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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET, MUNDIJONG ON MONDAY 23 MAY 2011. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.01PM AND WELCOMED COUNCILLORS, STAFF AND THE MEMBERS OF THE GALLERY.

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

IN ATTENDANCE:

- COUNCILLORS:** S TwinePresiding Member
 M Harris
 C Buttfeld
 C Randall
 MJ Geurds
 T Hoyer
 B Brown
 A Lowry
 A Ellis
 K Petersen
- OFFICERS:** Ms J AbbissChief Executive Officer
 Mr B Gleeson Director Development Services
 Mr R Gorbunow Director Engineering
 Mr A Hart Director Corporate Services
 Mrs C McKee Acting Director Strategic Community Planning
 Mr S WilkesExecutive Manager Planning
 Mr U StriepeExecutive Manager Engineering
 Mr C Wansborough.. Project Manager, Water Sensitive Urban Design
 Mr D Gossage (arrived 7.10pm) Manager Emergency Services
 Ms P KursarMinute Secretary
- OBSERVER:** Mrs E NobleExecutive Support Officer

Members of the public – 16
 Members of the press – 1

2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

Clayton Oud – 301 Lightbody Road, Mardella

The requirement for developers to fund on street parking on George Street has been removed from the Policy on the grounds that developers will already be funding adequate off street parking.

In relation to developer contribution to on street parking for George Street the Shire stated “there is no need and nexus that can be identified to justify developers paying for parking they do not individually create a demand for”.

Q *Therefore, if there is no demand for this on street parking to service the commercial developments on George Street why is the Council so intent on spending \$540,390 on constructing this car parking?*

In replying to this question, please address future correspondence to my postal PO Box address and not my street address as there is no postal delivery service in Mardella, as the Shire should fully be aware.

- A Landowners undertaking commercial development are required to provide most of their required car parking on site. Council may permit some car parking on the public road reserve, with the construction cost of these car parking bays being at the full cost of the landowner.

The original cost estimate of approximately \$1.6 million for George Street included the construction cost of 90 degree angled on street parking, at a cost of approximately \$540,000. On the basis that landowners would now be required to fund the cost of any car parking bays on George Street adjacent to their development, the cost estimates for the construction of George Street have now been reduced to approximately \$1.1 million.

John Kirkpatrick – 77 Mead Street, Byford

- Q1 *Questions for April OCM from replies to questions from March OCM. In reply to the question about sporting facilities, there appears to be no firm commitment or funding for the ablution and storage facilities in the coming year and is dependent on grant funding of some description. Is this correct?*
- A1 The Forward Capital Works Plan lists a new ablution/storage facility at Byford Central and storage facilities at Briggs Park in 2011/12. The intention is to fund these projects through a combination of municipal and grant funding.
- Q2 *Also I understand that the funding for the Netball court upgrade was obtained by the netball club not the Shire, again is this correct?*
- A2 No. The Shire worked in partnership with the Serpentine Jarrahdale Netball Association to establish the need and prepare a funding application for the resurfacing of the Mundijong Netball Courts. Both parties contributed financially and in kind to attract a one third grant. The Shire applied for the grant and project managed the appointment of contractors and acquittal of funds.
- Q3 *In question 6 it would appear that all the footpath and dual use paths were constructed by the developers and none were built by the shire to join any of these estates up. Is this correct?*
- A3 No. A temporary path was constructed linking Abernethy Road and Warrington Road, also on the South West Highway west side between Larsen Road and Sunray Estate and South West Highway east side between Stanley Road and Walters Road.

Question on notice April OCM item SD100/04/11

I notice that this item involves the modification of Mead Street Byford. I would draw the council's attention to the fact that Mead Street between Warrington Road and D'Agostino Road does not appear on either Street Smart Maps or on the Satellite navigation supplied to the emergency services. This delays the supply of some emergency services. We had cause to call an ambulance and it went to the old part of Mead Street by the Recreation Centre and had to be directed by phone to find the correct part of the street. In this case the delay was not serious, but it could have been in the case of an accident requiring urgent attention.

- Q4 *My question is, will the council address this issue urgently.*

A4 Mead Street west of Warrington Road was created years ago in the first stage of the Glades development. New roads appear in the various street directories within 1-2 years of the roads being created and are based on information supplied by the State Government (Landgate).

The current Street Smart maps do show the new section of Mead Street.

Satellite navigation systems are a private sector product and use information provided to them by Government agencies and not Council.

There is currently two sections of Mead Street, being:

- Original Mead Street – Soldiers Road to the SJ Recreation Centre.
- New section of Mead Street – Warrington Road heading westwards.

These two sections of roads will be connected in the near future, with the construction of Mead Street between the SJ Recreation Centre and Warrington Road. These works are being undertaken by the developer of the Glades Estate. Council is not required to fund or construct this road as it is a road that is funded by land developers through the subdivision process.

3. PUBLIC QUESTION TIME:

Public question time commenced at 7.02pm

John Kirkpatrick - 77 Mead Street, Byford

I have no persuasion either way as to whether George Street should be constructed or not. My questions are:

- Q1 Has a final design been done for George Street?
Q2 If so, who approved it?
Q3 How much is the final estimate?
Q4 How much will be recovered from the developers along George Street?
Q5 How much grant funding has been either applied for or obtained and from where?
Q6 How much funding is coming from municipal funds and what percentage of the budget is that?

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

Gerald Bergsma - 133 Lightbody Road, Mardella

Thank you for a top job on sealing 1km of Lightbody Road. This has made a real difference to safety and dust for our residence.

- Q I am requesting Serpentine Jarrahdale Shire to put another 1km of sealing on the budget to help other neighbours who are struggling with dust and road safety issues.

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

Anthony Thorp – 135 Larsen Road, Byford

Regarding the development of Lot 3 Larsen Road. Earthworks carried out over the last 3 weeks has changed from what was done in 2008. The water retention areas seems have

been made smaller and higher and sand has been carted in for the proposed housing area and today was being graded. Is this consistent with council approvals and if not, why has work not been stopped?

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

Clayton Oud – 301 Lightbody Road, Mardella

Councillors, my comments in relation to the answer I received to my question last month. Firstly, my question was not answered. Secondly, the information you have given is contradictory to the Shire's Local Planning Policy No. 53 pertaining to the construction of George Street.

This policy was modified and adopted by Council on 3 March. One of the modifications adopted was the removal of clause 6.2 of the policy requiring landowners to fund on street parking as a condition of development. The cost implications to Council were that Council would fund the on street parking component at a cost of approximately \$540,000.

The second paragraph of your answer states that landowners would now be required to fund the costs of any on street parking.

Q1 Please clarify who will be responsible for funding the on street parking on George Street?

In light of the fact that clause 6.2 of the Policy was removed on the grounds that land owners will be supplying adequate off street car parking and therefore will not create a demand for on street car parking, I ask:

Q2 Why is on street car parking necessary?

Lastly, might I remind councillors that Lightbody Road has been an issue for 24 years now. Residents have had a unanimous and persistent voice over the years with countless complaints and pleas to the Shire to manage the dust pollution caused by through traffic utilising the road as a link road to Mundijong Road.

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

Sharon Gossage – Lot 247 Thatcher Road, Byford

The waterway surrounds the back and three quarters of the side of my property including my paddocks and stables. In the Byford Structure Plan it clearly marks this area as area 27 rural residential zone but in the Byford Townsite Drainage and Water Management Plan 6.5.30 it states in close proximity to the waterway that no horses are allowed.

Q1 Now that the waterway has been moved surrounding my property, where does this leave me?

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

John Kirkpatrick - 77 Mead Street, Byford

I wrote to the shire following the Annual Electors Meeting on an issue. I also emailed the shire and followed up with a hard copy which I delivered to the front counter at the shire office on another issue. I have neither received acknowledgement nor a reply to either nor contact with the Shire, although the matters in question have been dealt with.

Q1 Will the shire as a matter of courtesy at least, acknowledge receipt of correspondence even if they choose not to reply to it?

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

Sharon Gossage – Lot 247 Thatcher Road, Byford

Q2 Will there be some sort of retaining wall where the waterway meets the back of my property to stop the erosion.

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

Public question time ended at 7.10pm

4. PUBLIC STATEMENT TIME:Clayton Oud – 301 Lightbody Road, Mardella

Councillors, at present the Shire is re-sheeting 1.4 kilometres of Lightbody Road of which we are very appreciative, especially as the 1.4 kilometres encompasses the remaining homes that are at the mercy of the horrific dust during the dry months. We understand that the remaining 2.3kms of the road will be re-sheeted in due course as limited gravel supplies become available to the Shire.

However, due to the shortage of gravel the cost of the 1.4kms being currently re-sheeted will be in the vicinity of \$70,000 to \$80,000 being spent on supply of the gravel alone. One would expect that the total cost will be in the vicinity of \$200,000 once the remaining 2.3kms is re-sheeted.

Lightbody Road was last re-sheeted in 2005 and three years later in 2008 the observations of our current Director Engineering was that the surface was just dust and stones and in need of re-sheeting, as it was incapable of binding together. Unfortunately for the Shire's budget, the money spent on re-sheeting the road in 2005 literally blew away in the wind.

Since 2007 the road has required grading every 4 weeks in the dry months. Three years from now the Shire is going to have to find even scarcer and more costly gravel to re-sheet Lightbody Road yet again.

Councillors, the 1.4kms presently being re-sheeted will be ready for sealing on completion and if this is done it will save the cost of re-sheeting again in 3 years and conserve rapidly diminishing gravel reserves. It is also time to put an end to the horrendous dust impacts suffered by residents on Lightbody Road. The remaining sections of road could be completed in the future.

David Houseman –17 Clifton Street, Byford

My statement relates to the Byford Town Site Detailed Area Plan, namely Section 7.3, Residential objectives R3 to maximize the use of rear laneways. 7.1.0 subdivision and development guidelines (iv) lot configuration (infill).

Where rear laneways adjoin a lot, at the time of subdivision, the laneway shall be widened to 10m total width with the widening being shared by lots on both sides of the laneway. The laneway will then form the frontage to the “rear” lot. Development of the resultant lot shall then address the laneway. In the case of a corner lot, resulting development shall address both street and laneway. No portion of the lot shall be provided with frontage to the primary street. This will retain the existing character of the streetscape. Subdivisions dividing these lots will not be supported. The roll-out of the rear laneway widening will be coordinated by council policy (to be prepared).

Sheila Twine (Shire President) has publicly stated in The Examiner newspaper that all services to the rear lot be provided by Clifton Street. This situation is completely at odds with the detailed area plan. I have publicly stated that the narrow strip of land that abuts Clifton Street was purely intended as a connection point for gas, water and electricity so as not to contravene the said plan regarding the streetscape.

It is time to name the laneway so that it can be used to provide mail and rubbish services to the frontage of the new lot.

In order to gain subdivision clearance arrangements, were made to the satisfaction of the Western Australian Planning Commission to ensure that prospective purchasers of the subject lots are made aware of the need to comply with the Byford Town Site Detailed Area Plan relating to these lots (local government).

It is time for the shire to stop sitting on its hands and be proactive. This saga has been going on for years.

Q1. Can the shire act on this issue?

By the way, the rates bill arrived as soon as the subdivision was approved.

5. PETITIONS & DEPUTATIONS:

Nil

6. PRESIDENT’S REPORT:

The Shire President awarded the following Councillors with WALGA certificates:

Cr Tom Hoyer
Cr Merri Harris
Cr Christine Randall

The opening of the Kevin Murphy Link was a huge Shire success. Attended by Tony Simpson MLA, Alannah MacTiernan, Harald Murphy with his 3 sons and Ricki Peters (Kevin’s long time partner). I would like to thank all staff who worked so hard to have the day working to precision. I would like to thank all councillors who attended and took part in the proceedings. A special thankyou to Councillor Ashley Ellis for his chairmanship of the working group.

7. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

Nil

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

8.1 Ordinary Council Meeting – 27 April 2011

Moved Cr Buttfield, seconded Cr Hoyer
The *attached (E11/2046)* minutes of the Ordinary Council Meeting held on 27 April 2011 be confirmed.
CARRIED 10/0

REPORTS OF COMMITTEES:

SD105/05/11 COMMENCEMENT OF THE REVIEW OF SHIRE OF SERPENTINE-JARRAHDAL LOCAL LAWS (A0090/03)		
Proponent:	Serpentine Jarrahdale Shire	In Brief To seek Council endorsement to commence a review of nine existing Shire of Serpentine Jarrahdale Local Laws relating to Health, Rangers and Development Compliance.
Owner:	Not Applicable	
Author:	Phil Swain - Acting Senior Environmental Health Officer	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	3 April 2011	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

Section 3.16 (1) of the Local Government Act 1995, requires all Local Governments to review their Local Laws within 8 years from the time of the gazettal. The purpose of this report is to commence an administrative process under the Local Government Act.

Whilst several of the Shire's Local Laws are overdue for review, the majority were reviewed or gazetted during 2004 and are due for review before 2012. The Local Laws proposed to be reviewed at this time are listed below with the title of the relevant Act that they were made under;

Local Government Act 1995

- 1) Local Laws relating to Trading in Public Places (Gazetted 2 March 1999)
- 2) Bee Keeping Local Law (Gazetted 6 April 2001)
- 3) Extractive Industries Local Law (Gazetted 7 January 2000)
- 4) Parking Facilities Local Law (Gazetted 13 February 2004)
- 5) Local Law Relating To Kennel And Cattery Establishments (Gazetted 13 February 2004)
- 6) Local Law Relating To Livestock In Public Places And Wandering At Large (Gazetted 13 February 2004)
- 7) Local Law Relating to Unsightly Land and Refuse, Rubbish or Disused Materials on Land (Gazetted 13 February 2004)

Dog Act 1976

- 1) Local Law Relating To The Keeping Of Dogs (Gazetted 13 February 2004)

Health Act 1911

1) Health Local Laws 1999 (Gazetted 27 August 1999)

The Local Government Act's review process does not enable amendments to be made to the local laws. Whilst several of the Local Laws listed may require amendment, this will occur under a separate process under the Local Government Act. The Extractive Industries and Health Local Laws will probably require amendment, and both are the subject of a business case, for the draft 2011/2012 budget.

