:

*“The SE Regional Energy Group will inspire and build capacity for resource conserving behaviour in the community both directly, and through the leadership of our Local Governments and project partners.”*

Actions and targets are set out for the three LGA's in regards to greenhouse strategies and targets to be achieved by 2010 in the Regional Greenhouse Action Plan. The business plan outlines a request to extend the current project into the next phase 2003-2006.

### **Comments**

***The proposed activities plan for 2003-2006 and the financial plan from the business plan is with the attachments marked SM026.1/12/02.***

The full business plan is available from Council's Sustainable Development Project Officer, Carlie Eldridge.

A range of projects and initiatives were outlined in the regional action plan to be achieved from 2010. The business plan outlines how these will be addressed in the next three years if the project continues.

The project provides a locally tailored approach for the region addressing energy consumption and greenhouse emissions at a local level. The current phase of the project has covered both corporate emissions for the councils and engaging the community in understanding greenhouse issues and undertaking changes to reduce energy consumption. This next phase will further develop the community engagement through expansion of existing projects and the introduction of new projects. It will also expand to include both the commercial and industry sectors initially to make contact with key change agents in these sectors and to develop a process of achieving change within these areas. The role of the regional greenhouse coordinator will be to provide a link between existing programs that are being undertaken.

The program in this phase has established and trialled a number of pilot projects, established the switched on living branding campaign and engaged the corporate sector in forming partnerships with the regional project. Serpentine Jarrahdale Shire has been encompassed on many of these projects although some are indirectly during the first stage. The proposed next stage will expand many of the pilot projects to be run in all three LGA's and address issues pertinent to our shire including addressing rural living in the “Switched On” rural living workshops. For the \$5000 a year invested in the project from the Shire benefits at both a corporate and community level have been achieved.

The strengths of the project are that is based on a sound marketing approach and has both council and staff support and it also runs concurrent to complementary programmes by other agencies. The project has a formalised regional partnership which has a track record of achievements with pilot projects and has established a number of corporate partnerships. The project also has baselines energy consumption data and the Cities for Climate Protection (CCP) program support.

The next phase offers the opportunity to learn from pilot projects undertaken and expand upon them to achieve change on the ground in the Shire. The funding request is to continue the current funding levels from the three member councils adjusted to inflation (\$5,565 p/a). What has been achieved so far and can be achieved through a further three years is more than would be achieved spending this money on Shire based projects. The regional approach allows us to achieve regional changes that are cost effective and far reaching.

### **Sustainability Statement**

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

The South East Regional Energy Project is based on best practice in the field of community greenhouse education and reduction. The three councils aim to achieve by 2010 a reduction in regional greenhouse emissions of 15% based on 1998/99 levels. Through achieving part of this reduction through the activities of the project, in this phase (20003-2006), the impact on the natural environment will be reduced.

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

The vision of the project is to:

Work in partnership with our communities as responsible members of the global community to facilitate a reduction in regional greenhouse gas emissions by 15% by 2010, based on 1998/1999 levels.

To achieve this reduction in greenhouse gas emissions there will have to be considerable reduction in the consumption of resources in particular energy. There will also need to be a reduction in the consumption of water as it links to greenhouses gases in both its production and in its use. Indirectly their needs to be a reduction in the use of land and soil related to the growth in population within the region.

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

The project is regionally based and aims to address issues pertinent to the three council areas. The projects and initiatives aim to engage both the residents and the business and industry community and aims to achieve change at a local level and support achievements within the region.

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

The project is based on a combination of funds from each member council, grants funding from Federal; and State Government agencies and corporate funding. If the corporate funding is achieved as set out in the business plan the project is sustainable for the next three years and additional funding may be achieved in this time from both the corporate sector and other agencies.

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

The mission of the project is:

*“The SE Regional Energy Group will inspire and build capacity for resource conserving behaviour in the community both directly, and through the leadership of our Local Governments and project partners.”*

The projects outlined in the activities table plan to engage the community in both education on energy consumption but also in making real changes.

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

The project does not disadvantage any social groups and aims to engage all sectors of the community to reduce their energy consumption, which has the double advantage of both helping to protect the environment and also of saving money.

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

Economic benefit will be achieved for residents who reduce their energy consumption through both behavioural changes and also through water saving devices being

implemented. At a regional scale economic benefit will be achieved in the long term if the impacts of global warming are reduction.

**Statutory Environment:**

Relates in the future to Town Planning Scheme and other policies related to energy consumption.

**Policy Implications:**

Energy Conservation will have to be implemented into policies by 2006.

**Financial Implications:**

Continuation of the project requires an allocation of \$5000 per year for the years 2003/2004, 2004/2005 and 2005/2006. The small amount of funding required from council could achieve many changes in energy consumption behaviours and patterns in the region. This may reduce some of our long-term costs related to environmental degradation and may also achieve a reduction in the growing car use and road demand within the Shire.

**Strategic Implications:**

Our vision states “...*manage responsibly today for a better tomorrow.*” To achieve long-term reductions in greenhouse emissions we need to address and manage the issue of energy consumption today to reduce long-term negative implications.

In the environmental key results area its is noted “all of this will be achieved by integration of environmental initiatives into our business and the everyday business of others. Energy conservation and the use of renewable energy will be pursued.” The role of the RGC is to pursue and coordinate energy conservation on a regional scale.

The plan also outlines four goals in the environmental key results and the first is “to have all developments and enterprises (including Shire) adopt environmental management as part of their business or development including greenhouse gas abatement measures;” In the strategies for this area 2.4 is to “*ensure all actions of council consider reduction in greenhouse gas emissions.*”

In the economic key results as part of a vibrant economy the Shire aims for “*Clean and green businesses using alternative energy sources to co-exist through networks based on highly developed technology.*”

**Community Consultation:**

Community development is the key focus of the regional community greenhouse action plan for the south-east region. The community have been both surveyed to assess the current status on energy consumption and greenhouse issues and also engaged in a number of projects, which aim to improve energy use.

**Voting Requirements:**

Normal

**CRSM026 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Murphy seconded Cr Kirkpatrick that Council supports funding of the extension of the regional greenhouse project and the regional greenhouse position for the next three years (2003-2006) subject to the project and position receiving the corporate sponsorship required as set out in the business plan and to comments being received for consideration in the final business plan.

CARRIED 9/0

SM027/12/02 DECEMBER 2002 STATUS REPORT – BYFORD STRUCTURE PLAN IMPLEMENTATION (A0769-07)		
Proponent	Shire of Serpentine-Jarrahdale	<b>In Brief</b>  The purpose of this report is to provide a quarterly status update on planning for urban development in Byford.
Officer	Andrew Watson – Director Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	29 November 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

At its meeting of 23<sup>rd</sup> September 2002 Council considered a status report on implementation of the Byford Structure Plan. Council resolved:

**“CRSM012 COUNCIL DECISION/Committee/Officer Recommended Resolution**

*Moved Cr Richards seconded Cr Scott that Council notes the status report on the strategic planning program in preparation for Byford urban development.*

CARRIED 10/0”

The purpose of this report is to provide an update on actions undertaken since consideration of the September 2002 status report.

**Comments**

SM012/09/02 included Figure 1 outlining the major components of the broad strategic planning program pertaining to Byford urban development. Figure 1 is reproduced below with an additional column at the left outlining actions undertaken since the last status report.

In addition to the matters outlined in Figure 1, the draft Byford Structure Plan recommends that Council prepares and adopts the following series of local planning policies to ensure that the “vision for the Byford Structure Plan eventuates to ‘on the ground’ development”:

Small lots subdivision design including:

- Access/laneways
- Orientation

Town Centre design and development guidelines including:

- Facades and materials
- Entrances
- Roof lines
- Colour
- Signage

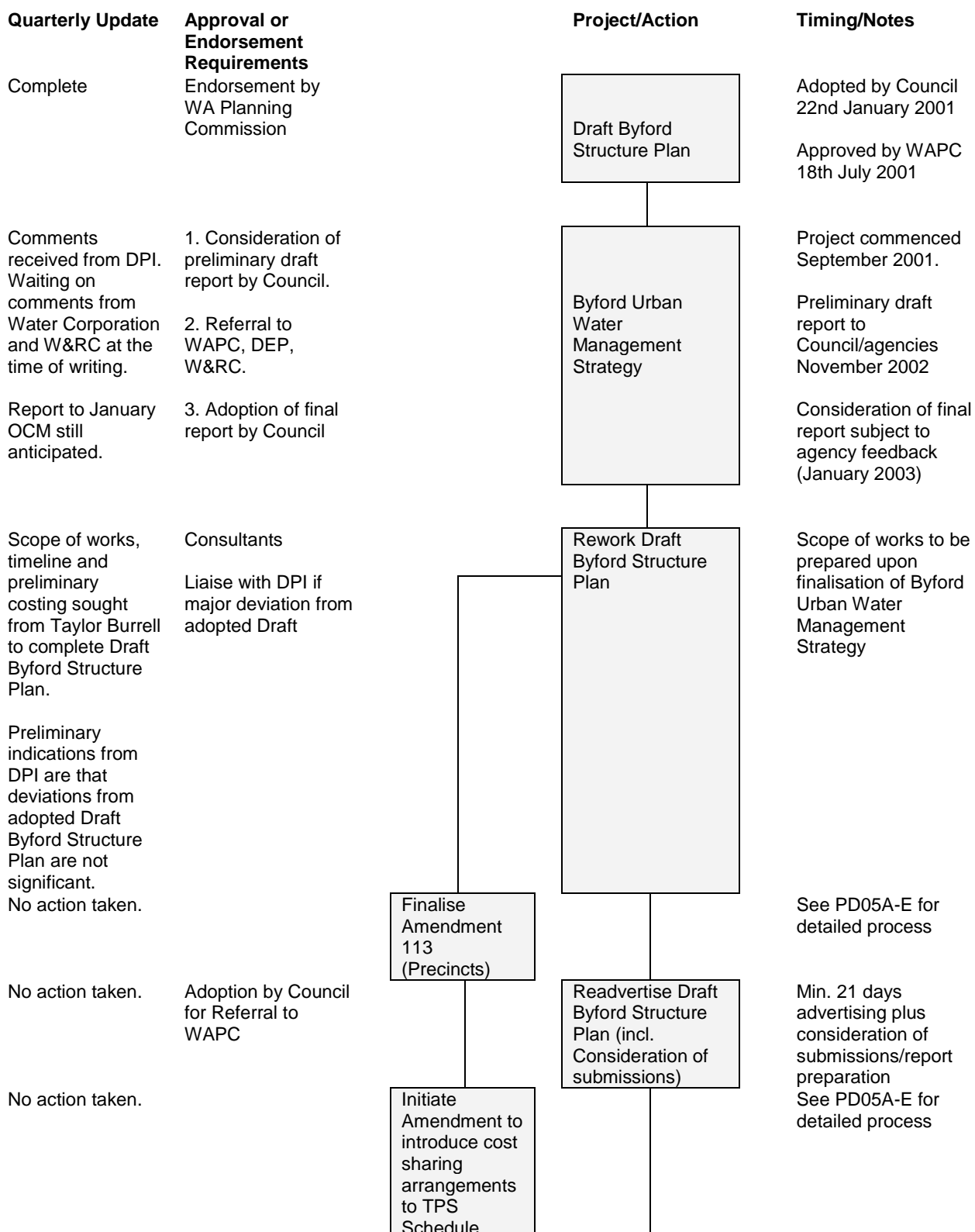
- Access and parking
- Landscaping

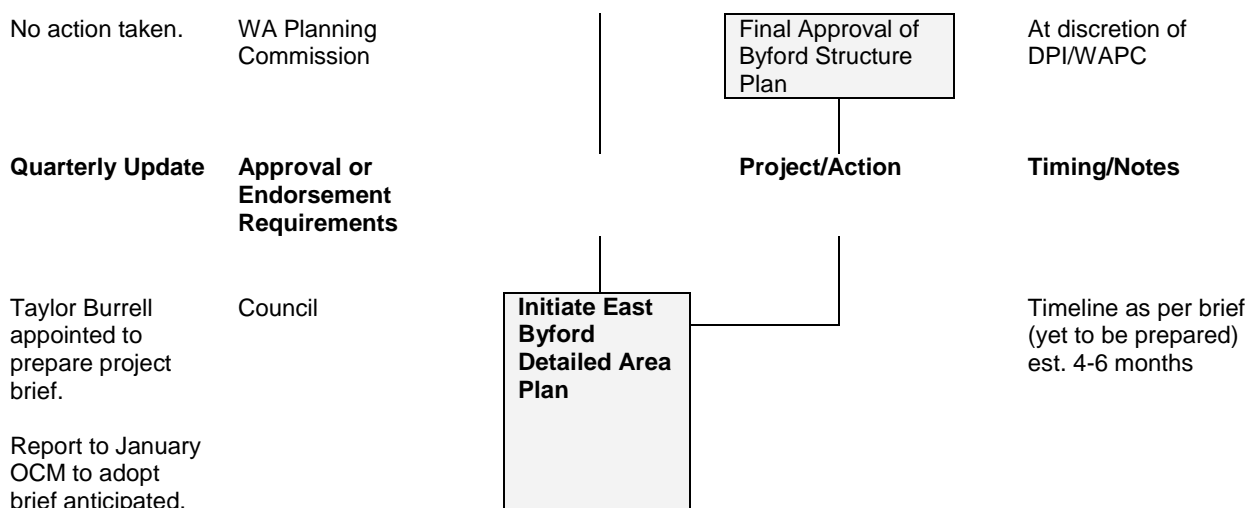
Neighbourhood Centre design and development guidelines including:

- Preferred land uses
- Design issues as for Town Centre

(continued after Figure 1)

**Figure 1**





#### Preferred landscaping treatment

- Landscape master plan
- Living streams/multiple use corridors

#### Solar access guidelines

- Orientation
- Materials
- Landscaping

#### Infill Development – Byford Townsite

- Public Open Space cash in lieu
- Road upgrading
- Streetscape
- Lot orientation and access

No work on this suite of local planning policies is anticipated in the current financial year.

#### Additional Work Undertaken

- Local Planning Policy No.12 – Requirements for Detailed Area Plans adopted by Council.
- Revisions to Local Planning Policy No.2 – Subdivision Within the Byford Structure Plan Area adopted by Council.

#### Other Matters Arising

- Futuris Development

Caversham Properties and LWP Group have met with the Executive a number of times and made a presentation to Strategic Management Committee at its meeting of 16<sup>th</sup> November 2002. The consortium intends submitting an amended subdivision application for the former RANAD site south of Byford and developing a detailed area plan for their holdings in west Byford.

- Water Sensitive Urban Design Study Tour

It is evident from initial review of the Draft Final Byford Urban Water Management Strategy that the underlying issues are quite complex. Similarly, there are few working examples of the water sensitive urban design treatments with any significant operational history available in Western Australia. A more complete understanding of the implications of the Byford Urban Water Management Strategy is required by both

Councillors and staff to ensure political and technical understanding of, and support for, the strategy proposed by Parsons Brinckerhoff (formerly PPK).

It is proposed to conduct a study tour of selected sites in Melbourne and Brisbane in late February 2003 commencing on Tuesday, 25<sup>th</sup> after the February Ordinary Council Meeting. At this stage it is proposed to take up to three Technical staff and two Councillors preferably with at least one being a North Ward Councillor.

Costs are not specifically budgeted and will need to be considered.

- Management Arrangements for Stormwater and Shallow Surface Groundwater

During the preparation of the Byford Urban Water Management Strategy Councillors and senior staff met with representatives of the Water Corporation on a number of occasions. By way of a follow up the Water Corporation writes:

*“The Water Corporation takes the view that drainage forms part of the total water cycle and should be used to balance water needs, land development and sustain the environment. The Byford water management strategy heralds an opportunity to challenge existing arrangements and practices and to demonstrate a new management strategy, which respects the competing environment and land development needs.*

*The development of a drainage institutional management model, which recognises triple bottom line accounting, will be challenging, as it involves regulatory change, fiscal arrangements, land use and engagement of a number of different disciplines.*

*We believe that the final PPK Environmental and Infrastructure Byford Urban Water management strategy would be an excellent starting point for the development of the drainage management model, which may well serve as a model for other catchments. To formalize this arrangement, the Corporation is willing to enter into a drainage management model review agreement with your Council for the Mundijong Drainage District.*

*The Corporation appreciates the opportunity to work together to develop a management model for the Mundijong Drainage District which would embrace Byford.”*

The issues raised by the Water Corporation may be affected by the current *Review of the Water Services Coordination Act*. Regardless, the Corporation retains a long exclusive licence over the Mundijong Drainage District. Continued dialogue with the Water Corporation can only be constructive.

### **Sustainability Statement**

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

The purpose of the Urban Development zone is to provide for the orderly planning of large areas of land in a locally integrated manner and within a regional context, whilst retaining flexibility to review planning with changing circumstances. The zone will allow for the following:

- (a) Development of functional communities consistent with orderly and proper planning and the establishment and maintenance of an appropriate level of amenity;
- (b) Variety in the range of lot sizes and dwelling types within communities, consistent with a cohesive and attractively built environment;
- (c) Provision of retail, commercial, industrial and mixed use facilities to service the needs of residents within the communities, and integration of these facilities with social and recreational services, so as to maximise convenience;
- (d) Provision of retail, commercial, business park and industrial facilities to provide local employment opportunities;



- (e) Provision of open space and recreation networks, appropriate community services, school sites and other recreational facilities;
- (f) Establishment of multiple use corridors for drainage, nutrient control and recreational purposes, in association with the development of communities based on the principles of water sensitive urban design;
- (g) Optimisation of convenience in respect of rail, road, cycleway and other transportation means, to and within the communities;

The above components will be facilitated by means of:

- (a) Establishment of Structure Plans to ensure that development takes place in conformity with those Plans;
- (b) Establishment of a mechanism to coordinate the provision of infrastructure for subdivision and development to and within the communities;
- (c) Establishment of an equitable method for the distribution, between owners within area, of the costs of nominated infrastructure components required for subdivision and development of the areas into communities; and
- (d) Provision of administrative procedures to ensure the expedient and successful execution of the above matters.

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

The Byford Structure Plan is based on the Liveable Neighbourhoods Community Code and has been adapted for local circumstances. Liveable Neighbourhoods is essentially a New Urbanist approach to urban development. Many commentators describe New Urbanism as reflecting only moderate sustainability. This is because New Urbanism does not address issues fundamental to the sustainability of cities such as transport demand management (and other behavioural issues) and nor does it address minimisation of materials and energy usage. The Byford Structure Plan does, however, represent an improvement in urban sustainability compared to traditional suburban development.

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

This issue is not discussed in planning work to date. Given that many of the resource inputs to urban development are what are described as basic raw materials, and being materials which have a low value but relatively high transport cost component, it would be anticipated that many such material inputs will be sourced from as close to the Structure Plan area as possible.

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

The external costs of land development include such things as road accident costs, air pollution, noise pollution and travelling time costs. The indirect costs of land development include such things as emergency services, general municipal services and social services such as health and education. There is relatively strong evidence that development in inner and middle areas of a city generates lower external and indirect costs than development in outer areas. This is largely a result of higher population densities, availability of existing infrastructure and the contiguous nature of development. The *Future Perth* project makes the following comments about the cost subsidisation of urban development:

*“Most Australian cities exist within a strong development culture which presses for expansion of urban areas on a subsidized basis. This practice does not allow for the internalisation of environmental and social costs into property prices and values and, accordingly, these costs must be borne by the community.”*

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

Urban development at Byford is still in the planning stage. There has been significant community consultation through the 1994 Green Towns Study and preparation of the Draft Byford Structure Plan itself. To a lesser extent opportunity for community consultation was also provided when Amendment No. 69 to Town Planning Scheme No. 2 was prepared and prior to this when alterations to the Metropolitan Region Scheme were put in place in 1996 for the Byford and Mundijong urban cells. Going forward, the community of Byford will be given the opportunity to participate in the preparation of a Detailed Area Plan for the existing Byford town site. For the proposed greenfield's components of the Byford Structure Plan, enabling full participation in its implementation is more problematic because the future community of Byford (west of the highway) hasn't yet made the decision to live in the area.

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

Planning for Byford as represented by work carried out to date does not inherently disadvantage any social group.

Two of the stated purposes of the Urban Development zone are to allow for:

- Variety in the range of lot sizes and dwelling types within communities, consistent with a cohesive and attractively built environment
- Provision of open space and recreation networks, appropriate community services, school sites and other recreational facilities

These requirements inherently provide for opportunities for minority groups not necessarily provided within the existing town of Byford. Given that the Byford Structure Plan covers a substantial development area, and the level of the plan detail is therefore necessarily broad, it is anticipated that detailed area plans and a suite of Council policies that necessarily accompany urban development will impact on this issue.

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

Two of the stated purposes of the Urban Development zone are to allow for:

- Provision of retail, commercial, industrial and mixed use facilities to service the needs of residents within the communities, and integration of these facilities with social and recreational services, so as to maximise convenience; and
- Provision of retail, commercial, business park and industrial facilities to provide local employment opportunities.

The Byford Structure Plan addresses these issues in accordance with current policy and practice. It is not anticipated that a substantial reduction in journeys to work outside the Shire will result from implementation of the Byford Structure Plan. However, full implementation of the structure plan relies on provision of electric rail to Byford. This will result in a modal shift away from private motor vehicles. Thereby increasing the sustainability of Byford.

**Statutory Environment:**

Town Planning and Development Act 1928 (as amended)  
Town Planning Scheme No. 2  
Draft Byford Structure Plan

**Policy Implications:**

Draft Byford Structure Plan  
Byford Urban Water Management Strategy Working Papers  
(East) Byford Detailed Area Plan project

**Financial Implications:**

The preparation of a Detailed Area Plan for the existing Byford townsite is budgeted for the 2002/2003 financial year. An amount of \$30,000 is included within PPP525.

Final payment for the Byford Urban Water Management Strategy is budgeted for the 2002/2003 financial year. An amount of \$5525 is included within PPP525.

Finalisation of the Draft Byford Structure Plan is budgeted for the 2002/2003 financial year. An amount of \$10,000 is included within PPP525.

Attendance for this eastern states study tour is unbudgeted and will need to be carefully considered at the mid year budget review. An economy airfare Perth-Melbourne-Brisbane-Perth has been priced at \$1 387, it is however anticipated that discount fares should be available.

**Strategic Implications:**

The specific issue of provision of subdivision within Byford relates to strategy 1.2 of Key Result Area People and Community in Council's Strategic Plan which is:

*"Plan and develop towns based on compatible mixed uses, local employment opportunities, and walkable neighbourhoods clustered in order to minimise car dependency."*

**Community Consultation:**

In accordance with Council's Community Consultation Framework and statutory requirements.

**Voting Requirements:**

Normal

**Officer Recommended Resolution**

1. Council notes the December 2002 status report on the strategic planning program in preparation for Byford urban development.
2. Council approves a study tour of water sensitive urban design treatments in Melbourne and Brisbane commencing 25 February 2003 and nominates the following two Councillor attendees:
3. Council approves the attendance of up to three technical staff on a study tour of water sensitive urban design treatments in Melbourne and Brisbane commencing in early 2003.
4. Council invites representatives of the Water Corporation to meet with the Council to more comprehensively outline the proposal for a drainage management model review agreement as soon as practicable.

### **CRSM027 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Simpson seconded Cr Scott that

1. Council notes the December 2002 status report on the strategic planning program in preparation for Byford urban development.
2. Council approves a study tour of water sensitive urban design treatments in Melbourne and Brisbane commencing February/March 2003 and nominates the following two Councillor attendees: Cr Simpson and Cr Needham.
3. Council approves the attendance of up to three technical staff on a study tour of water sensitive urban design treatments in Melbourne and Brisbane commencing in early 2003.
4. Council invites representatives of the Water Corporation to meet with the Council to more comprehensively outline the proposal for a drainage management model review agreement as soon as practicable.

CARRIED 9/0

Note: The Officer Recommended Resolution was altered by nominating the Councillors in part 1 and altering the timing of the study tour.

SM028/12/02 JARRAHDALE HERITAGE PARK PARTNERING AGREEMENT (P05576/02)		
Proponent	National Trust of Australia	<b>In Brief</b>  Council to adopt a partnering agreement with the National Trust of Australia for the management of the Jarrahdale Heritage Park.  Council to adopt a lease agreement for management of the Trust's land that forms part of the Jarrahdale Heritage Park.
Officer	A. Watson – Director Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	11 December 2002	
Previously	A165/05/00; C016/07/00, SM029/11/01	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

At its meeting of 22<sup>nd</sup> May 2000 Council considered a report on a Partnering Agreement with the National Trust for management of the Jarrahdale Heritage Park. Council resolved:

### **"COUNCIL DECISION"**

1. Council agrees to enter into a two year lease of the National Trust land referred to in the schedule of the draft lease and partnership agreement subject to:
  - a) The National Trust being responsible for termination of any current arrangements in place of the Mill Managers House;
  - b) The lease and partnership agreement being amended to include a clause requiring equitable sharing of costs not specifically identified in the lease and partnership agreement;
  - c) In the event the National Trust seeks to dispose of the land, Council is given first option to acquire.
2. Prior to the lease being signed, clarification as to the status of the lease between the National Trust and the working mill (Mr T Keogh) is sought. If a lease has been put in place between the National Trust and Mr Keogh, then this draft lease is amended to reflect this arrangement.
3. The partnership agreement Schedule 1 reflect the following ownership details: -
  - a) Shire of Serpentine-Jarrahdale owned land Lot 663, portion of Lot 282;

- b) *The National Trust of WA owned land as detailed in the schedule of the draft lease agreement between the National Trust of WA and Shire of Serpentine-Jarrahdale.*
4. *The above changes to the partnership agreement and lease documents be referred back to the National Trust and Council for finalisation and before being executed.*
- CARRIED 10/0"**

### **Comments**

***A copy of the draft Partnership Agreement for the Jarrahdale Heritage Park is with the attachments marked SM028.1/12/02.***

***A copy of the draft lease for the National Trust land at Jarrahdale within the Heritage Park is with the attachments marked SM028.2/12/02.***

The matters raised in Council's decision of 22<sup>nd</sup> May 2000 are dealt with below:

*"1(a) The National Trust being responsible for termination of any current arrangements in place of the Mill Managers House."*

The National Trust has advised that they accept responsibility for termination of current arrangements for the Mill Managers House. This has been carried out.

*"1(b) The lease and partnership agreement being amended to include a clause requiring equitable sharing of costs not specifically identified in the lease and partnership agreement."*

A new clause 4.3 has been inserted into the Agreement as follows:

***"4.3 Mutual Obligations***

*All costs associated with the management of the place not specifically identified in Clause 4 will be shared equally between the Lessee and the Lessor."*

A new clause 5.2 has been inserted into the lease as follows:

***"5.2 Costs Not Specifically Identified***

*All costs associated with the management of the place not specifically identified in Clauses 4.1 and 4.2 will be shared equally between the parties."*

1(c) In the event the National Trust seeks to dispose of the land, Council is given first option to acquire.

A new clause 4.2 (c) has been inserted into the Agreement as follows:

4.2(c) In the event that the National Trust seeks to dispose of the land, Council will be given the option to purchase at market value.

*"2. Prior to the lease being signed, clarification as to the status of the lease between the National Trust and the working mill (Mr T Keogh) is sought. If a lease has been put in place between the National Trust and Mr Keogh, then this draft lease is amended to reflect this arrangement."*

The National Trust has advised that a lease is already in place with Mr Keogh.

***"3. The partnership agreement Schedule 1 reflect the following ownership details: -***

*a) Shire of Serpentine-Jarrahdale owned land Lot 663, portion of Lot 282;*

- b) *The National Trust of WA owned land as detailed in the schedule of the draft lease agreement between the National Trust of WA and Shire of Serpentine-Jarrahdale.*

The National Trust has advised that the schedules to both documents have been amended as requested.

The schedule to the lease has been correctly amended.

The schedule to the Agreement contains a number of omissions. The following title references should be included in the schedule to the Agreement:

Cert. Title Volume 2197 Folio 918, Lot 802 on Diagram 100467.  
Cert. Title Volume 2521 Folio 826, Lot 807 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 827, Lot 808 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 828, Lot 809 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 829, Lot 810 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 830, Lot 811 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 831, Lot 812 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 833, Lot 814 on Deposited Plan 28555  
Cert. Title Volume 1418 Folio 903, Lot 2 on Diagram 47617

These title descriptions arise from the subdivision of the Millars Road cottages and the purchase of Lot 2 Jarrahdale Road.

The National Trust have advised by telephone they wish to alter clause 4 by transferring the bulk of items listed to a Schedule where the partners, by mutual consent, would review and alter as required on an annual basis. No objection is raised in this respect.

### **Sustainability Statement**

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

The partnering agreement and lease are part of the management regime developed by the National Trust and Council for managing a significant land asset in Jarrahdale. They are tools that will assist in implementation of the Jarrahdale Heritage Park Management Plan.

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

Not specifically relevant to the partnering agreement and lease. These issues are core to the Jarrahdale Heritage Park Management Plan.

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

Not specifically relevant to the partnering agreement and lease.

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

Not specifically relevant to the partnering agreement and lease. This issue is core to the Jarrahdale Heritage Park Management Plan.

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

Not specifically relevant to the partnering agreement and lease. These issues are core to the Jarrahdale Heritage Park Management Plan.

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

Not specifically relevant to the partnering agreement and lease. This issue is core to the Jarrahdale Heritage Park Management Plan.

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

The imperative for Council's partnership with the National Trust is to not only manage a significant cultural and natural heritage site but to create a long term economic future for Jarrahdale.

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

Jarrahdale Heritage Park Management Plan is currently in preparation.

**Financial Implications:**

The Jarrahdale Heritage Park project is a significant activity within Council's 2002-2007 Principal Activities Plan. The annual commitment to the project over the next five years ranges between \$89,000 and M\$1.1 per annum depending on the scheduling of development works.

Budgeted expenditure in 2002/2003 is \$198,047.

**Strategic Implications:**

The specific issue of a partnering and lease agreement with respect to the National Trust and its lands forming part of the Jarrahdale Heritage Park relates to strategy 3.4 of Key Result Area Economic Development in Council's Strategic Plan, which is:

*"Create a new economic future for Jarrahdale."*

**Community Consultation:**

Not applicable

**Voting Requirements:**

Normal

**Officer Recommended Resolution**

1. Council authorises the Chief Executive Officer and Shire President to execute lease reference no. MJH: 60003170 between the National Trust of Australia (WA) and Council in respect of the National Trust's land at Jarrahdale which forms part of the Jarrahdale Heritage Park.
2. Council notes the inclusion of Lot 2 Jarrahdale Road in the Schedule to the Partnering Agreement.
3. Council authorises the Chief Executive Officer and Shire President to execute the Partnering Agreement no. MJH: 60003170 between the National Trust of Australia (WA) and Council in respect of lands at Jarrahdale referred to as *the Jarrahdale Heritage Park* and described in the Schedule to the Partnering Agreement, subject to clause 4 being reviewed as discussed in the report and the Schedule being amended to include the following:  
Cert. Title Volume 2197 Folio 918, Lot 802 on Diagram 100467  
Cert. Title Volume 2521 Folio 826, Lot 807 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 827, Lot 808 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 828, Lot 809 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 829, Lot 810 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 830, Lot 811 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 831, Lot 812 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 833, Lot 814 on Deposited Plan 28555  
Cert. Title Volume 1418 Folio 903, Lot 2 on Diagram 47617

under the heading “Serpentine Jarrahdale Shire Owned Property” and “Jarrahdale Land”, Cert Title Volume 2197 Folio: 918, Lot 663, portion of Lot 282” being deleted from the Schedule.

**CRSM028 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Richards seconded Cr Kirkpatrick that

1. Council authorises the Chief Executive Officer and Shire President to execute lease reference no. MJH: 60003170 between the National Trust of Australia (WA) and Council in respect of the National Trust’s land at Jarrahdale which forms part of the Jarrahdale Heritage Park.
2. Council notes the inclusion of Lot 2 Jarrahdale Road in the Schedule to the Partnering Agreement.
3. Council authorises the Chief Executive Officer and Shire President to execute the Partnering Agreement no. MJH: 60003170 between the National Trust of Australia (WA) and Council in respect of lands at Jarrahdale referred to as *the Jarrahdale Heritage Park* and described in the Schedule to the Partnering Agreement, subject to clause 4 being reviewed as discussed in the report and the Schedule being amended to include the following:  
Cert. Title Volume 2197 Folio 918, Lot 802 on Diagram 100467  
Cert. Title Volume 2521 Folio 826, Lot 807 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 827, Lot 808 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 828, Lot 809 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 829, Lot 810 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 830, Lot 811 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 831, Lot 812 on Deposited Plan 28555  
Cert. Title Volume 2521 Folio 833, Lot 814 on Deposited Plan 28555  
Cert. Title Volume 1418 Folio 903, Lot 2 on Diagram 47617  
under the heading “Serpentine Jarrahdale Shire Owned Property” and “Jarrahdale Land”, Cert Title Volume 2197 Folio: 918, Lot 663, portion of Lot 282” being deleted from the Schedule.
4. Clause 4.2(c) is amended to read:-  
*“4.2(c) In the event that the National Trust seeks to dispose of the land, Council will be given first option to acquire.”*

CARRIED 9/0

Note: The Officer Recommended Resolution was altered by adding part 4 whereby the words “at market value” are removed from clause 4.2(c).



SM029/12/02 SERPENTINE DAMS TEAROOM LEASE (RS0141/01)		
Proponent	Water Corporation	<b>In Brief</b>  Accept the amended salient terms provided by the Water Corporation to enter a new lease for the Serpentine Dam Tearoom and agree to the Shire President and Chief Executive Officer signing relevant lease documentation.
Officer	D E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	10 December 2002	
Previously	C010/07/02	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

Amend Delegated Authority Register to enable a new lease to be signed between the Shire of Serpentine-Jarrahdale and the Water Corporation.

### **Comments**

The Corporation have now reviewed the amended terms and conditions Council agreed to at their meeting of July 2002:

### **“CRC010 COUNCIL DECISION/Committee Recommended Resolution**

*The Shire of Serpentine Jarrahdale agrees to the salient terms as provided by the Water Corporation being:*

<i>Demise:</i>	<i>Per original lease dated 1/3/89 between the Water Authority of Western Australia and the Shire of Serpentine–Jarrahdale.</i>
<i>Lessee:</i>	<i>Shire of Serpentine–Jarrahdale.</i>
<i>Lease Period:</i>	<i>6 years from lease commencement with an option of a further 6 years subject to the premises being fit for use after any remedial work.</i>
<i>Lease Commencement:</i>	<i>Anticipated September 2002 following completion of the Water Corporation works however the date could be earlier by arrangement.</i>
<i>Use:</i>	<i>Tearooms</i>
<i>Net Rental:</i>	<i>A peppercorn rental until the establishment of a Tearoom operation by the Shire’s operator. Once the Tearoom is operating a reasonable rental will apply to ensure that the Corporations costs are adequately covered during the lease. The rent to be \$1,000 p.a. for six (6) years.</i>
<i>Outgoings:</i>	<i>The Shire will be responsible for all outgoings in connection with the premises.</i>
<i>Rent Reviews:</i>	<i>To remain fixed for six (6) years.</i>
<i>Documentation:</i>	<i>This is to be in the Corporation’s standard form and all costs in connection with the lease are to be paid by the lessee.</i>
<i>Sub-Letting:</i>	<i>The lessee shall have the right to sub-let the premises.</i>

*Maintenance and Repair: Lessee's responsibility.*

*Conditions: The Corporation will carry out an assessment of the condition of the Tearooms following completion of the works and will undertake any minor repairs directly related to the blasting it determines appropriate from its own funding. In the unlikely event that the Tearooms require major repair the Corporation will have the option of not proceeding with this lease agreement.*

**CARRIED BY EN BLOC RESOLUTION NO. 01**

*Note: The Committee felt that there needed to be an option of a further 6 year lease subject to the premises being fit for use after any remedial work after the initial 6 year lease."*

In August 2002 Council then resolved the following in relation to the signing of the lease between the Water Corporation and Council;

**"CRSM009 COUNCIL DECISION/Committee/Officer Recommended Resolution**

*Moved Cr Simpson seconded Cr Scott that*

- 1. The Chief Executive Officer is requested to progress the re-leasing of the Serpentine Dam Tearooms to a suitable operator subject to the following.*
  - a) The Chief Executive Officer and Shire President are delegated authority to finalise and sign a lease between Shire of Serpentine Jarrahdale and Water Corporation as per the Council Decision C010/07/02."*

The Water Corporation has agreed to the following in relation to the additional six years option:

***Termination Date***

*being 6 years after the Commencement Date*

***Option to extend Lease***

*6 years*

However, in regards to Councils desire to have the rent fixed at \$1,000 per annum for the first six (6) years, the Water Corporation has not agreed to this and have proposed an annual CPI review:

***Rent Details***

*For the period from the commencement date until the day prior to the trading date specified in clause 6.2 of this Reference Schedule (trading date), the sum of \$1.00 (GST inclusive); and from the trading date until varied, \$1,000.00 per annum (GST exclusive) payable in advance by equal successive monthly installments.*

***Review Dates***

***CPI Review Dates***

On each anniversary of the commencement date except where that date is a market review date or a CPI market review date as specified below.

**Sustainability Statement**

The tearoom provides an excellent foundation to the tourist industry in this locality. It provides tourism for the greater surrounding areas of Jarrahdale and Serpentine in particular and the remainder of the district in general. This facility may also provide employment opportunities of a part time nature for the local area.

**Statutory Environment:**

Local Government Act 1995, Lease Agreement

**Policy Implications:** No policy implications

**Financial Implications:** The lease will incur an initial rental \$1,000 per year, but be subject to a review against CPI. There is potential to offset this cost by subletting the facility to a tenant. There will be a cost to re-establish the facility for occupancy that is yet to be determined.

**Strategic Implications:** 3.2 – Develop the tourist potential of the natural attractions of the Shire.

**Community Consultation:** No consultation required.

**Voting Requirements:** Normal

**CRSM029 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Needham seconded Cr Kirkpatrick that the Chief Executive Officer and Shire President are delegated authority to finalise and sign a lease between the Shire of Serpentine-Jarrahdale and the Water Corporation as per the Council Decision C010/07/02 but with the variation requested by the Water Corporation to adjust the annual lease fee for the Tearooms by CPI.  
CARRIED 9/0

SM030/12/02 INFORMATION REPORT		
Proponent	Chief Executive Officer	<b>In Brief</b>  Information Report.
Officer	D.E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	5 December 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

SM030.1/12/02 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) STATE COUNCIL MEETING – OCTOBER 2002 (A0163-06)

***The Summary Minutes of the WALGA State Council Meeting held on 1 October 2002 are with the attachments marked SM030.1/12/02.***

SM030.2/12/02 DRAFT REGIONAL POLICY STATEMENT FOR WESTERN AUSTRALIA (A0213)

Council has received a copy of the "Draft Regional Policy Statement for Western Australia". The document is available for review by contacting the Chief Executive Officers Personal Assistant. Additional copies are being sought for each Councillor and will be distributed as soon as they become available.

The draft document outlines how the Western Australian Government will work with regions and regional communities to help them achieve their sustainable economic, social and environmental aims and aspirations.