Statutory Environment:

In undertaking a review of the Local Laws, Section 3.16 of the Local Government Act 1995 compels that a Local Government give statewide public notice and make copies of the local laws available to the public.

If it is determined that the Local Law should be amended, Sections 3.12 and 3.13 of the Local Government Act will apply.

Policy/Work Procedure Implications:

Policy HSP1 FOOD VENDORS – ITINERANT and HSP 4 – TRADING IN PUBLIC PLACES relate to some of the Local Laws being reviewed

Financial Implications:

Advertisement fees to give statewide public notice and officer time.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective	
OUR COUNCIL AT WORK	Leadership	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.	
		6		The Council and Leadership Team drive Strategy and Policy development.	
		9		All decisions by staff and elected members are evidence based, open and transparent.	
			15		The Shire will set policy direction in the best interests of the community.
	Strategy and Planning		28	Strategic Direction	Position the Shire to be responsive and resilient to changes in State or Federal policy direction.
			31	The Planning Process	Develop comprehensive governance policies and strategies.
			33		Create dynamic, adaptable policy and processes to aid rigour, currency and relevance.
		Customer and Market Focus		53	Gaining and using knowledge of customers and markets

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		54		Improve the communication and sharing of information externally.
	Process Management, Improvement and Innovation			
		92	Process Improvement and Innovation	Ensure that bureaucratic governance systems do not reduce the creative energy of staff and elected members.
		93		Fully utilise the skills and knowledge of elected members and staff

Community Consultation:

The Local Government Act requires Council provisions to give state wide and Local notice stating that:

- a) *the local law is due for review;*
- b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
- c) *submissions about the local law may be made to the CEO within the prescribed 6 week period after the notice is given.*

Comment:

The review of some of the Shire's Local Laws is an administrative process that will commence a comprehensive review process of these Local Laws. This process must be undertaken in accordance with provisions of the Local Government Act before the Shire can resolve to undertake to amend any of its Local Laws.

Following the 6 week notice period and the closure of submissions a report of the submissions will be made to Council. In the event that Council decides to repeal or amend any of the local laws an amendment process will be implemented in accordance with the Local Government Act.

Voting Requirements:

ABSOLUTE MAJORITY

SD105/05/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Hoyer, seconded Cr Buttfeld
That Council give state wide and local public notice of its intention to review the following Local Laws pursuant to the Local Government Act 1995;

- 1) **Local Government Act 1995**
 - a) **Local Laws relating to Trading in Public Places;**
 - b) **Bee Keeping Local Law;**
 - c) **Extractive Industries Local Law;**
 - d) **Parking Facilities Local Law;**
 - e) **Local Law Relating To Kennel And Cattery Establishments;**
 - f) **Local Law Relating To Livestock In Public Places And Wandering At Large;**
 - g) **Local Law Relating to Unsightly Land and Refuse, Rubbish or Disused Materials on Land;**
- 2) **Dog Act 1976**

- a) **Local Law Relating to the Keeping Of Dogs; and,**
 3) **Health Act 1911**
 a) **Health Local Laws 1999**
CARRIED 10/0

SD106/05/11 DRAFT LOCAL STRUCTURE PLAN – MARRI PARK ESTATE (LOT 3 LARSEN ROAD AND LOT 3 ALEXANDER ROAD, BYFORD) (A1956)		
Proponent:	RPS Consultants	In Brief A draft Local Structure Plan has been submitted for the Marri Park Estate. This report provides Council with the opportunity to consider several key issues and whether the draft Plan is satisfactory for advertising. It is recommended that the draft Plan be advertised for public and agency comment.
Owner:	Goldtune Investments Pty Ltd	
Author:	Consultant Senior Planner	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	27 April 2011	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Date of Receipt: 10 January 2011
 Lot Area: 28.85 hectares
 L.A Zoning: Urban Development
 MRS Zoning: Urban, Urban Deferred
 Byford Structure Plan: Residential R20, (Residential R30-R60), Rural Residential, Multiple Use Corridor, Proposed Local Park, Drainage Basin Indicative Location, Neighbourhood Node, Future Roads
 Date of Inspection: April 2011

Background

A draft Local Structure Plan (LSP) for the subject site was first lodged with the Shire of Serpentine Jarrahdale in August 2005, but was not advertised due to a review of the Byford District Structure Plan and issues associated with water management. A revised draft LSP was lodged with the Shire in June 2009, but again was not formally adopted due to ongoing discussions regarding multiple-use corridor (MUC) design in light of revised regional drainage requirements.

Notwithstanding the lack of approved LSP, subdivision approvals have been granted for most of the site by the Western Australian Planning Commission. Certain portions of the site in proximity to the MUC were excluded from the subdivision approval pending the resolution of water management issues and finalisation of an LSP.

A revised draft LSP has recently been submitted for the land. Whilst much of the site already has subdivision approval, progressing the draft LSP provides Council with the opportunity to address a number of key issues relating to the final stages of subdivision as well as broader considerations for the land. Finalisation of the LSP will provide clarity on the zoning of land which will assist with future planning and building approvals and enquiries, and facilitate a path forward for the subdivision of the remaining stages.

This report provides Council with the opportunity to consider whether the draft LSP is satisfactory for advertising.

A copy of the draft LSP, as submitted, is with attachments marked [SD106.1/05/11](#).

Sustainability Statement

Effect on Environment:

Water Management

The LSP needs to comply with the Byford Townsite Drainage and Water Management Plan (DWMP) which focuses on environmental sustainability as part of the urbanisation of Byford. An Urban Water Management Plan (UWMP) with an addendum has been submitted as part of the LSP and demonstrates general compliance with the DWMP. It will be necessary to ensure that the proposals of the UWMP align with surrounding development sites including the Byford Town Centre to the south.

Vegetation & Flora

Most of the LSP area has been cleared and is devoid of natural vegetation by past farming uses. Revegetation and landscaping measures will be pursued within the multiple-use corridors.

Resource Implications:

The proposed density of development is considered to represent an efficient use of land, especially given the site's proximity to the Byford Town Centre.

The LSP seeks to integrate principles of water sensitive urban design into the future development. A reasonable amount of clean fill is being required to achieve required groundwater separation, consistent with the principles set out in the DWMP.

With respect to financial resources, the subdivision would have an on-going impact on the Shire with respect to the maintenance of assets within road reserve areas and proposed areas of public open space. The level of asset provision and maintenance is not considered to be over and above the general level of provision within the Byford area.

Use of Local, Renewable or Recycled Resources:

The reuse of drainage and stormwater runoff in the irrigation of public open space (POS) will be required.

Economic Viability:

The draft LSP proposes densities of residential development which are generally consistent with those provided elsewhere in Byford.

Economic Benefits:

The draft LSP is considered to offer economic benefits through the provision of additional residential development in close proximity to the Byford Town Centre. The developer will be required to contribute towards infrastructure and other costs in accordance with the draft Byford Development Contribution Arrangement.

Social – Quality of Life:

The draft LSP generally complies with the design principles of Liveable Neighbourhoods, providing for a highly connected road and POS network. In relation to solar orientation, a majority of the streets are aligned north/south and east/west allowing for good solar passive design potential.

Given the proximity of the subject site to the Byford Trotting Complex, noise considerations are addressed in further detail in this report.

Social and Environmental Responsibility: The draft LSP will be advertised for public and agency comment, allowing for community and government agency input.

Social Diversity: The draft LSP provides for diversity in residential densities ranging from R20 to R40. This diversity in lot sizes will facilitate alternative housing options and work toward population diversity.

Statutory Environment:

The draft LSP will be progressed pursuant to Town Planning Scheme No. 2 (TPS 2), including advertising for public and agency comment, and eventual determination by Council and the WAPC.

Policy/Work Procedure Implications:

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

Financial Implications:

An application fee was paid by the proponent for the LSP.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective	
NATURAL ENVIRONMENT	Landscape	1	Safeguard	Restore and preserve the visual amenity of our landscapes.	
		5	Restore	Establish and enhance waterways and bush corridors.	
		6		Establish increased levels of natural vegetation in urban and rural environments.	
		12	Protect	Prevent the further loss of "local natural areas".	
		Integrated Water Cycle Management	16	Quantity	Promote and implement water conservation and reuse.
			17		Encourage the conversion of man-made drainage of the Palusplain back to natural systems.
		18		Identify and implement opportunities for detention and storage of stormwater.	
		20	Quality	Improve and maintain surface and ground water quality.	
		22	Planning and Design	Ensure integrated water cycle management is incorporated in land use planning and engineering design.	
		23		Enforce the adoption of "better urban water management".	
	BUILT ENVIRONMENT	Land Use Planning	3	Urban Villages	Incorporate the principles of emergency management, community safety and crime prevention in new and existing developments.
4				Ensure interesting, safe and well-connected pathways accessible and suitable for all users.	
5			Residential developments will accommodate a variety of lot sizes, water wise native gardens and shade trees.		
6			Subdivision layout will maximise the achievement of sustainable development through the utilisation of solar passive		

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				design principles.
		7		Press for the provision of public transport and the density of development needed to give effect to transit orientated design.
		8		Ensure local structure plans have a range of attractions within a walkable distance of residential areas.
		21	Landscape	Provide a variety of affordable passive and active public open spaces that are well connected with a high level of amenity.
		26	General	Facilitate the development of a variety of well planned and connected activity centres and corridors.
		27		Ensure land use planning accommodates a diverse range of lifestyle and employment opportunities and activities.
	Infrastructure	38	Roads and bridges	Ensure that bridge and road network planning and development considers community safety and emergency management.
		39	Water Management	Minimise the use of piped and artificial drainage and its impact on the landscape.
		40		Promote, implement and celebrate best practice integrated water cycle management.
		42		Where appropriate, create road side swales that add to the visual amenity, habitat, water quality and recreational enjoyment of the urban environment.
		49	Vegetation management	Ensure local native, low maintenance and water wise trees and plants are incorporated in streetscapes and public spaces.
SUSTAINABLE ECONOMIC GROWTH				
	Industry Development	1	General	Attract and facilitate appropriate industrial, commercial and retail developments.
PEOPLE AND COMMUNITY				
	Wellbeing	1	Healthy	Promote a wide range of opportunities to enable optimal physical and mental health.
		3		Enable the provision of a range of facilities and services for families and children.
		13	Safe	Achieve a high level of community safety
		14		Develop and implement crime prevention strategies.
	Places	29	Vibrant	Create vibrant urban and rural villages.
		30		Develop well connected neighbourhood hubs and activity centres.
		32		Ensure community spaces and places are accessible and inviting.
		36		Plan and develop safe communities and places.
		37	Innovative	Promote and encourage the development of affordable and appropriate lifelong living environments.
		41	Distinctive	Recognise, preserve and enhance the distinct characteristics of each locality.
OUR COUNCIL AT WORK				
	Strategy and Planning	27	Strategic Direction	Prepare effectively for future development.

Comment:

There are a number of key issues which need to be addressed in progressing the LSP. The following sections identify each issue, provide a brief explanation, identify and discuss different options to address each issue and provide a recommended path forward.

Water Management

Several stages of subdivision within the LSP have been approved and are under construction. In relation to these subdivisions, the WAPC imposed conditions of approval requiring the preparation of a drainage strategy.

At its meeting of 18 November 2008, Council considered and approved an Urban Water Management Plan (UWMP) for Lot 3 Thatcher Road and Lot 3 Alexander Road, Byford. The UWMP establishes the land area required for subdivision drainage, stormwater management and conveyance needs for regional stormwater, to be provided within a MUC identified by the Byford DSP.

In June 2010 the applicant initiated a review of district drainage requirements as part of a floodway optimisation study, and presented their findings to the Shire. The study identified that the MUC affecting the subject land could be reconfigured to achieve improved land development outcomes, namely:

- More functional POS within the detention basin;
- Resolution of inconsistencies between landscaping and DWMP floodplain management proposals;
- Separation maintained between new and existing development;
- Improved flood risk management;
- Provision of POS in accordance with Liveable Neighbourhoods targets;
- Improved crime prevention through environmental design (CPTED) and social benefits in urban design;
- Reduction in financial burden in the cost sharing scheme through MUC acquisition; and
- Reduced maintenance costs.

Shire staff have reviewed the proposed floodway optimisation study and are generally satisfied with the proposed water management regime. On this basis, the applicant has provided an addendum to the originally prepared and approved UWMP, which proposes a reconfigured MUC.

Shire staff are satisfied that the UWMP and addendum demonstrate compliance with the Byford Townsite DWMP and adequately responds to the current water management proposals of the upstream Byford Town Centre. It is therefore recommended that Council deem the UWMP and addendum as being satisfactory for advertising in parallel with the LSP. During this advertising process, the Department of Water will consider the UWMP and addendum in accordance with the Better Urban Water Management Framework. Should changes to this LSP and/or the Byford Town Centre LSP (Local Water Management Strategy) occur as planning progresses, refinements to the UWMP for this site will need to be updated.

A copy of the flood optimisation study and UWMP with addendum is with attachments marked [SD106.2/05/11](#).