Three themes dominate this document;

- Understanding the desires, needs and opportunities for regional Western Australia;

- Partnering with regional communities in particular, but also other spheres of government, industry and the non government sector; and
- Delivering better programs, services and decisions for regional areas and residents.

Comments close on the draft on Friday 28 February 2003, and the government, via the regional development Commissions, in our case the Peel Development Commission (PDC) will be holding a workshop for stakeholders and the wider community on 16<sup>th</sup> January 2003 at Fairbridge (Barbara Rowley Centre) from 1.00-4.00pm as part of the consultation process.

The Chief Executive Officer has also extended an invitation to the Peel Development Commission to meet with Councils Strategic Management Committee on 20<sup>th</sup> January 2003 at 10:30am, after the meeting, to discuss the document and get feedback on it.

SM030.3/12/02 COMMON SEAL REGISTER REPORT – NOVEMBER 2002 (A1128)

***The Common Seal Register Report for the month of November 2002 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked SM030.3/12/02.***

Note: the Common Seal was not used in the month of November 2002.

SM030.4/12/02 CITY OF BELMONT – ANNUAL REPORT – 2001-2002 (A0943)

The Annual Report for the City of Belmont for 2001-2002 is located in the Councillors Library.

SM030.5/12/02 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – PEEL ZONE MEETING - 2 DECEMBER 2002 (A0027)

***The minutes of the Peel Zone meeting held on 2 December 2002 is with the attachments marked SM030.5/12/02.***

SM030.6/12/02 EXECUTIVE OFFICER – FUNDING UPDATE SEPTEMBER 2002 (A0281)

The following is a summary of the grants that have been sought recently by the Consultant Executive Officer. The results continue to reflect the excellent return on investment since this initiative was implemented.

SJ - FUNDING APPLICATION UPDATE 18 SEPTEMBER 2002					
PROJECT	FUNDING SOURCE	APPLICATION STATUS	SHIRE CONTRIBUTION	EXTERNAL FUNDING TGT	AMOUNT RECEIVED
Oakford Oldbury Community Centre	Lotteries	Completed	Building (in kind)	\$13,734	\$14,385
Tourism Strategy	RDS	Completed	\$4,000 + \$6,500 in kind	\$19,450.20	\$7,500
Youth Officer	Safer WA	Completed	\$15,300 (in kind & already budgeted)	\$22,000	\$22,000
Trails	Trailswest	Declined	\$27,890 (already budgeted)	\$27,890	-
SES radios	RDS	Completed	\$2,000 (already budgeted)	\$7,676.92	\$7,676.92
Wind Turbine	RDS	Completed	\$10,000 (already budgeted)	\$18,000	\$10,000
Sport & Rec	RAP	Still pending	\$2 million	\$341,008	Pending

SJ - FUNDING APPLICATION UPDATE 18 SEPTEMBER 2002					
PROJECT	FUNDING SOURCE	APPLICATION STATUS	SHIRE CONTRIBUTION	EXTERNAL FUNDING TGT	AMOUNT RECEIVED
Centre			(already budgeted)		
Mill Managers House	Environment Australia	Completed	\$7,500 (in-kind)	\$96,585	\$41,000
YMCA Mobile Youth Service	Youth Grants WA	Completed	SJ Shire \$3,999 & Shire Mngt in-kind \$999	\$5,000	\$5,000
Byford & Districts Community Bank	RDS	Steering Committee Provide Comments only	SJ Shire \$6,000	\$6,000	pending
S-J Finewood Gallery	RDS	Completed	(\$211,500 Total Sought)	\$35,000	Pending
S-J Finewood Gallery	SW Forests	Completed	\$20,000 as above	\$65,600	Pending
Towns with Heart Community Program	RDS	Completed	In kind	\$17,500	Pending
Towns with Heart	Lotteries	Completed	In kind	\$17,500	Pending
Playground Equipment	RDS	Unlikely to be accepted.	Recommend not to proceed.		
Wind Turbine	RDS	Completed	No additional contribution	\$7,272	Pending
Byford Entry Statement	RDS	Byford Progress Assn Provide Comments only			
Mundijong Town Centre	RDS	Completed	\$40,788 (already budgeted)	\$10,000	Pending
<b>TOTAL Direct Leverage</b>			<b>\$2,129,977.00 cash</b> (already budgeted incl \$2m Sport & Rec Centre)	<b>\$351,708.12</b> (excl Sport & Rec Centre & Lotteries Towns with Heart dual application)	<b>\$107,561.92 confirmed</b> (\$141,372.00 still pending)
<b>Exec Officer</b>		<b>Payments to date</b>	<b>\$30,287.12</b>		

SM030.7/12/02 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – SOUTH EAST METRO ZONE MEETING MINUTES – NOVEMBER 2002 (A1063-06)

***The minutes of the South East Zone Meeting held on 27<sup>th</sup> November 2002 are with the attachments marked SM030.7/12/02.***

SM030.8/12/02 PEEL ECONOMIC DEVELOPMENT UNIT MEETING – NOVEMBER 2002 (A0839)

***The minutes of the Peel Economic Development Unit Meeting (PEDU) held on 5<sup>th</sup> December 2002 are with the attachments marked SM030.8/12/02.***

SM030.9/12/02 AN OVERVIEW OF THE 2002 STAFF ATTITUDINAL SURVEY RESULTS (A0106-05)

The 2002 Staff attitudinal survey was conducted in November and the final results and report has now been completed. Below is a summary of the results this year against the previous four (4) years and also the Australian average for this survey.

- Organisation results**

CATEGORY	SERPENTINE-JARRAHDAL	2001	2000	1999	1998	AUSTRALIAN AVERAGE
ORGANISATIONAL PERFORMANCE	3.95	4.00	3.88	3.92	3.85	3.54
STRATEGY, POLICY AND PLANNING	3.86	3.71	3.32	3.14	2.75	2.71
INFORMATION & ANALYSIS	3.76	3.78	3.59	3.43	3.10	2.91
CUSTOMER FOCUS	3.74	3.58	3.66	3.72	3.49	3.25
INDIVIDUAL EMPLOYMENT	3.63	3.48	3.48	3.39	3.47	3.05
PROCESSES, PRODUCTS & SERVICES	3.62	3.46	3.37	3.47	3.31	2.92
WORKPLACE AS A PART OF THE ORGANISATION	3.46	3.33	3.17	3.15	3.04	2.65
LEADERSHIP	3.38	3.40	3.38	3.28	3.39	2.69
ORGANISATION AS AN EMPLOYER	3.31	3.23	3.14	3.21	3.07	2.73

### **Supplementary Information to Overview of 2002 Staff Attitudinal Survey Results**

PRESENTING THE RESULTS OF THE SERPENTINE-JARRAHDAL WORKPLACE ATTITUDE SURVEY 2002.

This report is based on a survey conducted in October 2002 that included using a 50-part questionnaire.

The questionnaire was designed to test Serpentine-Jarrahdale against the criteria used in the AQA assessment of organisational performance.

So as to provide an overview of organisational performance against the AQA criteria, individual ratings have been converted into a single index that averages out the individual responses under each category. Each index is also based on the scale of 1 to 5, with “1” equating to the most negative organisational response and “5” the most positive.

The categories covered are:

#### LEADERSHIP

The role and style of the senior management within Serpentine-Jarrahdale.

#### STRATEGY, POLICY AND PLANNING

Explores the role of values, goals and objectives in Serpentine-Jarrahdale.

#### INFORMATION AND ANALYSIS

The availability and use of meaningful information on the aspirations and performance of Serpentine-Jarrahdale.

#### THE ORGANISATION AS AN EMPLOYER

Explores the planning and delivery of human resources in Serpentine-Jarrahdale.

#### INDIVIDUAL EMPLOYMENT

Examines individual employment circumstances.

#### THE WORKPLACE AS PART OF THE ORGANISATION

Explores morale, teamwork and communication.

#### CUSTOMER FOCUS

How Serpentine-Jarrahdale looks after its customers.

#### PROCESSES, PRODUCTS AND SERVICES

How Serpentine-Jarrahdale handles the generation and delivery of services.

#### ORGANISATIONAL PERFORMANCE

How Serpentine-Jarrahdale addresses issues of change.

#### AUSTRALIAN AVERAGE

Throughout this report, reference is made to the "Australian average" or the "survey average". These averages are based on responses obtained to each question in the course of our surveying a large number of organisations. Organisations surveyed have been in both the public and private sectors

#### **CRSM030 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Kirkpatrick seconded Cr Needham that the Information Report to 11 December 2002 be received.

CARRIED 9/0

Note: The CEO advised that the following funding applications have since been successful:

*`	Byford * Districts Community Bank	\$ 5,000
*	SJ Finewood Gallery	\$27,000
*	Wind Turbine	\$ 7,272

And that Towns with Heart Community Funding and Mundijong Town Centre funding applications have been unsuccessful.

The Presiding Member and Councillors congratulated the CEO and his staff on these successful applications for funding.

7.5 Planning Development & Environment Meeting – 16<sup>th</sup> December, 2002

**COUNCIL DECISION**

Moved Cr Needham seconded Cr Murphy  
That the minutes of the Planning Development & Environment Committee Meeting held on 16<sup>th</sup> December, 2002 be received.  
CARRIED 9/0

E011/12/02 PERTH BIODIVERSITY ROUND 2 SUBMISSIONS FOR FUNDING (A0397)		
Proponent	Shire of Serpentine-Jarrahdale	<b>In Brief</b>  Council allocates funds for the 2003 /2004 financial year as a contribution towards the proposed Perth Biodiversity Projects.
Officer	Sue Osborne - Environmental Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	4 December 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

The Shire forwarded five expressions of interest for Commonwealth funding through the Perth Biodiversity Project in October. Feedback on these expressions of interest was received from the assessment panel and final applications must be forwarded by 24<sup>th</sup> December. Each application will both request funding and commit to the allocation of funds from the Shire and its project partners. Most of the Shire contributions to proposed projects are in the form of officer time and existing facilities. There are however, additional financial commitments required that would need to be drawn either from the existing budget for this financial year, or from a funding allocation for next financial year.

Of the five expressions of interest put forward to the Perth Biodiversity Project from this Shire, it is most unlikely that they will all be successful because the total amount of funds available is less than half of the sum of all applications from throughout the metropolitan area.

**Comments**

The proposed projects and required funds are summarized below for your consideration. In all cases the majority of the budget consists of staff time and other in-kind expenses. Significant contributions are to be made by our project partners in the form of professional advice, project officer supervision and travel to and from the Shire.

Additional information regarding these project proposals was provided in the November Council agenda notes (in order of priority).

**Project 1      Development of a Biodiversity Strategy to establish a biodiversity inventory and prioritisation framework**

Total cost of project: \$80,770

Funds sought from Perth Biodiversity Project: \$12,700

Project partners: Community Landcare Centre, LCDC, Murdoch University, Worldwide Fund for Nature



Much of the project budget is requirement to establish a Geographic Information system (GIS) database to store and manipulate environmental information with a geographic or mapping component. This system would be of ongoing benefit to environmental management and planning throughout the Shire.

If this project is successful, \$4 000 will be required next financial year to both complete the strategy report and raise community awareness regarding its recommendations.

### **Project 2      Preparation of outcome based reserve management plan**

Total cost of project: \$54,165

Funds sought from Perth biodiversity Project: \$10,200

Project partners: Community Landcare Centre, LCDC, Murdoch University, Worldwide Fund for Nature

If this project is successful, \$6000 will be required in the budget next financial year to complete draft management plans for Serpentine Sports Reserve, and Brickwood Reserve, oversee broad community consultation and seek their endorsement by Council.

### **Project 3      On ground works in Brickwood Reserve**

Total cost of project: \$16,300

Funds sought: \$7, 000

Project partners: Community Landcare Centre, LCDC, Murdoch University, Worldwide Fund for Nature

If this project is successful, \$3000 will be required in the budget next financial year to complete the proposed weed and dieback management.

### **Project 4      Seed and cuttings harvesting plan and orchard establishment**

Total cost of project: \$72,000

Funds sought: \$15,000

Project partners: Department of Conservation and Land Management, Greening Australia, Community Landcare Centre, LCDC, Murdoch University

If this project is successful, \$6000 will be required in the budget next financial year to undertake ground preparation works and establish a seed and cutting nursery within the Shire.

### **Project 5      Monitoring and assessment techniques review and development**

Total cost of project: \$58,000

Funds sought: \$11,200

Project partners: Community Landcare Centre, LCDC, Murdoch University, South West Catchment Bushcare Coordinator, Water and Rivers Commission

If this project is successful, \$6000 will be required in the budget next financial year to successfully review monitoring and assessment techniques.

### **Sustainability Statement**

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

Additional funding for the environmental projects listed above will enhance the natural environment and minimise environmental damage through best practice in its field.

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

Techniques to be used will minimise the use of energy and protect soil, land and water.

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

Local seed and cutting stock will be used where applicable.

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

Best environmental management practices will be used.

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

Effective community involvement is essential for effective biodiversity management within the Shire. Community involvement is a component of each of the proposed projects.

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

No group(s) will be disadvantaged.

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

The environmental projects proposed do not create long term employment, but short term employment would be involved.

**Statutory Environment:** Local Government Act 1995

**Policy Implications:** Nil

**Financial Implications:** Budget allocations for this financial year will contribute towards any successful project applications from the following accounts:

<b>Proposed project</b>	<b>Budget code and title</b>
Biodiversity strategy	ENV698 Environmental resource management
Management plan development	ENV702 Reserve management planning
Review of monitoring and assessment techniques	ENV697 Environmental monitoring

The proposed projects would require additional allocations of Shire funds next financial year if successful in their application for NHT funds as follows:

<b>Proposed project</b>	<b>Funding required next financial year</b>
Biodiversity strategy	\$4000
Development of management plans	\$6000
Brickwook Reserve on ground works	\$3000
Seed and cutting management plan and orchard	\$6000
Review of monitoring and assessment techniques	\$6000

Note: Not all projects will be funded. If 2002/2003 budget allocations are maintained in 2003/2004 all five

projects are able to be carried out with no net impact on the 2003/2004 budget.

**Strategic Implications:**

This proposal for environmental project funding relates to strategy 2.1 and 2.2 of the Environmental Key Result Area in Council's Strategic Plan which is:

	<b>Strategy</b>
2.1	Encourage best practise environmental management.
2.2	Make best practice environmental management a foundation of Shire business.

In addition, the following objective and key result areas are listed in the Strategic Plan:

*“Objective*

*To protect and repair the soil, vegetation, water and air resources of the Shire.”*

*“Key Performance Indicators*

- To have all significant conservation assets within Shire identified and protected through appropriate mechanisms;*
- To build a working plan for landcare which the majority of landholders support and work towards; and*
- To build a network of green links throughout the Shire for their conservation, water management and recreational values.”*

**Community Consultation:**

Some consultation has been undertaken in relation to the development of the funding proposals. However, if any of the proposals are successful in their application for NHT funds, each will contain a significant component of community consultation.

**Voting Requirements:**

Normal

**CRE011 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Richards seconded Cr Scott that Council endorses the applications for funds under the Perth Biodiversity Round 2 program and will consider allocations of Shire funds for the 2003/2004 financial year as a contribution towards any of the above projects that are successful as part of the Principal Activities Plan process.

CARRIED 9/0

P184/12/02 REVIEW OF PLANNING SERVICES DELEGATED AUTHORITY (A1047/03, A0582)		
Proponent	Shire of Serpentine-Jarrahdale	<b>In Brief</b>
Officer	A. Watson – Director Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	7 November 2002	
Previously	SM065/05/02, P172/10/02 P123/08/02, SM014/09/02, P142/09/02, P 143/09/02	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

At its meeting of 28<sup>th</sup> October 2002 Council considered a report on Resourcing Requirements and Review of Workflow/Distribution (SM023/10/02). Inherent in this report was the obligation of Service Teams to review key processes, procedures and workflow. When the matter was discussed at Strategic Management Committee on 21<sup>st</sup> October 2002, the Director Sustainable Development indicated to Committee that, given Council's goal of reducing development application turnaround times, one area of process which would have to be reviewed as a matter of urgency is the level of delegated authority to the Chief Executive Officer to deal with planning services matters.

### **Comments**

The following is a list of proposed changes to current delegations in respect of planning services matters that have been identified to streamline work processing.

Any proposed amendments to the existing delegations are shown with a line striking through the words to be deleted and with the words that are to be inserted shown in *italics*.

### **PS-1 Town Planning Scheme No 2 – ~~Delegations~~ Use and Development**

The Chief Executive Officer be granted delegated authority for the uses, developments and Scheme variations for which delegated power of approval, refusal and approval to vary Scheme requirements, are as follows and no other uses or variations may be approved/refused under the terms of this delegation.

Uses\Development —

- 5.1** ~~All advertising~~ for SA and AA uses in Town Planning Scheme No. 2.
- 5.2** ~~All "X" uses (refusals)~~ in accordance with Town Planning Scheme No. 2 (uses that are not permitted and would require rezoning to be supported).
- 5.3** All permitted "P Uses" in the Scheme ~~up to a value of \$100,000 or 150m<sup>2</sup>~~ subject to compliance with the Scheme requirements.
- 5.4** Caretakers house/flat, ~~Commercial and Light Industry zones~~ where such use is incidental to the predominant use.
- 5.5** Car park - in all zones.
- 5.6** Consulting rooms - in the Commercial and Light Industry zones.
- 5.7** Fish shop ~~in the Commercial zone.~~
- 5.8** Funeral parlour ~~Commercial zone.~~
- 5.9** Health studio ~~in the Commercial zone.~~
- 5.10** Home occupation/~~studies~~ *Home Business* subject to adjoining land owners consent in writing.
- 5.11** Laundry ~~in the Commercial Industry zone.~~
- 5.12** Local shop ~~in the Commercial Industry zone.~~

- 5.13 Lodging house ~~in the Commercial Industry zone.~~
- 5.14 Office - in the Light Industry zone where such use is incidental to the predominant use.
- 5.15 Open air display ~~in the Light Industry zone.~~
- 5.16 Satellite dishes ~~within all zones.~~
- 5.17 Trade display ~~in Commercial and Light Industry zones.~~
- 5.18 Warehouse ~~in the Light Industry zone.~~
- 5.19 *Fish Farming*
- 5.20 *Bed & Breakfast Accommodation*

### **PS-3 Stables and Keeping of Horses Applications**

The Chief Executive Officer be granted delegated authority to determine any application for stables and/or keeping of horses stable applications. (TPS No 2) (P199 15.03.99)

### **PS-4 Development Issues Within the Urban Development Zone**

Delegated authority be given to the Chief Executive Officer to determine applications for 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
7. Commercial Vehicle Parking where no objections from adjoining landowners have been received.
8. *Retaining Walls*

### **PS-10 Dealing with Subdivision Referrals and Subdivision Clearances**

The Chief Executive Officer under the *Local Government Act 1995 (as amended)* be ~~numbered appropriately and adopted by Council:~~

#### ~~1. PS# Endorsement of Subdivision Clearances~~

*granted* the authority to endorse Plans or Diagrams of Survey to certify the clearance of conditions of subdivision approval.

#### Conditions/Guidelines

- a) All of the Local Authority (LA) conditions are satisfied.
- b) Receipt of advice from Health Services, Building Services, Asset Services, Fire and Emergency Services, ~~and Ranger Services~~ *and Environment*.
- c) All use of this delegation is to be included in the Delegations Register and reported to Council through the Planning Development and Environment Committee Information Report.

#### ~~2. PS9 Making Recommendations to the Western Australian Planning Commission with Respect to Subdivision/Amalgamation Referrals~~

The *Chief Executive Officer under the Local Government Act 1995 (as amended)* be *granted the* ~~be~~ authority to make recommendations to the WA Planning Commission in respect to subdivisions and amalgamations of land where:

- a) A subdivision guide plan has been previously approved by Council as part of a rezoning;

- b) In the Urban Development zone where a Detailed Area Plan has been approved by Council;
- c) Involving minor modifications to subdivision plans previously considered by Council not involving the creation of additional lots.
- d) Minor subdivisions/amalgamations (up to three lots) in any zone.

Conditions/Guidelines

- a) Rural Strategy - Where a subdivision/amalgamation referral is subject to Council's Rural Strategy (as amended), including the 2001 Rural Strategy Review, any objection or recommendations provided to Western Australian Planning Commission under this policy will be consistent with the Rural Strategy.
- b) Local Planning Policies - Compliance with any Local Planning Policy applicable to the subdivision/amalgamation.
- c) Wetland Protection - For subdivision/amalgamation referrals relating to land within or adjacent to, or which drain into wetlands identified in Bush Forever, Council shall request the Western Australian Planning Commission to refer such applications to the ~~Department of Environmental Protection~~ *Department of Environment Water and Catchment Protection* for assessment.
- d) Bushland Protection
  - i) Council shall request the Western Australian Planning Commission to impose appropriate conditions of subdivision on all development which could impact on significant vegetation.
  - ii) Council shall not support subdivision of any rural area identified as being a linkage corridor between protected bushland complexes unless it can be demonstrated to the satisfaction of the Council and the ~~Department of Environmental Protection~~ *Department of Environment Water and Catchment Protection* that the proposal minimises disruption to ecological linkage corridors.
- e) Scenic Drives - The following roads which are designated high conservation value under Council's Rural Strategy or which fall predominantly within the Landscape Protection Policy Area are hereafter described as 'Scenic Drives' and are to be the subject of special consideration in respect to subdivision proposals which are received for land near to them. The basic aim shall be to protect and enhance the rural landscape character of land which is readily visible from those roads.  
  
Designated Scenic Drives:  
South Western Highway  
Nettleton Road  
Jarrahdale Road  
Kingsbury Drive  
Thomas Road  
Mundijong Road  
Karnup Road
- f) Bushfire Protection
  - i) Council shall recommend to the Western Australian Planning Commission that any subdivision adjacent to an area of conservation bushland has a strategic fire break between any development and the bushland.
  - ii) Council shall take account of the principles contained in the publication "Planning for Bushfire Protection 2001" in considering any application for subdivision approval.

- iii) Where bushfires are a potential hazard, subdivision proposals should demonstrate, to the satisfaction of the Council, that proper bushfire protection measures would be implemented and maintained, including:
  - escape routes from bushfires;
  - firebreaks or strategic firebreaks accessible to give fighting vehicles;
  - water supplies for fire fighting;
  - low fuel areas around dwelling homes having regard to local wind and topographical conditions;
  - fire resistant buildings (AS3959).
- g) Requirement to Amalgamate Lots - Council shall request the Western Australian Planning Commission to impose as a condition of approval the requirement to amalgamate abutting land parcels under the same ownership where proposed development encroaches over a common lot boundary, where setback or other Town Planning Scheme requirements cannot be met, or when one or more lots does not abut a public road reserve.
- h) General - Council shall request the Western Australian Planning Commission to impose appropriate conditions on all subdivision/amalgamation referrals to ensure adequate servicing and infrastructure provision relative to the zone within which the application relates. (P123/08/02)

The following is a list of proposed new delegations in respect of planning services matters (Town Planning Scheme No. 2), which have been identified to streamline work processing:

#### **PS-14 Commercial Vehicle Parking**

Council grants delegated authority to the Director Sustainable Development to approve/refuse Commercial Vehicle Parking where no objections from adjoining landowners have been received.

#### **PS-15 Town Planning Scheme No 2 – Nuisance**

The Director Sustainable Development be granted delegated authority to issue notices pursuant to Part 7 of Town Planning Scheme No. 2 where a use or activity is likely to contribute or is contributing to dust pollution or soil erosion, requiring the appropriate remedial action.

#### **PS-16 Town Planning Scheme No 2 – Amending a Planning Approval**

The Director Sustainable Development be granted delegated authority to amend a planning approval, on application in writing from the owner of the land in respect of which planning approval has been granted where:

- a commencement of the use or development subject of the planning approval has not occurred;
- b the planning approval was originally granted under delegated authority to the Chief Executive Officer; and
- c the amendment of the planning approval would not significantly affect any person who made a submission in respect of the proposed use/development during public notification (if any) of the use or development.

#### **PS-17 Residential Design Codes – Neighbour Consultation**

The Director Sustainable Development be granted delegated authority to initiate neighbour consultation in accordance with clause 2.5 of the Residential Design Codes of Western Australia where:

- a the proposed development requires the exercise of a discretion by Council under the Codes; and
- b where the exercise of that discretion may adversely affect the amenity of an adjoining property.

In all cases where an acceptable development provision is proposed to be varied by more than 10% neighbour consultation is to be carried out in accordance with Clause 2.5.2 of the Residential Design Codes.

#### **PS-18 Residential Design Codes – Exercise of Discretion**

The Director Sustainable Development and Principal Building Surveyor be granted delegated authority, when considering applications for Codes Approval, to exercise discretion in relation to considerations, standards and requirements set out in the Residential Design Codes provided no adverse comments were received from owners of adjoining property notified of the proposed development in accordance with clause 2.5.2 of the Codes.

The following is a list of proposed new delegations in respect of planning services matters (Local Government Act 1995), which have been identified to streamline work processing:

#### **PS-19 Extractive Industry Licence Renewals**

The Chief Executive Officer be granted delegated authority to approve extractive industry licence renewals under the Shire of Serpentine-Jarrahdale Extractive Industries Local Law for a period not exceeding twelve months where:

- a the application complies with the requirements of the Shire of Serpentine-Jarrahdale Extractive Industries Local Law;
- b a half yearly compliance inspection has been carried out and no compliance issues have been identified or, where compliance issues were identified, they were rectified by the time of the annual compliance inspection;
- c a report on annual on-site performance has been prepared by the applicant and submitted with the renewal application;
- d the extractive industry has a valid planning approval under the Metropolitan Region Scheme and local planning scheme as appropriate; and
- e no written complaints have been received about the operation of the extractive industry during the current license year.

#### **Sustainability Statement**

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

Not applicable.

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

Not applicable.

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

Not applicable.

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



Granting of delegation to Council officers to deal with administrative matters of simple/routine development applications is aimed at improving turn around times and allowing Councillors to concentrate on strategic matters.

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

Rights of appeal and the extent of community consultation required under Town Planning Scheme No. 2 is not compromised as a consequence of the granting of delegation to Council officers.

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

Rights of appeal and the extent of community consultation required under Town Planning Scheme No. 2 is not compromised as a consequence of the granting of delegation to Council officers.

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

Not applicable.

**Statutory Environment:** The annual review of delegations is a requirement under the Local Government Act 1995

**Policy Implications:** Not applicable.

**Financial Implications:** There will be no direct financial implications to Council as a consequence of this matter.

**Strategic Implications:** The requested ongoing delegations assist in administering the strategic direction of Council.

**Community Consultation:** No community consultation required

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

**Officer Recommended Resolution**

A. The following delegation under the **Local Government Act 1995**, as amended, be adopted by Council:-

**PS-19 Extractive Industry Licence Renewals**

The Chief Executive Officer be granted delegated authority to approve extractive industry licence renewals under the Shire of Serpentine-Jarrahdale Extractive Industries Local Law for a period not exceeding twelve months where:

- a the application complies with the requirements of the Shire of Serpentine-Jarrahdale Extractive Industries Local Law;
- b a half yearly compliance inspection has been carried out and no compliance issues have been identified or, where compliance issues were identified, they were rectified by the time of the annual compliance inspection;
- c a report on annual on-site performance has been prepared by the applicant and submitted with the renewal application;
- d the extractive industry has a valid planning approval under the Metropolitan Region Scheme and local planning scheme as appropriate; and
- e no written complaints have been received about the operation of the extractive industry during the current license year.

- B. The following amended delegations under the **Local Government Act 1995**, as amended, be adopted by Council:-

**PS9 Making Recommendations to the Western Australian Planning Commission with Respect to Subdivision/Amalgamation Referrals**

The Chief Executive Officer under the Local Government Act 1995 (as amended) be granted the authority to make recommendations to the WA Planning Commission in respect to subdivisions and amalgamations of land where:

- a) A subdivision guide plan has been previously approved by Council as part of a rezoning;
- b) In the Urban Development zone where a Detailed Area Plan has been approved by Council;
- c) Involving minor modifications to subdivision plans previously considered by Council not involving the creation of additional lots.
- d) Minor subdivisions/amalgamations (up to three lots) in any zone.

**Conditions/Guidelines**

- a) Rural Strategy - Where a subdivision/amalgamation referral is subject to Council's Rural Strategy (as amended), including the 2001 Rural Strategy Review, any objection or recommendations provided to Western Australian Planning Commission under this policy will be consistent with the Rural Strategy.
- b) Local Planning Policies - Compliance with any Local Planning Policy applicable to the subdivision/amalgamation.
- c) Wetland Protection - For subdivision/amalgamation referrals relating to land within or adjacent to, or which drain into wetlands identified in Bush Forever, Council shall request the Western Australian Planning Commission to refer such applications to the Department of Environment Water and Catchment Protection for assessment.
- d) Bushland Protection
  - i) Council shall request the Western Australian Planning Commission to impose appropriate conditions of subdivision on all development which could impact on significant vegetation.
  - ii) Council shall not support subdivision of any rural area identified as being a linkage corridor between protected bushland complexes unless it can be demonstrated to the satisfaction of the Council and the Department of Environment Water and Catchment Protection that the proposal minimises disruption to ecological linkage corridors.
- e) Scenic Drives - The following roads which are designated high conservation value under Council's Rural Strategy or which fall predominantly within the Landscape Protection Policy Area are hereafter described as 'Scenic Drives' and are to be the subject of special consideration in respect to subdivision proposals which are received for land near to them. The basic aim shall be to protect and enhance the rural landscape character of land which is readily visible from those roads.

Designated Scenic Drives:  
South Western Highway  
Nettleton Road  
Jarrahdale Road  
Kingsbury Drive  
Thomas Road  
Mundijong Road

Karnup Road

- f) Bushfire Protection
- i) Council shall recommend to the Western Australian Planning Commission that any subdivision adjacent to an area of conservation bushland has a strategic fire break between any development and the bushland.
  - ii) Council shall take account of the principles contained in the publication "Planning for Bushfire Protection 2001" in considering any application for subdivision approval.
  - iii) Where bushfires are a potential hazard, subdivision proposals should demonstrate, to the satisfaction of the Council, that proper bushfire protection measures will be implemented and maintained, including:
    - escape routes from bushfires;
    - firebreaks or strategic firebreaks accessible to give fighting vehicles;
    - water supplies for fire fighting;
    - low fuel areas around dwelling homes having regard to local wind and topographical conditions;
    - fire resistant buildings (AS3959).
- g) Requirement to Amalgamate Lots - Council shall request the Western Australian Planning Commission to impose as a condition of approval the requirement to amalgamate abutting land parcels under the same ownership where proposed development encroaches over a common lot boundary, where setback or other Town Planning Scheme requirements cannot be met, or when one or more lots does not abut a public road reserve.
- h) General - Council shall request the Western Australian Planning Commission to impose appropriate conditions on all subdivision/amalgamation referrals to ensure adequate servicing and infrastructure provision relative to the zone within which the application relates.

**PS-10 Dealing with Subdivision Clearances**

The Chief Executive Officer under the *Local Government Act 1995 (as amended)* be granted the authority to endorse Plans or Diagrams of Survey to certify the clearance of conditions of subdivision approval.

Conditions/Guidelines

- a) All of the Local Authority (LA) conditions are satisfied.
- b) Receipt of advice from Health Services, Building Services, Asset Services, Fire and Emergency Services, Ranger Services and Environment.
- c) All use of this delegation is to be included in the Delegations Register and reported to Council through the Planning Development and Environment Committee Information Report.

- C. The following amended delegations under Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2, be adopted by Council:-

**PS-1 Town Planning Scheme No 2 –Use and Development**

The Director Sustainable Development be granted delegated authority for the uses, developments and Scheme variations for which delegated power of approval, refusal and approval to vary Scheme requirements, are as follows and no other uses or variations may be approved/refused under the terms of this delegation.

Uses\Development —

- 5.1 All advertising for SA and AA uses in Town Planning Scheme No. 2.
- 5.2 All “X” uses (refusals) in accordance with Town Planning Scheme No. 2 (uses that are not permitted and would require rezoning to be supported).
- 5.3 All permitted “P Uses” in the subject to compliance with the Scheme requirements.
- 5.4 Caretakers house/flat where such use is incidental to the predominant use.
- 5.5 Car park - in all zones.
- 5.6 Consulting rooms - in the Commercial and Light Industry zones.
- 5.7 Fish shop.
- 5.8 Funeral parlour.
- 5.9 Health studio.
- 5.10 Home occupation/Home Business subject to adjoining land owners consent in writing.
- 5.11 Laundry.
- 5.12 Local shop.
- 5.13 Lodging house.
- 5.14 Office - in the Light Industry zone where such use is incidental to the predominant use.
- 5.15 Open air display.
- 5.16 Satellite dishes.
- 5.17 Trade display.
- 5.18 Warehouse.
- 5.19 Fish Farming
- 5.20 Bed & Breakfast Accommodation

**PS-3 Stables and Keeping of Horses**

The Chief Executive Officer be granted delegated authority to determine any application for stables and/or keeping of horses.

**PS-4 Development Issues Within the Urban Development Zone**

Delegated authority be given to the Director Sustainable Development to determine applications for 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
- 7. Commercial Vehicle Parking where no objections from adjoining landowners have been received.
- 8. Retaining Walls

- D. The following delegations under Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2, be adopted by Council:

**PS-14 Commercial Vehicle Parking**

Council grants delegated authority to the Director Sustainable Development to approve/refuse Commercial Vehicle Parking where no objections from adjoining landowners have been received.

### **PS-15 Town Planning Scheme No 2 – Nuisance**

The Director Sustainable Development be granted delegated authority to issue notices pursuant to Part 7 of Town Planning Scheme No. 2 where a use or activity is likely to contribute or is contributing to dust pollution or soil erosion, requiring the appropriate remedial action.

### **PS-16 Town Planning Scheme No 2 – Amending a Planning Approval**

The Director Sustainable Development be granted delegated authority to amend a planning approval, on application in writing from the owner of the land in respect of which planning approval has been granted where:

- a commencement of the use or development subject of the planning approval has not occurred;
- b the planning approval was originally granted under delegated authority to the Chief Executive Officer; and
- c the amendment of the planning approval would not significantly affect any person who made a submission in respect of the proposed use/development during public notification (if any) of the use or development.

### **PS-17 Residential Design Codes – Neighbour Consultation**

The Director Sustainable Development be granted delegated authority to initiate neighbour consultation in accordance with clause 2.5 of the Residential Design Codes of Western Australia where:

- a the proposed development requires the exercise of a discretion by Council under the Codes; and
- b where the exercise of that discretion may adversely affect the amenity of an adjoining property.

In all cases where an acceptable development provision is proposed to be varied by more than 10% neighbour consultation is to be carried out in accordance with Clause 2.5.2 of the Residential Design Codes.

### **PS-18 Residential Design Codes – Exercise of Discretion**

The Director Sustainable Development and Principal Building Surveyor be granted delegated authority, when considering applications for Codes Approval, to exercise discretion in relation to considerations, standards and requirements set out in the Residential Design Codes provided no adverse comments were received from owners of adjoining property notified of the proposed development in accordance with clause 2.5.2 of the Codes.

### **PS-1 Town Planning Scheme No 2 – Use and Development**

The Director Sustainable Development be granted delegated authority for the uses, developments and Scheme variations for which delegated power of approval, refusal and approval to vary Scheme requirements, are as follows and no other uses or variations may be approved/refused under the terms of this delegation.

Uses\Development —

**5.2.1** Fish farming.

**5.2.2** Bed and Breakfast accommodation

**CRP184 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Needham seconded Cr Simpson that

- A. The following delegation under the **Local Government Act 1995**, as amended, be adopted by Council:-

**PS-19 Extractive Industry Licence Renewals**

The Chief Executive Officer be granted delegated authority to approve extractive industry licence renewals under the Shire of Serpentine-Jarrahdale Extractive Industries Local Law for a period not exceeding twelve months where:

- a the application complies with the requirements of the Shire of Serpentine-Jarrahdale Extractive Industries Local Law;
- b a half yearly compliance inspection has been carried out and no compliance issues have been identified or, where compliance issues were identified, they were rectified by the time of the annual compliance inspection;
- c a report on annual on-site performance has been prepared by the applicant and submitted with the renewal application;
- d the extractive industry has a valid planning approval under the Metropolitan Region Scheme and local planning scheme as appropriate; and
- e no written complaints have been received about the operation of the extractive industry during the current license year.

- B. The following amended delegations under the **Local Government Act 1995**, as amended, be adopted by Council:-

**PS9 Making Recommendations to the Western Australian Planning Commission with Respect to Subdivision/Amalgamation Referrals**

The Chief Executive Officer under the Local Government Act 1995 (as amended) be granted the authority to make recommendations to the WA Planning Commission in respect to subdivisions and amalgamations of land where:

- a) A subdivision guide plan has been previously approved by Council as part of a rezoning;
- b) In the Urban Development zone where a Detailed Area Plan has been approved by Council;
- c) Involving minor modifications to subdivision plans previously considered by Council not involving the creation of additional lots.
- d) Minor subdivisions/amalgamations (up to three lots) in any zone.

**Conditions/Guidelines**

- a) Rural Strategy - Where a subdivision/amalgamation referral is subject to Council's Rural Strategy (as amended), including the 2001 Rural Strategy Review, any objection or recommendations provided to Western Australian Planning Commission under this policy will be consistent with the Rural Strategy.
- b) Local Planning Policies - Compliance with any Local Planning Policy applicable to the subdivision/amalgamation.
- c) Wetland Protection - For subdivision/amalgamation referrals relating to land within or adjacent to, or which drain into wetlands identified in Bush Forever, Council shall request the Western Australian Planning Commission to refer such applications to the Department of Environment Water and Catchment Protection for assessment.
- d) Bushland Protection

- i) Council shall request the Western Australian Planning Commission to impose appropriate conditions of subdivision on all development which could impact on significant vegetation.
- ii) Council shall not support subdivision of any rural area identified as being a linkage corridor between protected bushland complexes unless it can be demonstrated to the satisfaction of the Council and the Department of Environment Water and Catchment Protection that the proposal minimises disruption to ecological linkage corridors.

- e) Designated Scenic Drives and Entry Roads - The following roads which are designated high conservation value under Council's Rural Strategy or which fall predominantly within the Landscape Protection Policy Area are hereafter described as 'Scenic Drives' and are to be the subject of special consideration in respect to subdivision proposals which are received for land near to them. The basic aim shall be to protect and enhance the rural landscape character of land which is readily visible from those roads.

Designated Scenic Drives and Entry Roads:

South Western Highway

Nettleton Road

Jarrahdale Road

Kingsbury Drive

Thomas Road

Mundijong Road

Karnup Road

Kargotich Road

Nicholson Road

- f) Bushfire Protection

- i) Council shall recommend to the Western Australian Planning Commission that any subdivision adjacent to an area of conservation bushland has a strategic fire break between any development and the bushland.
- ii) Council shall take account of the principles contained in the publication "Planning for Bushfire Protection 2001" in considering any application for subdivision approval.
- iii) Where bushfires are a potential hazard, subdivision proposals should demonstrate, to the satisfaction of the Council, that proper bushfire protection measures will be implemented and maintained, including:
  - escape routes from bushfires;
  - firebreaks or strategic firebreaks accessible to give fighting vehicles;
  - water supplies for fire fighting;
  - low fuel areas around dwelling homes having regard to local wind and topographical conditions;
  - fire resistant buildings (AS3959).

- g) Requirement to Amalgamate Lots - Council shall request the Western Australian Planning Commission to impose as a condition of approval the requirement to amalgamate abutting land parcels under the same ownership where proposed development encroaches over a common lot boundary, where setback or other Town Planning Scheme requirements cannot be met, or when one or more lots does not abut a public road reserve.

- h) General - Council shall request the Western Australian Planning Commission to impose appropriate conditions on all subdivision/amalgamation referrals to

ensure adequate servicing and infrastructure provision relative to the zone within which the application relates.

### **PS-10 Dealing with Subdivision Clearances**

The Chief Executive Officer under the *Local Government Act 1995 (as amended)* be granted the authority to endorse Plans or Diagrams of Survey to certify the clearance of conditions of subdivision approval.

#### Conditions/Guidelines

- a) All of the Local Authority (LA) conditions are satisfied.
- b) Receipt of advice from Health Services, Building Services, Asset Services, Fire and Emergency Services, Ranger Services and Environment.
- c) All use of this delegation is to be included in the Delegations Register and reported to Council through the Planning Development and Environment Committee Information Report.

- C. The following amended delegations under Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2, be adopted by Council:-

### **PS-1 Town Planning Scheme No 2 –Use and Development**

The Director Sustainable Development be granted delegated authority for the uses, developments and Scheme variations for which delegated power of approval, refusal and approval to vary Scheme requirements, are as follows and no other uses or variations may be approved/refused under the terms of this delegation.

#### Uses\Development —

- 5.1 All advertising for SA and AA uses in Town Planning Scheme No. 2.
- 5.2 All “X” uses (refusals) in accordance with Town Planning Scheme No. 2 (uses that are not permitted and would require rezoning to be supported).
- 5.3 All permitted “P Uses” in the subject to compliance with the Scheme requirements.
- 5.4 Caretakers house/flat where such use is incidental to the predominant use.
- 5.5 Car park - in all zones.
- 5.6 Consulting rooms - in the Commercial and Light Industry zones.
- 5.7 Fish shop.
- 5.8 Funeral parlour.
- 5.9 Health studio.
- 5.10 Home occupation/Home Business subject to adjoining land owners consent in writing.
- 5.11 Laundry.
- 5.12 Local shop.
- 5.13 Lodging house.
- 5.14 Office - in the Light Industry zone where such use is incidental to the predominant use.
- 5.15 Open air display.
- 5.16 Satellite dishes.
- 5.17 Trade display.
- 5.18 Warehouse.
- 5.19 Fish Farming
- 5.20 Bed & Breakfast Accommodation

### **PS-3 Stables and Keeping of Horses**

The Chief Executive Officer be granted delegated authority to determine any application for stables and/or keeping of horses.



#### **PS-4 Development Issues Within the Urban Development Zone**

Delegated authority be given to the Director Sustainable Development to determine applications for 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
7. Commercial Vehicle Parking where no objections from adjoining landowners have been received.
8. Retaining Walls

D. The following delegations under Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2, be adopted by Council:

#### **PS-14 Commercial Vehicle Parking**

Council grants delegated authority to the Director Sustainable Development to approve/refuse Commercial Vehicle Parking where no objections from adjoining landowners have been received.

#### **PS-15 Town Planning Scheme No 2 – Nuisance**

The Director Sustainable Development be granted delegated authority to issue notices pursuant to Part 7 of Town Planning Scheme No. 2 where a use or activity is likely to contribute or is contributing to dust pollution or soil erosion, requiring the appropriate remedial action.

#### **PS-16 Town Planning Scheme No 2 – Amending a Planning Approval**

The Director Sustainable Development be granted delegated authority to amend a planning approval, on application in writing from the owner of the land in respect of which planning approval has been granted where:

- a commencement of the use or development subject of the planning approval has not occurred;
- b the planning approval was originally granted under delegated authority to the Chief Executive Officer; and
- c the amendment of the planning approval would not significantly affect any person who made a submission in respect of the proposed use/development during public notification (if any) of the use or development.

#### **PS-17 Residential Design Codes – Neighbour Consultation**

The Director Sustainable Development be granted delegated authority to initiate neighbour consultation in accordance with clause 2.5 of the Residential Design Codes of Western Australia where:

- a the proposed development requires the exercise of a discretion by Council under the Codes; and
- b where the exercise of that discretion may adversely affect the amenity of an adjoining property.

In all cases where an acceptable development provision is proposed to be varied by more than 10% neighbour consultation is to be carried out in accordance with Clause 2.5.2 of the Residential Design Codes.

## **PS-18 Residential Design Codes – Exercise of Discretion**

The Director Sustainable Development and Principal Building Surveyor be granted delegated authority, when considering applications for Codes Approval, to exercise discretion in relation to considerations, standards and requirements set out in the Residential Design Codes provided no adverse comments were received from owners of adjoining property notified of the proposed development in accordance with clause 2.5.2 of the Codes.

## **PS-1 Town Planning Scheme No 2 – Use and Development**

The Director Sustainable Development be granted delegated authority for the uses, developments and Scheme variations for which delegated power of approval, refusal and approval to vary Scheme requirements, are as follows and no other uses or variations may be approved/refused under the terms of this delegation.

Uses\Development —

**5.2.1** Fish farming

**5.2.2** Bed and Breakfast accommodation

**CARRIED 9/0 ABSOLUTE MAJORITY**

Note: The Officer Recommended Resolution was altered to include Nicholson Road and Kargotich Road in part (e) of Conditions/Guidelines for PS9 and to expand reference to “Scenic Drives” to include “Entry Roads”.

Cr Hoyer declared impartial interest in Item P188/12/02.

P188/12/02 APPLICATION FOR EXPLORATION LICENCE 70/2495 BY ILUKA RESOURCES (A0548)		
Proponent	Shire of Serpentine-Jarrahdale	<b>In Brief</b>  The purpose of this report is to determine the level of response to Objection No. 66H/012 in relation to Application for Exploration Licence 70/2495 by Iluka Resources Limited.
Officer	A. Watson – Director Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	4 December 2002	
Previously	P102/02/02, P116/03/02	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

At its meeting on the 24<sup>th</sup> September 2001 Council considered a report on a proposed exploration licence no.70/2461 covering a large section of land in the south western corner of the Shire.

Specifically, Cr Hoyer raised the issue of objections being lodged against any mineral sand mining within the Shire and the process for lodging objections.

Councils Policy Register at the time did not include a policy indicating blanket opposition to exploration/mining lease applications for sand mining within the Shire.

At this meeting Council resolved the following:

*“3. A policy be formed so that objections may be dealt with under delegated authority.”*

Council considered a report proposing a Council policy relating to objections to mineral sand mining at its meeting on the 25<sup>th</sup> February 2002. At the Council meeting Cr Hoyer presented

a list of reasons for objection to Council for consideration for inclusion within the policy. As a result of the list being extensive Council resolved the following:

*“Moved Cr Richards seconded Price*

*That Item P102/02/02 be referred back to the March 2002 Committee meeting for further discussion*

*CARRIED 8/0”*

At its meeting of 18 March 2002, Council's Planning Development and Environment Committee, under delegated authority of Council, considered and adopted Planning Policy No. 11 – Objections Against Mineral Sand Mining in the Shire of Serpentine-Jarrahdale. The policy was substantially based on a list of issues presented to Council at its meeting of 25<sup>th</sup> February 2002 by Councillor Hoyer. Committee resolved:

*“CRP116 Committee Decision*

*Moved Cr Hoyer, seconded Cr Price that Council adopts Planning Policy No. 11 Objections Against Mineral Sand Mining in the Shire of Serpentine-Jarrahdale, as set out hereunder and grants delegation to the Chief Executive Officer to lodge objections to exploration/mining leases on the grounds of social, economic and environmental impacts:-*

*Planning Policy No. 11 – Objections Against Mineral Sand Mining in the Shire of Serpentine-Jarrahdale*

- 1. Council has granted delegated authority to the Chief Executive Officer to lodge objections with the Warden at the Department of Mineral and Petroleum Resources against exploration licences and mining leases for mineral sand mining within the Shire.*
- 2. The following reasons for objection are to be used where appropriate when lodging an objection:*
  - 1. Lowering of ground water levels in the local vicinity of mining operations will adversely effect the ecological, domestic, industry and rural use of this resource.*
  - 2. Contamination of ground water in the local and downstream arena of mining operations.*
  - 3. Increase salinity in surrounding water and soils.*
  - 4. Irreversible damage to the stream zones and natural aquifers. (In many cases, ground water is the only domestic option for all land owners in the lease area and significant numbers of residents within the stream zones that exist around the lease.)*
  - 5. Noise from a mining operation will have adverse effects on the surrounding residents. (eg chronic stress, stress related disorders).*
  - 6. Dust from mining operations will be carried to neighbouring residents and visitors to the area.*
  - 7. Strong easterly winds experienced in this locality will cause widespread distribution of dust and other contaminants from the areas disturbed by mining.*
  - 8. Local residents and visitors will be exposed to increased levels of airborne contaminants and radiation because of mining activities.*
  - 9. Health risks, to local residents and mining employees from increased exposure to dust and radiation (eg respiratory disease, depression and lowered immunity).*
  - 10. Increased number of heavy trucks associated with mining will increase danger to other road users and add to the damage of existing roads.*
  - 11. Increased number of heavy trucks associated with mining will cause long term inconvenience to local residents and other local industries.*
  - 12. Applicant will be unable to adequately rehabilitate the sensitive areas proposed for mining, especially to hydro-geological damage of the stream zones.*

13. *Any mining operations will have a detrimental effect on the chosen lifestyles of all local residents.*
14. *Mining operations will have a detrimental effect on livelihood of local landowners.*
15. *Mining will make the area less attractive to tourists, prospective land and home buyers and to visitors.*
16. *Mining operations will lower property values in the area.*
17. *Mineral sand mining is contrary to the future economic and community development program of the local Serpentine Jarrahdale Shire Rural Strategy.*
18. *Mineral sand mining is contrary to the future development program of the Metropolitan Regional Plan.*
19. *Disturbance to local flora and fauna in and around the mining operation.*
20. *Destruction of wildlife habitats by mining activities*
21. *Costs of long and short term environmental damage, together with interference to lifestyles of residents outweigh any potential benefits that sand mining will provide for the State of Western Australia, the Local Government instrumentality and the local community.*

*Carried 4/0*

*Note: The Officer Recommended Resolution was amended by deleting condition 19 and amending condition 18. The Presiding Officer did not consider that the intent of the Officer Recommended Resolution was substantially altered."*

### **Comments**

On 7 March 2002 Council received a copy of an application for an exploration licence no. 70/2495 from WA Mining Titles on behalf of Iluka Resources on the area shown on the ***attached plan marked P188.1/12/02.***

Subsequent to adoption of *Policy No. 11 – Objections Against Mineral Sand Mining in the Shire of Serpentine-Jarrahdale* an objection was lodged with the Mining Registrar in respect of exploration licence no. 70/2495. The matter is listed for mention only before the Mining Warden at 9.30am on Thursday, 9 January 2003.

In the past objections to mining and exploration licence applications have been run by the Serpentine-Jarrahdale Residents and Ratepayers Association. The Association has the experience and the capacity to coordinate an objection that Council does not. Similarly, Council does not have the budgeted financial or human resources to deal with this matter at this point in time.

### **Sustainability Statement**

Refer to Planning Policy No. 11 – Objections Against Mineral Sand Mining in the Shire of Serpentine-Jarrahdale.

#### **Statutory Environment:**

Mining Act

#### **Policy Implications:**

*Planning Policy No. 11 – Objections Against Mineral Sand Mining in the Shire of Serpentine-Jarrahdale.*

#### **Financial Implications:**

A prolonged objection to an exploration licence is not a matter Council has specifically provided for in its budget. Nor is it a matter for which resources are allocated in the Service Team's Service Level Accord

OGC530 Legal Expenses has a budget of \$27,000 and expenditure YTD of \$27,931.

**Strategic Implications:**

Strategy 1.5 in the Strategic Plan states ‘Maintain the heritage character of the Shire and protect built and natural heritage for economic and cultural benefits’. This Council Policy assists Council in protecting the character of the Shire by objecting against non-sustainable developments such as mineral sand mining.

**Community Consultation:**

Longstanding community opposition to mineral sand mining is reflected in *Policy No. 11 – Objections Against Mineral Sand Mining in the Shire of Serpentine-Jarrahdale*

**Voting Requirements:**

Normal

**Officer Recommended Resolution**

1. Council not be represented at the mention in the Mining Warden’s Court in respect of Objection No. 66H/012 in relation to Application for Exploration Licence 70/2495 by Iluka Resources Limited.
2. Council enquires as to whether or not the Serpentine-Jarrahdale Residents and Ratepayers Association are interested in representing Council in respect of Objection No. 66H/012 in relation to Application for Exploration Licence 70/2495 by Iluka Resources Limited.

**CRP188 Committee Recommended Resolution**

1. Council to be represented at the mention in the Mining Warden’s Court in respect of Objection No. 66H/012 in relation to Application for Exploration Licence 70/2495 by Iluka Resources Limited.
2. Council enquires as to whether or not the Serpentine-Jarrahdale Residents and Ratepayers Association are interested in representing Council in respect of Objection No. 66H/012 in relation to Application for Exploration Licence 70/2495 by Iluka Resources Limited.

Note: The Officer Recommended Resolution was altered by amending part 1 to require Council to be represented at the mention in the Mining Wardens Court.

**CRP188 COUNCIL DECISION**

Moved Cr Kirkpatrick seconded Cr Hoyer that

1. Council to be represented at the mention in the Mining Warden’s Court in respect of Objection No. 66H/012 in relation to Application for Exploration Licence 70/2495 by Iluka Resources Limited.
2. Council enquires as to whether or not the Serpentine-Jarrahdale Residents and Ratepayers Association are prepared to represent Council in respect of Objection No. 66H/012 in relation to Application for Exploration Licence 70/2495 by Iluka Resources Limited.

CARRIED 9/0

Note: The committee recommended resolution was changed as a point of clarification in point 2 to clarify the ongoing representation in this matter.

P190/12/02 EXTRACTIVE INDUSTRY LICENCE RENEWAL – LOT 422 KING ROAD, OLDBURY (P00659/01)		
Proponent	Cook Industrial Minerals Pty Ltd	<b>In Brief</b>  Purpose of report is for Council to consider an application for the renewal of an extractive industry licence at Lot 422 King Road, Oldbury.  It is recommended that the licence be conditionally renewed for a period not exceeding 12 months.
Officer	David Spencer – Senior Planner	
Signatures - Author:		
Senior Officer:		
Date of Report	4 December 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Owner: Cook Industrial Minerals Pty Ltd  
 Owner's Address: 21 Cutler Road, Jandakot  
 Applicant: As above  
 Applicant's Address: As above  
 Date of Receipt: 7 November 2002  
 Advertised: Not applicable  
 Submissions: Not applicable  
 Lot Area: 20.52 hectares  
 L.A Zoning: Rural  
 MRS Zoning: Rural  
 Byford Structure Plan: Not applicable  
 Rural Strategy Policy Area: Rural Policy Area  
 Rural Strategy Overlay: Not applicable  
 Municipal Inventory: Not applicable  
 Townscape/Heritage Precinct: Not applicable  
 Bush Forever: Not applicable  
 Date of Inspections: 24 June 2002 – Special Projects and Policy Officer & Senior Planner;  
 6 November 2002 – Environmental Officer & Senior Planner

### **Background**

At its Ordinary meeting held 17 December 2001 Council resolved to renew an extractive industry licence on Lot 422 King Road, Oldbury, for 12 months.

### **Comments**

The proponent provides the following information in terms of works and programs carried out on Lot 422 for the year ending 31 October 2002:

- *"The excavation of the buffer to the north has been commenced to the boundary and negotiations are on-going with CSR in relation to distribution of sand and excavation costs.*
- *Excavation continues towards the west/south west.*
- *Cook Industrial Minerals has purchased an alternative property at Hope Valley and will be transferring the machinery storage to the site during 2003 – 2004.*
- *The wetland was protected by steel pickets and fencing tape and the firebreaks moved around the wetland.*
- *The vegetation was monitored, and areas deficient in plants noted and restoration carried out.*
- *A total of 1.5 kg of seeds was spread across the areas where topsoil had been spread across pre-existing rehabilitation that was deemed to be deficient.*

- *500 tube plants were used for infill planting. Tube plants were supplied by Oakford Farm Trees, and seeds obtained from Landcare Services. Long life fertiliser was applied to all tube plants.*
- *Seeding was undertaken in April by Landform Research. Leguminous seeds boiled to crack the seed coats. Tube stock was planted by staff of Cook Industrial Minerals with advice from Landform Research.*
- *Spot spraying of castor oil seedlings was undertaken.*
- *A Fire Management Plan has been prepared. The presence of pasture grasses on the rehabilitation areas increases the fire hazard, but cannot be grazed because of potentially unstable sands, and cannot be burned or slashed because of small shrubs and trees. Firebreaks have been renewed.*
- *Fire management is according to the Fire Management Plan, using firebreaks, existing access roads and waterecycling ponds.”*

The proponent makes the following statements in respect to the licence conditions issued for the site in January 2002:

- “1. *1.5kg seed and 500 tube plants have been used in 2002 to replace those, which have not survived from 2001.*
2. *The perimeter trees to the west, east and south have been retained in the buffers, and the wetland protected.*
3. *The excavation and reinstatement continues to comply with the local law.*
4. *The floor elevation of the excavation area has been maintained at 21 AHD. A modified proposal to rehabilitate the eastern portion of the site as a wetland, and incorporate the existing ponds, has been prepared and attached.*
5. *The rehabilitation bond has been paid.*
6. *The licence fee for 2003 has been paid, and the licence extension applied for in early November 2002.*
7. *The fuel tank is bunded to Water And Rivers Commission standards.*
8. *Approximately 55 000 tonnes of sand was taken from Lot 422 in 2002. A significant amount of other sand was excavated and used to raise the floor. In 2003 it is expected that the volume of sand exported from Lot 422 will be approximately 20 000 tonnes.*
9. *The spur along the north of the site has been excavated. Negotiations continue with CSR to remove the remaining resource.*
10. *Building rubble was removed, although a small amount is on site for use on roads and for the new machinery storage site at Hope Valley. The rubble will be moved as soon as Development Approval for the Hope Valley site is obtained.*

*Advice Notes:*

1. *Operation of the site incorporates the Department of Mineral and Petroleum Resources Guidelines.*
2. *Compliance with Mines Safety and Inspection Act is maintained.*
3. *The site has been inspected regularly by Shire of Serpentine – Jarrahdale officers.*
4. *Dust continues to be managed.*
5. *Renewal of the extractive industry licence will be considered in 2003.”*

The proponent has also made the following comments on their commitments in the revised Revegetation/Rehabilitation Plan dated November 2002 for Lot 422 King Road:-

*“It is proposed to retain the existing water recycling and source dams in the final landform. Surrounding this the floor of the pit will be left at the current level, and rehabilitated with local native species. The retained low area will then be linked to the existing wetland, enlarging its area and leaving a small permanent pond in place.”*

The proposed new rehabilitation plan for the existing processing plant area is as follows:

- "1. At the completion of excavation and processing of sand on site all mobile and fixed plant will be removed from site.*
- 2. All hardstand and roads around the wetland will be lifted and removed to enable rehabilitation to be carried out. A hard surfaced driveway may be retained into the property for access and fire safety.*
- 3. The edges of the existing two ponds will be smoothed and the edges made with a lower gradient, similar to those in nearby wetlands. From the edge of the wetlands the land surface will be sloped gently back to the existing surface on the floor of the pit.*
- 4. Local topsoil will not be used because past experience shows that it is likely to contain too great a weed load that will interfere with rehabilitation. Wetland species will be planted around the ponds, related to their place in the wetland community sequence.*
- 5. Rehabilitation will use seeding with local species, planting of tube stock of local species, and brushing with local species clipped from vegetation adjoining the existing wetland.*
- 6. Seeding rate will be 1.5 kg/ha combined with 500 tube stock/ha."*

Two (2) routine compliance inspections were undertaken during the course of the extractive industry licence for Lot 422. The first inspection was carried out by Council's Special Projects and Policy Officer and Senior Planner in June 2002, with the second six (6) monthly inspection undertaken on 6 November 2002.

#### 24 June 2002

Numerous conditions were outstanding at the date of the June compliance inspection. These conditions included the following:

- Lodgment of a bond/bank guarantee for the sum of \$10,000;
- Raising the pit floor to 21 metres AHD on which the quarry machinery is located;
- Submission of a revised revegetation plan;
- Fencing of the wetland (to be completed by December 2002);
- Removal of the spur section between the subject site and Lot 4 King Road to the north; and
- Written approval being obtained from Western Power approving the extraction of the sand resource from underneath the high transmission powerlines.

#### 6 November 2002

At the date of the compliance inspection held in November, most of the conditions mentioned above were fulfilled, or were close to being satisfied. The following information was revealed at said site meeting:

- Council currently holds a bond of \$5,000 for the reinstatement of the pit and to cover rehabilitation works upon completion of extraction. An additional sum of \$10,000 was received from the operator of the site in October of this year. This outstanding condition has therefore been satisfied. These monies will be retained until rehabilitation is completed.
- Revegetation has been carried out on various parts of site. These include: central part of lot, along wetland to the south, eastern part of lot and other sections towards the front of the property.
- The majority of the site is at 21m AHD or above. The only section that remains is where the machinery and equipment is located. This appears to be an on-going issue that needs be negotiated with the owner/operator and the Shire;
- A letter has been received by Council from Western Power to allow extraction of sand within the easement below the high tension powerlines, however, no closer than 15 metres to the existing poles;



- Lot 4 adjoining this site located to the north recently received an extractive industry licence by Council. Stage 1 works show that extraction of Lot 4 will begin along the southern boundary which will remove the spur section or “mowhawk” which has been there for sometime;
- Fencing of the wetland was due to take place prior to end of December 2002. This has generally occurred with star pickets and single line taping being used to form the boundary “fence” delineating the wetland from the balance of the lot.

Essentially, management of the site has been improved since the last compliance inspections carried out in December 2001 and June 2002. There also appears to have been significant positive developments and improvements in terms of Council obtaining compliance with current conditions of the licence, which have been largely unresolved for many years up until now.

Based on the foregoing, it is therefore recommended that an extractive industry licence for Lot 422 King Road, Oldbury, be conditionally granted for a further 12 months.

### **Sustainability Statement**

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

There has been a significant improvement in the operation and maintenance of the site during the past 12 months. Large amounts of mine machinery have been removed from the premises and substantial stands of vegetation has been planted around the pit site.

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

The renewal application does not propose any methods of reducing or minimising resource use.

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

Excavation works carried out on Lot 422 King Road will predominantly involve the extraction of white sand with some yellow sand extracted for filling purposes when the need arises.

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

It is considered that operations of the quarry site will be economically viable taking into external costs.

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

Community participation and input is not required for the renewal of the extractive industry licence for Lot 422.

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

It is considered that the proposed renewal of the existing extractive industry licence will not disadvantage community groups in the area. In this respect, conditions are imposed on the licence by the local government to ensure that operations of the quarry are adequately screened from view of neighbouring properties and public roads.

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

The continued operation of the sand quarry at Lot 422 King Road will ensure that jobs are retained. At present the site caters for three (3) staff who all reside within the local area.

Indirectly, the proposal also leads to the creation of employment opportunities in terms of transportation of sand from the quarry, construction of dwellings by builders, and so forth.

<b><u>Statutory Environment:</u></b>	Town Planning and Development Act 1928
<b><u>Policy Implications:</u></b>	Shire of Serpentine-Jarrahdale Extractive Industry Local Law
<b><u>Financial Implications:</u></b>	The Shire received a Bank Guarantee for the sum of \$10,000 from the proponent which will be added to the \$5,000 that the Shire already has.
<b><u>Strategic Implications:</u></b>	Strategy 2.1 of the Council's Strategic Plan (2001-005) is pertinent to the proposal, which states:  <i>"Encourage best practice environmental management."</i>
<b><u>Community Consultation:</u></b>	Not applicable
<b><u>Voting Requirements:</u></b>	Normal

#### **Officer Recommended Resolution**

Council pursuant to the Shire of Serpentine-Jarrahdale Extractive Industry Local Law, issues an extractive industry licence renewal for sand extraction at Lot 422 King Road, Oldbury, for the calendar year 2003, subject to the following conditions:

1. Revegetation works for 2003 is to include the infill and replacement of those plants lost in 2002. This includes the area surrounding the wetland on the lot and all additional areas indicated in the updated Rehabilitation Plan by Lindsay Stephens dated 15 November 2002.
2. The perimeter trees on the west and south sides of the lot are to be maintained.
3. The reinstatement of the pit is to be in accordance with Council's Extractive Industry Local Law.
4. Minimum ground level of the pit is to be 21m Australian Height Datum over all sections of the pit except the area covered by the weighbridge and washing plant. The entire pit floor is to be raised to 21m Australian Height Datum upon completion of extraction of sand from the pit and is to be included as part of the site reinstatement works.
5. Any fuel stored on-site will be located in a fenced hardstand area, surrounded by a perimeter bund of sufficient height to contain the total volume of stored fuel in the event of a leak.
6. Applicant to lodge with Council an annual report on site performance in respect to conditions attached to the licence and operation of site by 30 November 2003. This annual report must provide but not be limited to figures on the volumes of sand extracted in 2002, 2003 and predicted sand extraction in 2004.
7. In consultation with the adjoining landowner the spur section between Lot 4 and Lot 422 King Road is to be removed to a height of 2 metres above maximum anticipated groundwater level. This spur section is to be removed by 31 December 2003. A plan showing the existing and proposed land contours of this section is to be submitted to Council for approval before extraction from this section commences.
8. No further building rubble or inert material is to be placed on the site without Council's approval.

Advice Notes:

1. The development operation and rehabilitation of the quarry to be in accordance with the document "Environmental Management of Quarries" published by the Department of Minerals and Energy, 1974.
2. Compliance with the Mines Act 1978 Mining Regulations 1981, Council's Extractive Industry Local Law and the Mines Safety and Inspection Act 1974 must be carried out at all times.
3. Site compliance inspections will be carried out every six months to check compliance with the extractive industry licence and any other approvals granted for the site.
4. Dust generation may become a problem from the access road and any sand stockpiles within the site. Should such a problem occur these areas should be kept damp or treated with a surface binding agent.
5. Rehabilitation bond will be retained by Council in accordance with the Extractive Industries Local Law.

#### **CRP190 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Needham seconded Cr Richards that Council pursuant to the Shire of Serpentine-Jarrahdale Extractive Industry Local Law, issues an extractive industry licence renewal for sand extraction at Lot 422 King Road, Oldbury, for the calendar year 2003, subject to the following conditions:

1. Revegetation works for 2003 is to include the infill and replacement of those plants lost in 2002. This includes the area surrounding the wetland on the lot and all additional areas indicated in the updated Rehabilitation Plan by Lindsay Stephens dated 15 November 2002.
2. The perimeter trees on the west and south sides of the lot are to be maintained.
3. The reinstatement of the pit is to be in accordance with Council's Extractive Industry Local Law.
4. Minimum ground level of the pit is to be 21m Australian Height Datum over all sections of the pit except the area covered by the weighbridge and washing plant. The entire pit floor is to be raised to 21m Australian Height Datum upon completion of extraction of sand from the pit and is to be included as part of the site reinstatement works.
5. Any fuel stored on-site will be located in a fenced hardstand area, surrounded by a perimeter bund of sufficient height to contain the total volume of stored fuel in the event of a leak.
6. Applicant to lodge with Council an annual report on site performance in respect to conditions attached to the licence and operation of site by 30 November 2003. This annual report must provide but not be limited to figures on the volumes of sand extracted in 2002, 2003 and predicted sand extraction in 2004.
7. In consultation with the adjoining landowner the spur section between Lot 4 and Lot 422 King Road is to be removed to a height of 2 metres above maximum anticipated groundwater level. This spur section is to be removed by 31 December 2003. A plan showing the existing and proposed land contours of this section is to be submitted to Council for approval before extraction from this section commences.
8. No further building rubble or inert material is to be placed on the site without Council's approval.

#### **Advice Notes:**

1. The development operation and rehabilitation of the quarry to be in accordance with the document "Environmental Management of Quarries" published by the Department of Minerals and Energy, 1994.
2. Compliance with the Mines Act 1978 Mining Regulations 1981, Council's Extractive Industry Local Law and the Mines Safety and Inspection Act 1974 must be carried out at all times.
3. Site compliance inspections will be carried out every six months to check compliance with the extractive industry licence and any other approvals granted for the site.

4. Dust generation may become a problem from the access road and any sand stockpiles within the site. Should such a problem occur these areas should be kept damp or treated with a surface binding agent.
  5. Rehabilitation bond will be retained by Council in accordance with the Extractive Industries Local Law.
- CARRIED 9/0

Note: The Officer Recommended Resolution was altered to reflect the correction of year from 1974 to 1994 in Advice Note No. 1.

P191/12/02 PROPOSED AUTOMOTIVE ACCESSORIES SHOP – LOT 2 CORNER THOMAS ROAD AND SOUTH WESTERN HIGHWAY, BYFORD (P00804/01)		
Proponent	Ark Design	<b>In Brief</b>  Proposal seeks approval to use an existing service station building for automotive accessories at Lot 2 corner Thomas Road and South Western Highway, Byford.  It is recommended that the proposed use for the above be conditionally approved.
Officer	David Spencer – Senior Planner	
Signatures - Author:		
Senior Officer:		
Date of Report	27 November 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Owner:	Tan T Kie
Owner's Address:	51b Langham Street, Nedlands
Applicant:	Ark Design
Applicant's Address:	8/28 Robinson Avenue, Northbridge
Date of Receipt:	11 October 2002
Advertised:	Referred to adjoining landowners, Department for Planning and Infrastructure (DPI) & Main Roads WA Advertising period closed 11 November 2002
Submissions:	Yes. DPI & Main Roads WA
Lot Area:	4054m <sup>2</sup>
L.A Zoning:	Urban Development
MRS Zoning:	Urban
Byford Structure Plan:	Residential Base Code R20
Rural Strategy Policy Area:	Town and Village Urban Policy Area
Rural Strategy Overlay:	Landscape Protection Policy Area
Municipal Inventory:	Not applicable
Townscape/	
Heritage Precinct:	Not applicable
Bush Forever:	Not applicable
Date of Inspection:	18 November 2002

### **Background**

#### **November 2000**

Council received and approved an application for a proposed service station redevelopment, with garage, fast food restaurant and convenience shop at Lot 2 South West Highway and Thomas Road, subject to the imposition of 18 conditions and associated advice notes. The main development elements of the proposal included the provision of 34 carparking bays, entry/exit points from South Western Highway and Thomas Road, and landscaping strip/buffer along all property boundaries

***A copy of the site plan 1 is with the attachments marked P191.1/12/02.***

## August 2002

Council has previously expressed concern regarding the dilapidated state of the disused service station building on Lot 2 South Western Highway, Byford. At the Planning Development and Environment Committee Meeting held 19 August 2002, Council was advised, via Information Report B07/08/02, that a Notice would be served on the owner of the old service station building situated at the corner of Thomas Road and South Western Highway, Byford. The Notice was to require the removal of the building.

## Comments

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

The proposal falls within the definition of “Service Station” which is defined in TPS 2 as:

*“... land and buildings used for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use; ...”*

### Site and Surrounding Land Use/Zoning Description

Lot 2 is currently zoned ‘Urban Development’ under the provisions of Town Planning Scheme No. 2 and ‘Urban’ under the provisions of the Metropolitan Region Scheme.

Lot 2 is situated in a prominent position located at the corner of Thomas Road and South Western Highway, which essentially forms the “gateway” to the Shire from the west and north. It is therefore critical that due consideration be given to the proposed development in terms of its potential impact upon the amenity of the locality

The subject site is relatively flat, low lying and contains an existing unused service station building. The building is setback 6.0 metres from South Western Highway and approximately 9.0 metres at its closest point to Thomas Road

### ***A copy of site plan 2 is with the attachments marked P191.2/12/02.***

The existing building is a steel/timber frame single storey structure clad with fibro cement sheeting and with a metal deck roof. The age of the building has been estimated at 40 years. The building has a retail area at the northern end adjacent to a mechanical workshop.

### Car parking and Landscaping Requirements

Table V of Council’s TPS 2 stipulates carparking requirements for landuse development. In respect to the proposal the following standards apply:

“Office –	1 space per 40 square metres gross leasable area with a minimum of 2 spaces for each office unit;
Warehouse -	1 space per 100 square metres gross leasable area;
Shop -	1 space per 15 square metres gross leasable area”

Clause 7.10 of TPS 2 details the landscaping requirements that shall be provided for all developments within the Shire. In this respect, Clause 7.10.2 (b) states the following:

*“the minimum width of landscaped areas shall be 1.5 metres and 2.0 metres when the landscaped area adjoins a street boundary;”*

Previous approval for the site depicted the provision of a 2.0 metre wide landscaping strip inside the property boundaries of South Western Highway and Thomas Road. However, this involved the demolition and removal of the existing service station building which made

landscaping for the first 2.0 metres of the site feasible. Given the setback of the building to South Western Highway of 6.0 metres, it is considered unreasonable to require landscaping along this particular frontage as it will reduce the accessway width. Despite this, it is recommended that 1.5 metres to 2.0 metres of the verge abutting the property be landscaped and reticulated to the satisfaction of Main Roads WA.

Notwithstanding this, there is considered to be sufficient space between the existing building and Thomas Road, inside the property boundary, in which to accommodate a landscape strip of 2.0 metres. It is recommended that this be imposed as a condition if planning approval is granted for the development proposal.

#### Community Participation and Government Consultation

The proposal was referred to nearby and adjoining landowners inviting comment. At the conclusion of the advertising period (ie 11 November 2002), no submissions from the community were received.

The application was also forwarded to Main Roads WA and the Department for Planning and Infrastructure (DPI) for pertinent comment and recommendation. Main Roads WA in response to the Shire's referral provided the following advice:

*"Main Roads has no objections to the above-mentioned proposal, subject to the following conditions being imposed:*

- 1. The two (2) existing vehicle crossovers for Lot 2 nearest the corner of South Western Highway and Thomas Road shall be removed and new road kerb installed to match the existing adjacent kerb, at the applicants cost.*
- 2. The South Western Highway verge area affected by the removal of the vehicle crossovers shall be reinstated to a condition not less than that of the adjacent verge."*

Main Roads WA also offered the following advice to the applicant in respect to the development proposal:

*"Main Roads currently proposes to upgrade the intersection of South Western Highway and Thomas Road with traffic improvements and the installation of traffic signals. This intersection is proposed to be a major link in conjunction with the extension of Tonkin Highway. In the first stage of the southern extension of Tonkin Highway from Gosnells, it is likely that Tonkin Highway will terminate at Thomas Road, to the west of the above mentioned proposal, with traffic directed to/from South Western Highway.*

*Please be advised that the current planning for the ultimate development of South Western Highway is for dual carriageway, as shown on the enclosed extract of Main Roads drawing 8321-52-3. Vehicle access between the above-mentioned proposal and South Western Highway will ultimately be restricted to left in-left out only when the highway is widened.*

*The widening of South Western Highway is not in Main Roads current 4 year construction program and all projects not listed are considered long term."*

The Department for Planning and Infrastructure in their submission letter state that no objections are raised to the proposal and provide the following information:

*"The submitted sketch indicates that vehicular access will be via the four existing driveways (two from each road frontage). MRWA has recommended removal of the two driveways that are located closest to the Thomas Road and South Western Highway intersection. It is considered that this would improve safety for vehicles entering and leaving the site and is supported.*

*Having regard to the above, there are no objections to the proposal subject to closure of the two driveways located closest to the Thomas Road and South Western Highway intersection."*

### Development Proposal

The applicant has indicated in the application to Council that the proposed redevelopment of the service station will be conducted in stages, in which they anticipate to have a design developed and prepared as soon as an oil company is on board, with a service station operator appointed and investors funding is in place.

The current proposal involves utilizing the existing building by upgrading and refurbishing it for use as an automotive accessories shop.

A schedule of works has been supplied in support of the proposed development

***A copy of the schedule of works is with the attachments marked P191.3/12/02.***

The site plan submitted illustrates the provision of ten (10) carparking bays with the bitumenising of the existing accessways and carparking areas around the existing building. There is the provision of minimal landscaping associated with the proposed development.

***A copy of site plan 3 is with the attachments marked P191.4/12/02.***

Elevation drawings have also been lodged with the application

***A copy of the existing and proposed Elevation Drawings are with the attachments marked P191.5/12/02.***

The proposal also comprises the following in terms of floor space requirements:

Office Area	10.0m <sup>2</sup>
Shop/Retail Area	67.5m <sup>2</sup>
Storage Area	100.8m <sup>2</sup>

In accordance with the carparking requirements of TPS 2 the proposed development will require the following number of carbays:

Office Area	two (2) bays;
Storage Area (warehouse)	one (1) bays; and
Shop Area	five (5) bays
Total	eight (8) bays

Therefore, the proposed development allows for a surplus of two (2) carparking bays, however, there is no provision for parking for the disabled. It is recommended that carbay No. 10 be converted from a standard size carbay to a disabled bay, hence providing convenient access to the entry of the building.

### Draft Byford Structure Plan

Under the draft Byford Structure Plan the subject lot is earmarked for Residential purposes with a density coding of R20 and is located within Precinct No. 10.

At its meeting held on 22 January 2000, Council adopted for advertising the proposed Byford Structure Plan. In July 2000 Council was advised that the WA Planning Commission had adopted the Structure Plan as a draft subject to numerous modifications. Notwithstanding this, final endorsement of the Structure Plan by the WAPC and Council is dependent upon completion and finalisation of the Byford Urban Water Management Strategy.

The proposal is considered to be contrary to the draft Byford Structure Plan as the structure plan proposes that Lot 2 accommodate residential type uses. Despite this, previous planning approvals granted for this site indicate that activities of a commercial nature are

seen as appropriate and acceptable. The proposal is not considered to adversely or negatively impact upon the structure plan.

### Conclusion

Redevelopment of the existing building through the development application is seen as a way of improving and enhancing the aesthetics of this major traffic intersection. The proposed development is of a low impact in terms of traffic generated and scale of the proposal. It is considered that the development application has merit and is therefore recommended for approval subject to the imposition of conditions.

### **Sustainability Statement**

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

It may be considered that the existing building located on the subject lot is of a dilapidated condition. The proposal will improve the appearance and presentation of the building which is currently unused.

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

The design of the Byford Structure Plan is based upon the Liveable Neighbourhoods/Community Design Codes, with some adaptation that has taken place to take into account local circumstances. The Structure Plan has been designed to improve urban sustainability compared to traditional approaches to land use development.

The proposal itself does not propose any resource reduction measures, except in that the existing building located on the site is to be retained and refurbished.

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

It is unsure whether materials and resources from the local area will be used in the redevelopment of the site.

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

The proposed use of automotive accessories at Lot 2 will provide a service to cater for the anticipated population growth of the Byford area. However, the future proposed development of service station, automotive garage, convenience store and fast food at the subject site would accommodate a wider range of services and facilities for the Byford locality.