Interface with Byford Trotting Complex

Byford District Structure Plan

The LSP abuts the Byford Trotting Complex to the west. A 200m wide area surrounding the Byford Trotting Complex is zoned Urban Deferred under the Metropolitan Region Scheme. A portion of the area abutting the trotting complex is identified for 'Rural Residential Development and MUC on the BSP.

Provision 4.4 of the Byford DSP Operative Part states:

'4.4 Land within 200 metres of the Byford Trotting Complex

4.4.1 Prospective purchasers of all new residential lots created within 200 metres of any lot contained within the Byford Trotting Complex will be required to be notified that they are within proximity of the Trotting Complex and associated land uses. The 200 metres shall be measured from the dashed-line around the Trotting Complex, depicting the boundary of the Structure Plan Area.'

The Need for Separation and Interface Treatments

A level of separation between land within the Trotting Complex and residential development is considered essential to minimise potential land use conflict. Considerations include dust, noise, odour, flies and other amenity issues, and potential future complaints. In addition, an appropriate interface treatment is required in order to maintain rural amenity for land within the Trotting Complex and for visual amenity for adjoining residential land.

Approaches Applied to Date for Buffers

In considering LSP's and subdivision in proximity to the Byford Trotting Complex to date, the Shire and the WAPC have generally required that:

- A memorial be placed on the Certificate of Title of all lots created within 200m of the Trotting Complex, in accordance with Provision 4.4 of the Byford DSP.
- That subdivision and development to a residential standard density not be permitted within 80m of the boundary of lots within the Trotting Complex.

The following examples highlight the practical application of the above requirements and how different approaches have been utilised in different scenarios:

- The Glades – low density residential development at a density of R10 and R12.5 is being proposed to the south of Abernethy Road in proximity to the Trotting Complex. Development setbacks, when combined with the proposed 30m reserve for Abernethy Road achieves an 80m separation. Abernethy Road itself will act as a significant buffer to the Trotting Complex by virtue of the large amount of traffic it will cater for.
- Kalimna Estate – rural-residential style development at a density of R5, a primary school, district open space and a bridle trail ensure an adequate 80m separation between standard residential development and the Byford Trotting Complex.
- Redgum Estate – a bridle trail and rural-residential lots achieving an 80m separation between the Trotting Complex and residential development in the Redgum Estate.
- Land between Malarkey Road and Briggs Road - a bridle trail and rural-residential lots achieving an 80m separation between the Trotting Complex and future residential development on Lot 9500.
- Byford Town Centre – the draft Byford Town Centre LSP proposes a road reserve, residential development at a density of R15 and MUC's as an interface

with the Trotting Complex. An 80m separation was not achieved in the context of this plan. At the time of Council determination, balanced consideration was given to the need for an appropriate interface as well as achieving a viable catchment population for the Town Centre.

As can be seen, a number of different approaches have been taken to achieve a separation between residential development and the trotting complex.

LSP Proposal

As mentioned earlier, land within the LSP area is in close proximity to the Byford Trotting Complex, with the associated potential for land use conflicts and/or amenity impacts.

The LSP proposes a separation of approximately 80 metres between the Byford Trotting Complex and the closest future residential dwelling. The LSP proposes the establishment of a MUC between the Byford Trotting Complex and residential development. The MUC is intended to provide a clear separation between land uses, providing for recreational and drainage needs.

To further reduce the potential for amenity impacts, Shire staff consider that the above design response should be complimented by other measures, including:

- Notifications being placed on certificates of title of proposed residential lots, advising of proximity to the Byford Trotting Complex, associated land uses and the potential adverse impacts associated with these land uses. This will assist advising future landowners of potential issues and minimise the potential for complaints.
- Appropriate landscaping within the road reserve and MUC. This will improve visual amenity and separation for both rural and residential land uses. A landscape master plan/management plan is recommended to form part of the LSP. .

Shire staff recommend that these requirements be inserted into a statutory section of the draft LSP.

Residential Density

A residential density of R20 is standard in Western Australia. Medium residential densities are generally considered to be appropriate adjacent to MUC's and other areas of high amenity and convenience. Medium densities may provide additional passive surveillance and capitalise on the amenity values of such open space areas. The draft LSP proposes to meet this commonly applied planning principle and proposes R30 and R40 residential development in proximity to the MUC.

From a review of the LSP, officers are of the opinion that an increased density, over and above R20, is not considered justified in the context of the close proximity to the trotting complex as this may have the potential to further intensify potential land use conflicts and/or amenity impacts. Accordingly, should Council wish to deem the LSP satisfactory for advertising, it is recommended that a modification be progressed to alter the residential density from R30 and R40 to a residential density of R20.

As outlined later in this report, there are three options available to Council in dealing with this matter, as follows:

1. Determine that the draft LSP is satisfactory for advertising without modification.
2. Determine that the draft LSP is satisfactory for advertising, subject to modifications having first been undertaken.

3. Determine that the draft LSP is not satisfactory for advertising, providing reasons to the proponent.

Landscaping

The original UWMP prepared in support of the subdivision of this land included a MUC landscaping concept which proposed substantial revegetation and landscaping. In addition, an overall landscape master plan/management plan has been prepared and approved for the land. The landowner proposed a high standard on the assumption that construction and landscaping costs for the MUC would be included in a future development contribution arrangement (DCA) for Byford. The draft Byford DCA does not propose to include MUC construction and landscaping costs.

In approving a subdivision application for the site, the WAPC imposed a condition requiring landscaping to be undertaken in accordance with the MUC landscaping concept and overall landscape master plan/management plan. The landowner applied to the State Administrative Tribunal (SAT) for a review of this condition, as they were no longer seeking to provide substantial landscaping, as the cost of such would not be covered by the DCA. The WAPC proposed a modified condition which was accepted by SAT and required:

- Basic landscaping, reticulation and maintenance to be completed in accordance in accordance with State Policy; and
- That the clearance of certain future stages of subdivision would not be permitted until that basic landscaping was completed.

The landscaping works have not been completed as the applicant has proposed a revision to the approved UWMP, which will see a reconfiguration of the proposed MUC, and therefore the area still requires landscaping. The UWMP and addendum have been submitted as part of the draft LSP, and have not yet been approved. Once the spatial area of the MUC is finalised, a revised landscape master plan/management plan will need to be prepared and approved by the Shire, in accordance with Liveable Neighbourhoods requirements.

Liveable Neighbourhoods sets the basic standard for landscaping, as detailed below:

'The WAPC will generally require public open space to be developed by subdivider to a minimum standard that may include full earthworks, basic reticulation, grassing of key areas, pathways that form part of the overall pedestrian and/or cycle networks, and maintenance for two summers. Development of public open space should be carried out in accordance with a landscaping plan first approved by the local government. The WAPC may not require development of public open space where land is in fragmented ownership, where it is restricted use public open space, and where climatic variations do not require such development.'

Whilst the landowner is required to comply with the minimum requirement of Liveable Neighbourhoods, they are also required to prepare and seek approval of a landscaping plan through the Shire. The landscape master plan/management plan will need to be revised pending finalisation of the UWMP and identification of drainage land requirements. This presents an opportunity for the Shire to seek an appropriate landscaping outcome for the key POS areas, being the MUC and neighbourhood park/detention basin to the north. The Shire does not have a Local Planning Policy which sets out landscaping requirements for MUC's or POS areas specifically, however, a suite of other Policies are available to guide the preparation and approval of landscape plans:

- Revegetation Policy.

- Water Sensitive Design Policy.
- Water Sensitive Urban Design Policy.
- Biodiversity Planning Policy.

Furthermore, a suitable landscaping outcome will assist in ensuring an appropriate interface between rural development in the Byford Trotting Complex and urban residential development in the LSP.

Shire staff recommend that the requirement for a landscaping master plan/management plan, prepared based on the above Policies, be inserted into the statutory text for the LSP. This plan will need to be prepared prior to advertising of the draft LSP and implemented through the subdivision approval and clearance process.

Primary School Traffic Issues

Marri Grove Primary School abuts the northeast portion of the LSP area. For some time, there have been traffic and parking issues at and surrounding the school resulting from growth at the school, a lack of parking, school upgrade works and subdivisional works in the LSP area.

Progression of the LSP for Marri Park will not directly address these issues, however, it should be noted that Shire staff have facilitated various outcomes in partnership with the developer, the School and the Department of Education and Training (DET), including:

The provision of on-street parking to the south of the school site. This will assist in addressing the issue of verge parking and congestion during peak periods. The DET has agreed to fund these works and the Shire is currently awaiting construction drawings.

The provision of a T-intersection where the road to the south of the school intersects with the proposed extension of Alexander Road. This will provide for anti-clockwise traffic movements around Marri Park, improving access to and egress from the site. The developer has agreed to construct this intersection as part of its subdivisional works.

The school and DET to investigate the provision of additional parking facilities on the school site.

It should be noted that there are no proposals to upgrade Alexander Road between the railway reserve and the school. The road will remain unsealed for the time being. A benefit of this approach is that significant vegetation can be retained which may otherwise need to be removed to allow for road construction. In addition, the Shire's Engineering section have advised that a significant amount of informal car parking occurs within the road reserve abutting the school. Sealing of the road would reduce this parking capacity.

To avoid such issues in other development areas and ensure appropriate traffic, access and parking arrangements are achieved in the future, the Shire has drafted an Integrated Land Use and Transport Planning Policy. The draft Policy seeks to ensure that transport assessments are effectively integrated into land use planning processes. Given that substantial subdivision and development has progressed surrounding Marri Grove Primary School, and that parking and access improvement works will soon be undertaken, it is not considered necessary or reasonable for a transport assessment to be prepared as part of the LSP.

Larsen Road

Larsen Road borders the LSP area to the north and currently provides an east-west connection between the South Western Highway and Briggs Road. Larsen Road also borders the Byford Trotting Complex to the north.

Directing significant traffic flows on a local road in proximity to the Trotting Complex is not desirable based on safety and amenity considerations. This approach will also undermine the use of Rural Residential development to provide a separation between the Trotting Complex and urban development.

Based on these considerations, Shire staff believe that in the future Larsen Road should terminate at the proposed round-a-bout intersecting with the San Simeon Boulevard extension, and not provide for western vehicle movements from the LSP area. It is likely that this intersection treatment will only however be possible once the construction of San Simeon Boulevard between Thomas Road and Larsen Road is completed which may take 5-10 years. This will ensure an alternative and direct connection between Thomas Road and Larsen Road. The Shire's Engineering section has indicated support for this approach based upon the recently undertaken traffic modelling for Byford which incorporates the closure of this portion of Larsen Road.

In terms of responsibility, Shire staff believe that the road closure and removal should be funded through the Byford Development Contribution Arrangement (DCA). The closure and removal of this portion of Larsen Road is considered to be a minor cost and could be readily included in the Byford DCA as part of the San Simeon Boulevard costs. Shire staff will soon be preparing a report to Council regarding the draft DCA and will propose modifications to the DCA to incorporate this cost. It would be difficult to require the landowner to fund this work given that the portion of Larsen Road in question already abuts land ceded for public open space and that the remaining stages of subdivision for the site do not abut that portion of Larsen Road.

Shire staff recommend that the draft LSP Map be modified to show the portion of Larsen Road between the Thatcher Road and the proposed San Simeon Boulevard extension be closed. This modification will need to be appropriately annotated indicating that the closure will occur once San Simeon Boulevard is connected between Larsen Road and Thomas Road, subject to funding being available through the Byford DCA.

Neighbourhood Node

The Byford DSP identifies a Neighbourhood Node at the intersection of Evans Way and Larsen Road, with the portion to the south of Larsen Road included in the LSP area and the portion to the north included in Byford Central. Pursuant to the Shire's Local Planning Policy (LPP) No. 19 – Byford Structure Plan Area Development Requirements, Neighbourhood Nodes are envisaged to be small-scale retail and commercial centres.

The neighbourhood node site currently consists of:

- A child care centre to the northeast of the intersection in Byford Central.
- Vacant land used as temporary parking for the Byford Central sales office to the northwest.
- The Marri Park Estate sales office to the southwest.
- Marri Grove Primary School to the southeast.

Based on the above land use and development context, it is clear that a neighbourhood node is gradually being established and that there is potential for additional commercial/mixed-use development. Informal discussions with the Byford Central proponents have indicated a willingness of having flexibility to provide neighbourhood node land uses and development outcomes in the future. The draft Marri Park LSP proposes a Residential zoning for the sales office site, likely resulting in its eventual development for single residential purposes.

In considering the draft LSP, Council will need to judge the merits of achieving a neighbourhood node development in the area. The Byford DSP was designed generally in accordance with the principles of Liveable Neighbourhoods, promoting a dispersal of

commercial and retail development in smaller centres within walking distance of most residential areas. To ensure such sustainable development designs are achieved, it is considered necessary to require provision for neighbourhood node development.

Based on this design objective, and given that a neighbourhood node appears to be evolving at the site with the support of developers, it is considered appropriate to ensure that the LSP is awarded the flexibility to facilitate a neighbourhood node outcome.

To this extent, Shire staff recommend that the draft revised LSP be modified to identify two lots at the intersection of Larsen Road and Evans Way, currently containing the Marri Park sales office and car park, as neighbourhood node. Appropriate provisions will need to be inserted into a statutory section of the LSP ensuring that subdivision and development of the sites either incorporates neighbourhood node elements and/or does not prejudice the future development of a node in the future.

Urban Design and Detailed Area Plans (DAP's)

The draft LSP proposes a development design which generally accords with Liveable Neighbourhood requirements. A permeable road network is combined with POS bounded by roads for the most part and residential lots which have the potential to provide for passive surveillance. Laneways are provided in appropriate locations to ensure narrow lot development is not dominated by garages. A MUC is provided in accordance with the Byford DSP to serve both water management and recreational purposes.