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

There has already been significant public and community consultation/participation in respect to the draft Byford Structure Plan with additional consultation anticipated in the future.

The subject proposal was referred to pertinent government agencies and nearby landowners for comment.

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

The proposal is not considered to disadvantage any community group. Future residents of the immediate and wider area will be advantaged by the introduction of retail/commercial uses at this site.



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

Future expansion of Lot 2 will create employment opportunities in terms of the proposed service station, convenience store and fast food outlet.

In the short term, jobs will be generated in relation to retailing of automotive accessories.

<b><u>Statutory Environment:</u></b>	Town Planning & Development Act 1928 Town Planning Scheme No. 2
<b><u>Policy Implications:</u></b>	Draft Byford Structure Plan
<b><u>Financial Implications:</u></b>	There are no financial implications to Council arising from this proposal.
<b><u>Strategic Implications:</u></b>	Strategy 1.5 of the Shire's Strategic Plan (2001-2005) is applicable to the proposal:  <i>"Maintain the heritage character of the Shire and protect built and natural heritage for economic and cultural benefits."</i>
<b><u>Community Consultation:</u></b>	Public consultation and participation was undertaken with adjoining landowners. DPI and Main Roads WA were invited to comment on proposed development.
<b><u>Voting Requirements:</u></b>	Normal

#### **Officer Recommended Resolution**

Council approves an application dated 27 September 2002 for an automotive accessories shop at Lot 2 corner Thomas Road and South Western Highway, Byford, subject to the following conditions:

1. Demolition and removal of the existing service station building on the subject land upon occupation of proposed buildings as a result of the future proposed staged development.
2. Provision and maintenance of a minimum total of ten (10) carparking bays marked to Council's standards measuring no less than 2.7m x 5.0m with a minimum 6.5 metre wide access ways (where practicable), including one (1) disabled carbay, in accordance with the approved plan and Council's Town Planning Scheme No. 2.
3. Compliance with the Schedule of works including colours, materials and finishes dated 11 October 2002, for the refurbishment of the existing building.
4. All crossovers are to be located and constructed to Council's specifications, and in accordance with advice from Main Roads WA and the Department for Planning and Infrastructure.
5. The two (2) existing vehicle crossovers for Lot 2 nearest the corner of South Western Highway and Thomas Road shall be removed and new road kerb installed to match the existing adjacent kerb, at the applicants cost.
6. The South Western Highway verge area affected by the removal of the vehicle crossovers shall be reinstated to a condition not less than that of the adjacent verge."
7. A building licence is to be obtained from Council's Building Service for internal modifications and alterations proposed to the existing building.
8. Access and toilet facilities for people with disabilities to be provided in accordance with the Building Code of Australia and Australian Standards 1428 (NB: Strict compliance with the Building Code of Australia may not necessarily meet the Disabilities and Discrimination Act requirements).

9. A landscape plan to be submitted for approval by Council with landscaping to be in accordance with Council's Landscaping and Revegetation Policy No. 3. Such works to include a minimum 2.0 metre wide landscape strip inside the property boundary abutting Thomas Road with landscaping of the verge to South Western Highway to the satisfaction of Main Roads WA.
10. Any proposed signage is subject to a separate application to Council.
11. Stormwater shall be suitably compensated on site in accordance with accepted engineering standards to ensure that discharge from the site is compensated.
12. Provision of an alternative effluent disposal system to service the development to the satisfaction of Council.
13. Provision of a fire hydrant on-site to service the development to the satisfaction/specification of Council.
14. Provision of a bin store area(s) on-site which shall be screened from view from any public street and enclosed by a wall of masonry and be directly accessible to service vehicles and located behind the required building setback line for the zone.
15. Approval for storage of dangerous/flammable goods on site requires separate approval of the Department of Minerals and Energy.

Advice Notes:

1. Any proposed signage that may be approved by Council (subject to a separate application), would need to be well setback off the Thomas Road/South Western Highway intersection;
2. Development shall have regard to the Water and Rivers Commission's Water Quality Protection Note "Stormwater Management at Service Stations";
3. Development shall have regard to the Water and Rivers Commission's Water Quality Protection Note "Mechanical servicing and workshop facilities" and "Underground chemical storage tanks."
4. A planning consent is not an approval to commence any works. A building licence must be obtained for all works. An application for a building licence will not be accepted unless proof of payment of all bonds and guarantees accompanies the application documents.
5. Your application for a building licence must be accompanied by a photocopy of the Form 2 Approval, and all plans, where appropriate, must satisfy the conditions specified.
6. Native vegetation is valued and protected in the Shire of Serpentine-Jarrahdale. You are advised that Council's Town Planning Scheme requires separate approval for the clearing of native trees in most instances if approval for this is not given above.
7. The construction or deepening of drains outside of the above approval requires separate approval by the Commissioner of Soil and Land Conservation.
8. Council can advise on energy efficient opportunities that can benefit your operations.
9. Approval does not obviate compliance with any other appropriate legislation in particular, the Environmental Protection (Noise) Regulations 1997.
10. The applicant is advised that this planning consent does not absolve the applicant or owner from time to time from complying with the restrictions contained in any restrictive covenant, estate covenants or easement pertaining to the site. This is the case even if this planning consent is in respect of a development which if constructed or carried out, would necessarily breach such a covenant or easement. Any such restrictive covenant, estate covenant or easement is a matter of private rights between the applicant or owner from time to time and the owner and owners of the land with the benefit of that restrictive covenant, estate covenant or easement, and this planning consent does not authorise a breach of such private rights or prevent such owners from enforcing such rights.

### **Committee Recommended Resolution**

That this item be deferred pending the preparation of a Supplementary Report by the Director Sustainable Development.

Note: The Officer Recommended Resolution was altered to allow a further report to be prepared in relation to the state of the building.

### **COUNCIL DECISION**

Moved Cr Richards seconded Cr Simpson that this matter be referred back to Committee as Supplementary Report has not been finalised.

LOST 0/9

### **CRP191 COUNCIL DECISION**

Moved Cr Needham seconded Cr Murphy

- A. That a development application dated 27/9/02 for an automotive accessory shop at Lot 2 Thomas Road and South Western Highway be refused because it is inconsistent with the Byford Structure Plan.
- B That Council is of the opinion that the disused service station building on Lot 2 South Western Highway, Byford is a neglected building as defined in Section 407 of the Local Government (Miscellaneous Provisions) Act 1960 and a Section 408 Notice be serviced on the owner of Lot 2 requiring the building to be pulled down.

CARRIED 9/0

Note: The Committee Recommended Resolution was changed because the site is a high profile entry statement, the building is ruiness and a hazard unfit for occupation.

Crs Star, Needham, Scott, Hoyer declared an interest in common in Item P 194/12/02 as they all reside in the Landscape Protection Zone and left the meeting at 8.08pm

Moved Cr Simpson seconded Cr Wigg that Cr Kirkpatrick be nominated as Chair in the absence of Cr Star.  
CARRIED 5/0

Councillors Simpson, Wigg, Murphy, Kirkpatrick and Scott voted 5/0 that this declaration of interest in this item would not influence the decision and asked Councillors to return to the meeting.

Councillors Star, Needham, Scott and Hoyer returned to the meeting at 8.09pm and Cr Star resumed the Chair.

P194/12/02 FINAL ADOPTION OF LOCAL PLANNING POLICY NO. 8 - LANDSCAPE PROTECTION (A1028)		
Proponent	Shire of Serpentine-Jarrahdale	<b>In Brief</b>  Council to finally adopt Local Planning Policy No. 8 – Landscape Protection following consideration of submissions made during advertising.
Officer	Andrew Watson – Director Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	28 November 2002	
Previously	P181/11/02, P014/07/02	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

At its meeting of 25<sup>th</sup> November 2002 Council considered draft Local Planning Policy No. 8- Landscape Protection for final approval. Council resolved:

### **“CRP181 COUNCIL DECISION**

*Moved Cr Needham seconded Cr Simpson  
That the matter P181/11/02 FINAL ADOPTION OF LOCAL PLANNING POLICY NO. 8 - LANDSCAPE PROTECTION be referred back to the Planning Committee for further consideration.  
CARRIED 10/0”*

Except with the above additional background, the report to Council of 25<sup>th</sup> November 2002 is resubmitted unaltered.

At its meeting of 22<sup>nd</sup> July 2002 Council adopted draft Local Planning Policy No. 8- Landscape Protection for public advertising.

The draft local planning policy was advertised for twenty one (21) days in accordance with the provisions of Part IX of Town Planning Scheme No. 2.

### **Comments**

No submissions were received during the exhibition period.

### **Concluding Remarks**

Revised Local Planning Policy No.8 – Landscape Protection appears as part of the Officer Recommended Resolution.

### **Sustainability Statement**

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

The objectives of the policy are:

1. To preserve the amenity deriving from the scenic value of the Darling Scarp;
2. To maintain the integrity of landscapes within the Landscape Protection Area;
3. To protect and enhance the landscape, scenic and townscape values through control over design, building materials and siting of development and land uses rather than prohibition of development and land use as such;
4. To maintain the integrity of landscapes in the line of sight view corridor along identified scenic routes in the Shire, including but not limited to South West Highway, Nettleton Road, Jarrahdale Road, Admiral Road, Kingsbury Drive and both the North-South and East-West Railway lines and natural water courses;
5. To provide developers and landowners with a statement describing the requirements for the subdivision and development within the Landscape Protection Area.

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

The Local Planning Policy will provide Council with a tool to ensure protection of the integrity of the landscape of the Scarp from developments that will affect the amenity of the area.

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

Not applicable.

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

Not applicable.

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

The draft Local Planning Policy was publicly advertised in accordance with Council's statutory obligations. No submissions were received during the advertising period.

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

Not applicable.

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

Not applicable.

### **Statutory Environment:**

Town Planning and Development Act 1928 (as amended)  
Town Planning Scheme No. 2  
Rural Strategy/Rural Strategy Review

### **Policy Implications:**

Introduction of a new Local Planning Policy to protect significant landscapes in the Darling Scarp and foothills.

### **Financial Implications:**

The implications to Council of adopting this policy are that development applications are required to be more

rigorously assessed. The Directorate will monitor this issue for consideration as part of the next Service Level Accord review if appropriate.

**Strategic Implications:**

The specific issue of provision of subdivision within Byford relates to strategy 1.5 of Key Result Area People and Community and strategies 2.1 and 2.2 of Key Result Area Environmental in Council's Strategic Plan, which are:

- "1.5 Maintain the heritage character of the Shire and protect built and natural heritage for economic and cultural benefits.*
- 2.1 Encourage best practice environmental management.*
- 2.2 Make best practice environmental management a foundation of Shire business."*

**Community Consultation:**

Town Planning Scheme No. 2 provides the following process for consultation in the adoption of a local planning policy:

A Local Planning Policy shall become operative only after the following procedures have been completed:-

- a) The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, the subject and nature of the Policy and in what form and during what period (being not less than 21 days) submissions may be made.*
- b) The Council shall review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.*
- c) Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.*
- d) Where, in the opinion of the Council, the provisions of any Policy affects the interests of the WA Planning Commission, a copy of the policy shall be forwarded to the Commission*
- e) The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.*
- f) Any amendment or addition to a Policy shall follow the procedures set out in a) to d) above.*

**Voting Requirements:**

Normal

### **Officer Recommended Resolution**

Council, pursuant to Part 9 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No.2 resolves to adopt Local Planning Policy No.8 – Subdivision Within the Byford Structure Plan Area without alterations as follows in accordance with clause 9.3 (b) of Town Planning Scheme No. 2:

#### **LPP8 LANDSCAPE PROTECTION**

Adopted (Date to be inserted)

#### **Objectives**

The objectives of this policy are:

1. To preserve the amenity deriving from the scenic value of the Darling Scarp;
2. To maintain the integrity of landscapes within the Landscape Protection Area;
3. To protect and enhance the landscape, scenic and townscape values through control over design, building materials and siting of development and land uses rather than prohibition of development and land use as such;
4. To maintain the integrity of landscapes in the line of sight view corridor along identified scenic routes in the Shire, including but not limited to South West Highway, Nettleton Road, Jarrahdale Road, Admiral Road, Kingsbury Drive and both the North-South and East-West Railway lines and natural water courses;
5. To provide developers and landowners with a statement describing the requirements for the subdivision and development within the Landscape Protection Area.

#### **Introduction**

Every landscape has a different capacity to successfully absorb change such as new subdivision, development on existing subdivision, upgrading of roads and power lines, extractive industry and recreation developments. Some landscapes are more valued by the community and more sensitive to such change than others.

This policy targets areas of high landscape value and aims to maintain the integrity of significant landscape areas and features. In particular, such areas occur all along the escarpment between the railway line and the top of the escarpment in a line of sight (viewshed) from the South Western Highway and along some major watercourses.

The Local Planning Policy No.8 – Landscape Protection provides for the continued use and development of land but introduces important requirements and controls on development to ensure a high standard of visual appearance sympathetic to the qualities of the landscape.

Planning approval shall not be given by Council for the development of any allotment which lies wholly or partly within the Landscape Protection Area unless:

- Council is satisfied that the landscape value of the area is going to be protected;
- Any buildings or works are carefully designed and sited so as to blend with the landscape in the opinion of Council.

To protect the landscape quality of the Darling Scarp, Council may impose conditions relating to design, landscaping and screening, siting and construction of buildings and works.

### **Application of Policy**

The policy applies to the area depicted in Map 1.

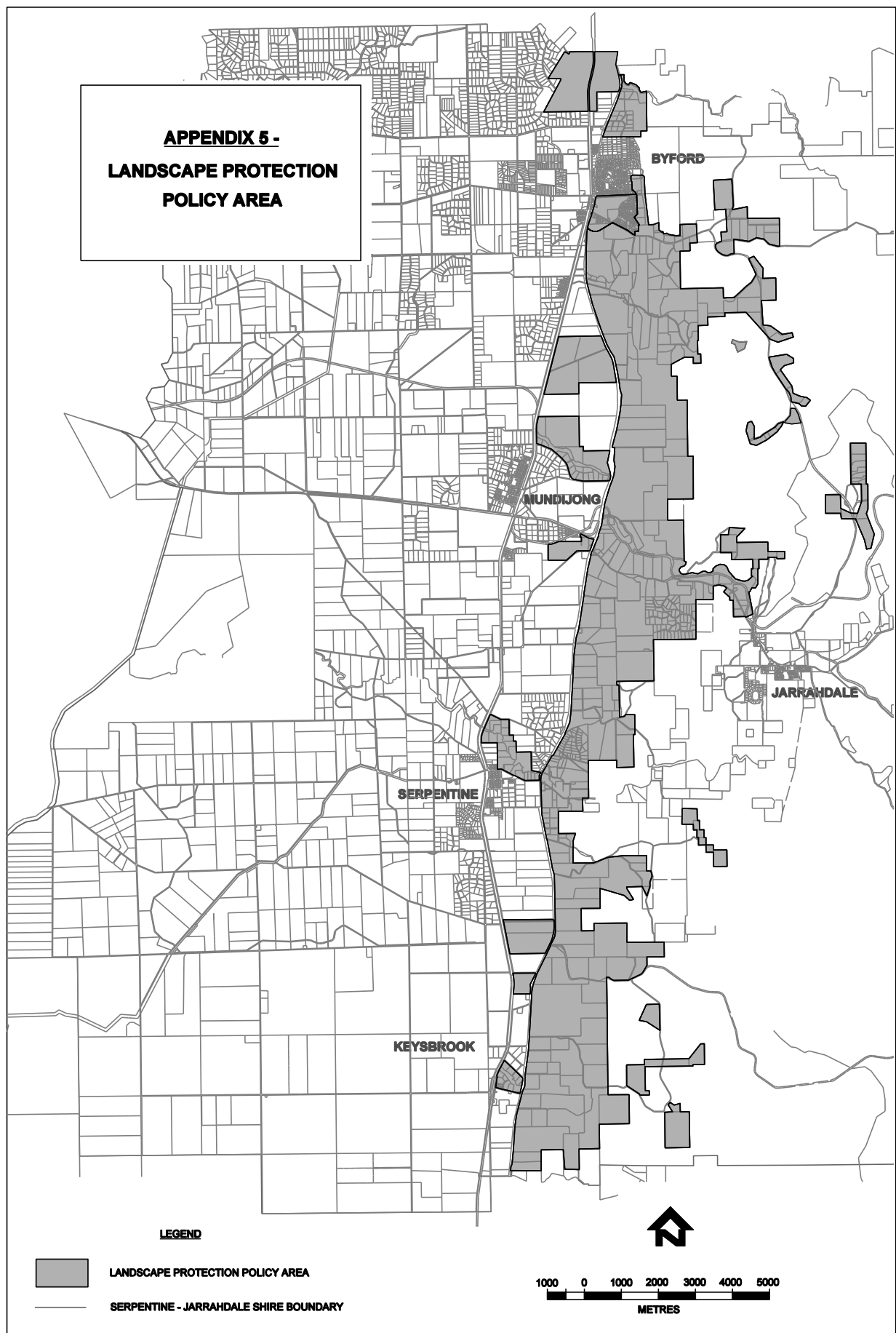
All developments in the Landscape Protection Policy Area require planning approval from Council.

### **Development Considerations**

In addition to those issues listed in clause 6.4 of the Town Planning Scheme the following will also be considered when assessing a development application within the Landscape Protection Area:



**Map 1**



The 'seen area' of the development from the coastal plain, major roads and tourist routes, and major recreation areas;

- The visual intrusiveness of the development within the 'seen area';
- The landscape values of the area;
- The community attitudes to the proposed development;
- The colour schemes and materials of the proposed development; and
- The preservation and enhancement of the natural features and vegetation of the area.

### Information to be lodged with planning application

A planning application must be lodged for all developments, including dwellings and outbuildings, in the Landscape Protection Area. The following additional information must be lodged with your planning application:

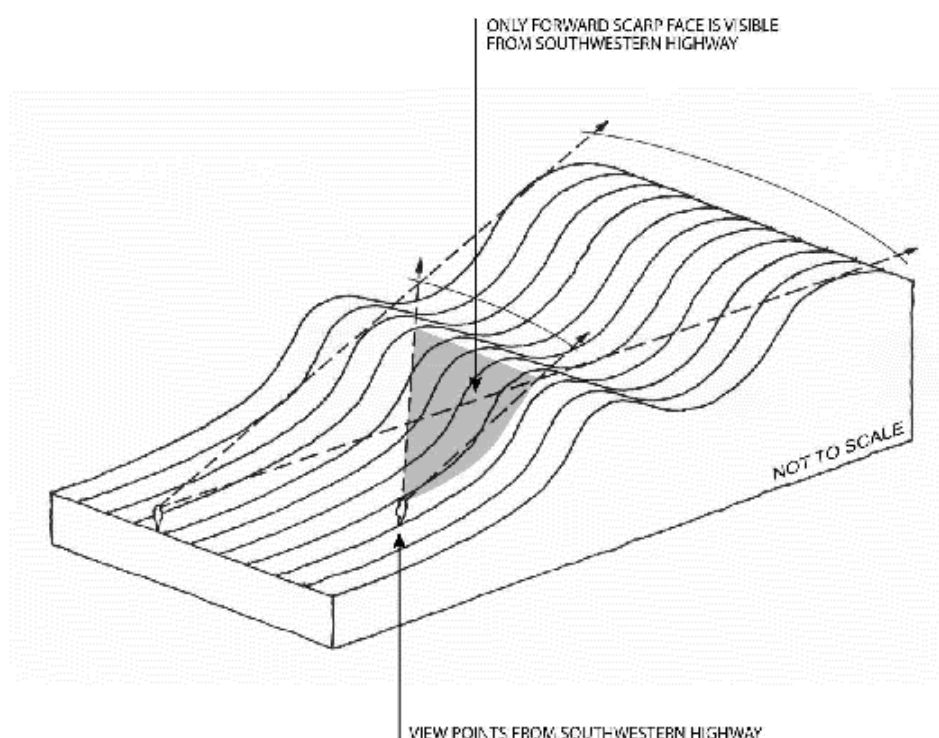
- A planting schedule detailing the provision of revegetation including the vegetation along any access roads. Council's PS03 – Landscape and Revegetation Policy may be of assistance when gathering this information;
- A schedule outlining colours and finishes of external materials and information addressing those issues raised in Buildings under *Development Guidelines* below. Other design criteria such as scale, proportion, texture and roof shape are to be addressed as part of the application;
- A plan showing access to the lot and proposed screening of this access;
- A plan showing any vegetation to be removed from the site as a result of the proposed development.

### Development Guidelines

All development (including access roads) in the policy area shall not be permitted:

1. On ridge lines or spur, bluff or knoll, escarpments, hill tops or visually exposed areas. Buildings are to be located below the skyline (see Figure 1).
2. In areas having a generalised slope greater than 25 percent.

**Figure 1**



## Buildings

The development of buildings within the policy area shall;

### General

1. Be sited and constructed to take advantage of the topography and the vegetation to limit visual intrusion;
2. Created banks need to be stabilised for erosion control prior to any further works being undertaken on the site;
3. All buildings are to be constructed in accordance with Australian Standard and the Building Code of Australia and ensure that adequate bushfire prevention measures are employed to ensure fuel loadings within the property are maintained below 8 tonnes per hectare;
4. Access roads to any buildings within this Policy area are to be vegetated to prevent scarring of the Scarp.

### Vegetation requirements

1. Be accompanied by such additional tree planting and landscaping as the Council considers necessary to achieve the objectives of this policy;
2. All trees and locally indigenous vegetation on the site are to be retained wherever possible;
3. Additional tree planting will be required in accordance with Council's Landscape and Revegetation Policy – PS03;
4. Clearing of existing native vegetation should be limited to 30 metres around buildings, and should be an absolute minimum necessary for the construction of roads and the installation of services;
5. Council may request that a Landscape Management Plan accompany the planning application;
6. Driveways are to be tree lined in order to remove the prominence of the works and to screen the passage of motor vehicles;

### Building appearance

1. Any building shall not exceed 9 metres in height. This height is to be measured from natural ground level to the roof apex;
2. Buildings on land steeper than 1 in 7 should be of split level or pier construction to minimise the amount of cut and fill;
3. The use of zincalume or reflective glazing within this policy area will not be permitted unless measures are taken to prevent reflection. Such measures may include landscaping, and colour schemes that blend with the surrounding environment, roof pitch and tilt on glazing;
4. Reflective glazing used in a door, window or other component of a roof or external wall of any building must not –
  - i) cause glare or heat radiation that will have any undue adverse effect on the surrounding environment; and
  - ii) create any undue traffic hazard.
5. Be designed with suitable materials and colours complimentary to the locations and compatible with the landscape character of the site and locality. Such other design criteria as scale, proportion and texture and roof shape shall also be addressed as part of the application;
6. Outbuildings and tanks should form a unified group with the main building and should be of similar form, colour and materials;
7. All services shall be underground;

## Developments

Screening around proposed extractive and industrial developments or operations will be required to minimise visual impacts. These types of developments are not to be seen from the coastal plain, major roads and tourists routes, and major recreation areas. Approval for

these types of development will not be given unless the visual impact of the proposal on the Darling Scarp has been addressed to Council's satisfaction.

### Fencing

Fencing within the Policy area does not require planning approval unless fencing other than open form (wire, post and rail) or similar.

Post and rail fences are to be natural timber or are to be painted/stained with colours which blend with the surrounding landform/vegetation.

Any other form of fencing will require planning approval from Council.

Zincalume, white or colourbond fencing is not permitted

### **Refusal of development**

Notwithstanding any of the provisions in this Policy or the Scheme, the Council may refuse to approve the construction of any building or structure if in Council's opinion the proposed building would have an adverse effect on the amenity of existing or future buildings in or landscape quality of the locality.

It is not Council's intention however to preclude the adoption of a particular design, nor to prevent the use of particular materials of construction, nor to enforce uniformity of appearance, but rather to ensure that design and construction will result in a building in keeping and in harmony with the surroundings.

### **Rezoning and Subdivision Guidelines**

Rezoning of land and the subdivision of land within the policy area will not generally be supported where it is likely to result in an undesirable density of development visible from the South Western Highway or the coastal plain.

A Landscape Management Plan is to accompany all rezoning and subdivisions within this policy area. The Landscape Management Plan must include:

- An assessment of the visual impact and the visual intrusiveness on the 'seen area' of the development from the coastal plain, major roads and tourist routes, and major recreational areas;
- An assessment of the landscape values of the area;
- An outline of how any visual impacts will be addressed in the development;
- An analysis of the existing vegetation, detailing type, location and condition. Such report is to detail any requirements for preservation and enhancement of vegetation (particularly native trees) during subdivision and building;
- An assessment of the soils, landform, drainage and erosion potential of the development. A preliminary erosion and sediment control plan is also to be provided which addresses the following:
  - a) progressive mitigation/control of on-site erosion
  - b) analysis of soil stability and requirements in respect of subdivision, building, planting and road and driveway construction;
  - c) construction of soil conservation works to control sediment and erosion;
  - d) control of sediment;
  - e) rehabilitation/maintenance requirements;
  - f) erosion control of existing and proposed access tracks;
- Planning controls over key aspects of design and siting of subdivision and housing development will be introduced to minimise the impact on landscape values, eg Building materials and colour, road layout, siting of sheds and outbuildings;
- Design and siting guidelines will be developed to further encourage the planning of subdivision and housing development to minimise the impact on landscape values;

- Potential uses within the rezoning for subdivision to occur on the Scarp needs to be considered to ensure that land degradation does not occur.

The Landscape Management Plan must be prepared by an appropriately qualified practitioner. The Plan may include or be accompanied by a Revegetation Plan for the site.

### **Tree Preservation**

The overall tree cover of the scarp it to be increased by:

- a) The retention of existing trees wherever possible and the sensitive siting of development to avoid tree loss;
- b) Additional tree planting being incorporated in every development application approved within the policy area; and
- c) The encouragement of the land owners within the policy area to continue to protect the landscape.

Council may require a land owner to take such action as it considers necessary to prevent damage to the existing tree cover.

### **Fire Control**

This area is considered to be prone to bushfire. Council may require a number of provisions be put into place to ensure that property and the environment are protected from bushfire threats.

Council will take the following issues into consideration in relation to fire control and development within the Landscape Protection area:

- The likely bush fire threat affecting the site and what measures are in place/proposed to manage the fuel loading below 8 tonnes per hectare;
- Whether the siting of any building or design of any works or access comply with the performance criteria set out in *Planning for Bush Fire Protection* and the Australian Standards or Council policy relating to fire prevention;
- The effects of fire protection measures on the amenity of the locality, landscape values, loss of significant remnant vegetation and susceptibility to instability and erosion arising from loss of vegetation;
- The availability of an adequate fire service and water supplies, including access and egress.

Council will also consider the Department of Planning and Infrastructures Policy No.DC3.7 – Fire Planning when assessing developments and subdivisions within the Landscape Protection area.

The document *Planning for Bush Fire Protection* and *Policy No.DC3.7* maybe obtained from the Department of Planning and Infrastructures.

### **Definitions**

Reflective glazing – means glass or other glazing material that for one, or a combination of two or more of the following reasons –

- i) the properties of the glass or material;
- ii) the application to glass or material of a reflective film or any other form of treatment;  
or  
the method of construction used in the building component of which the glass or material forms part,
- iii) has a light or heat reflective value that exceeds 16%

Reflective building material – means any material that has a high solar radiation or reflective value and includes, but is not limited to zincalume and colourbond colours/tones of 'Gull Grey', 'Smooth Cream', 'Surf Mist' and 'Off White'.

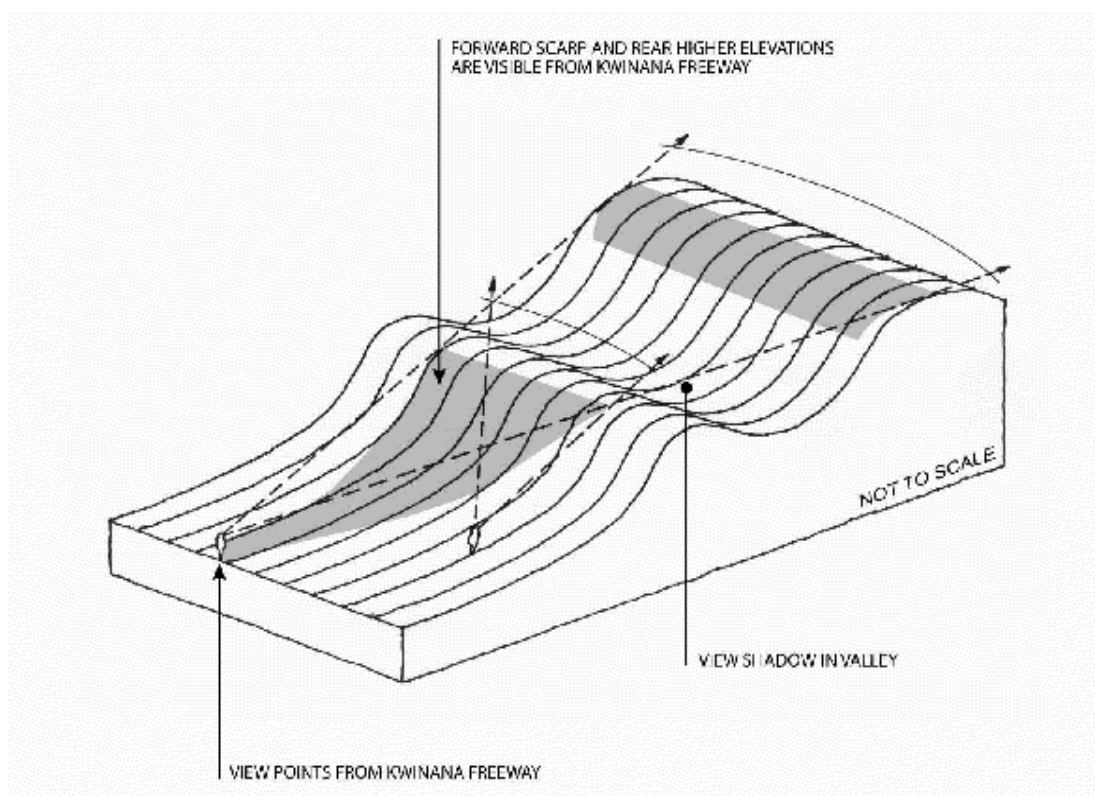
Seen area – see Figure 2 and 3.

Natural ground level – the contours of the land within a lot in existence at the time of the creation of that lot. Natural ground level of a site does not include any cut or fill that has been undertaken following the creation of a lot or not part of subdivisional works.

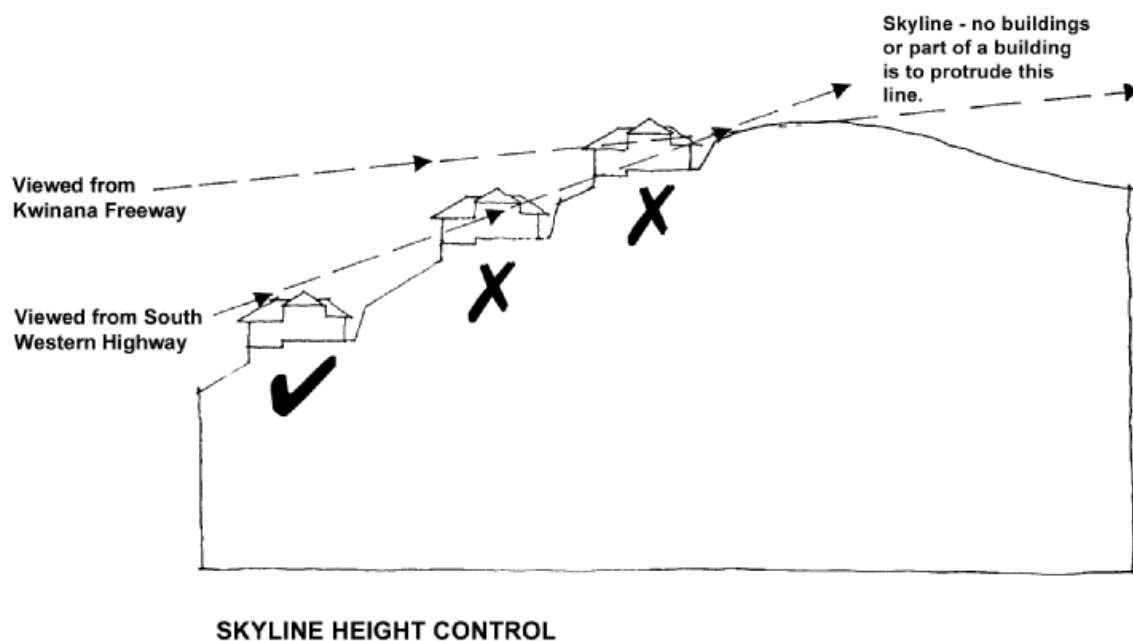
Whole of building or structure – any part of a building or structure excluding chimneys, flues, roof ventilators, air conditioners and antennae or any other similar attachments. The structure does not include any other building on the site which is not attached to that structure. Minor fixtures to structures such as awnings or other fixtures as determined by Council, may not be considered as being part of the whole building or structure.

Building height – is to be measured from natural ground level to the apex of the roof.

**Figure 2**



**Figure 3**



**CRP194 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Murphy seconded Cr Richards that Council, pursuant to Part 9 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No.2 resolves to adopt Local Planning Policy No.8 – Subdivision Within the Byford Structure Plan Area without alterations as follows in accordance with clause 9.3 (b) of Town Planning Scheme No. 2:

**LPP8 LANDSCAPE PROTECTION**

Adopted (Date to be inserted)

**Objectives**

The objectives of this policy are:

1. To preserve the amenity deriving from the scenic value of the Darling Scarp;
2. To maintain the integrity of landscapes within the Landscape Protection Area;
3. To protect and enhance the landscape, scenic and townscape values through control over design, building materials and siting of development and land uses rather than prohibition of development and land use as such;
4. To maintain the integrity of landscapes in the line of sight view corridor along identified scenic routes in the Shire, including but not limited to South West Highway, Nettleton Road, Jarrahdale Road, Admiral Road, Kingsbury Drive and both the North-South and East-West Railway lines and natural water courses;
5. To provide developers and landowners with a statement describing the requirements for the subdivision and development within the Landscape Protection Area.

**Introduction**

Every landscape has a different capacity to successfully absorb change such as new subdivision, development on existing subdivision, upgrading of roads and power lines, extractive industry and recreation developments. Some landscapes are more valued by the community and more sensitive to such change than others.

This policy targets areas of high landscape value and aims to maintain the integrity of significant landscape areas and features. In particular, such areas occur all along the escarpment between the railway line and the top of the escarpment in a line of sight (viewshed) from the South Western Highway and along some major watercourses.

The Local Planning Policy No.8 – Landscape Protection provides for the continued use and development of land but introduces important requirements and controls on development to ensure a high standard of visual appearance sympathetic to the qualities of the landscape.

Planning approval shall not be given by Council for the development of any allotment which lies wholly or partly within the Landscape Protection Area unless:

- Council is satisfied that the landscape value of the area is going to be protected;
- Any buildings or works are carefully designed and sited so as to blend with the landscape in the opinion of Council.

To protect the landscape quality of the Darling Scarp, Council may impose conditions relating to design, landscaping and screening, siting and construction of buildings and works.

### **Application of Policy**

The policy applies to the area depicted in Map 1.

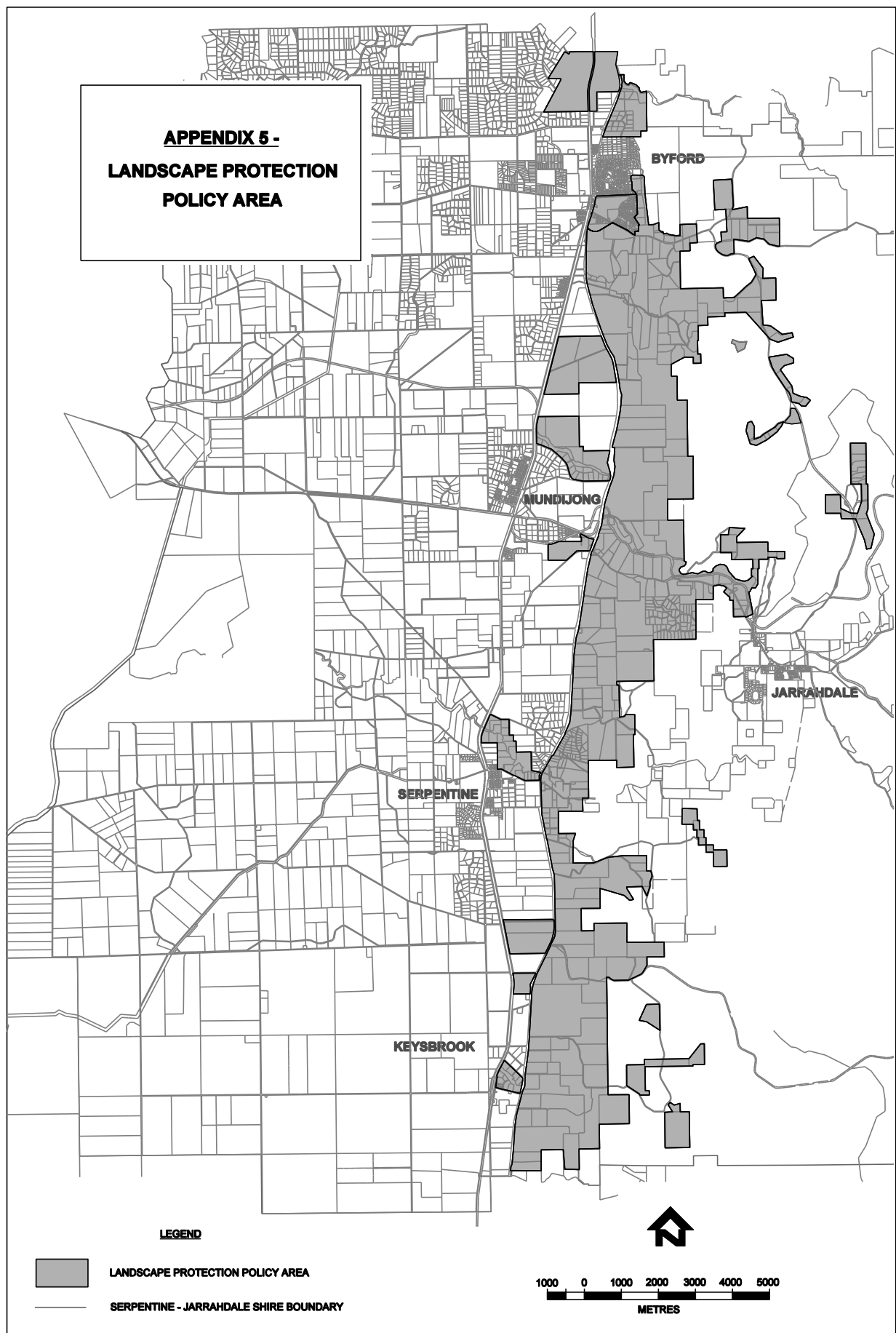
All developments in the Landscape Protection Policy Area require planning approval from Council.

### **Development Considerations**

In addition to those issues listed in clause 6.4 of the Town Planning Scheme the following will also be considered when assessing a development application within the Landscape Protection Area:



**Map 1**



The 'seen area' of the development from the coastal plain, major roads and tourist routes, and major recreation areas;

- The visual intrusiveness of the development within the 'seen area';
- The landscape values of the area;
- The community attitudes to the proposed development;
- The colour schemes and materials of the proposed development; and
- The preservation and enhancement of the natural features and vegetation of the area.

### Information to be lodged with planning application

A planning application must be lodged for all developments, including dwellings and outbuildings, in the Landscape Protection Area. The following additional information must be lodged with your planning application:

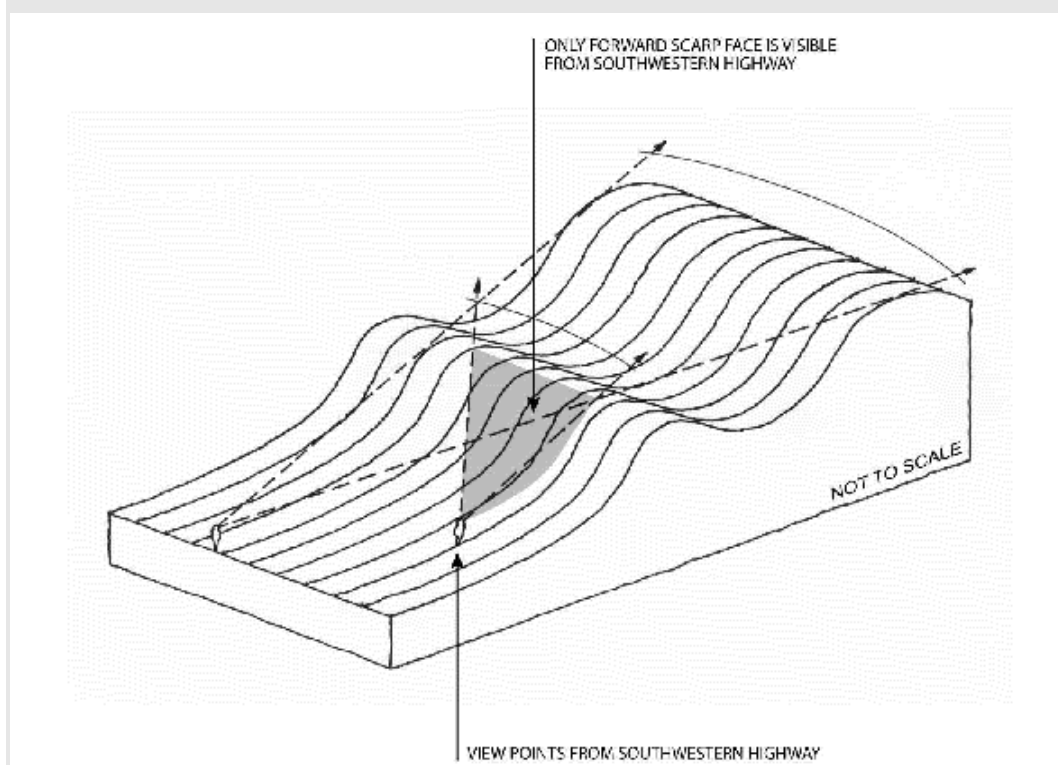
- A planting schedule detailing the provision of revegetation including the vegetation along any access roads. Council's PS03 – Landscape and Revegetation Policy may be of assistance when gathering this information;
- A schedule outlining colours and finishes of external materials and information addressing those issues raised in Buildings under *Development Guidelines* below. Other design criteria such as scale, proportion, texture and roof shape are to be addressed as part of the application;
- A plan showing access to the lot and proposed screening of this access;
- A plan showing any vegetation to be removed from the site as a result of the proposed development.

### Development Guidelines

All development (including access roads) in the policy area shall not be permitted:

1. On ridge lines or spur, bluff or knoll, escarpments, hill tops or visually exposed areas. Buildings are to be located below the skyline (see Figure 1).
2. In areas having a generalised slope greater than 25 percent.

**Figure 1**



## Buildings

The development of buildings within the policy area shall;

### General

1. Be sited and constructed to take advantage of the topography and the vegetation to limit visual intrusion;
2. Created banks need to be stabilised for erosion control prior to any further works being undertaken on the site;
3. All buildings are to be constructed in accordance with Australian Standard and the Building Code of Australia and ensure that adequate bushfire prevention measures are employed to ensure fuel loadings within the property are maintained below 8 tonnes per hectare;
4. Access roads to any buildings within this Policy area are to be vegetated to prevent scarring of the Scarp.

### Vegetation requirements

1. Be accompanied by such additional tree planting and landscaping as the Council considers necessary to achieve the objectives of this policy;
2. All trees and locally indigenous vegetation on the site are to be retained wherever possible;
3. Additional tree planting will be required in accordance with Council's Landscape and Revegetation Policy – PS03;
4. Clearing of existing native vegetation should be limited to 30 metres around buildings, and should be an absolute minimum necessary for the construction of roads and the installation of services;
5. Council may request that a Landscape Management Plan accompany the planning application;
6. Driveways are to be tree lined in order to remove the prominence of the works and to screen the passage of motor vehicles;

### Building appearance

1. Any building shall not exceed 9 metres in height. This height is to be measured from natural ground level to the roof apex;
2. Buildings on land steeper than 1 in 7 should be of split level or pier construction to minimise the amount of cut and fill;
3. The use of zincalume or reflective glazing within this policy area will not be permitted in the "seen area" as defined in Figure 2 unless measures are taken to prevent reflection. Such measures may include landscaping, and colour schemes that blend with the surrounding environment, roof pitch and tilt on glazing;
4. Reflective glazing used in a door, window or other component of a roof or external wall of any building must not –
  - i) cause glare or heat radiation that will have any undue adverse effect on the surrounding environment; and
  - ii) create any undue traffic hazard.
5. Be designed with suitable materials and colours complimentary to the locations and compatible with the landscape character of the site and locality. Such other design criteria as scale, proportion and texture and roof shape shall also be addressed as part of the application;
6. Outbuildings and tanks should form a unified group with the main building and should be of similar form, colour and materials;
7. All services shall be underground;

## Developments

Screening around proposed extractive and industrial developments or operations will be required to minimise visual impacts. These types of developments are not to be seen from the coastal plain, major roads and tourists routes, and major recreation areas. Approval for

these types of development will not be given unless the visual impact of the proposal on the Darling Scarp has been addressed to Council's satisfaction.

### Fencing

Fencing within the Policy area does not require planning approval unless fencing other than open form (wire, post and rail) or similar.

Post and rail fences are to be natural timber or are to be painted/stained with colours which blend with the surrounding landform/vegetation.

Any other form of fencing will require planning approval from Council.

Zincalume, white or colourbond fencing is not permitted

### **Refusal of development**

Notwithstanding any of the provisions in this Policy or the Scheme, the Council may refuse to approve the construction of any building or structure if in Council's opinion the proposed building would have an adverse effect on the amenity of existing or future buildings in or landscape quality of the locality.

It is not Council's intention however to preclude the adoption of a particular design, nor to prevent the use of particular materials of construction, nor to enforce uniformity of appearance, but rather to ensure that design and construction will result in a building in keeping and in harmony with the surroundings.

### **Rezoning and Subdivision Guidelines**

Rezoning of land and the subdivision of land within the policy area will not generally be supported where it is likely to result in an undesirable density of development visible from the South Western Highway or the coastal plain.

A Landscape Management Plan is to accompany all rezoning and subdivisions within this policy area. The Landscape Management Plan must include:

- An assessment of the visual impact and the visual intrusiveness on the 'seen area' of the development from the coastal plain, major roads and tourist routes, and major recreational areas;
- An assessment of the landscape values of the area;
- An outline of how any visual impacts will be addressed in the development;
- An analysis of the existing vegetation, detailing type, location and condition. Such report is to detail any requirements for preservation and enhancement of vegetation (particularly native trees) during subdivision and building;
- An assessment of the soils, landform, drainage and erosion potential of the development. A preliminary erosion and sediment control plan is also to be provided which addresses the following:
  - a) progressive mitigation/control of on-site erosion
  - b) analysis of soil stability and requirements in respect of subdivision, building, planting and road and driveway construction;
  - c) construction of soil conservation works to control sediment and erosion;
  - d) control of sediment;
  - e) rehabilitation/maintenance requirements;
  - f) erosion control of existing and proposed access tracks;
- Planning controls over key aspects of design and siting of subdivision and housing development will be introduced to minimise the impact on landscape values, eg Building materials and colour, road layout, siting of sheds and outbuildings;
- Design and siting guidelines will be developed to further encourage the planning of subdivision and housing development to minimise the impact on landscape values;

- Potential uses within the rezoning for subdivision to occur on the Scarp needs to be considered to ensure that land degradation does not occur.

The Landscape Management Plan must be prepared by an appropriately qualified practitioner. The Plan may include or be accompanied by a Revegetation Plan for the site.

### **Tree Preservation**

The overall tree cover of the scarp it to be increased by:

- a) The retention of existing trees wherever possible and the sensitive siting of development to avoid tree loss;
- b) Additional tree planting being incorporated in every development application approved within the policy area; and
- c) The encouragement of the land owners within the policy area to continue to protect the landscape.

Council may require a land owner to take such action as it considers necessary to prevent damage to the existing tree cover.

### **Fire Control**

This area is considered to be prone to bushfire. Council may require a number of provisions be put into place to ensure that property and the environment are protected from bushfire threats.

Council will take the following issues into consideration in relation to fire control and development within the Landscape Protection area:

- The likely bush fire threat affecting the site and what measures are in place/proposed to manage the fuel loading below 8 tonnes per hectare;
- Whether the siting of any building or design of any works or access comply with the performance criteria set out in *Planning for Bush Fire Protection* and the Australian Standards or Council policy relating to fire prevention;
- The effects of fire protection measures on the amenity of the locality, landscape values, loss of significant remnant vegetation and susceptibility to instability and erosion arising from loss of vegetation;
- The availability of an adequate fire service and water supplies, including access and egress.

Council will also consider the Department of Planning and Infrastructures Policy No.DC3.7 – Fire Planning when assessing developments and subdivisions within the Landscape Protection area.

The document *Planning for Bush Fire Protection* and *Policy No.DC3.7* maybe obtained from the Department of Planning and Infrastructures.

### **Definitions**

Reflective glazing – means glass or other glazing material that for one, or a combination of two or more of the following reasons –

- i) the properties of the glass or material;
- ii) the application to glass or material of a reflective film or any other form of treatment;  
or  
the method of construction used in the building component of which the glass or material forms part,
- iii) has a light or heat reflective value that exceeds 16%

Reflective building material – means any material that has a high solar radiation or reflective value and includes, but is not limited to zincalume and colourbond colours/tones of 'Gull Grey', 'Smooth Cream', 'Surf Mist' and 'Off White'.

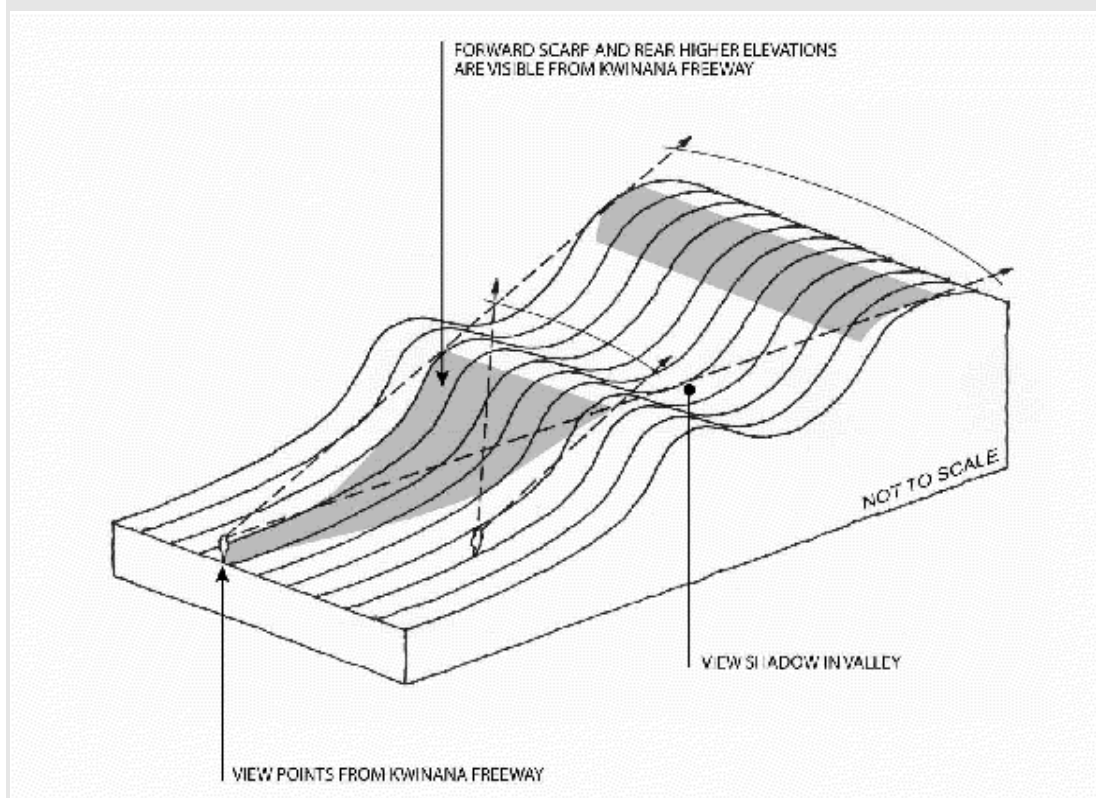
Seen area – see Figure 2 and 3.

Natural ground level – the contours of the land within a lot in existence at the time of the creation of that lot. Natural ground level of a site does not include any cut or fill that has been undertaken following the creation of a lot or not part of subdivisional works.

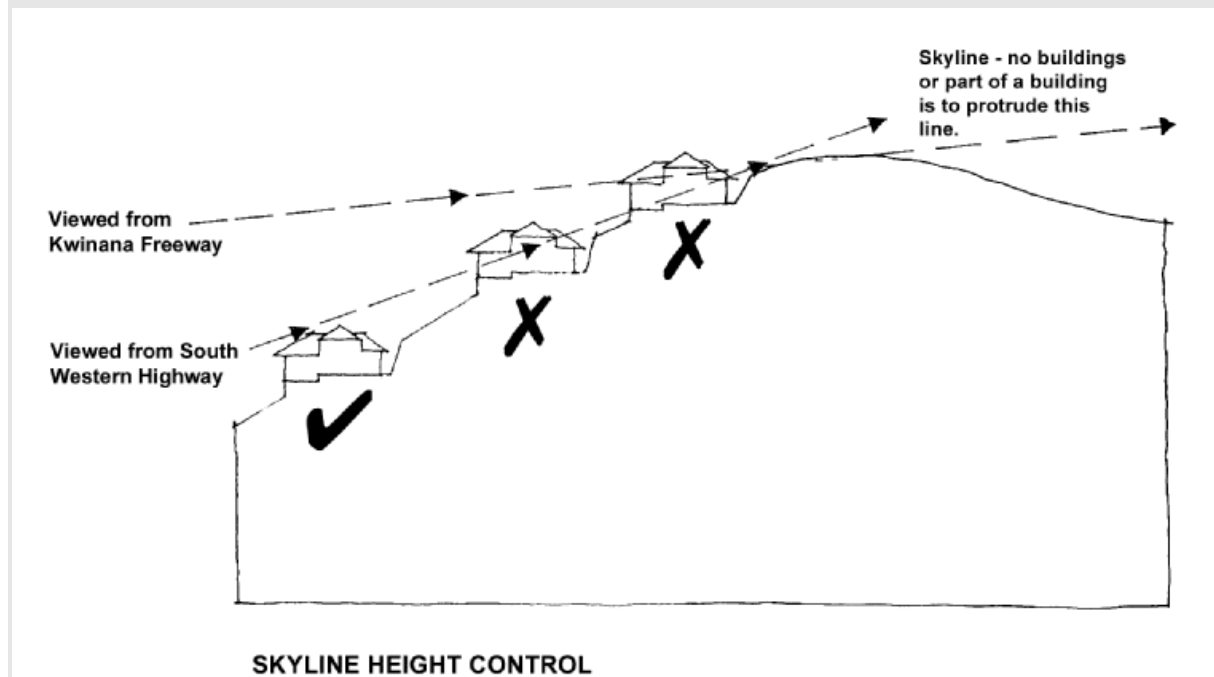
Whole of building or structure – any part of a building or structure excluding chimneys, flues, roof ventilators, air conditioners and antennae or any other similar attachments. The structure does not include any other building on the site which is not attached to that structure. Minor fixtures to structures such as awnings or other fixtures as determined by Council, may not be considered as being part of the whole building or structure.

Building height – is to be measured from natural ground level to the apex of the roof.

**Figure 2**



**Figure 3**



CARRIED 9/0

Note: The Officer Recommended Resolution was altered by clarifying the use of zincalume in relation to building appearance.

P195/12/02 LOCAL PLANNING POLICY NO. 13 - WOODLOT SUBDIVISION DESIGN GUIDELINES – JARRAHDAL (A1147)		
Proponent	Shire of Serpentine - Jarrahdale	<b>In Brief</b>  Council to consider initiating a Local Planning Policy introducing design guidelines for the Woodlot Subdivision in Jarrahdale.  It is recommended that Council advertises the draft Local Planning Policy No.13 Woodlot Design Guidelines for public comment.
Officer	Carlie Eldridge - Sustainable Development Project Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	25th November 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

The Shire in June 2000 purchased land in Jarrahdale which was part of the old "Woodlot", formerly the Bunnings Mill, to establish the Jarrahdale Heritage Park. A portion of the land, 2.0104ha in area. Lot 13 Pt 663 located on the corner of Kingsbury Drive and Jarrahdale Road has been submitted to the WA Planning Commission for subdivision into 7 lots ranging in size from 2207sqm to 3863sqm.

***A copy of the proposed subdivision layout is shown in Figure 2 marked P195.1/12/02.***

The site is well vegetated with regrowth forest with the exception of the northwest portion fronting the corner of Jarrahdale Road and Kingsbury Drive. The vegetated area has some clearings in the canopy but the undergrowth is in good condition with little weed infestation.

This site with the vegetation coverage and associated ecology and its proximity to the Jarrahdale Heritage Park future subdivision provides an excellent opportunity to implement site sensitive and sustainable design and construction requirements. The site is also adjacent to CALM land.

The woodlot design guidelines local planning policy has been developed specific to the site conditions and location and will include the results of public advertising. It is anticipated that the design guidelines and the subdivision referral, will be submitted to council for consideration in January 2003.

### **Comments**

Town Planning Scheme No. 2 provides that a local planning policy may be prepared to deal with the following matters:

#### ***"9.1 LOCAL PLANNING POLICIES***

**9.1.1** *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 of 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.*

**9.1.2** *Any Local Planning Policy prepared under this Part shall be consistent with the Scheme and where any inconsistency arises the Scheme shall prevail.*



## **9.2 LOCAL PLANNING POLICY NOT PART OF A SCHEME**

*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."*

Draft design guidelines for the Woodlot Subdivision have been prepared and appear as part of the Officer Recommended Resolution. The draft guidelines address matters pertinent to the sites ecology through a range of requirements. The guidelines address physical site requirements which aim to protect the existing bushland and site ecology which is in good condition and to also provide for a standard of housing design to achieve more sustainable housing solutions which have both low resource consumption and site impacts. The draft local planning policy sets out the matters Council will consider in determining applications for development.

The guidelines cover three areas, site, building design and construction and within each of these address specific issues. Aims and principles are set out to guide both the council is assessing applications and the applicant as to the intent of the requirements in the guidelines. The guidelines set out requirements to be demonstrated upon application to build and also contain a number of scorecard initiatives. There are 18 sustainability initiatives totaling 23 points which can be attained set out in the guidelines and 8 points must be achieved for the application to be considered for approval. Alternatives initiatives can be presented as alternatives for assessment with applications.

Some of the requirements currently in the guidelines are restrictive but have been included because the aim to achieve the optimal outcome for these blocks while allowing for subdivision and subsequent building of houses. Two of the requirements could be altered as follows.

The requirement regarding turf currently restricts turf to a maximum of 30sqm. As this site contains bushland in excellent condition with minimal weed invasion introducing turf even this small amount per lot increases the chance of grass weed invasion on the site and in the adjacent CALM land. The scorecard initiative of no turf could become a requirement of the guidelines if this is preferred by Council.

On this site there is a need to balance between achieving solar passive housing, which increases the efficiency of resource use and cuts greenhouse emissions, and maintaining the site vegetation coverage, in particular tree coverage. To achieve optimal passive solar design a cleared tree coverage of approximately 20m (for tree heights of 14 metres) depending on floor height (as shown in Appendix B of the guidelines attached) is required to achieve solar access to the north façade. The current guidelines allow for tree vegetation to be cleared up to 15m to the north of the building. The alternative option is that no extra vegetation can be cleared beyond the 550sqm allowable for the entire site (excluding driveway).

The current option has access for sites 5-7 from Jarrahdale Road. Access for site 5 uses a currently existing access point.

### **Sustainability Statement**

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

The guidelines aim to minimise environmental damage to the site through a range of site sensitive and sustainable building requirements that affect both the sites ecology and also resource use. The requirements go far beyond minimum standard requirements for residential site and building design.

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

The requirements in the guidelines will result in resources being minimised during and post construction. The amount of land that can be developed has been restricted to 550m<sup>2</sup> and there is to be very limited cut and fill on site only where it is required for the building support posts and a minor amount for paved areas. The building designs are to be based on solar passive design reducing the energy consumption of buildings on the site from the average house and water and energy efficiency requirements and initiatives are included to reduce resource consumption. The guidelines should achieve reduced resource consumption in all facets compared to traditional development approaches.

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

The design guidelines support the use of locally produced materials and there is the opportunity to achieve scorecard points by using locally manufactured materials.

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

The cost of the building construction under these guidelines may increase costs compared to minimum acceptable building design and construction standard in WA. In the running of these buildings they should be cheaper through the reduction of both energy and water consumption.

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

The guidelines aim to be socially and environmentally responsible through achieving a higher standard of building design which uses fewer resources in construction and operation. The guidelines through restricting clearing and protection of remaining bushland are protecting and valuing the bushland and associated ecology. Community participation will be through the local planning policy advertising process where the community can comment and have input into the guidelines.

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

The proposal does not disadvantage any social groups.

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

The proposal to introduce design guidelines for the Woodlot does not directly influence long term employment or economic benefit to current and future residents of the Shire. However, retaining the bushland ecology on these sites may maintain or raise property values in the long term, and enhance interest in further development of this type in the area.

**Statutory Environment:**

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

**Policy Implications:**

Proposed New Local Planning Policy

**Financial Implications:**

Proposed design guidelines for the Woodlot may affect the price attained for the blocks and these are owned by Council. The cost of construction may be higher than current minimum standard but the ongoing running costs will be cheaper.

**Strategic Implications:**

This proposal to introduce design guidelines relates to the Shires vision which includes the aim to “Manage responsibly today for a better tomorrow” and through the guidelines to protect biodiversity and enhance the design and construction standards in the Shire to reduce the environmental impacts.

The strategic vision also notes that “Council has a unique development and leadership role which embraces the principles of social, economic and environmental sustainability” and the woodlot being Shire owned land is an excellent opportunity to pursue site sustainable building.

One of the environmental goals is “to have all developments and enterprises (including shire) adopt environmental management as part of their business or development including greenhouse abatement measures”. The Environmental objective is “to protect and repair the soil, vegetation, water and air resources of the Shire”.

A strategy for Key Results area People and Community is to “maintain heritage character of the Shire and protect built and natural heritage”. Through the site specific guidelines that addresses the sites ecology and in particular the existing vegetation the Shire is committing to protecting the natural heritage.

**Community Consultation:**

Town Planning Scheme No. 2 provides the following process for consultation in the adoption of a local planning policy:

A Local Planning Policy shall become operative only after the following procedures have been completed:-

- a) The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, the subject and nature of the Policy and in what form and during what period (being not less than 21 days) submissions may be made.
- b) The Council shall review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.
- c) Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.
- d) Where, in the opinion of the Council, the provisions of any Policy affects the interests of the WA Planning Commission, a copy of the policy shall be forwarded to the Commission

- e) The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.
- f) Any amendment or addition to a Policy shall follow the procedures set out in a) to d) above.

**Voting Requirements:** Normal

### **Officer Recommended Resolution**

Council, pursuant to Part 9 of the Shire of Serpentine Jarrahdale Town Planning Scheme No.2 resolves to advertise the Draft Local Planning Policy No.13 - Woodlot Subdivision Jarrahdale Design Guidelines for public comment as follows:

## **LPP 13 DRAFT LOCAL PLANNING POLICY NO.13 – WOODLOT SUBDIVISION JARRAHDAL DESIGN GUIDELINES (A1147)**

### **1.0 APPLICATION**

The Woodlot Design Guidelines apply to Lot 13 of Pt 663 Jarrahdale Road, Jarrahdale (inclusive) (the policy area).

These Design Guidelines are prepared to assist Council dealing with development within the Woodlot Subdivision which forms part of the Jarrahdale Townscape Policy Precinct as established by clause 5.16 – *Jarrahdale Heritage and Townscape Policy Precincts* of Town Planning Scheme No. 2. Where appropriate the Residential Design Code (2002) apply.

These Design Guidelines are intended to retain most of the bushland vegetation present on the site, achieve sustainable building design and indicate the desired form and nature of development.

The development control provisions of these guidelines will be given full regard by Council and any development application to depart from these provisions will require justification and approval of the Council.

### **2.0 OBJECTIVES**

#### **2.1 Primary Objective**

Council's objective, recognising the site's ecological significance and relationship to the Jarrahdale Heritage Park site and adjoining State Forest, is to ensure retention of the character of the site as a whole and the set a new standard in building design and construction that incorporate sustainable building principles and practices.

#### **2.2 Secondary Objectives**

The secondary objectives are set out in each section of the guidelines, in section 3.0 Development Control

### **3.0 DEVELOPMENT CONTROL**

#### **3.1 Development Requiring Council Approval**

Development within the policy area requires the written planning consent of Council. Development for the purposes of this policy includes, but is not necessarily limited to, the following:-

- a) Development of new buildings
- b) Significant landscaping

- c) Demolition or removal of buildings
- d) Works, which affect the external appearance of a building
- e) Construction of additions and outbuildings
- f) Erection of a fence or a wall
- g) Development of new buildings

### 3.2 Information to be lodged with planning application

A planning application must be lodged for all developments in the policy area. The following additional information must be lodged with your planning application as shown in the following table:

REQUIRED COMPLIANCE DETAILS	DETAILS TO BE PROVIDED ON DESIGN PLAN/S	DETAILS TO BE PROVIDED ON CONSTRUCTION PLAN/S
<p>Demonstration of meeting Compliance Design Requirements as set out in Section 3.0 Development Control</p> <p>AND</p> <p>Scorecard Completed with backing evidence of initiatives to be undertaken</p> <p>Minimum score of 8 points must be achieved. Scorecard Assessment Sheet in Appendix A.</p>	<ol style="list-style-type: none"> <li>1. Site Analysis</li> <li>2. True North</li> <li>3. Floor Plan Layout</li> <li>4. All existing vegetation</li> <li>5. Proposed Trees</li> <li>6. Proposed Planting</li> <li>7. Planting list which includes species list and proposed plant sizes</li> <li>8. Location of all Hard Landscape Areas including driveways and paved areas</li> <li>9. Landscape Materials Legend which includes grass species, paving type/s and colours</li> <li>10. Building Materials Schedule outlining colours and finishes of external materials.</li> <li>11. On site Drainage</li> <li>12. Trees to be removed</li> <li>13. Trees to be retained and protected</li> <li>14. Bin Store areas</li> <li>15. Shadow diagrams if building to be located within 5m (single storey) and 10m (2 storey) of adjacent property boundary</li> </ol>	<ol style="list-style-type: none"> <li>1. True North</li> <li>2. Floor Plan Layout</li> <li>3. All existing vegetation</li> <li>4. Trees and vegetation to be removed</li> <li>5. Trees to be retained and protected</li> <li>6. Location of Protective Tree Fencing</li> <li>7. Location of silt fencing</li> <li>8. Site Access during Construction</li> <li>9. Materials Storage Area</li> </ol>

### 3.3 Matters to be Considered By Council – Site Guidelines and Requirements

#### 3.3.1 Site Layout

Aim: To protect the integrity of the site

Principles:

- a) Buildings and associated works to be integrated with site landform and vegetation
- b) Design of buildings and associated works to consider privacy and overshadowing of neighbours
- c) Ensure adequate and appropriate area is allocated for site facilities including bin and recycling storage, letterbox and clothesline.

Requirements:

1. Buildings are only permissible to be constructed within the designate 350m<sup>2</sup> building footprint envelope as shown on Figure 1.
2. Driveways are to be located as shown on Figure 1 and to be a maximum width of 5 metres. Each site can only have one driveway and access (entry and exit) point.
3. Buildings are to have a 3 metre wide clearance of all vegetation around the entire building.
4. The Strategic Fire Break as shown on map 1 is to be left clear at all times during construction and building occupation.

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)  
None

### 3.3.2 Existing Site: Landform, Soil and Vegetation

Aim: To protect existing landform, maintain water flows and protect existing vegetation.

Principles:

- a) To encourage the integration of site landforms and features into design of building and landscaped areas
- b) Any excavated materials is to be encouraged to be used on site in building and landscaping
- c) Building and associated works minimises adverse environmental impacts

Requirements:

1. Maximum 350sqm of site can be used for building (measured by building footprint). This is also the maximum area that can be cleared of existing vegetation if required for building (including all site vegetation groundcovers, shrubs and trees). This area is to be from within the designated building footprint envelope area as per, **3.3.1 Site Layout** and Figure 1.
2. Maximum 550sqm of site can be used for building and landscape works. This is also the maximum area that can be cleared of existing vegetation if required for building and landscaping works (including all site vegetation groundcovers, shrubs and/or trees) for the building and landscaping areas including building footprint, turf, gardens, decks and paving.
3. Trees 15 metres directly to the north of the northern façade can be removed for solar access to the house. Trees are defined as being over 4 metres in height or 150mm diameter at 1.5 metres in height.
4. Existing vegetation that is cleared to be mulched and reused on site
5. Cut and Fill: Site can only be excavated for the construction of the house supporting structures to depth required and for associated paving, planting and turf areas to a maximum depth of 300mm. Planting holes to a depth of 1000mm for trees accepted.
6. No imported top soil is to be used on site

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

1. 550m<sup>2</sup> or less of site used for building and associated works. This area (550m<sup>2</sup> or less) is to be fenced off as per 3.3.4 Hard Landscaping Requirements - 1 point

### 3.3.3 Soft Landscaping

Aim: To protect the existing biodiversity through ensuring new vegetation is native and suitable to site conditions.

Principles:

- a) To achieve landscape design that promotes solar access to buildings
- b) The use of locally indigenous species is preferred.
- c) To encourage the use of plants with low water requirements and the use of mulch to retain soil moisture

Requirements:

1. Native species (WA species) only to be planted on site
2. New Trees: Minimum number of trees to be planted to match number removed (trees over 3m in height) for building construction and associated works
3. 30m<sup>2</sup> maximum area of turf allowed on site

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

1. no turf within site - 1 point
2. all locally indigenous plants used (from within the Jarrahdale catchment) -1 point
3. moisture sensor drip irrigation installed to all landscaped areas - 1 point

### **3.3.4 Hard Landscaping**

Aim: To keep impermeable Paving areas to a minimum to maintain existing water flows on site.

Principles:

- a) Decks raised above ground level are encouraged to be used instead of impervious pavers.

Requirements:

1. 200m<sup>2</sup> of site can be covered with impermeable surface which includes driveway and paved areas constructed of impermeable paving materials.
2. Cleared area for house and associated facilities (550m<sup>2</sup> or less) to be fenced to separate and protect existing vegetation. Fencing to be open timber picket, post and wire or post and rail fencing to a height of 0.8-1.2m.
3. No boundary fences are permitted, properties can be marked by posts on corners of boundary to adjacent properties
4. If there are dogs the property fence must be adequate to keep dogs out of bushland area of property and contained within designated cleared fenced area (550m<sup>2</sup> metres or less plus driveway)

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

None

## **3.4 Matters to be Considered By Council – Building Design Guidelines and Requirements**

### **3.4.1 Building Construction/Form**

Aim: To encourage innovative design that responds to the environmental issues and character of both the site and Jarrahdale. To encourage sustainable building design that integrates technologies and materials with minimal environmental impact and responds to the site ecology and climatic conditions.

Principles:

- a) The opportunity exists to design buildings that respond to the site character.
- b) The building form responds to environmental and energy issues through the use of sunshading, materials selection, colours etc
- c) Garages not to be visually intrusive from the street

Requirements:

1. Floor level of Buildings must be raised a minimum of 300mm above existing ground level. Existing ground to be undisturbed except for supporting posts and central mass wall if constructed for thermal mass.
2. Maximum 50m<sup>2</sup> slab on ground for enclosed garage and/or workshop can be constructed within the 350m<sup>2</sup> building envelope.

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

None

### 3.4.2 Passive Solar Design

Aim: To heat and cool buildings throughout the year without the use of mechanical systems and to light the building in the day without the use of electrical systems throughout the year.

Principles:

- a) The design of Buildings and associated works incorporates solar passive design principles eg internal planning layout, thermal mass, ventilation, glazing, window treatments, landscaping
- b) The building should be oriented so that the long axis or the length of the building faces north to maximise solar gain opportunities

Solar Passive Design Principles

Orientation	Orient the living areas to the north Face windows where possible generally to the north, varying between 30 degrees east and 20 degrees west.
Windows	North facing windows should be shaded from direct summer sun. Ways of achieving this include heavy curtains, high performance glass The use of natural light is maximised
Insulation	R1 insulation is recommended under suspended floors
Ventilation	Designs should consider natural cross ventilation and use of security provision to allow cross ventilation in summer
Vegetation	Keep a minimum of 4 m clear of trees or tall vegetation to north facing façade
Thermal Mass	Thermal Mass can be achieved through a central mass wall which is earthed to the ground Thermal mass can also be achieved through suspended concrete floors

Requirements:

1. No living or workspace more than 10m from a window
2. Roof Insulation of R2.7 or more (in keeping with new BCA requirements)
3. Wall insulation of R1.4 or more (in keeping with new BCA requirements)

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

1. No living or workspace more than 6m from a window-1 point
2. Floor Insulation of R1.0 or more-1 Point

### 3.4.3 Energy Efficiency

Aim: To reduce energy consumption

Principles:

- a) Promotes the use of energy efficient measures including cooling, heating, lighting, fixtures and appliances.
- b) Use energy efficient design measures
- c) Considers the use of renewable energy
- d) Thermal Mass-maximise thermal mass in the building particularly to north facing rooms

Requirements:

1. Minimum 4 Star Hot Water System- Gas, solar, heat pump or equivalent technology
2. Air conditioners are not permitted



Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

1. Photovoltaic cells or renewable energy source (not including greenpower) supply 80% or more of the houses energy-3 points
2. Solar Hot Water System- 2 points
3. 5 Star Gas Hot Water System-1 point

#### **3.4.4 Water Efficiency**

Aim: To reduce water consumption

Principles:

- a) To achieve best practice water management-through a reduction in water consumption and exploring grey water reuse
- b) Uses water efficient design measures
- c) AAA rated low water use appliances are used

Requirements:

1. Dual Flush Toilets
2. Roof fed Water tanks for irrigation purposes- all roof water to be captured in a water tank and only be connected to irrigation. Tank must comply with Australian standard AS3500 and AS3855.

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

1. AAA rated dual flush toilet - 1 point
2. AAA rated showerhead - 1 point
3. Flow regulators on all taps - 1 point
4. Waterless Toilets - 3 points

#### **3.4.5 Building Materials**

Aim: To reduce the impact of building materials through supporting the use of low resource using and low emission materials through their life cycle of manufacturing, use and demolition.

Principles:

- a) The use of earthy colours and materials is encouraged
- b) Low reflective materials is encouraged
- c) Locally produced materials is encouraged and supported over imported materials
- d) Materials from renewable resources is encouraged
- e) Recycled materials are encouraged
- f) Durable materials with a long life and low maintenance requirements are encouraged

Requirements:

1. A full building materials list indicating material and colour for all external building elements is to be submitted with the building application.

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

1. 20% new buildings materials from recycled, salvaged or remanufactured material
2. 10% of materials to be locally manufactured (within Peel Region and South East Metropolitan Region of Perth)

#### **3.4.6 Bushfire Risk Reduction Requirements**

Aim: To reduce the fire risk of housing in the subdivision by meeting the BCA bushfire housing requirements

Requirements:

1. The requirements of the Building Code of Australia (BCA) for Construction of housing in bushfire prone areas, as set out in Section 3.7.4 are to be met in the building

design and construction. The building design is to meet the requirements for the high fire risk.

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

1. Meeting requirements of extreme fire risk as set out in the BCA code –1 point

### **3.5 Matters to be Considered By Council – Construction Guidelines and Requirements**

#### **3.5.1 Site Access**

Aim: To minimise vehicle impacts on site during construction

Principles:

- a) Site Access is to be restricted to reduce site compaction

Requirements:

1. Site access must be within the 550m<sup>2</sup> building and landscaping envelope area as shown on Map 1 and access off the road must be where final driveway location will be.

Scorecard Initiatives:

None

#### **3.5.2 Materials Storage**

Aim: To reduce site impacts during construction

Principles:

- a) Construction minimizes the amount of land used

Requirements:

1. Construction materials can only be stored in areas designated on the application drawings. These areas are to be within the designated 550m<sup>2</sup> cleared area and not within the canopy of trees to be retained.

Scorecard Initiatives:

None

#### **3.5.3 Tree Protection**

Aim: To protect existing trees to be retained from damage during construction

Principles:

- a) Protect tree roots from damage due to excavation or compaction of soils
- b) Retain existing soil levels around base of trees
- c) Protect trees to their canopy line

Requirements:

1. During Site Construction fence off existing trees to be retained in area adjacent to construction works. Fence should be to the edge of the tree canopy.