DAP's are being required for all lots greater than an R30 density and those R20 lots abutting laneways. The subsequent consideration and approval of DAP's will ensure an appropriate design outcome is achieved. Importantly, the DAP's will also provide the Shire with the opportunity to consider in further detail the interface between urban development in Marri Park and rural development in the Byford Trotting Complex.

Statutory Section

The standard structure of a draft LSP is as follows:

- LSP Statutory Section.
- LSP Map (considered part of Statutory Section).
- LSP Justification Report.

The draft LSP for Marri Park includes an LSP Map and Justification Report, but does not include a Statutory Section. These sections include vital information and requirements such as the operational status of the LSP, the objectives of the LSP, any specific land use or development controls, DAP requirements, management plan requirements and controls addressing specific issues.

Shire staff recommend that a Statutory Section be prepared for the draft LSP.

Statutory Process:

There are three options available to Council with respect to the draft LSP, as outlined below:

1. Determine that the draft LSP is satisfactory for advertising without modification.
2. Determine that the draft LSP is satisfactory for advertising, subject to modifications having first been undertaken.
3. Determine that the draft LSP is not satisfactory for advertising, providing reasons to the proponent.

Should Council make a decision under Option 2 or 3, and the applicant be aggrieved by that decision, the applicant may request the Shire to forward the LSP to the WAPC, who will consider whether the draft LSP is satisfactory for advertising, and may direct the Council to advertise the draft Plan.

Conclusion:

Officers consider that with appropriate modifications first being made, as detailed within this report and contained within the officer recommendation below, that the draft LSP has the potential to be deemed satisfactory for advertising.

Whilst subdivision approval has been granted for a majority of the Marri Park Estate, finalisation of an LSP for the site will have many benefits, including:

- Providing clarity on the zoning of land which will assist with future planning and building approvals, and enquiries;
- Facilitate a path forward for subdivision of the remaining stages of the LSP;
- Facilitate consideration of the UWMP addendum, which proposes a reconfigured MUC;
- Facilitate the finalisation of landscaping requirements in the MUC; and
- Facilitate the future closure of Larsen Road.

Voting Requirements: Simple Majority

Officer Recommended Resolution:

That Council:

- A. Pursuant to Clause 5.18.2.3 and Provision 2(a) of Development Area 3 (Byford) contained in Appendix 15 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, determine that a Local Structure Plan, being the draft Marri Park Local Structure Plan, is suitable to cover part of Precinct 6 of the Byford Development area, as detailed in Plan 15A of the Scheme.
- B. Pursuant to Clause 5.18.2.3 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 determine that the draft Marri Park Local Structure Plan is satisfactory for advertising subject to the following modifications first being undertaken and further details provided to the satisfaction of the Director Development Services:
 - a) The preparation of a draft LSP Statutory Section addressing the following matters, as a minimum:
 - i. Identifying the Local Structure Plan area.
 - ii. Identifying the content of the Local Structure Plan.
 - iii. Setting out any required definitions.
 - iv. Identifying the operational date of the Local Structure Plan.
 - v. Identifying the relationship between the Local Structure Plan and Town Planning Scheme No. 2, and a system of prevalence.
 - vi. Setting out the objectives of the Local Structure Plan.
 - vii. Setting out how the Local Structure Plan is to operate and be utilised.
 - viii. Making reference to the Local Structure Plan Map as being part of the Statutory Section.
 - ix. Identifying the zones, reserves, residential densities and other classifications shown on the Local Structure Plan Map and any specific land use or development controls.
 - x. Setting out the requirement for an urban water management plan.

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- xii. Identifying that notifications will need to be placed on the Certificate of Titles of newly created lots regarding the Byford Trotting Complex and its potential impacts.
 - xiii. Identifying the requirement for a landscape master plan/management plan to be prepared and approved by the Shire's Director Strategic Community Planning in accordance with Liveable Neighbourhoods and Shire Policy requirements. The landscaping master plan/management plan is to include the use of vegetation within the multiple-use corridor and road reserves to achieve an appropriate interface between residential and adjoining rural development in the Byford Trotting Complex.
 - xiv. The inclusion of relevant provisions in respect of the proposed Neighbourhood Node, identifying the requirement for a detailed area plan and the manner in which subdivision and development will be considered.
- b. The draft Local Structure Plan Map to be modified to show the portion of Larsen Road between the Thatcher Road and the proposed San Simeon Boulevard extension being closed in the future. This modification will need to be appropriately annotated indicating that the closure will occur once San Simeon Boulevard is connected between Larsen Road and Thomas Road, subject to funding being available through the Byford Development Contribution Arrangement.
 - c. The draft Local Structure Plan Map being modified to show proposed Lots 201 and 202 at the intersection of Larsen Road and Evans Way, currently comprising the Marri Park Estate sales office and parking area, as Neighbourhood Node, with an annotation requiring a detailed area plan.
 - d. The preparation of a landscape master plan/management plan in accordance with Liveable Neighbourhoods requirements and Shire's Revegetation, Water Sensitive Design, Water Sensitive Urban Design and Biodiversity Planning Policies, to the satisfaction of the Director Strategic Community Planning.
 - e. The draft Local Structure Plan Map being modified to change the proposed residential density of lots to the west of the proposed 30 metre road reserve/future distributor road from Residential R40 and Residential R30 to a density of Residential R20.
- C. Determine that the draft Urban Water Management Plan and addendum, as provided in attachment *SD106.2/05/11*, for the draft Marri Park Local Structure Plan is satisfactory for advertising for public and agency comment in conjunction with the draft Local Structure Plan.
- D. Advertise the draft Marri Park Local Structure Plan for a period of not less than 21 days by way of:
- a) A notice being placed in a local newspaper circulating within the district.
 - b) A notice being placed in the Shire's Administration Centre.
 - c) A notice being placed on the Shire's internet website.
 - d) A letter being sent to all landowners within the Local Structure Plan area.
 - e) A letter being sent to all landowners within a 500 metre distance to the West of LSP area (within the Byford Trotting Complex) and 100 metres in all other directions.
 - f) A letter being sent to all relevant state government agencies.
- E. Pursuant to Clause 5.18.3.6 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, forward the draft Marri Park Local Structure Plan to the Western Australian Planning Commission.

SD106/05/11 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Geurds, seconded Cr Randall
That Council:

- A. Pursuant to Clause 5.18.2.3 and Provision 2(a) of Development Area 3 (Byford) contained in Appendix 15 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, determine that a Local Structure Plan, being the draft Marri Park Local Structure Plan, is suitable to cover part of Precinct 6 of the Byford Development area, as detailed in Plan 15A of the Scheme.**
- B. Pursuant to Clause 5.18.2.3 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 determine that the draft Marri Park Local Structure Plan is satisfactory for advertising subject to the following modifications first being undertaken and further details provided to the satisfaction of the Director Development Services:**
- a) The preparation of a draft LSP Statutory Section addressing the following matters, as a minimum:**
- i. Identifying the Local Structure Plan area.**
 - ii. Identifying the content of the Local Structure Plan.**
 - iii. Setting out any required definitions.**
 - iv. Identifying the operational date of the Local Structure Plan.**
 - v. Identifying the relationship between the Local Structure Plan and Town Planning Scheme No. 2, and a system of prevalence.**
 - vi. Setting out the objectives of the Local Structure Plan.**
 - vii. Setting out how the Local Structure Plan is to operate and be utilised.**
 - viii. Making reference to the Local Structure Plan Map as being part of the Statutory Section.**
 - ix. Identifying the zones, reserves, residential densities and other classifications shown on the Local Structure Plan Map and any specific land use or development controls.**
 - x. Setting out the requirement for an urban water management plan.**
 - xi. Setting out the requirement for detailed area plans and what matters need to be addressed in each detailed area plan.**
 - xii. Identifying that notifications will need to be placed on the Certificate of Titles of newly created lots regarding the Byford Trotting Complex and its potential impacts.**
 - xiii. Identifying the requirement for a landscape master plan/management plan to be prepared and approved by the Shire's Director Strategic Community Planning in accordance with Liveable Neighbourhoods and Shire Policy requirements. The landscaping master plan/management plan is to include the use of vegetation within the multiple-use corridor and road reserves to achieve an appropriate interface between residential and adjoining rural development in the Byford Trotting Complex.**
 - xiv. The inclusion of relevant provisions in respect of the proposed Neighbourhood Node, identifying the requirement for a detailed area plan and the manner in which subdivision and development will be considered.**
 - xv. The inclusion of relevant provisions in respect of fencing in the area west of the 30m road reserve (San Simeon Boulevard) to comply with the requirements of the Fencing Local Laws.**

- b. The draft Local Structure Plan Map to be modified to show the portion of Larsen Road between the Thatcher Road and the proposed San Simeon Boulevard extension being closed in the future. This modification will need to be appropriately annotated indicating that the closure will occur once San Simeon Boulevard is connected between Larsen Road and Thomas Road, subject to funding being available through the Byford Development Contribution Arrangement.**
 - c. The draft Local Structure Plan Map being modified to show proposed Lots 201 and 202 at the intersection of Larsen Road and Evans Way, currently comprising the Marri Park Estate sales office and parking area, as Neighbourhood Node, with an annotation requiring a detailed area plan.**
 - d. The preparation of a landscape master plan/management plan in accordance with Liveable Neighbourhoods requirements and Shire's Revegetation, Water Sensitive Design, Water Sensitive Urban Design and Biodiversity Planning Policies, to the satisfaction of the Director Strategic Community Planning.**
 - e. The draft Local Structure Plan Map being modified to change the proposed residential density of lots to the west of the proposed 30 metre road reserve/future distributor road (future San Simeon Boulevard) from Residential R40 and Residential R30 to a density of Residential R5.**
- C. Determine that the draft Urban Water Management Plan and addendum, as provided in attachment *SD106.2/05/11*, for the draft Marri Park Local Structure Plan is satisfactory for advertising for public and agency comment in conjunction with the draft Local Structure Plan.**
- D. Advertise the draft Marri Park Local Structure Plan for a period of not less than 21 days by way of:**
 - a) A notice being placed in a local newspaper circulating within the district.**
 - b) A notice being placed in the Shire's Administration Centre.**
 - c) A notice being placed on the Shire's internet website.**
 - d) A letter being sent to all landowners within the Local Structure Plan area.**
 - e) A letter being sent to all landowners within a 500 metre distance to the West of LSP area (within the Byford Trotting Complex) and 100 metres in all other directions.**
 - f) A letter being sent to all relevant state government agencies.**
- E. Pursuant to Clause 5.18.3.6 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, forward the draft Marri Park Local Structure Plan to the Western Australian Planning Commission.**

CARRIED 10/0

Council Note: Council changed the Officer Recommended Resolution to be consistent with all other development within the Byford Trotting Complex 200m buffer and the Byford District Structure Plan, and the adoption of the R5 Residential coding permits better compliance with the 80m separation zone. A provision was included in the Local Structure Plan relating to fencing being in accordance with the Shire's Fencing Local Laws. A minor amendment was made to clarify the naming of the road (San Simeon Boulevard). Committee would also like to thank the gallery for their information and submitted petition.

SD107/05/11		DETAILED AREA PLAN - THE GLADES RESIDENTIAL ESTATE STAGE 9, BYFORD (A1947)	
Proponent:	Taylor Burrell Barnett	In Brief Council is requested to endorse a Detailed Area Plan for Stage 9 at the Glades Estate.	
Owner:	LWP Byford Syndicate Pty Ltd		
Author:	Peter Varelis – Planning Officer		
Senior Officer	Brad Gleeson - Director Development Services		
Date of Report	4 April 2011		
Previously	Nil		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act		
Delegation	Council		

Date of Receipt: 7 December 2010
 L.A Zoning: Urban Development
 MRS Zoning: Urban
 Byford Structure Plan: Residential
 Local Structure Plans: The Glades - Local Structure Plan
 Date of Inspection: Various

Background:

Council has received a Detailed Area Plan (DAP) for the Glades Residential Estate Stage 9, Byford for consideration under Town Planning Scheme No. 2 (TPS 2).

A copy of the DAP is with attachments marked [SD107.1/05/11](#).

The DAP set outs design requirements for the development of lots associated with the respective Local Structure Plan (LSP) area. The requirements stipulated in the DAPs apply in addition to normal Scheme and State Planning Policy No. 3.1, Residential Design Codes (R-Codes) of Western Australia requirements and will permit particular variations related but not limited to dwelling placement, fencing, storage areas, and service locations. Stipulating modified provisions under a DAP facilitates optimal design outcomes.

This report provides Council with the opportunity to adopt the DAP for the Glades Residential Estate Stage 9, Byford.

Sustainability Statement

Effect on Environment: The DAP submitted to Council incorporates passive solar design principles through mandated provisions accompanied by those stipulated in the R-Codes and Building Code of Australia (BCA).

Use of local, renewable or recycled resources: The promotion of energy efficiency will result in reduced energy consumption and dependency upon resources.

Economic Viability: The proposed DAP presented to Council covers an area of ten residential dwellings providing a mixture of residential densities to the local property market.

Social – Quality of Life: The DAP provisions focus on an appropriate neighbourhood environment promoting the objectives and requirements of Liveable Neighbourhoods.