Scorecard Initiatives:

None

#### **3.5.4 Construction Waste**

Aim: To reduce construction waste generated

Principles:

- a) Packaging is avoided where possible during construction
- b) Construction waste is sorted and recycled where possible
- c) Excessive packaging is returned to supplier
- d) Materials to be made to size to reduce waste from materials being cut on site

Requirements

1. Construction waste to be sorted on site to allow for recycling

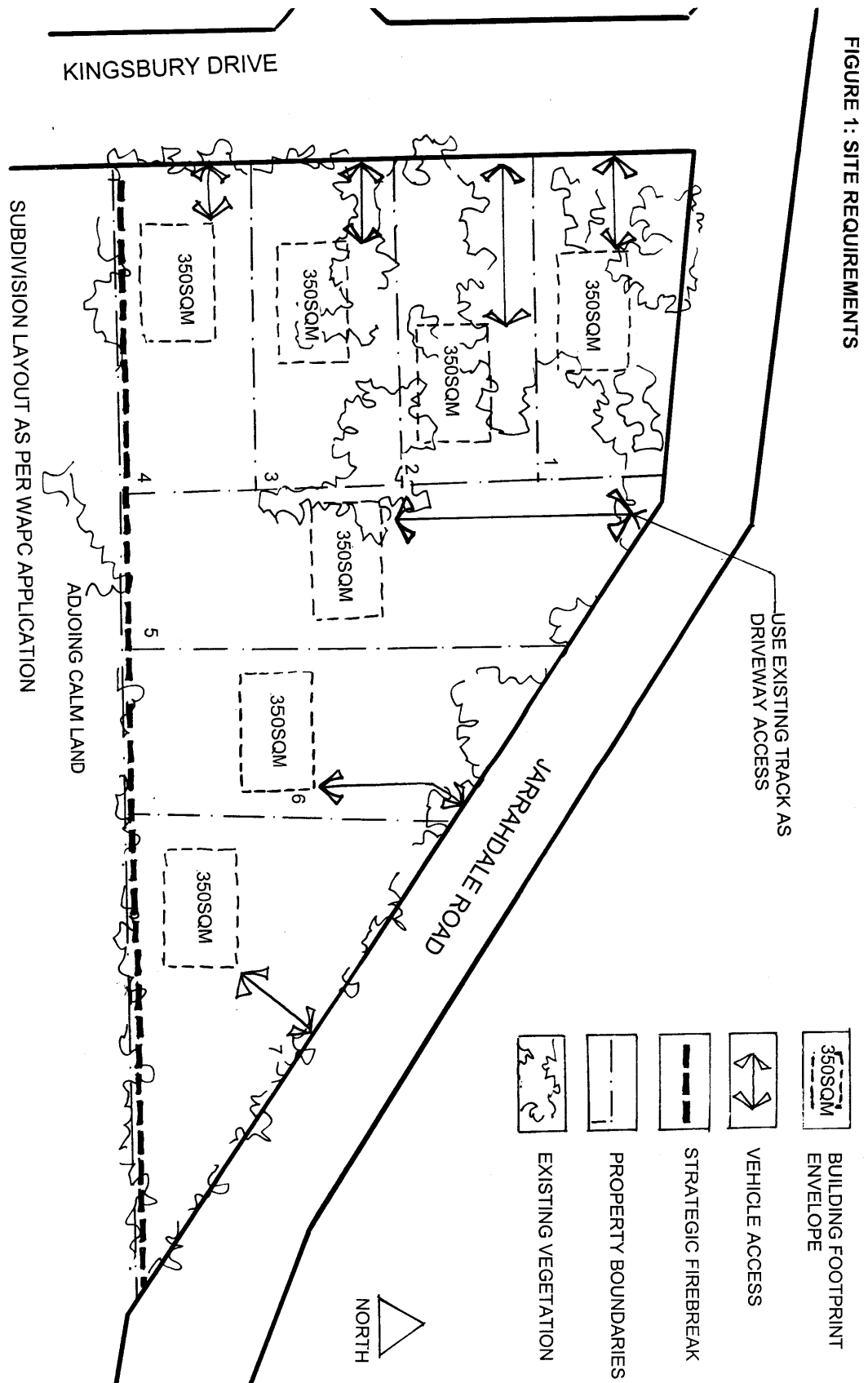
Scorecard Initiatives:

1. Waste Management Plan prepared which addresses the following issues: 1 point
  - Volume of Waste to be generated during construction
  - Type of Waste to be generated during construction
  - How construction waste will be stored and treated on site
  - How construction waste will be disposed of off site
  - Ongoing site waste management and minimization methods

#### **4.0 VARIATION IN STANDARDS**

Consideration may be granted to variation of standards where it can be demonstrated to Council's satisfaction by way of a comprehensive written statement outlining how the proposal meets the objectives of these guidelines.

FIGURE 1 - SITE REQUIREMENTS



## APPENDIX A: SCORECARD ASSESSMENT SHEET

### WOODLOT BUILDING DESIGN GUIDELINES ASSESSMENT FRAMEWORK

	IN				NOTES
	MANDATORY	SCORING	SHOWN	APPLICATION IMPLEMENTED	
<b>SITE</b>					
<b>Site Layout</b>					
Site Works Area					
Driveways					
Clearance around Buildings					
Strategic Fire Break					
<b>Existing Site: Landform, Soil and Vegetation</b>					
Site use and Clearance for Building-350sqm					
Total Site use and Clearance-550sqm					
Trees to northern façade					
Existing Vegetation					
Cut & Fill/Site Disturbance					
Use of Topsoil					
Site Clearance-250m2					
<b>Soft Landscaping</b>					
Native Plant Species					
New Trees-numbers					
Use of Turf					
No Turf					
Use of Indigenous Plants					
Use of Drip irrigation					
<b>Hard Landscaping</b>					
Impermeable Area					
Fencing to Cleared Area					
Boundary Fencing					
Dogs					
<b>BUILDING DESIGN</b>					
<b>Building Construction/Form</b>					
Ground Floor Construction					
Carpark Slab Area					
<b>Passive Solar Design</b>					
Living Space from windows-10m					
Roof Insulation					
Wall Insulation					
Living Space from windows-6m					

## WOODLOT BUILDING DESIGN GUIDELINES

### ASSESSMENT FRAMEWORK

	IN		NOTES	
	MANDATORY	SCORING	SHOWN APPLICATION IMPLEMENTED	
Floor Insulation				
<b>Energy Efficiency</b>				
4 star hot water system				
Photovoltaic cells				
Solar Hot Water System				
5 star gas Hot water system				
Air Conditioner				
<b>Water Efficiency</b>				
Dual Flush Toilets				
Water Tanks				
AAA dual flush Toilets				
AAA Shower fittings				
Flow regulators				
Waterless Toilet				
<b>Building Materials</b>				
Building Materials palette				
Recycled material				
Locally manufactured materials				
<b>Bushfire Risk Reduction Requirements</b>				
BCA-High risk				
BC-Extreme risk				
<b>CONSTRUCTION</b>				
<b>Site Access</b>				
Site Access-location				
<b>Materials Storage</b>				
Materials Storage location				
<b>Tree Protection</b>				
Site Construction Fencing to Trees				
<b>Construction Waste</b>				
Construction waste sorted				
Waste Management Plan				
<b>SCORE</b>				
<b>Total Score Possible</b>			23	(18 initiatives

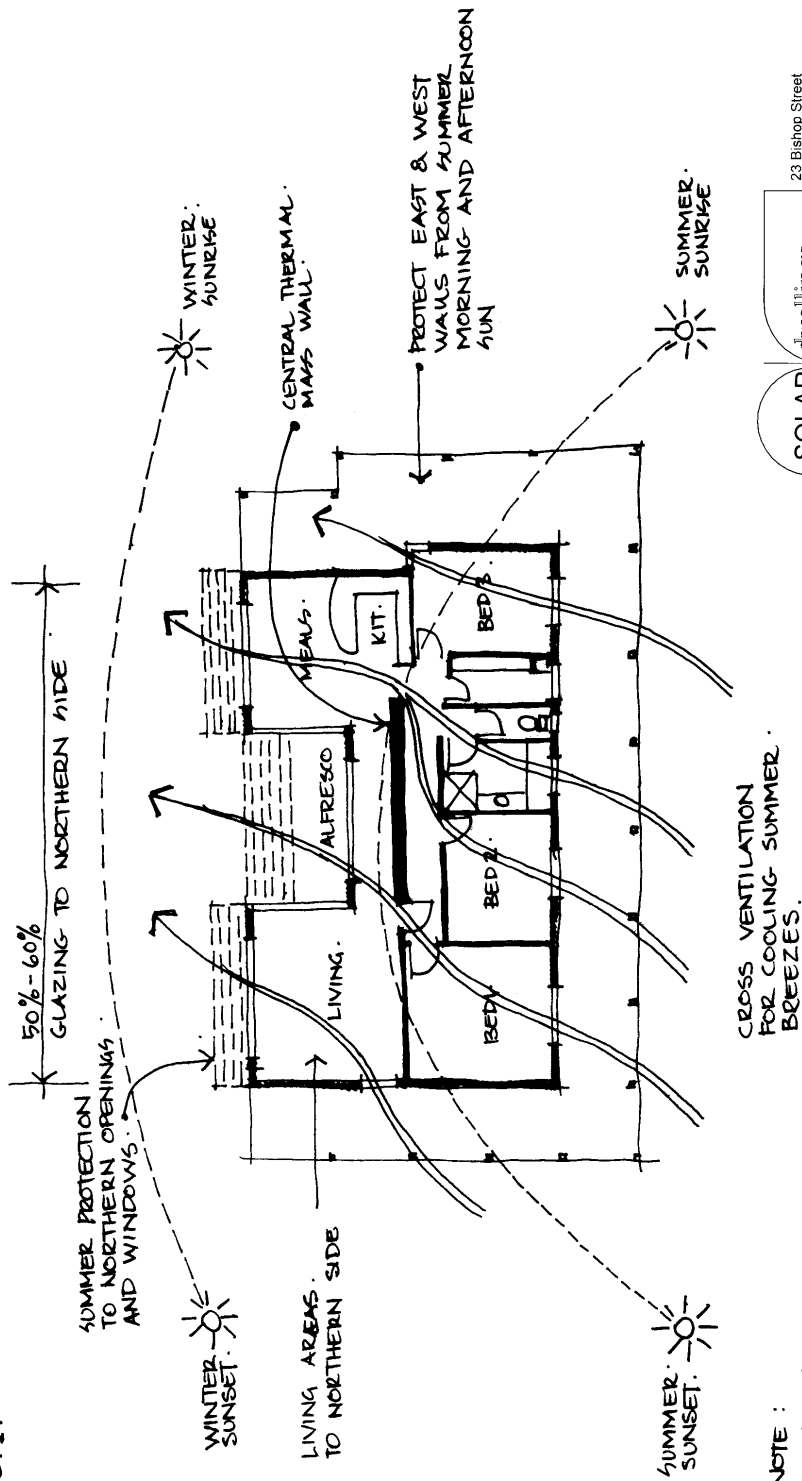
**WOODLOT BUILDING DESIGN GUIDELINES**  
**ASSESSMENT FRAMEWORK**

	MANDATORY SCORING	IN SHOWN APPLICATION IMPLEMENTED	NOTES
Total Score Required			given)
Total Score Achieved	8		

## APPENDIX B: DESIGN INFORMATION SKETCHES

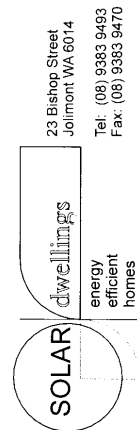
### SUSTAINABLE DESIGN PRINCIPLES

FIG. 1.

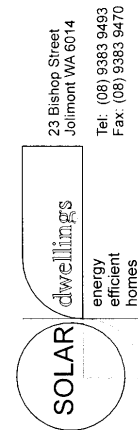
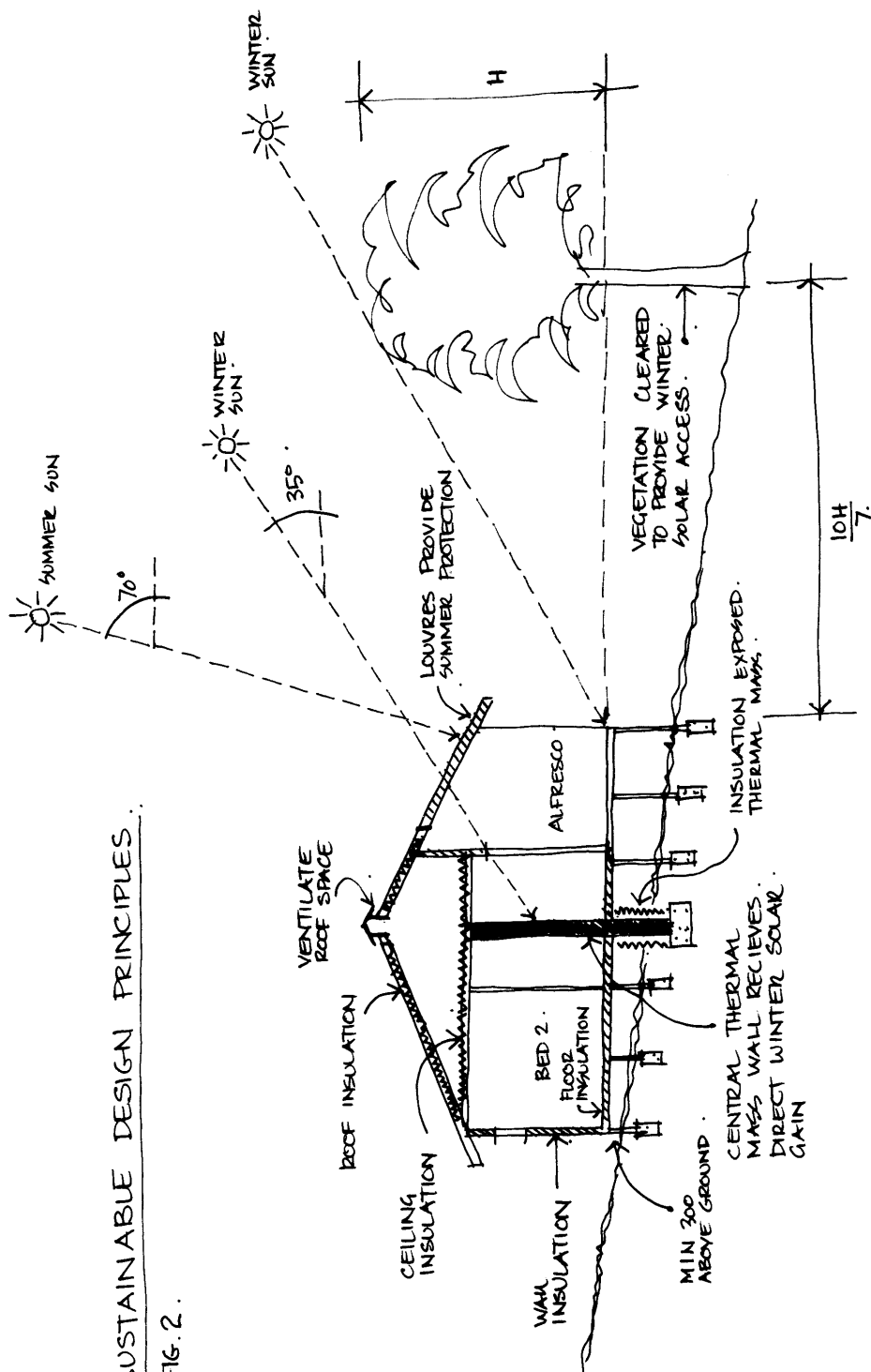


NOTE :

ILLUSTRATION ONLY.  
REFER TO GUIDELINES FOR  
SPECIFIC REQUIREMENTS.







## **CRP195 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Hoyer seconded Cr Kirkpatrick that Council, pursuant to Part 9 of the Shire of Serpentine Jarrahdale Town Planning Scheme No.2 resolves to advertise the Draft Local Planning Policy No.13 - Woodlot Subdivision Jarrahdale Design Guidelines for public comment as follows:

### **LPP 13            DRAFT LOCAL PLANNING POLICY NO.13 – WOODLOT SUBDIVISION JARRAHDALE DESIGN GUIDELINES (A1147)**

#### **1.0      APPLICATION**

The Woodlot Design Guidelines apply to Lot 13 of Pt 663 Jarrahdale Road, Jarrahdale (inclusive) (the policy area).

These Design Guidelines are prepared to assist Council dealing with development within the Woodlot Subdivision which forms part of the Jarrahdale Townscape Policy Precinct as established by clause 5.16 – *Jarrahdale Heritage and Townscape Policy Precincts* of Town Planning Scheme No. 2. Where appropriate the Residential Design Code (2002) apply.

These Design Guidelines are intended to retain most of the bushland vegetation present on the site, achieve sustainable building design and indicate the desired form and nature of development.

The development control provisions of these guidelines will be given full regard by Council and any development application to depart from these provisions will require justification and approval of the Council.

#### **2.0      OBJECTIVES**

##### **2.1      Primary Objective**

Council's objective, recognising the site's ecological significance and relationship to the Jarrahdale Heritage Park site and adjoining State Forest, is to ensure retention of the character of the site as a whole and the set a new standard in building design and construction that incorporate sustainable building principles and practices.

##### **2.2      Secondary Objectives**

The secondary objectives are set out in each section of the guidelines, in section 3.0 Development Control

#### **3.0      DEVELOPMENT CONTROL**

##### **3.1      Development Requiring Council Approval**

Development within the policy area requires the written planning consent of Council. Development for the purposes of this policy includes, but is not necessarily limited to, the following:-

- a)      Development of new buildings
- b)      Significant landscaping
- c)      Demolition or removal of buildings
- d)      Works, which affect the external appearance of a building
- e)      Construction of additions and outbuildings
- f)      Erection of a fence or a wall
- g)      Development of new buildings

##### **3.2      Information to be lodged with planning application**

A planning application must be lodged for all developments in the policy area. The following additional information must be lodged with your planning application as shown in the following table:

REQUIRED COMPLIANCE DETAILS	DETAILS TO BE PROVIDED ON DESIGN PLAN/S	DETAILS TO BE PROVIDED ON CONSTRUCTION PLAN/S
<p>Demonstration of meeting Compliance Design Requirements as set out in Section 3.0 Development Control</p> <p>AND</p> <p>Scorecard Completed with backing evidence of initiatives to be undertaken</p> <p>Minimum score of 8 points must be achieved. Scorecard Assessment Sheet in Appendix A.</p>	<ol style="list-style-type: none"> <li>1. Site Analysis</li> <li>2. True North</li> <li>3. Floor Plan Layout</li> <li>4. All existing vegetation</li> <li>5. Proposed Trees</li> <li>6. Proposed Planting</li> <li>7. Planting list which includes species list and proposed plant sizes</li> <li>8. Location of all Hard Landscape Areas including driveways and paved areas</li> <li>9. Landscape Materials Legend which includes grass species, paving type/s and colours</li> <li>10. Building Materials Schedule outlining colours and finishes of external materials.</li> <li>11. On site Drainage</li> <li>12. Trees to be removed</li> <li>13. Trees to be retained and protected</li> <li>14. Bin Store areas</li> <li>15. Shadow diagrams if building to be located within 5m (single storey) and 10m (2 storey) of adjacent property boundary</li> </ol>	<ol style="list-style-type: none"> <li>1. True North</li> <li>2. Floor Plan Layout</li> <li>3. All existing vegetation</li> <li>4. Trees and vegetation to be removed</li> <li>5. Trees to be retained and protected</li> <li>6. Location of Protective Tree Fencing</li> <li>7. Location of silt fencing</li> <li>8. Site Access during Construction</li> <li>9. Materials Storage Area</li> </ol>

### 3.3 Matters to be Considered By Council – Site Guidelines and Requirements

#### 3.3.1 Site Layout

Aim: To protect the integrity of the site

Principles:

- a) Buildings and associated works to be integrated with site landform and vegetation
- b) Design of buildings and associated works to consider privacy and overshadowing of neighbours
- c) Ensure adequate and appropriate area is allocated for site facilities including bin and recycling storage, letterbox and clothesline.

Requirements:

1. Buildings are only permissible to be constructed within the designate 350m<sup>2</sup> building footprint envelope as shown on Figure 1.
2. Driveways are to be located as shown on Figure 1 and to be a maximum width of 5 metres. Each site can only have one driveway and access (entry and exit) point.
3. Buildings are to have a 3 metre wide clearance of all vegetation around the entire building.
4. The Strategic Fire Break as shown on map 1 is to be left clear at all times during construction and building occupation.

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)  
None

### 3.3.2 Existing Site: Landform, Soil and Vegetation

Aim: To protect existing landform, maintain water flows and protect existing vegetation.

Principles:

- a) To encourage the integration of site landforms and features into design of building and landscaped areas
- b) Any excavated materials is to be encouraged to be used on site in building and landscaping
- c) Building and associated works minimises adverse environmental impacts

Requirements:

1. Maximum 350sqm of site can be used for building (measured by building footprint). This is also the maximum area that can be cleared of existing vegetation if required for building (including all site vegetation groundcovers, shrubs and trees). This area is to be from within the designated building footprint envelope area as per, **3.3.1 Site Layout** and Figure 1.
2. Maximum 550sqm of site can be used for building and landscape works. This is also the maximum area that can be cleared of existing vegetation if required for building and landscaping works (including all site vegetation groundcovers, shrubs and/or trees) for the building and landscaping areas including building footprint, turf, gardens, decks and paving.
3. Trees 15 metres directly to the north of the northern façade can be removed for solar access to the house. Trees are defined as being over 4 metres in height or 150mm diameter at 1.5 metres in height.
4. Existing vegetation that is cleared to be mulched and reused on site
5. Cut and Fill: Site can only be excavated for the construction of the house supporting structures to depth required and for associated paving, planting and turf areas to a maximum depth of 300mm. Planting holes to a depth of 1000mm for trees accepted.
6. No imported top soil is to be used on site

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

1. 550m<sup>2</sup> or less of site used for building and associated works. This area (550m<sup>2</sup> or less) is to be fenced off as per 3.3.4 Hard Landscaping Requirements - 1 point

### 3.3.3 Soft Landscaping

Aim: To protect the existing biodiversity through ensuring new vegetation is native and suitable to site conditions.

Principles:

- a) To achieve landscape design that promotes solar access to buildings
- b) The use of locally indigenous species is preferred.
- c) To encourage the use of plants with low water requirements and the use of mulch to retain soil moisture

Requirements:

1. Native species (WA species) only to be planted on site
2. New Trees: Minimum number of trees to be planted to match number removed (trees over 3m in height) for building construction and associated works
3. 30m<sup>2</sup> maximum area of turf allowed on site

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

1. no turf within site - 1 point
2. all locally indigenous plants used (from within the Jarrahdale catchment) -1 point
3. moisture sensor drip irrigation installed to all landscaped areas - 1 point

### **3.3.4 Hard Landscaping**

Aim: To keep impermeable Paving areas to a minimum to maintain existing water flows on site.

Principles:

- a) Decks raised above ground level are encouraged to be used instead of impervious pavers.

Requirements:

1. 200m<sup>2</sup> of site can be covered with impermeable surface which includes driveway and paved areas constructed of impermeable paving materials.
2. Cleared area for house and associated facilities (550m<sup>2</sup> or less) to be fenced to separate and protect existing vegetation. Fencing to be open timber picket, post and wire or post and rail fencing to a height of 0.8-1.2m.
3. No boundary fences are permitted, properties can be marked by posts on corners of boundary to adjacent properties
4. If there are dogs the property fence must be adequate to keep dogs out of bushland area of property and contained within designated cleared fenced area (550m<sup>2</sup> metres or less plus driveway)

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

None

## **3.4 Matters to be Considered By Council – Building Design Guidelines and Requirements**

### **3.4.1 Building Construction/Form**

Aim: To encourage innovative design that responds to the environmental issues and character of both the site and Jarrahdale. To encourage sustainable building design that integrates technologies and materials with minimal environmental impact and responds to the site ecology and climatic conditions.

Principles:

- a) The opportunity exists to design buildings that respond to the site character.
- b) The building form responds to environmental and energy issues through the use of sunshading, materials selection, colours etc
- c) Garages not to be visually intrusive from the street

Requirements:

1. Floor level of Buildings must be raised a minimum of 300mm above existing ground level. Existing ground to be undisturbed except for supporting posts and central mass wall if constructed for thermal mass.
2. Maximum 50m<sup>2</sup> slab on ground for enclosed garage and/or workshop can be constructed within the 350m<sup>2</sup> building envelope.

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

None

### **3.4.2 Passive Solar Design**

Aim: To heat and cool buildings throughout the year without the use of mechanical systems and to light the building in the day without the use of electrical systems throughout the year.

Principles:

- a) The design of Buildings and associated works incorporates solar passive design principles eg internal planning layout, thermal mass, ventilation, glazing, window treatments, landscaping
- b) The building should be oriented so that the long axis or the length of the building faces north to maximise solar gain opportunities

#### Solar Passive Design Principles

Orientation	Orient the living areas to the north Face windows where possible generally to the north, varying between 30 degrees east and 20 degrees west.
Windows	North facing windows should be shaded from direct summer sun. Ways of achieving this include heavy curtains, high performance glass The use of natural light is maximised
Insulation	R1 insulation is recommended under suspended floors
Ventilation	Designs should consider natural cross ventilation and use of security provision to allow cross ventilation in summer
Vegetation	Keep a minimum of 4 m clear of trees or tall vegetation to north facing façade
Thermal Mass	Thermal Mass can be achieved through a central mass wall which is earthed to the ground Thermal mass can also be achieved through suspended concrete floors

#### Requirements:

1. No living or workspace more than 10m from a window
2. Roof Insulation of R2.7 or more (in keeping with new BCA requirements)
3. Wall insulation of R1.4 or more (in keeping with new BCA requirements)

#### Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

1. No living or workspace more than 6m from a window-1 point
2. Floor Insulation of R1.0 or more-1 Point

### 3.4.3 Energy Efficiency

Aim: To reduce energy consumption

#### Principles:

- a) Promotes the use of energy efficient measures including cooling, heating, lighting, fixtures and appliances.
- b) Use energy efficient design measures
- c) Considers the use of renewable energy
- d) Thermal Mass-maximise thermal mass in the building particularly to north facing rooms

#### Requirements:

1. Minimum 4 Star Hot Water System- Gas, solar, heat pump or equivalent technology
2. Air conditioners are not permitted

#### Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

1. Photovoltaic cells or renewable energy source (not including greenpower) supply 80% or more of the houses energy-3 points
2. Solar Hot Water System- 2 points
3. 5 Star Gas Hot Water System-1 point

#### **3.4.4 Water Efficiency**

Aim: To reduce water consumption

Principles:

- a) To achieve best practice water management-through a reduction in water consumption and exploring grey water reuse
- b) Uses water efficient design measures
- c) AAA rated low water use appliances are used

Requirements:

- 1. Dual Flush Toilets
- 2. Roof fed Water tanks for on site re use. Tank must comply with Australian standard AS3500 and AS3855.

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

- 1. AAA rated dual flush toilet - 1 point
- 2. AAA rated showerhead - 1 point
- 3. Flow regulators on all taps - 1 point
- 4. Waterless Toilets - 3 points

#### **3.4.5 Building Materials**

Aim: To reduce the impact of building materials through supporting the use of low resource using and low emission materials through their life cycle of manufacturing, use and demolition.

Principles:

- a) The use of earthy colours and materials is encouraged
- b) Low reflective materials is encouraged
- c) Locally produced materials is encouraged and supported over imported materials
- d) Materials from renewable resources is encouraged
- e) Recycled materials are encouraged
- f) Durable materials with a long life and low maintenance requirements are encouraged

Requirements:

- 1. A full building materials list indicating material and colour for all external building elements is to be submitted with the building application.

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

- 1. 20% new buildings materials from recycled, salvaged or remanufactured material
- 2. 10% of materials to be locally manufactured (within Peel Region and South East Metropolitan Region of Perth)

#### **3.4.6 Bushfire Risk Reduction Requirements**

Aim: To reduce the fire risk of housing in the subdivision by meeting the BCA bushfire housing requirements

Requirements:

- 1. The requirements of the Building Code of Australia (BCA) for Construction of housing in bushfire prone areas, as set out in Section 3.7.4 are to be met in the building design and construction. The building design is to meet the requirements for the high fire risk.

Scorecard Initiatives: (refer scorecard for total initiatives required for approval)

- 1. Meeting requirements of extreme fire risk as set out in the BCA code –1 point

### **3.5 Matters to be Considered By Council – Construction Guidelines and Requirements**

#### **3.5.1 Site Access**

Aim: To minimise vehicle impacts on site during construction

Principles:

- a) Site Access is to be restricted to reduce site compaction

Requirements:

1. Site access must be within the 550m<sup>2</sup> building and landscaping envelope area as shown on Map 1 and access off the road must be where final driveway location will be.

Scorecard Initiatives:

None

#### **3.5.2 Materials Storage**

Aim: To reduce site impacts during construction

Principles:

- a) Construction minimizes the amount of land used

Requirements:

1. Construction materials can only be stored in areas designated on the application drawings. These areas are to be within the designated 550m<sup>2</sup> cleared area and not within the canopy of trees to be retained.

Scorecard Initiatives:

None

#### **3.5.3 Tree Protection**

Aim: To protect existing trees to be retained from damage during construction

Principles:

- a) Protect tree roots from damage due to excavation or compaction of soils
- b) Retain existing soil levels around base of trees
- c) Protect trees to their canopy line

Requirements:

1. During Site Construction fence off existing trees to be retained in area adjacent to construction works. Fence should be to the edge of the tree canopy.

Scorecard Initiatives:

None

#### **3.5.4 Construction Waste**

Aim: To reduce construction waste generated

Principles:

- a) Packaging is avoided where possible during construction
- b) Construction waste is sorted and recycled where possible
- c) Excessive packaging is returned to supplier
- d) Materials to be made to size to reduce waste from materials being cut on site



#### Requirements

1. Construction waste to be sorted on site to allow for recycling

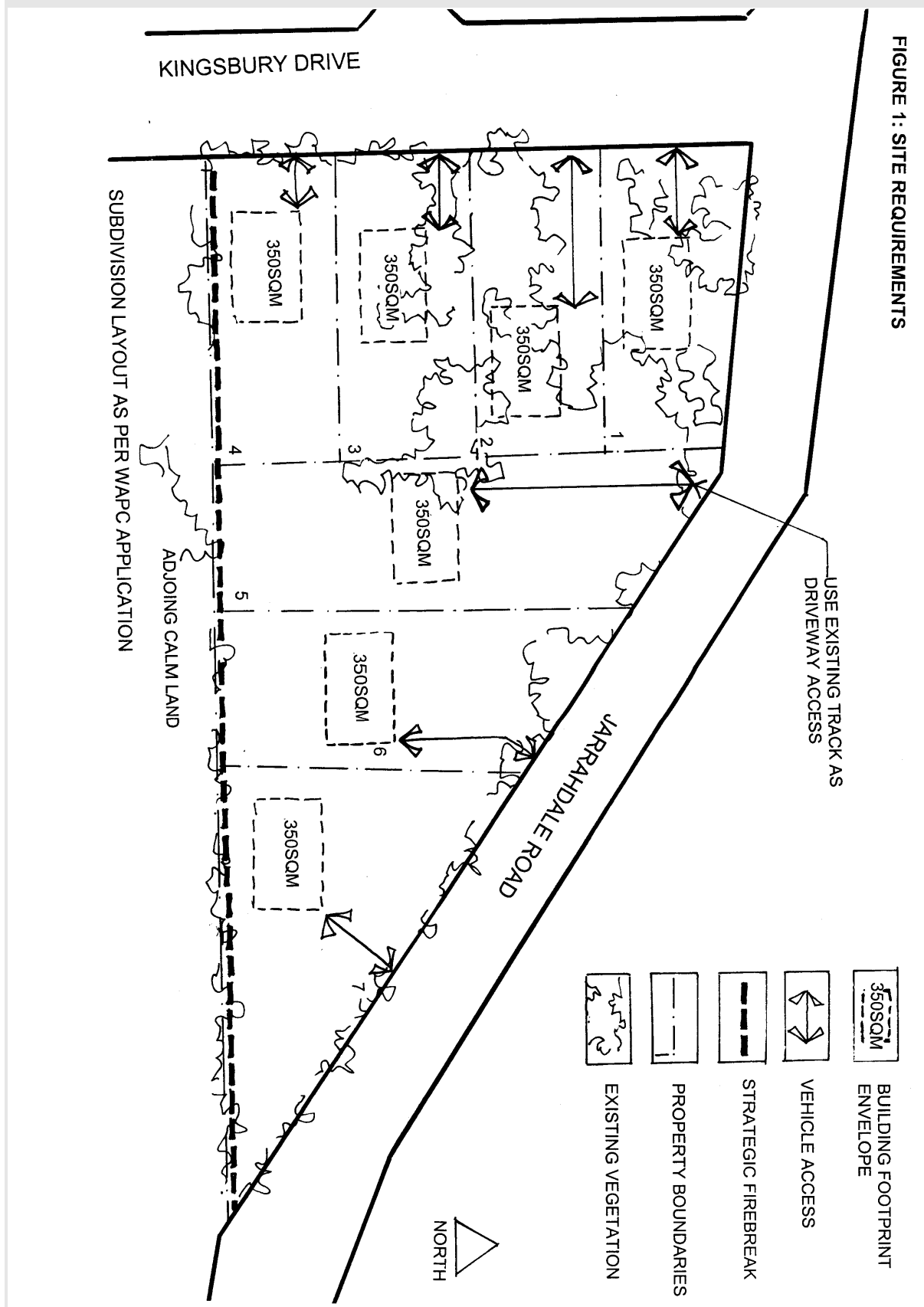
#### Scorecard Initiatives:

1. Waste Management Plan prepared which addresses the following issues: 1 point
  - Volume of Waste to be generated during construction
  - Type of Waste to be generated during construction
  - How construction waste will be stored and treated on site
  - How construction waste will be disposed of off site
  - Ongoing site waste management and minimization methods

### **4.0 VARIATION IN STANDARDS**

Consideration may be granted to variation of standards where it can be demonstrated to Council's satisfaction by way of a comprehensive written statement outlining how the proposal meets the objectives of these guidelines.

## FIGURE 1: SITE REQUIREMENTS



## APPENDIX A: SCORECARD ASSESSMENT SHEET

### WOODLOT BUILDING DESIGN GUIDELINES

#### ASSESSMENT FRAMEWORK

	MANDATORY	SCORING	SHOWN IN APPLICATION IMPLEMENTED		NOTES
<b>SITE</b>					
<b>Site Layout</b>					
Site Works Area					
Driveways					
Clearance around Buildings					
Strategic Fire Break					
<b>Existing Site: Landform, Soil and Vegetation</b>					
Site use and Clearance for Building-350sqm					
Total Site use and Clearance-550sqm					
Trees to northern façade					
Existing Vegetation					
Cut & Fill/Site Disturbance					
Use of Topsoil					
Site Clearance-250m2					
<b>Soft Landscaping</b>					
Native Plant Species					
New Trees-numbers					
Use of Turf					
No Turf					
Use of Indigenous Plants					
Use of Drip irrigation					
<b>Hard Landscaping</b>					
Impermeable Area					
Fencing to Cleared Area					
Boundary Fencing					
Dogs					
<b>BUILDING DESIGN</b>					
<b>Building Construction/Form</b>					
Ground Floor Construction					
Carpark Slab Area					
<b>Passive Solar Design</b>					
Living Space from windows-10m					
Roof Insulation					
Wall Insulation					
Living Space from windows-6m					

WOODLOT BUILDING DESIGN GUIDELINES					
ASSESSMENT FRAMEWORK					
	MANDATORY	SCORING	SHOWN IN APPLICATION IMPLEMENTED	NOTES	
Floor Insulation					
Energy Efficiency					
4 star hot water system					
Photovoltaic cells					
Solar Hot Water System					
5 star gas Hot water system					
Air Conditioner					
Water Efficiency					
Dual Flush Toilets					
Water Tanks					
AAA dual flush Toilets					
AAA Shower fittings					
Flow regulators					
Waterless Toilet					
Building Materials					
Building Materials palette					
Recycled material					
Locally manufactured materials					
Bushfire Risk Reduction Requirements					
BCA-High risk					
BC-Extreme risk					
CONSTRUCTION					
Site Access					
Site Access-location					
Materials Storage					
Materials Storage location					
Tree Protection					
Site Construction Fencing to Trees					
Construction Waste					
Construction waste sorted					
Waste Management Plan					
SCORE					
Total Score Possible			23	(18 initiatives	

# **WOODLOT BUILDING DESIGN GUIDELINES**

## **ASSESSMENT FRAMEWORK**

**MANDATORY**

**SCORING**

**SHOWN  
IN  
APPLICATION  
IMPLEMENTED**

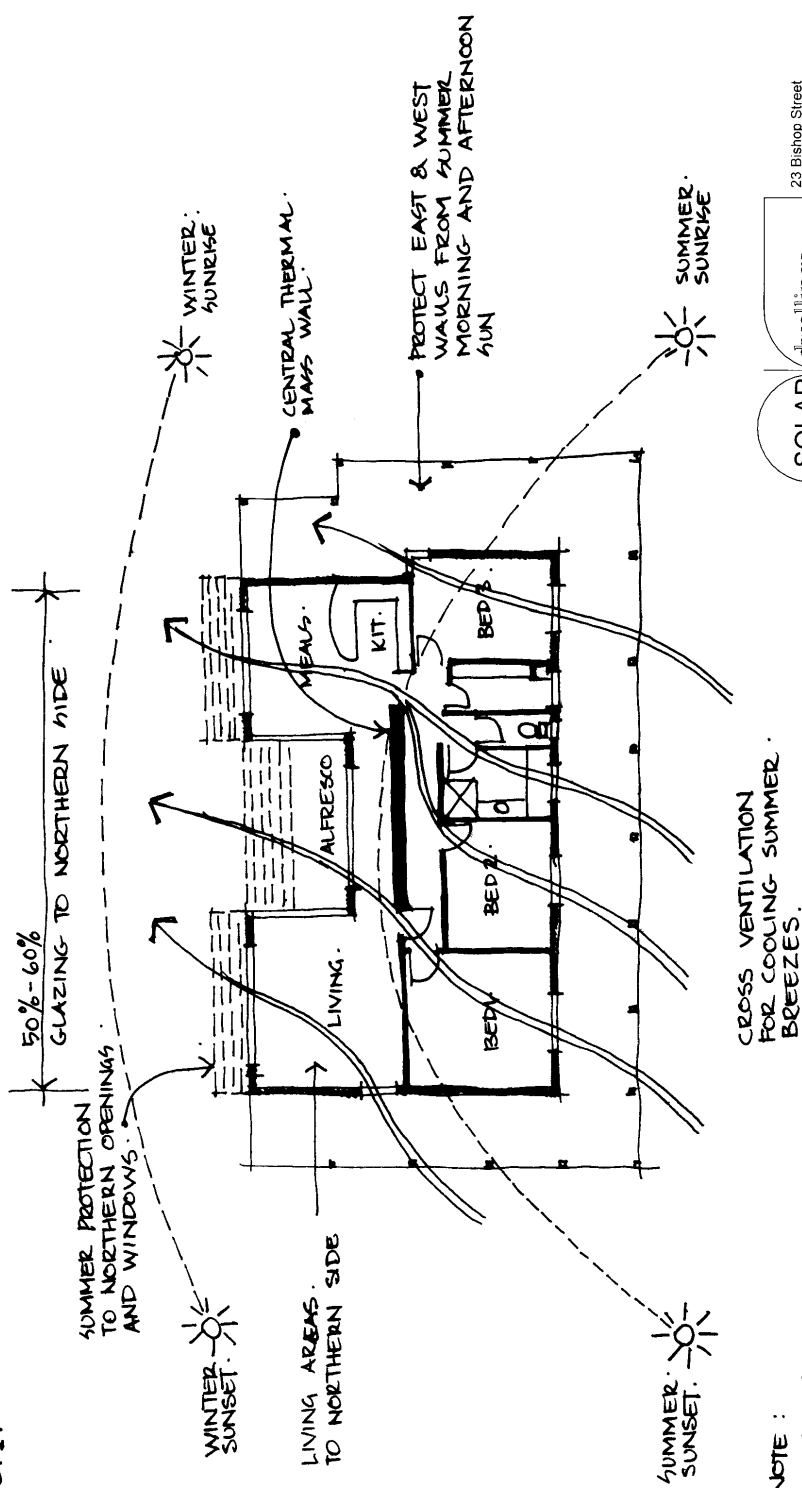
**NOTES**

**Total Score Required**  
**Total Score Achieved**

		given)
8		

# SUSTAINABLE DESIGN PRINCIPLES

FIG. 1.



**Note :**

ILLUSTRATION ONLY.  
REFER TO GUIDELINES FOR  
SPECIFIC REQUIREMENTS.

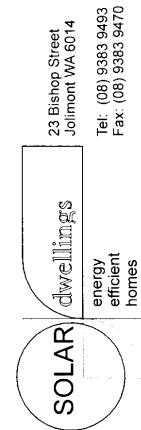
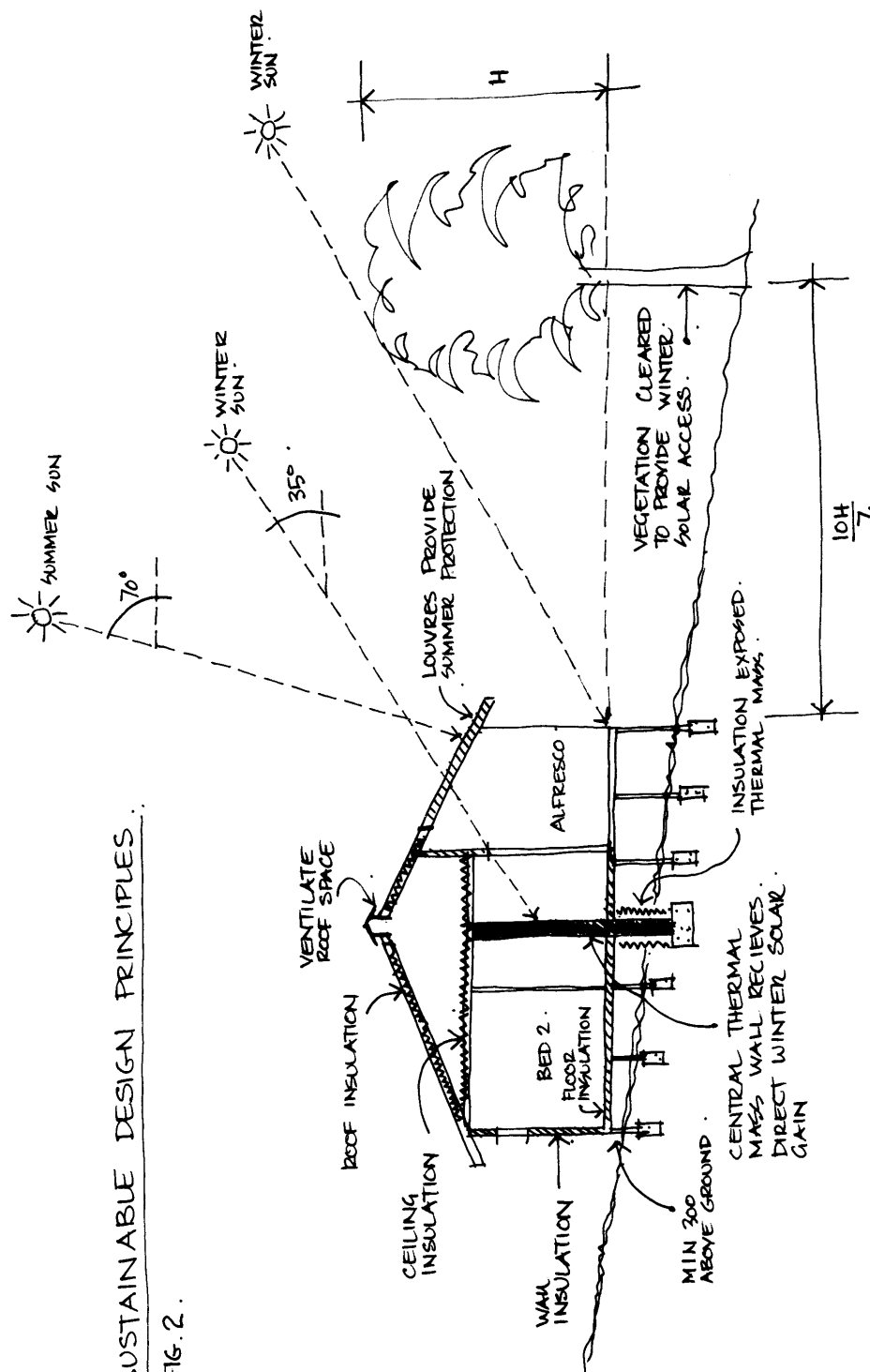
CROSS VENTILATION  
FOR COOLING- SUMMER.  
BREEZES.

223 Bishop Street  
Jolimont WA 6014  
Tel: (08) 9383 9493  
Fax: (08) 9383 9470

**Tel:** (08) 9383 9493  
**Fax:** (08) 9383 9470

dwellings

SOLAR



CARRIED 9/0

Note: The Officer Recommended Resolution was altered to clarify the use of rainwater in section 3.4.4 of the draft policy.

Cr Hoyer declared impartial interest in P197.14/12/02 ILUKA RESOURCES APPLICATION FOR EXPLORATION LICENCE

P197/12/02 INFORMATION REPORT		
Proponent	Shire of Serpentine-Jarrahdale	In Brief  Information Report.
Officer	Lisa Fletcher – Support Officer Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	2 December 2002	
Previously		
Disclosure of Interest		
Delegation	Council	

P197.1/12/02 PLANNING SCHEME AMENDMENTS

***A copy of the Scheme Amendment Table is with the attachments marked P197.1/12/02.***

P197.2/12/02 DELEGATED AUTHORITY DETERMINATIONS

Date Issued	Development & Property	Delegated Authority No.
4/11/02	Keeping of horses – Lot 103 Malarkey Road, Byford	PS 5.4
6/11/02	Single residence - Lot 110 Cook Close, Jarrahdale	PS 5.4
6/11/02	Home Business – Manufacturing of horse rugs and bridle equipment - Lot 10 Soldiers Road, Cardup	PS 5.10
11/11/02	Warehouse – Lot 21 South Western Highway, Byford	PS 5.4
13/11/02	Single dwelling and shed – Lot 219 Lazenby Drive, Byford	PS 12
14/11/02	Patio – Lot 103 Old Brickworks Road, Byford	PS 12
14/11/02	Shed – Lot 14 North Crescent, Byford	PS 12
15/11/02	Patio - Lot 104 Beenyup Road, Byford	PS 12
15/11/02	Patios – Lot 118 South Crescent, Byford	PS 12
19/11/02	Keeping of one horse and one calf, construction of a shed/stable – Lot 42 Feast Road, Serpentine	PS 5.4
19/11/02	Colourbond Garage - Lot 173 Livesey Street, Mundijong	PS 12
21/11/02	Mitchell Downs Estate subdivision - Lot 9001 Bournbrook Avenue, Cardup	PS 5.21
22/11/02	Garage - Lot 218 Lazenby Street, Byford	PS 12
25/11/02	Patio – Lot 32 Larsen Road, Byford	PS 12
25/11/02	Swimming pool – Lot 122 Beenyup Road, Byford	PS 12
25/11/02	Patio – Lot 7 Linton Street North, Byford	PS 12
27/11/02	Alterations & Additions to Existing Single Residence - Lot 1 Park Road, Byford	PS 12
2/12/02	Single Residence – Lot 65 Chestnut Road, Jarrahdale	PS 5.4
2/12/02	Patio – Lot 119 Old Brickworks Road, Byford	PS 12
2/12/02	Patio – Lot 60 Byford Drive, Byford	PS 12
9/12/02	Garage – Lot 217 Scarpview Drive, Serpentine	PS 5.4
9/12/02	Single residence – Lot 136 Jarrahdale Road, Jarrahdale	PS 11
9/12/02	Single residence – Lot 72 Marginata Parade, Jarrahdale	PS 11



P197.3/12/02 PROPOSED SUBDIVISION - LOT 1264 ORTON ROAD, OAKFORD (S119342)

Owner: N Marwick  
Proposal: Six Rural Living B lots – approx 2 ha each  
L.A.Decn: Approved  
Mfpdecn: Approved

P197.4/12/02 PROPOSED SUBDIVISION - LOT 290 KARGOTICH ROAD, OAKFORD (S118938)

Owner: J A Rossi  
Proposal: Seven Special Rural lots – 2ha each  
L.A.Decn: Refused  
Mfpdecn: Approved

P197.5/12/02 PROPOSED SUBDIVISION - LOT 52 LARSEN ROAD, BYFORD (S119875)

Owner: B & E Tobia  
Proposal: Three Urban Development lots – 4 000m<sup>2</sup> each  
L.A.Decn: Approved  
Mfpdecn: Approved

P197.6/12/02 PROPOSED SUBDIVISION - LOT 7 HALL ROAD, SERPENTINE (S119998)

Owner: L A Thomas  
Proposal: Two Special Rural lots – 2.16ha & 2.84ha  
L.A.Decn: Approved  
Mfpdecn: Approved

P197.7/12/02 LOCAL GOVERNMENT UPDATE – VALIDITY OF PLANNING CONDITIONS (A1037)

***A copy of the Local Government Update for November 2002 from Minister Ellison is with the attachments marked P197.7/12/02.***

P197.8/12/02 PEEL HORSE INDUSTRY COUNCIL (A0956)

***A copy of the Peel Horse Industry Council Project Report for November 2002 is with the attachments marked P197.8/12/02.***

P197.9/12/02 CITIES FOR CLIMATE PROTECTION – MILESTONE 5 (A0956)

Funding approval has been received from the AGO for Milestone 5 of the CCP program to be undertaken.

The Shire has completed Milestones 1-4 as part of the Cities for Climate Protection Program. An application for funding was submitted to the Australian Greenhouse Office (AGO) and funding approval of \$4000 to engage a temporary staff member to complete milestone 5 has been received.

The project brief is as follows:-

## **PROJECT BRIEF**

### **1.0 INTRODUCTION**

#### **1.1 Background**

The Shire of Serpentine-Jarrahdale is a member of the Cities for Climate protection Program (CCP) and has completed milestone 1-4. The Shire plans to undertake and complete Milestone 5 in the first half of 2003 with funding assistance from the Australian Greenhouse Office.

The Shire of Serpentine-Jarrahdale is part of the South East Regional Energy Group comprises representatives of the City of Armadale, City of Gosnells and Serpentine-Jarrahdale Shire. The Group's long-term objective is to reduce regional community emissions by 15% by 2010 based on 1998/99 levels, a reduction goal for the region that has been formally adopted by each member Council.

## **1.2 Purpose of the Project: Milestone 5**

Undertaking Milestone 5 provides the opportunity for the council to assess their current situation in regards to community and corporate emissions. This information can then be used to determine strategies, policies and projects required to achieve our 2010 target.

## **2.0 PROJECT OUTCOMES**

The project outcome is a report detailing the process undertaken by the council to complete milestone 5. The report will include the following:

- 1.0 Statement by the Mayor or CEO on CCP commitment
- 2.0 Executive Summary
- 3.0 Introduction
- 4.0 Inventory
- 5.0 Analysis
- 6.0 Future Abatement Actions

The contents of this report will cover all information requirements as set out in ICLEI reporting framework. It will provide a detailed analysis of the process, data collected and analysis of the data.

## **3.0 PROJECT PROCESS**

The project will encompass three key elements:

- 1.0 Reinventory of emissions using the CCP Software
- 2.0 Quantification of Implemented Measures
- 3.0 Production of Milestone 5 Report

The baseline inventory completed for Milestone 1 will be updated to reflect current corporate and community emissions with new initiatives incorporated and energy savings and emission reduction calculated.

The data will be quantified to ensure data integrity and a detailed report will be prepared encompassing the results, providing analysis and outlining strategic future directions.

## **4.0 PROJECT ADMINISTRATION**

### **4.1 Temporary Staff member Undertaking Project**

The Shire of Serpentine Jarrahdale will engage a student to undertake the reinventory, quantification and report production under the supervision of the CCP officer in Council. Council will be engaging one of the students who has been trained in CCP Software and Milestone 5.

## 4.2 Council Staff

The CCP Officer, Carlie Eldridge will supervise the temporary staff member and provide them with project direction and information required to complete milestone 5.

The project is overseen by Mr Andrew Watson, Director Sustainable Development.

## 4.3 Training

Training for M5 was undertaken on 13 November by Council's CCP Officer, Carlie Eldridge and by a number of Murdoch undergraduate students who are available for work. The training was given by Kirsty Bailey from ICLEI.

## 5.0 PROJECT TIMEFRAME

A temporary staff member will be engaged upon acceptance of contract for funding by the AGO. The staff member will be engaged for six to seven weeks fulltime or equivalent and the project will be completed within six months of acceptance of contract for funding. The proposed starting date is mid January 2003, dependant upon funding and student availability.

### P197.10/12/02 2002 UPDATE OF MUNICIPAL INVENTORY (A0790-02)

The following list of buildings has been identified for consideration in the current Municipal Inventory Update:

Sites identified in Municipal Inventory Review, 2000 but not included in Update:-

- Keysbrook Store
- Fish & Chip Shop/Post Office, Mundijong
- Butcher Shop, Mundijong
- Former Teacher's residence, Mundijong
- House 50 Paterson Street
- House 58 Paterson Street
- House 31 Anstey Street
- House 34 Anstey Street
- Police Station, Anstey Street, Mundijong

Additional sites:

- Touchwood Cottage, 354 Soldiers Rd, Cardup (Mr P Rozema)
- Former Byford Bakery, 28 Beenyup Rd, Byford
- House, Shanley Street, Mardella (Mrs H Johnstone)
- Mardella Store (historic site – traditional site of store)
- St Kevin's Church, Serpentine
- House, next to Serpentine Garage (and Turner Cottage), South West Highway
- Serpentine Dam – particularly in relation to tearooms and the viewing tower (to be demolished)

### P197.11/12/02 METROPOLITAN REGION SCHEME PROPOSED AMENDMENT NO. 1062/33A (A0797)

***A copy of the correspondence dated 11 November 2002 from the WA Planning Commission regarding the incorporation of retrospective planning approval provisions into the Metropolitan Region Scheme is with the attachments marked P197.11/12/02.***

### P197.12/12/02 AMENDMENTS TO THE ENVIRONMENTAL PROTECTION ACT 1986 (A0274)

***A copy of the correspondence dated 14 November 2002 from the Department of Environment Water and Catchment Protection is with the attachments marked P197.12/12/02.***

P197.13/12/02            INCORPORATION OF LANDCARE CENTRE (A0847)

"LANDCARE SJ" received its official incorporation documentation from the Department of Consumer Protection on 28 November 2002.

P197.14/12/02            ILUKA RESOURCES APPLICATION FOR EXPLORATION LICENCE (A0548)

***A copy of the correspondence dated 26 November 2002 from the Mining Warden Western Australia is with the attachments marked P197.14/12/02.***

P197.15/12/02            JARRAHDALÉ HERITAGE PARK MANAGEMENT PLAN (P05576/02)

The Jarrahdale Heritage Park Management Plan draft will be completed mid December 2002 and distributed to the Shire and the Parks Management Committee which includes the National Trust for comments. A complete assessment of the draft Management Plan will be compiled and presented to March Committee.

#### Review of Jarrahdale Heritage Park

The draft of the Management Plan for Jarrahdale Heritage Park (JHP) will be received by Council mid December and distributed to the JHP Management Committee for review. The Shire through the elected representatives on the Management Committee and Internal Staff, Andrew Watson and Carlie Eldridge will undertake a detailed review and will convene in January to prepare a coordinated review.

The National Trust and Peel Development Commission will also review the Management Plan and prepare their responses. In February a meeting will be held to discuss all comments and to determine a single coordinated response.

The final graphical Plan will be placed in the two general stores in Jarrahdale and comments will be invited on the draft Plan from the community.

The program for the review of the draft Management Plan is below:

#### Timetable

DATE	ACTION	PARTICIPANTS
December/January	Draft Management Plan to be reviewed individually	Carlie Eldridge, Andrew Watson, Cr Jan Star, Cr John Price
December/January	Draft graphical Plan of JHP placed in 2 stores in Jarrahdale for comment.	Community
January 2003	Meeting to discuss comments and prepare co-ordinated response from the Shire	Carlie Eldridge, Andrew Watson, Cr Jan Star, Cr John Price
6 February 2003 9:30am	Meeting to discuss co-ordinate comments on draft from National Trust & Management Committee-SJ Office	Jarrahdale Heritage Park Management Committee
March	Report on Management Plan with coordinated response presented to Committee	Carlie Eldridge
March	Comments on draft given to	Carlie Eldridge

DATE	ACTION	PARTICIPANTS
	consultants to integrate into final Management Plan	
27 March 2003	Jarrahdale Heritage Park Management Committee Meeting-SJ Office	Jarrahdale Heritage Park Management Committee

**P197.16/12/02 DRAFT STATE SUSTAINABILITY STRATEGY (A0906)**

The Draft State Sustainability Strategy has been released. The Strategy builds upon the issues papers released in 2001 and integrates the submissions received both written and also those comments received during the consultative seminars. The Department of Premier and Cabinet have been running seminars on the section of the draft strategy and there are also regional seminars being undertaken.

Final comments are due by 10 January 2003 and the Shire will be making a submission.

***A copy of the submission draft is with the attachments marked P197.16/12/02.***

If you would like to add any comments to the submission, these are to be received by 3 January 2003. Alternatively you could attend a meeting to discuss the submission from 9am to 10am on 3 January 2003 in the Committee Room.

The Draft Strategy is available on the web at <http://www.sustainability.dpc.wa.gov.au/docs/Strategy.htm> or alternatively there are two copies available in the Councillors Lounge.

**Officer Recommended Resolution**

The Information Report to 5 December 2002 be received.

**Committee Recommended Resolution**

1. The Information Report to 5 December 2002 be received.
2. Council writes to the Department for Planning and Infrastructure formally advising of the significant planning intentions for the Mundijong Urban Cell.

Note: The Officer Recommended Resolution was altered to take formal action in respect of Section 120 of the Mining Act.

**CRP197 COUNCIL DECISION**

Moved Cr Simpson seconded Cr Wigg that

1. The Information Report to 5 December 2002 be received.
2. Council writes to the Minister for Planning and Infrastructure formally advising of the significant planning intentions for the Mundijong Urban Cell.

CARRIED 9/0

Note: The Committee Recommended Resolution was altered to take formal action in respect of Section 120 of the Mining Act and write to the Minister for Planning and Infrastructure.

P198/12/02 PROPOSED FORMULA NIPPON RACING CIRCUIT AND OAKFORD VILLAGE – LOT 698 NICHOLSON ROAD, OAKFORD (P04120)		
Proponent	Perth International Motorsports Management	<b>In Brief</b>  Council to consider a preliminary proposal from Perth International Motorsports Management for the establishment of a Formula Nippon racetrack and Oakford Village at the corner of Nicholson and Thomas Roads, Oakford.
Officer	A. Watson – Director Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	9 December 2002	
Previously	N/A	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

Council has had the benefit of a two of presentations from Perth International Motorsports Management (PIMM) regarding the establishment of a Formula Nippon racetrack within the Shire. Council's Executive has met with PIMMS on two other occasions.

Most recently Councillors received a briefing from PIMM on 9<sup>th</sup> December 2002. PIMM have looked in some detail at a number of sites both within the Shire and previously, elsewhere in the metropolitan area.

The favoured site is on the corner of Nicholson and Thomas Roads at Oakford. The proposal acknowledges earlier work on the Draft Jandakot Structure Plan and incorporates an urban village, extensive track related employment and business, a 150 bed resort complex and the racetrack. A concept plan is provided as Figure 1.

***A copy of the Powerpoint presentation to Councillors is with the attachments marked P198.1/12/02.***

By way of correspondence dated 12<sup>th</sup> December 2002 Syme Marmion and Co. on behalf of PIMM request:

*"We appreciated the opportunities to brief Councillors and staff at the Council offices on our proposed circuit. E now welcome the opportunity to present the attached material to Councillors to seek their preliminary support, for the proposed Oakford Park Circuit prior to lodging our formal development application."*

***A copy of some general information on the Perth International Motorsport Complex is with the attachments marked P198.2/12/02.***

***A copy of a brief conceptual outline for the "Oakford Park Circuit and Village Centre" is with the attachments marked P198.3/12/02.***

[illegible]

The proposal is both large and complex. In many respects the proposal has become increasingly complex since the first presentation to Council by PIMMS several weeks ago. Key elements of the proposal are now spatially disaggregated from the circuit itself to the point where it is difficult to consider them as ancillary and incidental to the race track.

Elements of the overall concept will certainly require referral to the Environmental Protection Authority for assessment (racetrack). Aspects of the proposal will require amendment of both the local planning scheme and possibly the Metropolitan Region Scheme. Other aspects of the overall proposal, notably the racetrack itself appears to be able to be considered within the Rural zone as Private Recreation. A clearer indication of the status of various components of the project will be made upon finalisation of the concept and submission of appropriate applications to Council for determination. It would appear appropriate that the proponent seeks its own independent planning advice given the complexity of the project and the different paths to approval for different aspects of the overall concept.

## Sustainability Statement

Trim Reference E02/8080

**Statutory Environment:**

Town Planning and Development Act 1928 (as amended)  
Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2.  
Metropolitan Region Scheme  
Environmental Protection Act 1986

**Policy Implications:**

Rural Strategy  
Draft Jandakot Structure Plan

**Financial Implications:**

The proposal does not have an impact on budgeted income or expenditure in the current year. If the project comes on stream in whole or in part it will have a net positive impact on rates income.

The broader financial benefits of the proposal, as stated by the proponent are:

- Increased economic activity (\$80 – 100 million per annum)
- Increased tourist activity (70,000 to 80,000 visitor nights)
- Increased employment (more than 1,000 new jobs)
- Increased media value (+ \$5 – 10 million media value).

The broader economic development impacts of the proposal, as stated by the proponent are:

- Track-related employment (motorsport, education)
- Associated businesses (technology, automotive, catering)
- Tourist accommodation (Resort, B&B, caravan parks)
- Tourist services (restaurants, cafes, merchandise)
- Support services (construction, maintenance, supplies)

**Strategic Implications:**

The specific issue of a racing circuit and early development of the Oakford Village relates to strategies 1.2, and 1.4 of Key Result Area People and Community, strategies 2.1, 2.2 and 2.4 of Key Result Area Environmental and strategies 3.1 and 3.2 of Key Result Area Economic Development in Council's Strategic Plan which are:

Plan and develop towns based on compatible mixed uses, local employment opportunities, and walkable neighbourhoods clustered in order to minimise car dependency.

- 1.4 Strengthen community groups and promote meaningful community input into Council decision.
- 2.1 Encourage best practise environmental management.
- 2.2 Make best practice environmental management a foundation of Shire business.



- 2.4 Ensure all actions of Council consider reduction of greenhouse gas emissions.
- 3.1 Implement and revise the Shires economic development and employment strategy.
- 3.2 Develop the tourist potential of the natural attractions of the shire.

**Community Consultation:**

Formal advertising of a development application/s is required when one (or more) is lodged. The proponent proposes to hold a community information day at Oakford Community Centre at 7.00pm on Thursday, 19 December 2002.

**Voting Requirements:**

Normal

**Committee/Officer Recommended Resolution**

That Council advises Perth International Motorsports Management that it does not object to further investigation of Lot 698 Nicholson Road, Oakford as the possible site for a Formula Nippon racing circuit and the inclusion of the Oakford Urban Village in the concept proposal, subject to community participation prior to lodgment of appropriate development and rezoning application/s for components of the overall concept as required.

**FORESHADOWED MOTION**

Cr Murphy foreshadowed the following motion:

- 1. Council advises Perth International Motorsports Management that it notes that further investigation of Lot 698 Nicholson Road, Oakford or any other site as the possible site for the Oakford Park racing circuit will be carried out by the proponents.
- 2. The inclusion of the Oakford Urban Village in the concept proposal will necessitate full compliance with the Shires policies and principles relating to urban developments in the Shire
- 3. Lodgement of appropriate development and rezoning application(s) for components of the overall concept as required.

**CRP198 COUNCIL DECISION**

Moved Cr Simpson seconded Cr Richards that Council advises Perth International Motorsports Management that it does not object to further investigation of Lot 698 Nicholson Road, Oakford as the possible site for the Oakford Park International Circuit and the inclusion of the Oakford Urban Village in the concept proposal, subject to community participation prior to lodgment of appropriate development and rezoning application(s) for components of the overall concept as required.

CARRIED 6/3

Clrs Murphy, Hoyer and Wigg voted against this motion

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

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

The Director Corporate Services left the meeting at 8.29pm and returned at 8.30pm.

**COUNCIL DECISION**

Moved Cr Kirkpatrick seconded Cr Hoyer

That the meeting be closed to members of the public at this point to allow Council to discuss item P200/12/02 – Tribunal Appeal No 123 of 2002 Inert Landfilling Lot 1 Jackson Road and Lot 12 Bird Road Oldbury because the matter concerns information of a confidential nature and that this matter be dealt with as an item of new business of an urgent nature

CARRIED 9/0

Cr Richards left the meeting at 8.35pm and returned at 8.36pm.

The Presiding Member suspended Standing Orders 12.4.

P200/12/02 <b>CONFIDENTIAL ITEM:</b> TRIBUNAL APPEAL NO. 123 OF 2002 - INERT LANDFILLING – LOT 1 JACKSON ROAD AND LOT 12 BIRD ROAD, OLDBURY (P005586/01)		
Proponent	Mitchell Goff & Associates	<b>In Brief</b>  This supplementary report has been drafted in consultation with Council's solicitors to ensure that there is no ambiguity in terms of the recommended resolution and its application with respect to both Lot 1 Jackson and Lot 12 Bird Road.
Officer	Joanne Abbiss – Manager Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	23 <sup>rd</sup> December 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Cr Richards left the meeting at 8.50pm and returned at 8.55pm.

**COUNCIL DECISION**

Moved Cr Needham seconded Cr Kirkpatrick

Council subject to:

- (a) the Department of Environmental Protection being prepared, following the resident consultation process, to grant an environmental licence for further landfilling on Lot 1 \*; and  
*\*This precondition is only relevant to the Lot 1 extension of fill issue, it has no bearing on the Lot 12 of Lot 1 amendment of conditions issue*
- (b) the Shire receiving from the owner a post closure management plan and a final grading and landscape plan and program that are satisfactory in the opinion of the Director, Sustainable Development and the Department of Environmental Protection; and
- (c) The appellant amending its notice of appeal in TPAT Appeal #123 of 2002 so as to add to its appeal:
  - (i) the grant of retrospective approval for Lot 1; and
  - (ii) conditions 12(d), 13-14, 18-20 and 21-23 of the retrospective approval for Lot 12

TO EXPRESS ITS FAVOURABLE DISPOSITION (but without hereby granting development approval or delegation or fettering its discretion in advance of (a) and

(b) above) to resolving at the earliest possible time after (a) and (b) above, the following:

1. Delegating authority to the Director, Sustainable Development, to execute a consent order on behalf of Council in Town Planning Appeal Tribunal Appeal number 123 of 2002:

- (i) allowing the appeal in part, subject to no order as to the cost of the appeal;
  - (ii) deleting conditions 3, 9(f), 12(d), 13-14, 15, 17, 18-20, 21-23, of the approval dated 30<sup>th</sup> July 2002 for retrospective approval for Lot 12 and substituting those conditions (marked in bold) as follows:

1. Notification in the form of a memorial to be placed on the Certificate of Title of the lot advising the existence of a hazard or other factor, in accordance with section 12A of the Town Planning and Development Act 1928, and notice of this memorial be lodged to the satisfaction of Council and at the applicants cost. The memorial to state as follows:

“The quality of groundwater obtained from the proposed lots may not be suitable for human consumption and any person proposing to use groundwater for such purposes should have water scientifically analysed to determine its quality”.

2. The owner shall ensure that any windblown waste is removed from the premises fences and roads, and any windblown waste emanating from the premises is collected and removed on a weekly basis or more frequently when directed by the Shire.

3. The owner shall provide to the Shire an annual monitoring report containing monitoring data required by any condition of this approval. The report shall contain data collected from the previous calendar year and shall be provided no later than a date two months from the date of this Tribunal order. The Shire will dictate the format of the report.

4. In the annual monitoring report, the owner shall list any monitoring methods used to collect and analyse data required by any condition of this approval to demonstrate they comply with the methods specified in this approval.

5. In the annual monitoring report, the owner shall provide details of:
    - Measures taken to control pests and vermin
    - The number and severity of any fires on site
    - Measures taken to suppress dust
    - Measures taken to prevent windblown waste
    - The number and type of complaints received including complainants name, address, nature of complaint (where appropriate cross referenced with prevailing wind directions) and action taken.

6. The owner shall ensure that all areas on the premises from which dust may be generated are maintained in a moist condition so that no visible dust crosses the boundary of the premises.

7. The owner shall direct uncontaminated stormwater run-off, such as water from roofs and site drainage, away from the filled and peripheral areas and associated sumps or drains into dedicated stormwater drains.

8. The owner shall ensure stormwater drains on the premises are kept clear of waste to allow for their effective use.

9. The owner shall take the following measures for the purpose of minimizing the likelihood of pollution occurring as a result of any activity conducted or proposed to be conducted in any part of the premises and at its own expense carry out the following monitoring program for the purpose of supplying the Council with information relating to the characteristics, volume and effects of the leachate generated on the premises.
- a) The owner shall ensure that all leachate on the premises is drained into the existing leachate retention pond on the premises
  - b) The owner shall ensure that, before any leachate is disposed of from the leachate retention pond on the premises, a sample of leachate is taken from the leachate retention pond and analysed for the following parameters
    - pH
    - Total suspended solids
    - Sodium, potassium, Calcium, magnesium, and chloride
    - Bicarbonates
    - Sulphates
    - Ammonia, nitrate and total phosphorous
    - Chromium, copper, manganese, nickel, cadmium, lead and zinc
    - Aldrin, chlordane, chlorpyrifos, dieldrin, DDT, heptachlor, lindane and HCB
  - c) The owner shall ensure that all water samples are collected in accordance with Australian Standard 5667.1, 1998
  - d) The owner shall ensure all water samples are submitted to a laboratory registered by NATA for the analyses specified.
  - e) Annually between August to September the owner shall take and have analysed representative water samples from the monitoring bores installed on-site for the following parameters:
    - pH
    - Total suspended solids
    - Sodium, potassium, Calcium, magnesium, and chloride
    - Bicarbonates
    - Sulphates
    - Ammonia, nitrate and total phosphorous
    - Chromium, copper, manganese, nickel, cadmium, lead and zinc
    - Aldrin, chlordane, chlorpyrifos, dieldrin, DDT, heptachlor, lindane and HCB
  - f) With the exception of pH, conductivity and SWL all measurements are to be in accordance with Australian Standard 5667.1, 1998
  - g) The owner shall ensure that all water samples are collected in accordance with Australian Standard 5667.1, 1998
  - h) The owner shall ensure all water samples are submitted to a laboratory registered by NATA for the analyses specified
  - i) The result of the groundwater monitoring shall be reported in the annual monitoring report submitted to the Shire.
10. Leachate is not to be reused on site or discharged to local drains. Leachate must be disposed off site at an appropriately licensed facility.
11. Leachate ponds must be of sufficient capacity to hold all leachate generated on site.
12. Stormwater run-off collected from the landfill area will be monitored for contaminants at least three times during each winter period. Monitoring will occur immediately following the first rainfall of the season producing run-off, during the middle of the winter period, and at the end of winter. The timing of the monitoring will be dependant upon seasonal rainfall.

- a) Two replicates will be collected during each monitoring period. One replicate will be analysed by a NATA certified laboratory for the following water quality parameters:
    - pH
    - Total suspended solids
    - Sodium, potassium, Calcium, magnesium, and chloride
    - Bicarbonates
    - Sulphates
    - Ammonia, nitrate and total phosphorous
    - Chromium, copper, manganese, nickel, cadmium, lead and zinc
    - Aldrin, chlordane, chlorpyrifos, dieldrin, DDT, heptachlor, lindane and HCB.
  - b) Organochlorine and organophosphate pesticides will only be monitored following the first rain of the winter season. The remainder of the parameters will be sampled for on each monitoring occasion.
  - c) The second replicate will only be analysed if the levels of parameters are above the Australian Water Quality Guidelines for Fresh and Marine Waters, and reanalysis will only occur for those parameters considered to be elevated. The results of the water quality monitoring program will be supplied to the Shire as part of the annual monitoring report.
  - d) Should the water be uncontaminated, it will be disposed of to the Birrega Main Drain. If the stormwater run-off from the fill areas is found to be contaminated, the owner shall at its own cost, dispose of the run-off in such manner as shall be directed by the Department of Environmental Protection.
13. At the cessation of operation of the landfill facility the approved post closure management plan dated \_\_\_\_\_ must be implemented.\* This is the plan which needed to be submitted pursuant to our suggested Council resolution, prior to Council agreeing to settle the appeal.
  14. Leachate monitoring required in the post closure management plan must continue until contaminant levels consistently fall below the ANZECC guidelines for aquatic ecosystems.
  15. The owner shall install two monitoring bores on or near the property in locations to the satisfaction of the Director, Sustainable Development, and by a date two months from the date of this Tribunal order in consultation with the Department of Environment, Water Catchment Protection. The Shire shall have the right to enter the land and conduct its own tests using the monitoring bores on the giving of 14 days' written notice to the owner.
- (1) The owner shall furnish to the Shire a bond of \$750,000 ("the Bond") being the estimated cost of remediation work at the site.
  - (2) The Shire may deposit the Bond into an interest-bearing account.
  - (3) The owner shall also, prior to commencing or authorising the commencement of any further fill, enter into a legal agreement to be prepared by the Shire's solicitors at the cost of the owner, to give contractual force to the matters set out in subparagraphs (4)-(7) below of this condition, and by which the owner charges the land with the post-closure, revegetation, landscaping and rehabilitation obligations pursuant to the conditions of this approval and with the obligations of this condition; and whereby the owner covenants to ensure that any person acquiring a legal or equitable estate in the land shall enter into a legal agreement with the Shire in the same terms; and authorises the Shire to lodge an absolute caveat over the land to ensure that such obligations run with the land.

- (4) If in the opinion of the Director, Sustainable Development Shire of Serpentine-Jarrahdale, any of the said conditions have not been fully complied with, then without prejudice to any other remedy available to the Shire, the Shire may, on 7 days' written notice to the owner and occupier (which notice need only be given prior to the first occasion of entry) by its officers, employees, agents, contractors or subcontractors, enter into and upon the land the subject of this approval, or any part of it as many times as the Director, Sustainable Development deems necessary, with or without vehicles, machinery, equipment or plants, and to remain on the land on each such occasion as long as the Shire deems necessary, and to:
- (a) do such works as the Shire deems necessary to give effect or partial effect to the said conditions;
  - (b) for such purpose to do such excavation, clearing, re-contouring, and planting as the Shire deems necessary or desirable;
  - (c) for such purpose to make such installation (permanent or temporary) of equipment, fences, gates, fixtures, services, tracks, accesses or roads as the Shire considers necessary or desirable; and
  - (d) to maintain any plants or any of the things referred to in subparagraph (c) above.
- (5) The Shire may, for the purpose of giving effect to subparagraph (4) above, draw from the Bond, whether from corpus or income or both, in payment of the reasonable costs of the Shire's officers', employees', and agents' time, and/or the costs of the contractors and subcontractors engaged by the Shire for such purpose, and to pay for the materials, equipment, hire of machinery and other costs involved in giving effect or partial effect to the said conditions.
- (6) By acting upon (whether personally or through tenants or occupiers), and thereby accepting the benefit of this approval, the owner as owner gives an irrevocable licence to the Shire to do all of the things aforementioned in this clause, and all persons from time to time holding any legal or equitable estate in the land do, by accepting the benefit of this approval (whether by themselves or through their tenants or occupiers) likewise irrevocably licence the Shire in the same terms.
- (7) Upon the expiry of this approval, if the said conditions have been complied with to the satisfaction of the Director, Sustainable Development, the Shire shall on request from the owner, pay back to the owner (or the nominee appointed in writing by the owner) the balance (if any) of corpus and income of the Bond then standing to the credit of the Shire.

16. Revegetation of the lot is to be in accordance with the Council's InfoNote PS03 Landscape and Revegetation by a date eighteen months from the date of this Tribunal order.
17. The applicant is required to lodge and progress an amalgamation of Lot 12 Bird Road and Lot 1 Jackson Road by a date two months from the date of this Tribunal order.
18. That no further filling takes place on the subject land (notwithstanding that the level has already been exceeded in places) on the site.
19. That the site be managed in accordance with the Environmental Management Plan dated December 1996 and Environmental Management Plan dated January 2001.

20. That a final grading and landscape plan and program be submitted for Council approval by a date two months from the date of this Tribunal order.
  21. Rehabilitation of the site is to be in accordance with the approved landscape plan and is to be completed by a date two months from the date of this Tribunal order as set out in the approved landscape plan. This is the plan required to be submitted prior to the Tribunal's order settling the appeal. It should be ensured that it contains a date for completion.
- (iii) Setting aside the retrospective approval dated 30<sup>th</sup> July 2002 in respect of Lot 1 and granting a consolidated approval to commence development in accordance with the application dated 13 November 2001 and plans attached thereto for placement of inert landfill and retrospective approval for existing landfill on Lot 1, subject to the following conditions:
1. Notification in the form of a memorial to be placed on the Certificate of Title of the lot advising the existence of a hazard or other factor, in accordance with section 12A of the Town Planning and Development Act 1928, and notice of this memorial be lodged to the satisfaction of Council and at the applicants cost. The memorial to state as follows:  
"The quality of groundwater obtained from the proposed lots may not be suitable for human consumption and any person proposing to use groundwater for such purposes should have water scientifically analysed to determine its quality".
  2. The owner shall ensure that any windblown waste is removed from the premises fences and roads, and any windblown waste emanating from the premises is collected and removed on a weekly basis or more frequently when directed by the Shire.
  3. The owner shall provide to the Shire an annual monitoring report containing monitoring data required by any condition of this approval. The report shall contain data collected from the previous calendar year and shall be provided no later than a date two months from the date of this Tribunal order. The Shire will dictate the format of the report.
  4. In the annual monitoring report, the owner shall list any monitoring methods used to collect and analyse data required by any condition of this approval to demonstrate they comply with the methods specified in this approval.
  5. In the annual monitoring report, the owner shall provide details of:
    - Measures taken to control pests and vermin
    - The number and severity of any fires on site
    - Measures taken to suppress dust
    - Measures taken to prevent windblown waste
    - The number and type of complaints received including complainants name, address, nature of complaint (where appropriate cross referenced with prevailing wind directions) and action taken.
  6. The owner shall ensure that all areas on the premises from which dust may be generated are maintained in a moist condition so that no visible dust crosses the boundary of the premises.
  7. The owner shall direct uncontaminated stormwater run-off, such as water from roofs and site drainage, away from the filled and peripheral areas and associated sumps or drains into dedicated stormwater drains.