Statutory Environment: Planning and Development Act 2005
TPS 2
Liveable Neighbourhoods
State Planning Policy No. 3.1 (R-Codes)
Planning for Bushfire Protection Guidelines

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

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

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
	Climate Change			
		29	Mitigation	Ensure that energy and water conservation is addressed at the local level.
		30		Minimise resource use
		31		Reduce the liberation of carbon into the atmosphere.
		32		Develop community ownership of climate change mitigation strategies.
		33	Adaptation	Develop and implement climate change adaptation strategies.
	Energy			
		37	Community Reduction	Reduce community emissions including all greenhouse gas emissions that result from all commercial and residential activity within the Shire.
		38		Reduce Council emissions including all greenhouse gas associated with council activities, facilities and operations.
	Land Use Planning			
		2		Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.
		3	Urban Villages	Incorporate the principles of emergency management, community safety and crime prevention in new and existing developments.
		5		Residential developments will accommodate a variety of lot sizes, water wise native gardens and shade trees.
		6		Subdivision layout will maximise the achievement of sustainable development through the utilisation of solar passive design principles.
		13	Buildings	Ensure the Shire's rural character is sensitively integrated into urban and rural villages.
		14		Encourage built form that positively contributes to streetscape amenity.
		15		Ensure that all buildings incorporate principles of environmentally sustainable design, suitable for our specific climate and location.
		16		Enable built form that accommodates a range of business and family circumstances and needs.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		39	Water Management	Minimise the use of piped and artificial drainage and its impact on the landscape.
		40		Promote, implement and celebrate best practice integrated water cycle management.
		41		Create low maintenance living streams and ephemeral wetlands.
		47	Trails and linkages	Plan and develop well connected, distinctive, multiple use pathways that contribute to the individuality and sense of place of each neighbourhood.

Community Consultation:

The LSP for the Glades was advertised for comment during 2009, providing an opportunity for all stakeholders to provide input into the planning for this area. The provisions of the DAP will not impact on any existing landowners and as such advertising is not considered warranted.

Comment

There are a number of key considerations for Council with respect to the DAP, as follows:

- Fencing
- Rear Setbacks
- Front Setbacks
- Private Open Space
- Secondary Street
- Fire Management
- Policy Context

Each of these matters are discussed further in the following sections.

Fencing

Fencing is a critical aspect of achieving suitable streetscapes, with the style, height and materiality of fencing being visible to the public realm it requires careful consideration. The DAPs for the Glades stipulate that fencing is strictly provided by the developer and any fencing erected (other than a dividing fencing) shall be in accordance with the developers requirements.

No provision within this DAP seeks to vary the requirements of fencing within the R-Codes. Provision 6.2.5 as stipulated in the R-Codes states that:

“Front walls and fences within the primary street setback area that are visually permeable 1.2m above natural ground level.”

Solid style fencing to side boundaries in urban environments is generally proposed to ensure sufficient privacy in designated private open space areas. The further particulars of fencing within the Shire will be addressed in a future Local Planning Policy (LPP). The provisions of the DAPs and R-Codes seek to preclude solid style fencing within the primary street setback area.

Rear Setbacks

R30 Grouped Housing Site

The appropriateness of setbacks to the rear boundary need to be carefully considered. The applicant has advised that the proposed 5m setback is proposed in accordance the 'Fire Protection – The Glades at Byford' documentation and meets the established criteria.

R10 Lots

Setbacks proposed as per the R-Codes for R10 coded lots being 6m.

Front Setbacks

The primary consideration in regards to front setbacks is streetscape. As stipulated in the R-Codes the primary objective of Part 6.2 Streetscape requirements is to:

'Contribute towards attractive streetscapes and security for occupants and passers-by, ensure adequate privacy and open space for occupants, and provide an attractive setting for buildings.'

R30 Grouped Housing Site

The proposed front setback is 2.5m minimum. No maximum or average setback is proposed to apply. This differs from previously adopted DAPs for laneway lots within the Glades. The developer has provided the following justification for the variation:

"Not requiring an average or maximum setback to be achieved provides purchasers with greater flexibility to site their home further back into the lot, should they desire."

On balance the proposed 2.5m minimum setback is considered reasonable and consistent with the objectives of the R-Codes.

R10 Lots

Setbacks proposed as per the R-Codes for R10 coded lots being 7.5m.

Private Open Space

R30 Grouped Housing Site

The primary consideration in regards to private open space as outlined in Part 6.4 (R-Codes) Open space requirements is to:

"Provide attractive settings to complement buildings, privacy, direct sunlight and the recreational needs of residents."

The proposed DAP provides for an R30 grouped dwelling site with a proposed private open space requirement of 35%. This requirement is consistent with the DAP for the Glades Stage 2D & 7 approved at 35% for R25 laneway lots.

The applicant has previously provided the following justification for the variation:

"We note that previous DAPs that have been submitted to and approved by the Shire have required a minimum open space provision of 40%. We seek a further reduction to the minimum open space site coverage in order to maximise the development area for lot purchasers. As has been outlined and acknowledged by Council previously, the anticipated purchaser market at The Glades (first and second home-buyers) will ultimately result in predominantly single storey development, due to the additional cost of two-storey development. Varying the R-Codes to allow for a minimum 35% private open space will give the landowner the option to construct a slightly larger dwelling without having to build a

second storey. This is also particularly relevant for smaller, cottage-style [or grouped housing] lots. Furthermore, the proximity of these lots to expansive and high quality public open space [Bush Forever] areas will serve to mitigate any reductions of onsite open space. It is for these reasons that the additional 5% private open space reduction is sought.”

The reduction in private open space is compensated because the grouped dwelling site as identified on the LSP is located in an area of high amenity and accessibility to POS. On balance, the proposed 10% reduction in private open space (from 45% to 35% on R30 coded lots) is considered reasonable given the justification provided and proximity of lots to high quality POS.

R10 Lots

Open space proposed as per the R-Codes for R10 coded lots being 60%.

Secondary Street

Due to their prominence in the neighbourhood, those buildings situated on a corner should address the secondary street in a manner consistent with the primary facade. The provisions outlined in the DAPs adequately address the secondary street.

Fire Management

The proposed DAP sets out design requirements for the development of lots abutting an existing Bush Forever site. Housing design is a critical aspect of achieving suitable development in areas of sensitive existing land uses (including Bush Forever sites). For this reason and on this basis fire management requirements have become provisions of the DAP and require implementation like any other provision (ie. setbacks). The basis and criteria for fire management requirements has come from the ‘Fire Protection – The Glades at Byford’ documentation.

Policy Context

In order to support and further Council’s commitment to sustainable development, officers are currently making arrangements for the following policies to be established and progressed through statutory processes including stakeholder engagement:

- Residential development – to ultimately replace LPP 17 and provide guidance on the use of performance criteria under the R-Codes;
- Streetscape – to address the public realm, effectively between property boundaries; and
- DAPs – to guide the content, structure and statutory operation of DAPs.

Officers are committed to progressing these policies in a timely manner. The development of these policies will provide significant opportunities for Council to further improve the quality of the built environment for not only those properties covered by DAPs but for all residential development within the Shire.

Options

There are primarily two options available to Council, as follows:

- (1) adopt the proposed DAP.
- (2) not adopt the proposed DAP and provide reasons to the applicant.
- (3) adopt the proposed DAP with modifications.

Option 1 is recommended.

Should an applicant be aggrieved by a determination of the Shire, the application may lodge an application for review with the SAT.

Conclusion

The DAP proposed are considered to facilitate appropriate urban form outcomes and support Council's commitment to continuous improvement with respect to sustainability. Adoption of the DAP is recommended.

Voting Requirements: Simple Majority

Officer Recommended Resolution:

That Council:

- A. Approve the Detailed Area Plan for the Glades Residential Estate Stage 9 in accordance with clause 5.18.5.1(c)(i) of Shire of Serpentine Jarrahdale Town Planning Scheme No. 2.
- B. Advise the Western Australian Planning Commission accordingly.

SD107/05/11 Committee Recommended Resolution:

That Council:

- A. Approve the Detailed Area Plan for the Glades Residential Estate Stage 9 in accordance with clause 5.18.5.1(c)(i) of Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 subject to the following change:
 - i) The addition of clause (d) under provision 7 of the Detailed Area Plan stating "Fencing shall be post and wire along the entire length of the southern boundary".
- B. Advise the Western Australian Planning Commission accordingly.

Committee Note: Officer Recommended Resolution was changed with the addition of a clause requiring that fencing shall be post and wire.

Cr Geurds left the room at 7.43pm

SD107/05/11 COUNCIL DECISION/Alternate Recommendation:

Moved Cr Harris, seconded Cr Hoyer pro-forma

That Council:

- A. **Approve the Detailed Area Plan for the Glades Residential Estate Stage 9 in accordance with clause 5.18.5.1(c)(i) of Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 subject to the following change:**
 - (1) The addition of clause (d) under provision 7 of the Detailed Area Plan stating that "Fencing shall be constructed of masonry piers with open-style infill along the entire length of the southern boundary".**
- B. **Advise the Western Australian Planning Commission accordingly.**

CARRIED 9/0

Cr Geurds was not present and did not vote

Council Note: The Committee Recommended Resolution was changed with the addition of a clause requiring that fencing shall be constructed of masonry piers with open style infill along the entire length of the southern boundary.

Cr Geurds returned to the room at 7.46pm

SD108/05/11		NEW LOCAL PLANNING POLICIES – LPP 37 LAND SALES OFFICES, LPP 56 FAST FOOD PREMISES, LPP 63 INTEGRATED LAND USE AND TRANSPORT PLANNING (A1767, A1927 & A1985)
Author:	Lawrence Man – Senior Planner	In Brief
Senior Officer:	Brad Gleeson – Director Development Services	A number of new local planning policies have been prepared as part of the Shire's overall policy development program. The following policies are presented to Council for consideration ahead of formal advertising for stakeholder comment.
Date of Report	21 April 2011	
Previously	Not applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The Shire is progressing with a significant policy development program with a view to delivering a more contemporary, rigorous and relevant local planning policy (LPP) suite. The LPP development program is also intended to achieve a more effective and efficient planning framework for decision-making, with associated benefits for transparency, stakeholder confidence and customer service.

This report provides Council with the opportunity to consider the three (3) new LPPs, ahead of formal stakeholder engagement, as follows:

- 1) LPP 37 – Land Sales Offices
- 2) LPP 56 – Fast Food Premises
- 3) LPP 63 – Integrated Land Use and Transport Planning

Sustainability Statement

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

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

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

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

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

Statutory Environment:

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

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

Policy/Work Procedure Implications:

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

Financial Implications:

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

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective	
BUILT ENVIRONMENT	Land Use Planning	26	General	Facilitate the development of a variety of well planned and connected activity centres and corridors.	
		15	Leadership throughout the organisation	The Shire will set policy direction in the best interests of the community.	
OUR COUNCIL AT WORK	Leadership	23	Society, community and environmental responsibility	The elected members provide bold and visible leadership.	
		24		The Shire will further establish itself as an innovative leader in social, community and environmental responsibility.	
		26		The Shire is focussed on building relationships of respect with stakeholders.	
		27		Strategic Direction	Prepare effectively for future development.
	29	Create innovative solutions and manage responsibly to aid our long term financial sustainability.			
	Success and Sustainability	Success and Sustainability	41	Achieving Sustainability	The Shire will exercise responsible financial and asset management cognisant of being a hyper-growth

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
	Knowledge and Information	45	Generating, collecting and analysing the right data to inform decision making	council. Ensure the full costs are known before decisions are made.

Community Consultation:

In accordance with the provisions of Clause 9.3 of TPS 2, Council is required to seek public comment on a draft policy for a period of not less than 21 days before making a decision to finally adopt a LPP. The provisions of TPS 2 require Council to publish a notice once a week for two consecutive weeks in a local newspaper circulating within the District.

To ensure that stakeholders have sufficient opportunity to provide comment, in addition to notices being placed in a newspaper it is recommended that the advertising of the LPPs include the following:

- A notice being placed in the Shire's Administration Centre;
- A notice being placed on the Shire's internet website;
- A letter being sent to key developers which may be affected by the new policies;
- A letter being sent to the development industry peak body, the Urban Development Institute of Western Australia; and
- A letter being sent to relevant state government agencies.

Comment:

LPP 37 – Land Sales Offices

The objectives of this Policy are to:

- Ensure that the siting, scale, design and operation of the land sales offices are appropriate to the existing or intended character of the local area.
- Ensure land sales offices do not detrimentally impact upon the amenity of its surroundings; and to
- Encourage the adoption of best practice in the delivery of land sales offices.

A copy of the proposed Land Sales Offices policy is with attachments marked [SD108.1/05/11](#).

LPP 56 – Fast Food Premises

The objectives of this Policy are to:

- Promote the orderly and proper development of land by making suitable provisions relating to the design of buildings and integration of Fast Food Premises into vibrant urban environments;
- Protect and enhance the existing rural character of the Shire through quality built form outcomes; and
- Detail the level of information required from Applicants.

A copy of the proposed Fast Food Premises policy is with attachments marked [SD108.2/05/11](#).

LPP 63 – Integrated Land Use and Transport Planning

The objectives of this Policy are to:

- Ensure that transport assessments are effectively integrated into land use planning processes;
- That there is clear guidance about the level of information required to be provided in support of planning proposals, including structure plans, subdivisions and developments;
- Ensure a consistent, open and transparent approach is taken to the consideration of transport impacts; and
- Recognise that there are a significant number of stakeholders involved in the effective design and implementation of integrated land use and transport planning outcomes.

A copy of the proposed Integrated Land Use and Transport Planning policy is with attachments marked [SD108.3/05/11](#).

Options

There are three options available to Council in respect of each LPP, in accordance with Clause 9.3 (a) of TPS 2, as follows:

1. Adopt the policy for the purposes of advertising
2. Defer consideration of the policy
3. Resolve to not progress with the policy at this time and provide reasons accordingly.

Option 1 is recommended.