8. The owner shall ensure stormwater drains on the premises are kept clear of waste to allow for their effective use.
9. The owner shall take the following measures for the purpose of minimizing the likelihood of pollution occurring as a result of any activity conducted or proposed to be conducted in any part of the premises and at its own expense carry out the following monitoring program for the purpose of supplying the Council with information relating to the characteristics, volume and effects of the leachate generated on the premises.
  - a) The owner shall ensure that all leachate on the premises is drained into the existing leachate retention pond on the premises
  - b) The owner shall ensure that, before any leachate is disposed of from the leachate retention pond on the premises, a sample of leachate is taken from the leachate retention pond and analysed for the following parameters
    - pH
    - Total suspended solids
    - Sodium, potassium, Calcium, magnesium, and chloride
    - Bicarbonates
    - Sulphates
    - Ammonia, nitrate and total phosphorous
    - Chromium, copper, manganese, nickel, cadmium, lead and zinc
    - Aldrin, chlordane, chlorpyrifos, dieldrin, DDT, heptachlor, lindane and HCB
  - c) The owner shall ensure that all water samples are collected in accordance with Australian Standard 5667.1, 1998
  - d) The owner shall ensure all water samples are submitted to a laboratory registered by NATA for the analyses specified.
  - e) Annually between August to September the owner shall take and have analysed representative water samples from the monitoring bores installed on-site for the following parameters:
    - pH
    - Total suspended solids
    - Sodium, potassium, Calcium, magnesium, and chloride
    - Bicarbonates
    - Sulphates
    - Ammonia, nitrate and total phosphorous
    - Chromium, copper, manganese, nickel, cadmium, lead and zinc
    - Aldrin, chlordane, chlorpyrifos, dieldrin, DDT, heptachlor, lindane and HCB
  - f) With the exception of pH, conductivity and SWL all measurements are to be in accordance with Australian Standard 5667.1, 1998
  - g) The owner shall ensure that all water samples are collected in accordance with Australian Standard 5667.1, 1998
  - h) The owner shall ensure all water samples are submitted to a laboratory registered by NATA for the analyses specified
  - i) The result of the groundwater monitoring shall be reported in the annual monitoring report submitted to the Shire.
10. Leachate is not to be reused on site or discharged to local drains. Leachate must be disposed off site at an appropriately licensed facility.
11. Leachate ponds must be of sufficient capacity to hold all leachate generated on site.
12. Stormwater run-off collected from the landfill area will be monitored for contaminants at least three times during each winter period. Monitoring will



occur immediately following the first rainfall of the season producing run-off, during the middle of the winter period, and at the end of winter. The timing of the monitoring will be dependant upon seasonal rainfall.

- a) Two replicates will be collected during each monitoring period. One replicate will be analysed by a NATA certified laboratory for the following water quality parameters:
  - pH
  - Total suspended solids
  - Sodium, potassium, Calcium, magnesium, and chloride
  - Bicarbonates
  - Sulphates
  - Ammonia, nitrate and total phosphorous
  - Chromium, copper, manganese, nickel, cadmium, lead and zinc
  - Aldrin, chlordane, chlorpyrifos, dieldrin, DDT, heptachlor, lindane and HCB.
- b) Organochlorine and organophosphate pesticides will only be monitored following the first rain of the winter season. The remainder of the parameters will be sampled for on each monitoring occasion.
- c) The second replicate will only be analysed if the levels of parameters are above the Australian Water Quality Guidelines for Fresh and Marine Waters, and reanalysis will only occur for those parameters considered to be elevated. The results of the water quality monitoring program will be supplied to the Shire as part of the annual monitoring report.
- d) Should the water be uncontaminated, it will be disposed of to the Birrega Main Drain. If the stormwater run-off from the fill areas is found to be contaminated, the owner shall at its own cost, dispose of the run-off in such manner as shall be directed by the Department of Environmental Protection.

13. At the cessation of operation of the landfill facility the approved post closure management plan dated \_\_\_\_\_ must be implemented.\* This is the plan which needed to be submitted pursuant to our suggested Council resolution, **prior** to Council agreeing to settle the appeal.
14. Leachate monitoring required in the post closure management plan must continue until contaminant levels consistently fall below the ANZECC guidelines for aquatic ecosystems.
15. The owner shall install two monitoring bores on or near the property in locations to the satisfaction of the Director, Sustainable Development, and by a date two months from the date of this Tribunal order in consultation with the Department of Environment, Water Catchment Protection. The Shire shall have the right to enter the land and conduct its own tests using the monitoring bores on the giving of 14 days' written notice to the owner.
16. (1) The owner shall prior to commencing or authorising the commencement of any further fill on site), furnish to the Shire a bond of \$750,000 ("the Bond").  
(2) The Shire may deposit the Bond into an interest-bearing account.  
(3) The owner shall also, prior to commencing or authorising the commencement of any further fill, enter into a legal agreement to be prepared by the Shire's solicitors at the cost of the owner, to give contractual force to the matters set out in subparagraphs (4)-(7) below of this condition, and by which the owner charges the land with the post-closure, revegetation, landscaping and rehabilitation obligations pursuant to the conditions of this approval and with the obligations of

- this condition; and whereby the owner covenants to ensure that any person acquiring a legal or equitable estate in the land shall enter into a legal agreement with the Shire in the same terms; and authorises the Shire to lodge an absolute caveat over the land to ensure that such obligations run with the land.
- (4) If in the opinion of the Director, Sustainable Development Shire of Serpentine-Jarrahdale, any of the said conditions have not been fully complied with, then without prejudice to any other remedy available to the Shire, the Shire may, on 7 days' written notice to the owner and occupier (which notice need only be given prior to the first occasion of entry) by its officers, employees, agents, contractors or subcontractors, enter into and upon the land the subject of this approval, or any part of it as many times as the Director, Sustainable Development deems necessary, with or without vehicles, machinery, equipment or plants, and to remain on the land on each such occasion as long as the Shire deems necessary, and to:
- (a) do such works as the Shire deems necessary to give effect or partial effect to the said conditions;
  - (b) for such purpose to do such excavation, clearing, re-contouring, and planting as the Shire deems necessary or desirable;
  - (c) for such purpose to make such installation (permanent or temporary) of equipment, fences, gates, fixtures, services, tracks, accesses or roads as the Shire considers necessary or desirable; and
  - (d) to maintain any plants or any of the things referred to in subparagraph (c) above.
- (5) The Shire may, for the purpose of giving effect to subparagraph (4) above, draw from the Bond, whether from corpus or income or both, in payment of the reasonable costs of the Shire's officers', employees', and agents' time, and/or the costs of the contractors and subcontractors engaged by the Shire for such purpose, and to pay for the materials, equipment, hire of machinery and other costs involved in giving effect or partial effect to the said conditions.
- (6) By acting upon (whether personally or through tenants or occupiers), and thereby accepting the benefit of this approval, the owner as owner gives an irrevocable licence to the Shire to do all of the things aforementioned in this clause, and all persons from time to time holding any legal or equitable estate in the land do, by accepting the benefit of this approval (whether by themselves or through their tenants or occupiers) likewise irrevocably licence the Shire in the same terms.
- (7) Upon the expiry of this approval, if the said conditions have been complied with to the satisfaction of the Director, Sustainable Development, the Shire shall on request from the owner, pay back to the owner (or the nominee appointed in writing by the owner) the balance (if any) of corpus and income of the Bond then standing to the credit of the Shire.
17. Revegetation of the lot is to be in accordance with the Council's InfoNote PS03 Landscape and Revegetation by a date eighteen months from the date of this Tribunal order.
18. The applicant is required to lodge and progress an amalgamation of Lot 12 Bird Road and Lot 1 Jackson Road by a date two months from the date of this Tribunal order.
19. That the site be managed in accordance with the Environmental Management Plan dated December 1996 and Environmental Management Plan dated January 2001.

20. That a final grading and landscape plan and program be submitted for Council approval by a date two months from the date of this Tribunal order.
  21. Rehabilitation of the site is to be in accordance with the approved landscape plan and is to be completed by a date two months from the date of this Tribunal order as set out in the approved landscape plan. This is the plan required to be submitted prior to the Tribunal's order settling the appeal. It should be ensured that it contains a date for completion.
2. Authorising the Director, Sustainable Development, to negotiate on the exact terms of the conditions referred to in 1(i) and (iii) above, for the purpose of bringing the conditions more closely into line, subject to the Director's discretion, with DEP conditions that may be imposed upon the development under any DEP licence issued with respect to the site."
- CARRIED 8/1

Note: Council finds itself in an invidious position and while it cannot see any reason to reduce the buffer zone of 50 metres to the wetland, it is required to because of decisions of previous Ministers and Government Departments plus the managers of the site, the Council is forced to the decision above.

The Presiding Member reintroduced Standing Orders 12.4

## 9.1 INCLUDING CHIEF EXECUTIVE OFFICER/OFFICER REPORTS

### AMENDMENT TO INFORMATION REPORT C069.3/12/02 ANNUAL LEAVE FOR CHIEF EXECUTIVE OFFICER (H0031)

The Chief Executive Officer will be on leave from 27 December 2002 to 3 January 2003 and 17 to 31 January 2003 inclusive. Whilst on leave the Director Asset Services and Director Corporate Services will be Acting Chief Executive Officer respectively.

## 9.2 COUNCILLORS QUESTIONS

## 10. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY

### 10.1 Corporate Services

C065/12/02 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent	Director Corporate Services	<b>In Brief</b>  To confirm the creditor payments made during November
Officer	N. Jahn – Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

### **CRC065 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Hoyer seconded Cr Kirkpatrick:

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 November, 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 5/0

C066/12/02 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)		
Proponent	Director Corporate Services	<b>In Brief</b>  To receive the statement of debtors over \$1,000 as at 31 November 2002
Officer	N. Jahn – Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

### **CRC066 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Hoyer seconded Cr Kirkpatrick:

Council receive and note the report on Debtors accounts with a balance in excess of \$1,000 outstanding for 90 days or greater as at 31 November 2002.

CARRIED 5/0

C067/12/02 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the sundry debtor balances as at 31 November 2002
Officer	N. Jahn – Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

**CRC067 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Hoyer seconded Cr Kirkpatrick:  
Council receive and note the report on Sundry Debtor Outstanding Accounts as at 31 November 2002.  
CARRIED 5/0

C068/12/02 RATE DEBTORS REPORT (A0917)		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the rates report as at 31 November 2002
Officer	Peter Yaxley – Senior Rates Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

**CRC068 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Hoyer seconded Cr Kirkpatrick:  
Council receive and note the report the Rate Debtors accounts as at 31 November 2002.  
CARRIED 5/0

C069/12/02 INFORMATION REPORT		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the information report to 31 November 2002.
Officer	Various	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

**CRC069 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Hoyer seconded Cr Kirkpatrick:  
The information report to 3 December 2002 be received.  
CARRIED 5/0

C070/12/02 CLOSURE OF MUNDIJONG LIBRARY (RS0118)		
Proponent	J. Larke – Manager of Information Services	<b>In Brief</b>  Confirm the closure of the Mundijong Alcoa Library to the public over the Christmas period.
Officer	J. Larke - Manager of Information Services	
Signatures - Author:		
Senior Officer:		
Date of Report	03.12.2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

### **CRC070 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Hoyer seconded Cr Kirkpatrick:

Council agrees to the Mundijong Alcoa Library being closed to the public from 23 December 2002 to 1 January 2003.

CARRIED 5/0

- 10.2 Asset Services
- Nil
- 10.3 Community & Recreation Development
- 10.4 Building Services

B16/12/02 INFORMATION REPORT		
Proponent	Shire of Serpentine-Jarrahdale	<b>In Brief</b>  Information report
Officer	Wayne Chant - Principal Building Surveyor	
Signatures - Author:		
Senior Officer:		
Date of Report	9 December 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM065/05/02</b>	

### **CRB16 Committee Decision/Officer Recommended Resolution**

Moved Cr Star, seconded Cr Hoyer that Council accepts the November 2002 Information Report.

CARRIED 5/0

## 10.5 Health Services

H06/12/02 INFORMATION REPORT		
Proponent	Shire of Serpentine-Jarrahdale	<b>In Brief</b>  Information report
Officer	Joanne Abbiss – Manager Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	9 December 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM065/05/02</b>	

### **CRH06 Committee Decision/Officer Recommended Resolution**

Moved Cr Hoyer, seconded Cr Scott that Council accepts the Information Report for November 2002.

CARRIED 5/0

## 10.6 Planning Development & Environment

E010/12/02 INFORMATION REPORT		
Proponent	Shire of Serpentine-Jarrahdale	<b>In Brief</b>  Information Report.
Officer	Dr Sue Osborne – Environmental Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

### **CRE010 Committee Decision/Officer Recommended Resolution**

Moved Cr Hoyer, seconded Cr Star that the Information Report to 9 December 2002 be received.

CARRIED 5/0

P185/12/02 PATERSON STREET, MUNDIJONG DESIGN GUIDELINES (A1112)		
Proponent	Shire of Serpentine - Jarrahdale	<b>In Brief</b>  Urban Design Guidelines have been prepared for Paterson Street, Mundijong which focus the built form. The guidelines will be adopted as a local planning policy to define and control the type of future development that occurs in the towns main street.
Officer	Carlie Eldridge - Sustainable Development Project Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	19th November 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

### **CRP185 Committee Decision/Officer Recommended Resolution**

Moved Cr Star, seconded Cr Hoyer that Council endorses the final draft of the Paterson Street, Mundijong Draft Guidelines.  
CARRIED 5/0

P186/12/02 PROPOSED EXTENSION TO EXISTING POULTRY FARM – LOT 505 HENDERSON ROAD, SERPENTINE (P00194/01)		
Proponent	Henry Dykstra & Associates	<b>In Brief</b>  That Council approves an application dated 18 April 2002 for the extension and upgrading of an existing broiler farm on Lot 505 Henderson Road, Serpentine subject to conditions.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	4/10/2002	
Previously	P178/11/02	
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM065/05/02</b>	

### **Officer Recommended Resolution**

- A. Council approves an application dated 18 April 2002 and amended plan thereto, for the extension and upgrading of an existing broiler farm on Lot 505 Henderson Road, Serpentine subject to the following conditions:
1. A building licence being obtained prior to the commencement of development;
  2. All solid wastes (including poultry litter and spilt feed) should be contained in weather-proof conditions (on a covered hardstand) until removed from the site for disposal at an approved facility;
  3. Dead birds shall not be buried on site.
  4. Shed wash waters shall be kept to a minimum. The waste water is to be disposed of by solar evaporation in a pond with low permeability lining;
  5. Screening of the northern and eastern boundaries to be in accordance with Council's Landscaping and Revegetation Policy to the satisfaction of Council. Landscaping to be implemented by 30 November 2003 and from thereon suitably maintained to Council's satisfaction;
  6. A noise modelling 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 noise that there will be no amplification of adverse noise impact on neighbouring residences with the



- proposed development. In this respect, written notification is to be provided to Council upon commencement of operations;
7. Notices indicating the type of operation, hours of operation and potential impacts of the poultry farm operation to be displayed adjacent to the usable entrances to the farm in accordance with the Western Australian Planning Commission's Statement of Planning Policy No.5 - Poultry Farms Policy, to the satisfaction of Council;
  8. A separate application will need to be submitted for any proposed signage for the poultry farm (except that referred to in condition 8 above);
  9. All practicable measures being taken to ensure that commercial vehicle transport occurs during daylight hours including delivery of feed and collection of birds;
  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. In this respect, written notification is to be provided to Council upon commencement of operations;
  11. Provision of a static water supply to the satisfaction of Council's Fire and Emergency Services Officer;
  12. Cleared trees shall be mulched and spread over the remaining area of woodland to a minimum depth of 15 cm in order to suppress weeds;
  13. All remaining remnant trees shall be fenced on the western side of the property and the mulched and unmulched areas shall be fenced with a dividing fence;
  14. Local native tube stock of ground covers, local native trees and bushes shall be planted within the woodland to reinstate the woodland structure;
  15. Crash grazing of stock shall be undertaken within the unmulched area once a year in order to prevent weed growth causing a fire hazard;
  16. All measures being taken to ensure clearing of native vegetation be limited to that required for the shed extensions and new shed and shall not exceed the total of one hectare in area without separate approval from Council;
  17. The operations should be carried out in accordance with the document '*Water Quality Protection Note Poultry Farms in Public Drinking Water Source Areas*' produced by the Water and Rivers Commission;
  18. The existing reciprocal internal property access road is to be maintained by the applicant to a standard which maintains a tightly bound surface to suppress dust and provide for safe vehicular traffic at all times;
  19. Prior to the issue of a Building Licence the proponent shall pay to the Council a contribution toward the upgrading of the portion of Henderson Road that runs the length of the subject property boundary equal to 50% of the estimated cost of investigation, design and construction as determined by Council's Director Asset Services;
  20. The applicant shall construct access crossings servicing the property with a pavement strength and asphalt surface able to safely accommodate the turning movements of the largest design vehicle intended to access the property.
  21. Existing sheds, new shed and extensions are to be upgraded to the tunnel ventilated environmentally climate controlled sheds;
  22. Applicant is to allow access to licenced seed collectors prior to clearance of bush for the purpose of this development and to advise the Shire of Serpentine-Jarrahdale Landcare Centre and also allow them access to collect the seed.

Advice Notes:

1. Separate approval may need to be obtained from the Water and Rivers Commission for a bore licence.

2. A works approval or licence may need to be obtained from the Environmental Protection Authority for the poultry farm development.
3. In relation to Condition 21, Council requires a fifty (50) percent monetary contribution towards the cost of upgrading Henderson Road.
4. Applicant is encouraged to contact Council's Environmental Officer with respect to establishing monitoring points for investigation of effectiveness of mulching and rehabilitation of the woodland area.
5. In respect to Condition 17, clearance of one hectare or greater requires the approval of the Soil Commissioner.

B. The Western Australian Planning Commission is to be advised of Council's decision.

### **CRP186 COMMITTEE DECISION**

Moved Cr Star, seconded Cr Hoyer that

A. Council approves an application dated 18 April 2002 and amended plan received on 3 December 2002, for the extension and upgrading of an existing broiler farm on Lot 505 Henderson Road, Serpentine subject to the following conditions:

1. A building licence being obtained prior to the commencement of development;
2. All solid wastes (including poultry litter and spilt feed) should be contained in weather-proof conditions (on a covered hardstand) until removed from the site for disposal at an approved facility;
3. Dead birds shall not be buried on site.
4. Shed wash waters shall be kept to a minimum. The waste water is to be disposed of by solar evaporation in a pond with low permeability lining;
5. Screening of the northern and eastern boundaries to be in accordance with Council's Landscaping and Revegetation Policy to the satisfaction of Council. Landscaping to be implemented by 30 November 2003 and from thereon suitably maintained to Council's satisfaction;
6. A noise modelling 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 noise that there will be no amplification of adverse noise impact on neighbouring residences with the proposed development. In this respect, written notification is to be provided to Council upon commencement of operations;
7. Notices indicating the type of operation, hours of operation and potential impacts of the poultry farm operation to be displayed adjacent to the usable entrances to the farm in accordance with the Western Australian Planning Commission's Statement of Planning Policy No.5 - Poultry Farms Policy, to the satisfaction of Council;
8. A separate application will need to be submitted for any proposed signage for the poultry farm (except that referred to in condition 8 above);
9. All practicable measures being taken to ensure that commercial vehicle transport occurs during daylight hours including delivery of feed and collection of birds;
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. In this respect, written notification is to be provided to Council upon commencement of operations;
11. Provision of a static water supply to the satisfaction of Council's Fire and Emergency Services Officer;
12. Cleared trees shall be mulched and spread over the remaining area of woodland to a minimum depth of 15 cm in order to suppress weeds;
13. All remaining remnant trees on the property shall be fenced and the mulched and unmulched areas shall be fenced with a dividing fence;

14. Local native tube stock of ground covers, local native trees and bushes shall be planted within the woodland to reinstate the woodland structure;
15. Crash grazing of stock shall be undertaken within the unmulched area once a year in order to prevent weed growth causing a fire hazard;
16. All measures being taken to ensure clearing of native vegetation be limited to that required for the shed extensions and new shed and shall not exceed the total of one hectare in area without separate approval from Council;
17. The operations should be carried out in accordance with the document '*Water Quality Protection Note Poultry Farms in Public Drinking Water Source Areas*' produced by the Water and Rivers Commission;
18. The existing reciprocal internal property access road is to be maintained by the applicant to a standard which maintains a tightly bound surface to suppress dust and provide for safe vehicular traffic at all times;
19. Prior to the issue of a Building Licence the proponent shall pay to the Council a contribution toward the upgrading of the portion of Henderson Road that runs the length of the subject property boundary equal to 50% of the estimated cost of investigation, design and construction as determined by Councils Director Asset Services;
20. The applicant shall construct access crossings servicing the property with a pavement strength and asphalt surface able to safely accommodate the turning movements of the largest design vehicle intended to access the property.
21. Existing sheds, new shed and extensions are to be upgraded to the tunnel ventilated environmentally climate controlled sheds;
22. Applicant is to allow access to licenced seed collectors prior to clearance of bush for the purpose of this development and to advise the Shire of Serpentine-Jarrahdale Landcare Centre and also allow them access to collect the seed.

Advice Notes:

1. Separate approval may need to be obtained from the Water and Rivers Commission for a bore licence.
2. A works approval or licence may need to be obtained from the Environmental Protection Authority for the poultry farm development.
3. In relation to Condition 21, Council requires a fifty (50) percent monetary contribution towards the cost of upgrading Henderson Road.
4. Applicant is encouraged to contact Council's Environmental Officer with respect to establishing monitoring points for investigation of effectiveness of mulching and rehabilitation of the woodland area.
5. In respect to Condition 17, clearance of one hectare or greater requires the approval of the Soil Commissioner.

B. The Western Australian Planning Commission is to be advised of Council's decision.  
CARRIED 5/0

Note: The Officer Recommended Resolution was altered to include specific reference to amended plans in Part A and to clarify fencing requirements in Condition 13. The Presiding Officer did not consider this change to substantially alter the Officer Recommended Resolution.

P187/12/02 BRISTILE LTD EXTRACTIVE INDUSTRY LICENCE RENEWAL - PT LOC 22 KILN ROAD, KARRAKUP (P04655/01)		
Proponent	Bristile Ltd	<b>In Brief</b>  The purpose of this report is to consider an application for an extractive industry licence renewal for Pt Loc 22 Kiln Road, Karrakup. It is recommended the licence renewal be conditionally approved for the 2003 calendar year.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	2 December 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM065/05/02</b>	

### **Officer Recommended Resolution**

Council, pursuant to the Shire of Serpentine Jarrahdale Extractive Industry Local Law, issues an extractive industry licence renewal for shale extraction at Pt Loc 22 Kiln Road, Karrakup for the period ending 31<sup>st</sup> December 2003, subject to the following conditions:

1. An eradication program for cottonbush and all declared weeds be continues in 2003.
2. Payment to Council of an annual renewal licence fee, which is based on the volume of extraction, is to be made by the 31<sup>st</sup> December 2003.
3. No works are to be exposed to the view from the South Western Highway.
4. Measures to be taken to contain stormwater within Pt Loc 22 Kiln Road.
5. Council to be notified via facsimile 24 hours prior to each blasting carried out on the site.
6. Applicant to lodge with Council a detailed and comprehensive annual report on site performance in respect to conditions attached to the licence and operation of site by 1 November each year. This report is to include, but not be limited to the following:
  - a) amount of shale extracted and the amount of shale transported off-site;
  - b) works completed throughout the licence period;
  - c) landscaping and revegetation works undertaken;
  - d) operation specifications;
  - e) specific details as to site performance in respect to conditions attached to the licence;
  - f) outline of proposed works and activities for the coming year;
  - g) the location and depth of the proposed excavation of the land;
  - h) the location of existing and proposed thoroughfares or other means of vehicle access to and egress from the land;
  - i) the location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land.
7. A 20 metre setback to be maintained from the boundaries of Pt Lot 22 in accordance with Councils Extractive Industry Local Law;
8. A Staging Plan indicating the future works to be undertaken on the subject land is to be submitted to Council by the 30 November 2003. The Staging Plan shall demonstrate a progression of works which will aim to minimise visual impact of the works from the coastal plain. The Staging Plan shall be shown in five (5) year stages. The Staging Plan shall be developed in conjunction with the Revegetation Plan. Revegetation works will occur in stages in conjunction with the excavation activities.
9. A Revegetation Plan along with proposed revegetation works is to be lodged with Council by June 2003 for approval. The Revegetation Plan shall include the planting of four (4) rows of local native mixed trees and shrubs to screen the pit from South Western Highway users. This work is to be completed by 30 September 2003.
10. Screening of the haulage road is to be carried out at a rate of 4 rows of mixed local native trees and shrubs.

11. Revegetation of land surrounding the pit and the worked area not to be less than 30 metres of mixed local native trees and shrubs.
12. Densities of all plantings are to be at 1000 stems per hectare.
13. All revegetation work is to be carried out in accordance with Council's PS03 – Landscaping and Revegetation Policy.
14. The applicant is to submit a rehabilitation plan to Council for approval with the 2003 annual report on site performance.

Advice Notes:

1. Relative to Condition 1 above, the applicant to submit details of the eradication program to Council by 30 November 2003. Details to include, contractor details, weed species to be targeted and date eradication program is to be carried out;
2. Relative to Condition 9 above, failure to lodge a Revegetation Plan by the prescribed date may position Council not to progress a subsequent licence renewal application until the landscape plan has been lodged with Council.
3. The development, operation and rehabilitation of the quarry to be in accordance with the document "Environmental Management of Quarries" published by the Department of Minerals and Energy, 1994.
4. Compliance with Mines Act 1978, Mining Regulations 1981, Council's Extractive Industry Local Law and the Mines Safety and Inspection Act 1974;
5. The proponent complying with all the environmental conditions imposed by the Environmental Protection Authority pursuant to the provisions of the Environmental Protection Act 1986 (Licence No.3803, File No. L44/67).
6. Compliance with Approval to Commence Development granted by the WA Planning Commission issued on the 22 March 2000 (Reference No.29-848-1).
7. Site compliance inspections will be carried out every six months to check compliance with the extractive industry licence and any other approvals granted for the site;
8. All avenues for use and reuse of any cleared vegetation material is encouraged. This may include mulching, timber use and/or plant salvaging;
9. Relative to Condition 9 above, all rehabilitation planting must be of local species.
10. Operational and blast noise to comply with the Environmental Protection (Noise) Regulations 1997 at all times;
11. A further licence renewal application for the subject land must be submitted to Council by the 16 November 2003 in accordance with the Shire of Serpentine Jarrahdale's Extractive Industry Local Law and would be subject to full compliance with the above conditions.

### **CRP187 COMMITTEE DECISION**

Moved Cr Hoyer, seconded Cr Murphy that Council, pursuant to the Shire of Serpentine Jarrahdale Extractive Industry Local Law, issues an extractive industry licence renewal for shale extraction at Pt Loc 22 Kiln Road, Karrakup for the period ending 31<sup>st</sup> December 2003, subject to the following conditions:

1. An eradication program for cottonbush and all declared weeds be continues in 2003. The applicant to submit details of the eradication program to Council by 30 November 2003. Details to include, contractor details, weed species to be targeted and date eradication program is to be carried out.
2. Payment to Council of an annual renewal licence fee, which is based on the volume of extraction, is to be made by the 31<sup>st</sup> December 2003.
3. No works are to be exposed to the view from the South Western Highway.
4. Measures to be taken to contain stormwater within Pt Loc 22 Kiln Road.
5. Council to be notified via facsimile 24 hours prior to each blasting carried out on the site.
6. Applicant to lodge with Council a detailed and comprehensive annual report on site performance in respect to conditions attached to the licence and operation of site by 1 November each year. This report is to include, but not be limited to the following:
  - a) amount of shale extracted and the amount of shale transported off-site;
  - b) works completed throughout the licence period;
  - c) landscaping and revegetation works undertaken;

- d) operation specifications;
  - e) specific details as to site performance in respect to conditions attached to the licence;
  - f) outline of proposed works and activities for the coming year;
  - g) the location and depth of the proposed excavation of the land;
  - h) the location of existing and proposed thoroughfares or other means of vehicle access to and egress from the land;
  - i) the location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land.
- 7. A 20 metre setback to be maintained from the boundaries of Pt Lot 22 in accordance with Councils Extractive Industry Local Law;
  - 8. A Staging Plan indicating the future works to be undertaken on the subject land is to be submitted to Council by the 30 November 2003. The Staging Plan shall demonstrate a progression of works which will aim to minimise visual impact of the works from the coastal plain. The Staging Plan shall be shown in five (5) year stages. The Staging Plan shall be developed in conjunction with the Revegetation Plan. Revegetation works will occur in stages in conjunction with the excavation activities.
  - 9. A Revegetation Plan along with proposed revegetation works is to be lodged with Council by June 2003 for approval. The Revegetation Plan shall include the planting of four (4) rows of local native mixed trees and shrubs to screen the pit from South Western Highway users. This work is to be completed by 30 September 2003.
  - 10. Screening of the haulage road is to be carried out at a rate of 4 rows of mixed local native trees and shrubs.
  - 11. Revegetation of land surrounding the pit and the worked area not to be less than 30 metres of mixed local native trees and shrubs.
  - 12. Densities of all plantings are to be at 1000 stems per hectare.
  - 13. All revegetation work is to be carried out in accordance with Council's PS03 – Landscaping and Revegetation Policy.
  - 14. The applicant is to submit a rehabilitation plan to Council for approval with the 2003 annual report on site performance.

Advice Notes:

- 1. Relative to Condition 9 above, failure to lodge a Revegetation Plan by the prescribed date may position Council not to progress a subsequent licence renewal application until the landscape plan has been lodged with Council.
- 2. The development, operation and rehabilitation of the quarry to be in accordance with the document "Environmental Management of Quarries" published by the Department of Minerals and Energy, 1994.
- 3. Compliance with Mines Act 1978, Mining Regulations 1981, Council's Extractive Industry Local Law and the Mines Safety and Inspection Act 1974;
- 4. The proponent complying with all the environmental conditions imposed by the Environmental Protection Authority pursuant to the provisions of the Environmental Protection Act 1986 (Licence No.3803, File No. L44/67).
- 5. Compliance with Approval to Commence Development granted by the WA Planning Commission issued on the 22 March 2000 (Reference No.29-848-1).
- 6. Site compliance inspections will be carried out every six months to check compliance with the extractive industry licence and any other approvals granted for the site;
- 7. All avenues for use and reuse of any cleared vegetation material is encouraged. This may include mulching, timber use and/or plant salvaging;
- 8. Relative to Condition 9 above, all rehabilitation planting must be of local species.
- 9. Operational and blast noise to comply with the Environmental Protection (Noise) Regulations 1997 at all times;
- 10. A further licence renewal application for the subject land must be submitted to Council by the 16 November 2003 in accordance with the Shire of Serpentine Jarrahdale's Extractive Industry Local Law and would be subject to full compliance with the above conditions.

CARRIED 5/0

Note: The Officer Recommended Resolution was altered by including Advice Note No. 1 in Condition 1. The Presiding Officer did not consider this alteration substantially altered the Officer Recommended Resolution.

Cr Hoyer declared an interest in item P188/12/02.

P189/12/02 PROPOSED WHOLESALE NURSERY – LOT 112 GULL ROAD, SERPENTINE (P02703/01)		
Proponent	G & N Coulthard	<b>In Brief</b>  Application requests planning approval for the development of a wholesale plant nursery at Lot 112 Gull Road, Serpentine.  It is recommended that the proposal be approved subject to conditions.
Officer	David Spencer – Senior Planner	
Signatures - Author:		
Senior Officer:		
Date of Report	3 December 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

### **CRP189 Committee Decision/Officer Recommended Resolution**

Moved Cr Murphy, seconded Cr Scott that Council approves the application dated 11 October 2002 to establish a wholesale plant nursery at Lot 112 Gull Road, Serpentine, subject to the following conditions:

1. All sales carried out on the premises are to be of a wholesale nature with no retail sales permitted.
2. Area to be occupied by the proposed wholesale nursery being limited to one (1) hectare in area, as specified in the application dated 11 October 2002.
3. No clearing of existing native trees on the subject land as part of this planning application, unless the prior approval of Council is obtained.
4. The proposed horticultural areas are to be managed using Best Management Practices. This will ensure that watering, fertilising and spraying methods used are the most efficient and least likely to have “non-target” effects.
5. All advertising signs to be a separate application to Council.
6. Hours of wholesale trading to be within normal business hours – Monday to Sunday, 8.00a.m. to 5.30p.m.
7. A building licence application is required for future proposed building structures on the subject land.
8. Restriction of activities to those which accord with the definition of ‘Horticultural Pursuit’ of Council’s Town Planning Scheme No. 2.
9. The use is not to cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, electrical interference, vapour, steam, soot, ash, dust, grit, oil liquid wastes or waste products or the unsightly appearance of the dwelling house or domestic outbuilding on the land which the business is conducted

#### **Advice Notes:**

1. A planning consent is not an approval to commence any works. A building licence must be obtained for all works. An application for a building licence will not be accepted unless proof of payment of all bonds and guarantees accompanies the application documents.
2. Your application for a building licence must be accompanied by a photocopy of the Form 2 Approval, and all plans, where appropriate, must satisfy the conditions specified.
3. Native vegetation is valued and protected in the Shire of Serpentine-Jarrahdale. You are advised that Council’s Town Planning Scheme requires separate approval for the clearing of native trees in most instances if approval for this is not given above.
4. The construction or deepening of drains outside of the above approval requires separate approval by the Commissioner of Soil and Land Conservation.

5. Council can advise on energy efficient opportunities that can benefit your operations.
6. Approval does not obviate compliance with any other appropriate legislation in particular, the Environmental Protection (Noise) Regulations 1997.
7. The applicant is advised that this planning consent does not absolve the applicant or owner from time to time from complying with the restrictions contained in any restrictive covenant, estate covenants or easement pertaining to the site. This is the case even if this planning consent is in respect of a development which if constructed or carried out, would necessarily breach such a covenant or easement. Any such restrictive covenant, estate covenant or easement is a matter of private rights between the applicant or owner from time to time and the owner and owners of the land with the benefit of that restrictive covenant, estate covenant or easement, and this planning consent does not authorise a breach of such private rights or prevent such owners from enforcing such rights.

CARRIED 5/0

P192/12/02 PROPOSED PARKING OF ONE COMMERCIAL VEHICLE – LOT 31 BULLARA RAMBLE, JARRAHDAL (P03118)		
Proponent	Shane and Elizabeth Lee	<b>In Brief</b>  It is proposed to park one truck on the subject property. It is recommended that the application be conditionally approved.
Officer	Lilia Palermo – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	26 November 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

#### **CRP192 Committee Decision/Officer Recommended Resolution**

Moved Cr Star, seconded Cr Hoyer that Council grants retrospective approval to the application for parking of one Commercial Vehicle on Lot 31 Bullara Ramble, Jarrahdale in accordance with the application dated 10 October 2002 subject to the following conditions:

1. Truck to be housed in the existing garage at all times and parked behind the building line when not in use.
2. Truck to be only driven to and from the property between the hours of 7am to 7pm on Fridays and Mondays as specified by the proponent in the letter received by Council on the 20 November 2002;
3. Compliance with Clause 5.5.5 (A) & (B) of TPS No. 2 pertaining to the maximum dimensions and mass of the Commercial Vehicle;
4. The use is not to cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, electrical interference, vapour, steam, odour, soot, ash, dust, grit, oil liquid wastes or waste products or the unsightly appearance of the dwelling house or domestic outbuilding on or the land on which the business is conducted.
5. The approval is given to the applicant and is not transferable in case of sale of the property;
6. Approval is granted for 12 months only, and the proponent may apply for renewal at the end of the 12 months period.

CARRIED 5/0



P193/12/02 RETROSPECTIVE APPLICATION FOR A HOME BUSINESS - WHOLESALE GROWER OF TROPICAL FISH – LOT 86 KARBRO DRIVE, CARDUP (P00835/01)		
Proponent	Pierrre and Delys Vershueren	<b>In Brief</b>  It is an application for establishment of a small-scale aquaculture business – breeding of tropical fish for sale to wholesale customers. It is recommended that the application be conditionally approved.
Officer	Lilia Palermo – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	12 November 2002	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

### **CRP193 Committee Decision/Officer Recommended Resolution**

Moved Cr Needham, seconded Cr Hoyer that Council approves the application to establish a Home Business – Breeding of Tropical Fish on Lot 86 Karbro Drive, Cardup, in accordance with the application dated 22 October 2002 and subject to the following conditions:

1. Compliance with the definition of home business under Council's Town Planning Scheme No. 2.
2. Area occupied by the business to be no larger than 50m<sup>2</sup>.
3. No retail sales to be carried out from the premises.
4. Hours of operation to be from 8am to 5pm Monday to Saturday only
5. The approval is given to the applicant and is not transferable in case of sale of the property.
6. Waste Water disposal to be subject to approval by Council's Health Services.
7. The use is not to cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, electrical interference, vapour, steam, odour, soot, ash, dust, grit, oil liquid wastes or waste products or the unsightly appearance of the dwelling house or domestic outbuilding on or the land on which the business is conducted.

Advice Note:

1. Applicant is advised that the Water and Rivers Commission have produced a Water Quality Protection Note applicable to aquaculture projects which should be used for guidance purposes.

CARRIED 5/0

P196/12/02 PROPOSED PLANNING SCHEME AMENDMENT NO. 128 – POWER OF ENTRY (A1144)		
Proponent	Shire of Serpentine-Jarrahdale	<b>In Brief</b>  Council to consider initiating an amendment to Town Planning Scheme No. 2 to insert a power of entry provision for the purposes of administration of Town Planning Scheme No. 2.  It is recommended that Council initiate a scheme amendment.  Council to authorise officers pursuant to clause 8.1(d) of Town Planning Scheme No. 2 for the purposes of enforcement of the scheme.
Officer	Andrew Watson – Director Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	Not applicable	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

### **CRP196 Committee Decision/Officer Recommended Resolution**

Moved Cr Hoyer, seconded Cr Scott that

- A. Council nominates the following officers as authorised officers pursuant to Clause 8.1(d) of the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2:  
Andrew Watson - Director Sustainable Development  
Joanne Abbiss - Manager Sustainable Development  
David Spencer - Senior Planner  
Michael Davis - Planning Officer  
Lilia Palermo – Gorbachov - Planning Officer  
Brian Owston – Senior Ranger  
Sarah Downes – Ranger  
Sue Osborne – Environmental Officer
- B. 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 as follows:

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

SHIRE OF SERPENTINE-JARRAHDALE

TOWN PLANNING SCHEME NO.2

The Shire of Serpentine-Jarrahdale under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 (as amended), hereby amends the above Town Planning Scheme by:

1. Adding clause 8.1 (e) as follows:

8.1 (e) An employee of the local government authorised by the local government may, at all reasonable times and with such assistance as may be required, enter any land for the purpose administering the provisions of Part VI of the Scheme.

CARRIED 5/0

### **11. CLOSE**

There being no further business the meeting closed at 9.16pm.

I certify that these minutes were confirmed at the  
ordinary council meeting held on 28<sup>th</sup> January, 2003

.....  
Presiding Member

.....  
Date