Voting Requirements: Simple Majority

SD108/05/11 Committee/Officer Recommended Resolution:

That Council:

- 1) Adopt the following Local Planning Policies for advertising purposes:
 - a) Draft Local Planning Policy 37 – Land Sales Offices as provided in attachment *SD108.1/05/11*.
 - b) Draft Local Planning Policy 56 – Fast Food Premises as provided in attachment *SD108.2/05/11*.
 - c) Draft Local Planning Policy 63 – Integrated Land Use and Transport Planning as provided in attachment *SD108.3/05/11*.
- 2) The Local Planning Policies be advertised in accordance with Clause 9.3 of Town Planning Scheme No. 2.

Uwe Stripe left the room at 7.48pm and returned at 7.50pm

SD108/05/11 COUNCIL DECISION/Alternate Recommendation:

Moved Cr Randall, seconded Cr Harris

That Council:

- 1) Adopt the following Local Planning Policies for advertising purposes:
 - a. Draft Local Planning Policy 37 – Land Sales Offices as provided in attachment *SD108.1/05/11*.
 - b. Draft Local Planning Policy 63 – Integrated Land Use and Transport Planning as provided in attachment *SD108.3/05/11*.
- 2) Adopt Draft Local Planning Policy 56 – Fast Food Premises as provided in attachment *SD108.2/05/11* subject to the insertion of the following within Section 7.0 – Policy Statement:

- 7.20** The proposed built form of a fast food outlet is to be human orientated with particular emphasis on scale, bulk and massing, to provide a positive contribution to streetscape amenity.
- 7.21** Access to the fast food outlet is to prioritise pedestrian, bicycle, public transport users, private cars and service vehicles in the aforementioned order.
- 7.22** Car parking is to be predominantly located at the rear of the property and sleeved by development to ensure a strong urban frontage to facilitate a human scale environment conducive to pedestrians and cyclists.
- 7.23** Car parking areas are to be laid out, finished and landscaped in a manner that minimises its visual impact on the locality and sympathetic to adjoining properties, whilst providing for safe vehicle and pedestrian circulation.
- 7.24** Where car parking areas are provided:
- Open-air car parking areas are to provide adequate shade and amenity through the provision of trees, with a ratio to be determined on a case-by-case basis;
 - Safe pedestrian routes are to be defined in car parks; and
 - On-street parking may be provided for short-term day-time use or after-hours use, where considered suitable and acceptable by Council.
- 7.25** Crossovers are to be restricted to one per property with the exception of corner properties which may have two. The location of these crossovers and number are to be informed by a Transport Statement or Transport Assessment when prepared.
- 7.26** Parking areas that are situated at the rear of lots may be consolidated between landholdings into a shared parking facility mid-block. Easements in gross would be necessary for these parking areas.
- 7.27** Easements in gross are generally acceptable where car parking areas are situated adjacent to the street alignment to enable parking layouts to be shared across property boundaries through reciprocal parking and access arrangements.
- 7.28** Car parking numbers may be reduced:
- Where end of trip facilities or destination facilities for pedestrians, cyclists and/or users of public transport are provided as part of a development, Council may consider an appropriate reduction in the number of car parking bays that are required; and
 - Where parking areas are available for shared use or reciprocal use between land-uses and landholdings, justification must demonstrate an acceptable reduction in the total number of car parking bays that are required.

3) The Local Planning Policies be advertised in accordance with Clause 9.3 of Town Planning Scheme No.2.

CARRIED 7/3

Cr Ellis and Cr Geurds voted against the motion.

Council Note: Council modified the Committee Recommendation in order to increase the urban design guidance for vehicular movement and local character design.

SD109/05/11 NOMINATIONS FOR DEVELOPMENT ASSESSMENT PANELS (A1865)		
Proponent:	NA	In Brief Development Assessment Panels will come into full effect on 1 July 2011. Council is required to nominate 2 elected members to sit on the Joint Development Assessment Panel for the East Metropolitan Area and 2 deputies.
Owner:	NA	
Author:	Simon Wilkes - Executive Manager Planning	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	26 April 2011	
Previously	OCM007/10/09	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

As part of the State Government's approach to streamlining and improving the planning approvals process in Western Australia, the Western Australian Parliament passed the Approvals and Related Reforms (No. 4) (Planning) Act 2010 (the '2010 Amendment Act'). This contains a number of amendments to the Planning and Development Act 2005 (the 'PD Act') that are designed to change the planning system. Part 3 of the 2010 Amendment Act introduces a new part 11A - Development Assessment Panels and development control into the PD Act.

According to the State Government, the introduction of Development Assessment Panels in Western Australia will have significant benefits for local governments, the development industry, landowners, the general community and other stakeholders. It believes that Development Assessment Panels will help to improve the planning system by providing more transparency, consistency and reliability in decision-making on complex development applications. From a State perspective, the determination of complex applications will also be improved by the involvement of experts with technical knowledge on the panel.

Council at its meeting of 26 October 2009 considered a discussion paper released by the Western Australian Planning Commission and passed the following resolution:

OCM007/10/09

- "1. Council endorses a submission being lodged with the Department of Planning strongly opposing the introduction of Development Assessment Panels for the reasons outlined in this report.
2. Council advises the Western Australian Local Government Association accordingly."

In accordance with the above-mentioned Council resolutions, submissions were finalised and lodged with both the Department of Planning and the WA Local Government Association.

A copy of the Development Assessment Panels Questions and Answers document is with attachments marked [SD109.1/05/11](#).

A copy of the relevant regulations for Development Assessment Panels is with attachments marked [SD109.2/05/11](#).

In addition, the Department has established an internet website at daps.planning.wa.gov.au, as a central portal for all development assessment panel related information/documentation.

Regulations have since been prepared that will clearly identify what classes of development applications are to be determined by Development Assessment Panels. Applications which must be determined by Development Assessment Panels are any applications for development where the estimated cost of development is \$7 million or more, and which are not excluded development applications such as a single residential house. Developers will have the option of either going to a Development Assessment Panel or the local government where the estimated cost of development is more than \$3 million but less than \$7 million, as long as the application is not an excluded development application, such as a single residential house.

A copy of the Planning Bulletin outlining the key proposals is with attachments marked [SD109.3/05/11](#).

Following gazettal of the Development Assessment Panel regulations; the Minister will establish fifteen different Development Assessment Panels on 2 May 2011. However, these will not start to consider new applications until 60 days after their establishment. Therefore, Development Assessment Panels will commence operation on 1 July 2011.

This report provides Council with the opportunity to put forward nominations for consideration by the Minister for Planning.

Sustainability Statement

Resource Implications: There would be resource implications for the Council with an increase in administrative processes.

Economic Benefits: It is not expected that there will be any real economic benefit to applicants under the Development Assessment Panel process.

Social – Quality of Life: There is a risk that the Development Assessment Panel will make decisions that are not aligned to the Council's Plan for the Future, policies and community expectations.

Social and Environmental Responsibility: There is a risk that the Development Assessment Panel will make decisions that are not aligned to the Council's vision for the Shire.

Statutory Environment:

Planning & Development Act 2005
Town Planning Scheme No. 2
Local Planning Policies

Policy/Work Procedure Implications:

There are no existing work procedures/policy implications directly related to this matter, however a number of new work procedures may need to be developed in respect of the administrative arrangements to support the effective functioning of the development assessment panels.

Financial Implications:

There are financial implications to Council, however they are not considered to be significant at this time.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective		
NATURAL ENVIRONMENT	Landscape	1	Safeguard	Restore and preserve the visual amenity of our landscapes.		
		2		Defend our scarp and forest from inappropriate uses.		
		3		Maximise the preservation of existing trees and vegetation.		
		4		Incorporate environmental protection in land use planning.		
		12	Protect	Prevent the further loss of "local natural areas".		
		13		Protect specific ecological features and processes including rare species, threatened ecological communities, wetland vegetation and ecological linkages throughout the Shire.		
		Integrated Water Cycle Management	22	Planning and Design	Ensure integrated water cycle management is incorporated in land use planning and engineering design.	
			23		Enforce the adoption of "better urban water management".	
			Climate Change	28		Ensure that accurate data and risk assessments of the impacts of climate change inform plans and decisions.
		BUILT ENVIRONMENT		Land Use Planning	1	Rural Villages
			2			Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.
			3		Urban Villages	Incorporate the principles of emergency management, community safety and crime prevention in new and existing developments.
	4				Ensure interesting, safe and well-connected pathways accessible and suitable for all users.	
	7				Press for the provision of public transport and the density of development needed to give effect to transit orientated design.	
	9		Rural Land		Ensure the built form complements and enhances the rural environment.	
10			Plan for the preservation of rural land and its integration with urban and rural villages.			
11			Consider the viability of rural land uses in strategy and policy development.			
13	Buildings		Ensure the Shire's rural character is sensitively integrated into urban and rural villages.			
14			Encourage built form that positively contributes to streetscape amenity.			
15			Ensure that all buildings incorporate principles of			

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				environmentally sustainable design, suitable for our specific climate and location.
		16		Enable built form that accommodates a range of business and family circumstances and needs.
		17		Preserve, enhance and recognise heritage values within the built form.
		19		Plan for the creation and preservation of iconic buildings and places that add to our sense of identity.
		20	Landscape	Prioritise the preservation of landscape, landform and natural systems through the land development process.
		23		Protect the landscape and environmental values of natural reserves and areas from the impacts of development.
	Infrastructure			
		39	Water Management	Minimise the use of piped and artificial drainage and its impact on the landscape.
		52	Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.
		53		Proactively and positively negotiate mutually beneficial outcomes with the development industry.
SUSTAINABLE ECONOMIC GROWTH				
	Industry Development			
		1	General	Attract and facilitate appropriate industrial, commercial and retail developments.
		2		Attract environmentally and socially responsible industries and support all operators to achieve more sustainable practices.
		3		Encourage value adding opportunities for local industries and resources.
		4	Agriculture	Protect and develop appropriate agricultural and horticultural industries and pursuits within the Shire
		5		Accommodate the growth of the poultry industry and associated value adding businesses in a manner which preserves the amenity of surrounding areas.
		6	Equine	Proactively advance the shire's equine industry including the range of associated support businesses.
		7	Tourism	Encourage the development of tourist attractions and accommodation.
		8		Maximise the tourism and recreation potential of our natural environment.
		9		Develop and maintain our heritage assets to encourage visitors.
		10	Timber	Strive for sustainable use of timber resources.
		11	Green Industries	Encourage the establishment of innovative industries involved in "reusing and recycling".
		12		Foster the development of industries producing renewable energy related products and services.
		13	Creative and Knowledge Economies	Welcome and nurture creative industries and individuals.
		14		Facilitate environments that will stimulate the initiation of a knowledge based economy.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
	Places			
		29	Vibrant	Create vibrant urban and rural villages.
		30		Develop well connected neighbourhood hubs and activity centres.
		31		Build the community's capacity to create vibrant places through activities and events.
		32		Ensure community spaces and places are accessible and inviting.
		33		Plan and facilitate the provision of a range of facilities and services that meet community needs
		34		Enable a diverse range of places that accommodate a variety of active and passive recreational pursuits.
		35		Recognise the significance of prosperous businesses and groups in activating places and contributing to community safety.
		36		Plan and develop safe communities and places.
		37	Innovative	Promote and encourage the development of affordable and appropriate lifelong living environments.
		38		Facilitate the establishment of educational places that offer a range of lifelong learning opportunities.
		39		Enable and develop sustainable, multipurpose facilities where duplication is minimised.
		40		Encourage the use of the arts to express our cultural identity.
		41	Distinctive	Recognise, preserve and enhance the distinct characteristics of each locality.
		42		Foster the sense of belonging and pride of place in our community.
		43		Acknowledge and accommodate diversity and multicultural interests in our places.
OUR COUNCIL AT WORK				
	Leadership			
		1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		2		Our structure, processes, systems and policies are aligned with the Plan for the Future.
		3		Our structure, processes, systems and policies are based on the "keep it simple" principle.
		4		We are realistic about our capacity to deliver.
		5		We have effective meetings.
		6		The Council and Leadership Team drive Strategy and Policy development.
		7		Elected members and staff have a clear understanding of their roles and responsibilities.
		8		Elected members provide a clear and consistent strategic direction.
		9		All decisions by staff and elected members are evidence based, open and transparent.
		10		The elected members and staff operate from a common understanding of sustainability.
		23	Society, community and environmental responsibility	The elected members provide bold and visible leadership.
		24		The Shire will further establish itself as an

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				innovative leader in social, community and environmental responsibility.
		26		The Shire is focussed on building relationships of respect with stakeholders.
	Strategy and Planning			
		27	Strategic Direction	Prepare effectively for future development.
		28		Position the Shire to be responsive and resilient to changes in State or Federal policy direction.
		31	The Planning Process	Develop comprehensive governance policies and strategies.
	People			
		78		Staff are equipped to fulfil their role.
	Process Management, Improvement and Innovation			
		84	Identification and Management of Processes	Undertake a systems and processes review and educate and train staff and elected members accordingly
		85		Invest in the development of flexible and adaptable systems and processes to improve efficiencies and costs
		86		Invest and upgrade our technology to enable us to automate processes
		91	Process Improvement and Innovation	Build staff confidence and give them the licence to drive change
		92		Ensure that bureaucratic governance systems do not reduce the creative energy of staff and elected members.
		93		Fully utilise the skills and knowledge of elected members and staff
		94		Achieve outcomes whilst minimising use of Council resources.
		95		Capitalise on IT through enabling technology to assist staff in doing their job

Community Consultation:

The Development Assessment Panels system, as proposed, is a radical philosophical change that will adversely affect the balance of community responsibility on decision makers, effectively sidelining the community and unfairly removing their representatives from their core function, i.e. local decision making for the greater good of the community (public interest), whilst tipping the scales in the favour of the development industry (personal interest/gain). Clearly the analysis to justify this approach was made without taking into consideration the social cost to a local community being denied the opportunity to exercise control over its own destiny.

The protection of the local flavour of each unique locality may be watered down by some who do not have the local knowledge and understanding required to make informed decisions that are to the best possible advantage of a local community and its future generations.

Comment:

There are a number of key matters that Council needs to take into consideration in putting forward nominations for the East Metropolitan Joint Development Assessment Panel, as follows:

- Composition of joint development assessment panel;
- Representation by nominated elected members;
- Changes to the membership of a development assessment appeal;
- Training required/provided;
- Proceedings before the SAT
- Administrative arrangements required to be established;
- Potential initiatives to support the introduction of development assessment panels.

Composition of Joint Development Assessment Panel.

The State Government is in the process of establishing 15 different development assessment panels. Such panels will generally cover more than one local government area. Only the City of Perth will have a Development Assessment Panel dedicated entirely to dealing with applications from that City.

The Shire has been included within the 'Metropolitan East Joint Development Assessment Panel'. This panel also includes the following municipalities:

- Armadale
- Gosnells
- Kalamunda
- Mundaring
- Swan.

A map illustrating the boundaries of the Metropolitan East Development Assessment Panel is with attachments marked [SD109.4/05/11](#).

In the case of other Development Assessment Panels, the local government members of the Development Assessment Panel will change as the panel moves from considering an application relating to one local government, to an application relating to another. Each local government is to nominate two delegates and two deputy delegates to the Development Assessment Panel in its area. Representation at a Development Assessment Panel meeting is only required where there is an item to be considered that is located within the relevant local government area.

Representation by nominated elected members

The relevant local government will be responsible for nominating the two local government representative members for their development assessment panel, together with two alternate local government representative members (i.e. four persons in total), from the local government's pool of elected members (Councillors). The local government will provide the Minister with the names of their nominated panel members, and the Minister will appoint the local government representatives in accordance with the local government's nomination. The names of the members appointed to each development assessment panel will be published on the development assessment panel website maintained by the Department of Planning.

There will be an established code of conduct for development assessment panel members.

Changing membership of a development assessment panel.

From time to time, membership of a development assessment panel may need to change. The following text is an extract from advice recently provided by the Department of Planning in respect of this matter:

"The Minister must establish and maintain a register of local DAP members. Each local government must nominate 2 local DAP members and 2 alternate (or deputy) local DAP members from its pool of elected members. The Minister then considers nominations received and appoints for a 2 year term. If, within the 2 year term, a local DAP member is not re-elected, they cannot hold the position of local DAP member.

Local government elections may result in a change to local DAP membership if current councillors, who are DAP members, are not re-elected. In this instance, the deputy local DAP members will take the place of the former local DAP members. If both local and alternate (deputy) local members are not re-elected, the local government will need to renominate and the Minister to reappoint."

After the Council election scheduled for October 2011, there will be a need to review the Shire's representation on the development assessment panel.

Administrative Arrangements:

Development Assessment Panels are only decision-making bodies. As such, the relevant local government or the Western Australian Planning Commission will be responsible for carrying out any preliminary assessment of the application.

Where the responsible authority is the relevant local government, it will assess the application following the process set out in the local planning scheme. This includes seeking advice on the application from referral bodies, advertising the application and reviewing submissions (where it is required to be advertised). The local government will then prepare a report containing its recommendations for the Development Assessment Panel to take into account when determining the application.

The regulations are currently silent in respect of the exact arrangements for a local government to following in forming a recommendation and the informal advice received to date has been that it is up to the individual local governments. Nothing at this time would appear to preclude a matter being presented to a committee meeting or full Council meeting to establish a recommendation to a development assessment panel.

From a practical perspective, a number of matters would need to be considered, including:

- Established timeframes, particularly where a matter is sensitive to a community;
- Formatting of reporting;
- Representation at committee and/or Council meeting.

To date, there is no specific information available to suggest that an elected member involved in making a formal recommendation to a development assessment panel would not be able to sit on a panel, however it may be prudent to achieve a separation of roles to ensure that the integrity of decision-making processes are not compromised.

A panel is required to have due regard for the recommendation provided to the Development Assessment Panel, however it is not bound by the recommendation.

Proceedings before the State Administrative Tribunal.

If an application for review is lodged with the State Administrative Tribunal regarding a decision made by a Development Assessment Panel, the respondent will be the Development Assessment Panel that made the decision. How this works in practice is unclear at this stage - with respecting to funding, specialist representation, avenues to achieve mediated outcomes and also reconsideration proceedings under Section 31 of the State Administrative Tribunal Act 2004.

The Shire established a clear policy position in late 2010, with respect to proceedings before the State Administrative Tribunal. There may be a need to review and update this policy in the future to take into consideration new administrative arrangements; however this is not considered to be a high priority at this time due to the lack of information currently available.

Positive Initiatives

There are a number of opportunities for Council to positively plan for the introduction of development assessment panels, to ensure that resource implications are limited to the extent practicable and that the interests of the community are effectively represented. These opportunities include but are not limited to the following:

- The progression and finalisation of local planning policies that clearly outline Council's vision, information requirements for applicants and have clear decision-making criteria that is outcome focussed.
- The progressing and finalisation of local planning policies that assist with administrative matters, for example the finalisation of new standard development conditions to enable easy and consistent application.

Practicalities

There are a number of practical matters that will need to be addressed by the Shire, including but not limited to the following matters:

- Collection and transmittal of fees;
- lodgement and monitoring of applications against new timeframes;
- providing administrative (minute taking) support;
- arranging venues;
- updating of Shire website, to include relevant information about meeting times, dates etc; and
- updating of document templates for reporting.

Each of these matters are capable of being addressed, however there needs to be recognition by stakeholders of the workload implications for a number of existing staff.

Conclusion

Development Assessment Panels will come into full effect on 1 July 2011 in Western Australia. Council has previously put forward a number of concerns, however there is an inevitability about the changes ahead. It is now up to Council to positively and pro-actively respond in a way that is both efficient and effective in looking after the best interests of the local community.

There will be a number of challenges associated with this significant reform to the planning system, some of which are not likely foreseen at this time. Further reports may need to be presented over the next 6-12 months to report on the performance of the development assessment panels and refine Council's approach, from both strategic and practical perspectives.

To best protect Council's interests on the Panel, the Shire's delegates need to have extensive knowledge of the planning system and policies framework that exists at the State and local level. Delegates will be required to clearly articulate Council's position on a matter, make decisions on the spot and operate within Standing Orders.

Voting Requirements: Simple Majority

Officer Recommended Resolution:

That Council:

- (A) Nominate Councillor _____ and Councillor _____ as delegates and Councillor _____ and Councillor _____ as deputy delegates on the Metropolitan East Development Assessment Panel.
- (B) Advise the Minister for Planning accordingly.
- (C) Note that further reports may be required to Council in the future, with respect to procedural and administrative matters to support the effective and efficient operation of the relevant development assessment panel.

SD109/05/11 Committee Recommended Resolution:

That Council:

- A. Invite nominations from Councillors for the two delegates and two deputy positions, stating the reasons for nomination, to be submitted in writing to the Chief Executive Officer by 5pm Thursday 19 May 2011, for circulation to all Councillors on Friday 20 May 2011; and
- B. At the Ordinary Council Meeting on 23 May 2011, nominate two Councillors as delegates and two Councillors as deputies to the Development Assessment Panel.

CARRIED 7/0

Committee Note: The Committee requested that Councillors put forward their reasons for nomination and that the nominations be circulated to all Councillors prior to the May Ordinary Council meeting. Council will then consider the nominations and will vote on delegates and deputies to the Development Assessment Panel.

COUNCIL DECISION

**Moved Cr Brown, seconded Cr Hoyer
That standing orders 9.5, 9.6, 10.7 and 10.13 be suspended at 8.00pm.
CARRIED 10/0**

*Executive Support Officer left the room at 8.00pm and returned at 8.02pm
Councillor Geurds left the room at 8.10pm and returned at 8.11pm
Councillor Ellis left the room at 8.10pm and returned at 8.11pm*

COUNCIL DECISION

**Moved Cr Brown, seconded Cr Harris
That standing orders 9.5, 9.6, 10.7 and 10.13 be reinstated at 8.16pm.
CARRIED 10/0**

SD109/05/11 COUNCIL DECISION

**Moved Cr Brown, seconded Cr Hoyer
That Council:**

- (A) **Nominate Councillor Harris and Councillor Geurds as delegates and Councillor Buttfield as first deputy delegate and Councillor Ellis as second deputy delegate on the Metropolitan East Development Assessment Panel.**
- (B) **Advise the Minister for Planning accordingly.**

(C) Note that further reports may be required to Council in the future, with respect to procedural and administrative matters to support the effective and efficient operation of the relevant development assessment panel.

CARRIED 10/0

SD110/05/11		COMMENTS ON STATE PLANNING POLICY 2.5 – AGRICULTURAL AND RURAL LAND USE PLANNING AND DEVELOPMENT CONTROL POLICY 3.4 – SUBDIVISION OF RURAL LAND (A0869)
Proponent:	N/A	In Brief The Department of Planning has released an amended State Planning Policy 'Land Use Planning in Rural Areas' and a Development Control Policy relating to 'Subdivision of Rural Land' for public comment. This report provides Council with the opportunity to submit a response to the amendments being put forward.
Owner:	N/A	
Author:	Lawrence Man – Senior Planner	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	18 April 2011	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

In early 2011, the Department for Planning released amended State Planning Policy 2.5 – Land Use Planning in Rural Areas (SPP2.5) and Development Control Policy 3.4 – Subdivision of Rural Land (DCP3.4) for public comment, inviting submissions until 27 May 2011. The intention of SPP2.5 is establish a state wide policy framework and DCP3.4 which will be used to determine future subdivision applications on rural land.

The policy provides greater guidance when proposals are put forward for rural subdivision and rural living proposals, emphasising the importance of protecting rural land for a variety of purposes and the presumption against rural subdivision.

This report provides Council with the opportunity to submit a response to the advertised amended policies.

A copy of the advertised State Planning Policy No 2.5 – Land Use Planning in Rural Areas is with attachments marked [SD110.1/05/11](#).

A copy of the advertised Development Control Policy No 3.4 – Subdivision of Rural Land is with attachments marked [SD110.2/05/11](#).

A copy of the draft response to the Department of Planning for both policies is with attachments marked [SD110.3/05/11](#).

Sustainability Statement

SPP2.5 and DCP3.5 does recognise sustainability in the context of the Shire and Western Australia broadly. All levels included in sustainability are addressed including economic development, environment, governance and social development. Both the State Planning and Development Control policies are contributing to creating a sustainable Western Australia.

Effect on Environment: The subject policies outline a number of objectives, policy measures and provisions to guide subdivision and development on rural land to ensure a positive outcome for the environment. An example of this includes the policy measure that requires the management and improvement of environmental attributes.

Resource Implications: There will be no additional resource implications as these policies are amendments and updates to those already in place. The amendments ensure that the policies are more contemporary and user friendly for all stakeholders.

Use of Local, Renewable or Recycled Resources: The two policies focus on potential improved practices to the subdivision of rural land. As a subset of rural land, land with suitable soils, climate, water and access to services is recognised as of State significance and considered to be priority agricultural land.

Economic Viability: As growth continues for both Perth and Western Australia, rural land will become more contested for the purposes of urban development. In accordance with DCP3.4 the creation of new rural lots through subdivision will only occur by exception.

Economic Benefits: Both policies identify that the rural zones will be promoted as highly flexible zones that will cater for a wide range of land uses that supports primary production, tourism, environmental and cultural pursuits.

Social – Quality of Life: SPP2.5 outlines that rural living precincts must be carefully planned, as they are not an efficient means of housing people, consume and sterilise rural land and may have unintended social, environmental, servicing and management impacts.

Social and Environmental Responsibility: The policy provisions make allowance for development and land use changes to minimise environmental impacts by enabling areas of conservation value to be protected. This process ensures rural land is protected to meet both environmental needs and enable provision of land that is required for food production and employment generation.

Statutory Environment: Town Planning Scheme No. 2 (TPS 2)
Rural Strategy
Directions 2031
Perth and Peel Subregional Structure Plan

Policy/Work Procedure Implications: SPP2.5 and DCP3.5 is generally consistent with the Shire’s Rural Strategy.

Financial Implications: SPP 2.5 promotes regional development through provision of economic opportunities on rural land. The financial implications of providing these opportunities are however not disclosed.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT				
	Landscape			
		1	Safeguard	Restore and preserve the visual amenity of our landscapes.

		2		Defend our scarp and forest from inappropriate uses.
		3		Maximise the preservation of existing trees and vegetation.
		4		Incorporate environmental protection in land use planning.
		5	Restore	Establish and enhance waterways and bush corridors.
		6		Establish increased levels of natural vegetation in urban and rural environments.
		7	Manage	Facilitate sustainable agricultural practices.
		9		Control and manage weeds and plant diseases.
		11		Develop active partnerships with stakeholders.
	Biodiversity	12	Protect	Prevent the further loss of "local natural areas".
		13		Protect specific ecological features and processes including rare species, threatened ecological communities, wetland vegetation and ecological linkages throughout the Shire.
		14	Manage	Protect and manage a portion of each basic type of vegetation and ecosystem typical to the Shire.
		15	Restore	Manage and restore local natural areas and revegetate new areas to increase native fauna habitat.
	Integrated Water Cycle Management			
		16	Quantity	Promote and implement water conservation and reuse.
		17		Encourage the conversion of man-made drainage of the Palusplain back to natural systems.
		18		Identify and implement opportunities for detention and storage of stormwater.
		19		Protect and develop natural and man-made water sources.
		20	Quality	Improve and maintain surface and ground water quality.
		21	Education	Facilitate a range of educational initiatives to improve integrated water cycle management.
		22	Planning and Design	Ensure integrated water cycle management is incorporated in land use planning and engineering design.
		23		Enforce the adoption of "better urban water management".
		24	Natural systems	Understand the behaviour of natural flood systems in land use planning and engineering design to ensure safe communities.
		25		Facilitate and encourage the preservation, management and restoration of natural water systems.
	Climate Change			
		26	Research	Identify where knowledge gaps are and where further investigation is needed.
		27		Ensure climate change research is understandable and accessible to a range of stakeholders.
		28		Ensure that accurate data and risk assessments of the impacts of climate change inform plans and decisions.
		29	Mitigation	Ensure that energy and water conservation is addressed at the local level.

		30		Minimise resource use
		31		Reduce the liberation of carbon into the atmosphere.
		32		Develop community ownership of climate change mitigation strategies.
		33	Adaptation	Develop and implement climate change adaptation strategies.
	Energy			
		34	Production	Keep abreast of advances in renewable technology.
		35		Demonstrate, facilitate and promote the use of renewable energy technologies within the Shire.
		36	Regional Reduction	Work in partnership with our communities as responsible members of the global community to facilitate a reduction in regional greenhouse gas emissions.
		37	Community Reduction	Reduce community emissions including all greenhouse gas emissions that result from all commercial and residential activity within the Shire.
		38		Reduce Council emissions including all greenhouse gas associated with council activities, facilities and operations.
	Infrastructure			
		32	Asset management	Continually improve the accuracy of the long term financial Plan for the Future by accommodating asset management plans that are developed.
		33		Ensure all decisions are consistent with the long term financial Plan for the Future.
		34		Ensure asset management plans extend to whole of life costings of assets and reflect the level of service determined by Council.
		39	Water Management	Minimise the use of piped and artificial drainage and its impact on the landscape.
		40		Promote, implement and celebrate best practice integrated water cycle management.
		41		Create low maintenance living streams and ephemeral wetlands.
		42		Where appropriate, create road side swales that add to the visual amenity, habitat, water quality and recreational enjoyment of the urban environment.
		43		Ensure infrastructure planning and design protects the community from flooding.
		48	Vegetation Management	Acknowledge the future economic value of natural vegetation and landform.
		49		Ensure local native, low maintenance and water wise trees and plants are incorporated in streetscapes and public spaces.
		50		Incorporate, in selective locations, deciduous "air conditioning", fruit and ornamental trees in streetscapes and public spaces.
		51		Encourage the innovative incorporation of rain, roof, vertical and hanging gardens in activity centres to increase the level of amenity, educational opportunities and interest.
		52	Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.
		53		Proactively and positively negotiate mutually beneficial outcomes with the development industry.

		54		Empower residents to advocate for their community of interest and endeavour to create Shire policy and strategy that is respectful of their vision.
		55		Partner with educational institutions to undertake appropriate and related research.
SUSTAINABLE ECONOMIC GROWTH				
	Industry Development			
		2		Attract environmentally and socially responsible industries and support all operators to achieve more sustainable practices.
		3		Encourage value adding opportunities for local industries and resources.
		4	Agriculture	Protect and develop appropriate agricultural and horticultural industries and pursuits within the Shire
		8		Maximise the tourism and recreation potential of our natural environment.
		10	Timber	Strive for sustainable use of timber resources.
		11	Green Industries	Encourage the establishment of innovative industries involved in “reusing and recycling”.
		12		Foster the development of industries producing renewable energy related products and services.

Community Consultation:

SPP2.5 and DCP3.4 have been released for public comment from early 2011 and the closing date is 27 May 2011

Comment:

Background SPP2.5 and DCP3.4:

The Shire of Serpentine Jarrahdale is located on the fringe of the Perth Metropolitan area. As a result there is extensive urban development in the Shire, however, there is also significant rural land that should be protected for rural purposes for future generations. There is increasing pressure to subdivide rural land and both policies provide the objectives and policy measures under which exceptional circumstances it may occur.

The objectives of SPP 2.5 are:

- a) To protect rural land from incompatible uses by requiring comprehensive planning for rural areas making land use decisions for rural land that support existing and future primary production;
- b) To promote regional development through provision of economic opportunities on rural land;
- c) To promote sustainable settlement in, and adjacent to, existing urban areas;
- d) To promote and improve environmental, landscape and cultural assets; and
- e) To minimise land use conflicts that compromise rural land uses.

The WAPC stipulates that this priority agricultural land should be retained for food production purposes and has identified the parameters. The WAPC is of the view that there is an existing supply of suitably sized and located lots to cater for intensive and emerging primary production land uses.

The key policy measures in SPP2.5 are as follows:

- a) Land use changes from rural to all other uses must be planned and provided for in a planning strategy endorsed by the WAPC;
- b) Land identified as priority agriculture in a planning strategy must be retained for that purpose;
- c) Beyond its principal function for primary production, rural land is also required for public purposes, natural resource management and protection of landscapes;
- d) Conversion of rural land to public purposes may occur as required by the State; and
- e) Use of rural land for intensive or emerging primary production does not warrant creation of new rural lots and that this will be by exception in accordance with DCP3.4 or in a planning strategy.

The Shire's *Rural Strategy*, although now seventeen years old, is a planning strategy that is applicable to inform assessment and decision making in these instances.

The WAPC recognise that Western Australia is a large diverse State with regional variations in climate, economic activity, cultural values, demographic characteristics and environmental conditions. All WAPC decisions will be guided by the need to provide economic opportunities for regional communities and to protect the State's primary production and natural resource assets. Mining activity on rural land has been recognised with the extraction of basic raw materials being governed by State Planning Policy 2.4 – Basic Raw Materials and Extraction of Minerals, which is governed by the Mining Act 1978.

The WAPC also supports opportunities for employment and diversification of economic activity related to primary production based on the following measures:

- a) To promote the establishment of precincts for primary produce, processing close to services and freight routes and with adequate buffers;
- b) Supports the concept of rural enterprise zones which combine light industry and ancillary housing, provided they are carefully planned close to urban areas, are serviced and have suitable buffers that address amenity issues.

Further, the WAPC is cognizant of the demand for rural living precincts, particularly in peri-urban locations, and recognises that there is a market for this form of development and that it provides for a range of housing opportunities; however rural living precincts must be carefully planned as they are not an efficient means of housing people, consume and sterilise rural land and may have unintended social, environmental, servicing or management impacts. The WAPC will consider identifying rural living precincts or support proposals for rural living when:

- i. The precinct is adjacent to existing urban areas and has access to services, facilities and amenities;
- ii. The precinct will not conflict or reduce the primary production potential of adjoining land;
- iii. The extent of proposed settlement is guided by existing land supply and take up and population projections;
- iv. The precinct is part of a settlement hierarchy established in an endorsed planning strategy;
- v. Areas required for urban expansion are avoided;
- vi. The precinct is serviced by a reticulated water supply provided by a licensed water service provider including water for fire fighting;
- vii. For proposals with ten lots or less and where a reticulated supply is not available, the Commission may consider an alternative domestic water supply that is sustainable and supported by water and health agencies;
- viii. The precinct can be supplied with electricity and community facilities and this has been demonstrated;

- ix. The development area is predominantly cleared of remnant vegetation or the loss of remnant vegetation through clearing for building envelopes, bushfire protection and fencing is minimized and environmental assets are not compromised;
- x. It will promote good environmental and landscape outcomes and soil and water management are addressed, which may include rehabilitation as appropriate;
- xi. The land is capable of supporting the development of housing;
- xii. The land is not subject to a buffer from an adjoining rural land use; and
- xiii. It can demonstrate that bushfire risks are not extreme, and can be minimized and managed without adversely affecting the natural environment.

The WAPC states that the subdivision of rural lands for rural living should be properly planned through the preparation and endorsement of regional and local planning strategies and be appropriately zoned in local planning schemes prior to subdivision. Ad-hoc, unplanned subdivisions for rural living will not be permitted. When the WAPC considers applications for rural living development, there will be a requirement of connection to reticulated domestic water supply and alternative sustainable waters supply may be considered.

The WAPC intends to prepare guidelines to assist Local Governments with specific Scheme provisions when dealing with land use planning in rural areas. DCP3.4 sets out the principles which will be used by the WAPC in determining applications for subdivision of rural land. DCP3.4 is consistent with the objectives of SPP2.5 which establishes the statewide policy framework for rural land use planning in Western Australia.

In broadacre farming areas large lots may be subdivided to create lots which are consistent with the size of lots used for farming in the locality provided they are greater than 100Ha in size and when the proposed subdivision allows for continued broadacre farming. Where local conditions require subdivision of smaller land parcels this should be provided for in a WAPC endorsed planning strategy. Neither lots created historically in the early days of European settlement nor tied lots will be considered in determining prevailing lot sizes in a locality for creating a precedent for further subdivision. There are some circumstances where subdivision of rural land may be appropriate in order to promote better land management and achieve environmental, cultural and/or social benefits.

Although the WAPC seeks to minimise the creation of new rural lots, there are some circumstances where subdivision of rural land may be appropriate:

- Property Rationalisation to Improve Land Management
 - Multiple lots in one ownership may be rationalised and/or reconfigured to provide access to land provided there is no increase in the number of lots; or
 - That new boundaries achieve improved environmental and land management practices.
- Conservation of Heritage Buildings and Places
 - Lots may be created to facilitate the conservation of a heritage building or place provided that the building or place is listed in the State Register of Heritage Places, the Aboriginal Sites Register, the heritage register in the local planning scheme; or
 - Has been assessed by a recognised heritage consultant as warranting heritage protection.
- Conservation of Bio-diversity and Natural Heritage
 - Conservation lots may be created to preserve significant environmental features and remnant vegetation provided that the vegetation has been agreed as worthy of protection in an approved strategy, catchment plan or specific vegetation assessment carried out in accordance with Environmental Protection Authority (EPA) native vegetation clearing provisions.
 - Adequacy of the lot size proposed (if less than 40ha) to retain the conservation value in perpetuity.

- Bushfire risk can be managed.
- A conservation covenant would need to be registered on the certificate of title as a condition of subdivision for the proposed conservation lot.
- The creation of more than one conservation lot will require land to be appropriately zoned as conservation themed rural residential or rural smallholdings with conservation covenants and building envelopes specified.
- Subdivision of land for the purposes of carbon sequestration
 - May be considered provided that a carbon covenant is in place to secure the carbon for a period of greater than fifty years; and
 - the average annual rainfall is lower than 400mm.
- State proposals
 - Strata proposals that increase dwelling entitlements on rural land are considered rural living and will be assessed in accordance with Clause 5.4 of SPP 2.5. May be appropriate to achieve land management or environmental protection objectives.

Comments:

Priority agricultural land in the Shire and in Western Australia is continuously under subdivision and development pressure. The Shire has a Rural Strategy which guides development, land uses and management of rural land. The Shire is in the process of conducting a gap analysis of the Shire's Rural Strategy with the intent of updating the Rural Strategy in the near future.

Current farming practises are changing and the viability of rural land is questioned everyday. Although the Mundijong-Whitby District Structure Plan area will address the need for future residential development, the Shire is frequently requested to provide rural lifestyle developments. These rural lifestyle developments are generally not used for food production but rather used as hobby farms where livestock and horses are kept. This type of rural living is however limited in its ability to deliver high economic returns due to land use restrictions nor productive from an agricultural or primary production perspective.

The Demand Analysis for Employment Generating Land indicated that the Shire's economy is currently dependent on primary industries. The Shire also has limited employment generating land and the development of the West-Mundijong Industrial precinct and Cardup Industrial park will assist in providing employment opportunities. Therefore, the recommendation from the WAPC to diversify the economic activity and ensure employment diversification related to primary production based on the following measures is supported. The WAPC will achieve this by:

- a) Promoting the establishment of precincts for primary produce, processing close to services and freight routes and with adequate buffers;
- b) Supporting the concept of rural enterprise zones which combine light industry and ancillary housing, provided they are carefully planned close to urban areas, are serviced and have suitable buffers that address amenity issues.

This new initiative has considerable potential in the Shire and could be a means of allowing diversified business pursuits relating to agricultural activities and rural industries that would not normally be allowed to operate on lot sizes in the order of 1 – 4Ha.

Options

1. To lodge comments, without modification;
2. To lodge comments, with modification/s;
3. To not lodge comments on SPP2.5 and DCP3.4.

Conclusion

The draft SPP2.5 and draft DCP3.4 is generally consistent with the earlier policies. The Shire supports the following:

- That the WAPC will have due regard to the provisions of the local planning scheme and any endorsed local planning strategy or local rural strategy applying to the land.
- The general policy provisions of DCP3.4 which is to protect rural land from incompatible uses, to promote regional development through provision of economic opportunities on rural land, to promote sustainable settlement, to protect and improve environmental, landscape and cultural assets, and to minimize land use conflicts that compromise rural land uses.
- That rural living zones require scheme water or an alternative *sustainable* water source and in circumstances where rainwater tanks are used, the applicant should demonstrate appropriate arrangements to service the proposal should rainfall not be sufficient to provide a drinking water supply. Further the applicant should also demonstrate the impacts arising from climate change.
- That the existing physical division of a lot by significant natural or constructed feature may be formalised through a subdivision. A significant physical division would include a controlled access highway or a river but not include minor barriers such as local roads or creeks that are commonly crossed for farm management purposes.
- That the applicant should demonstrate how the bushfire risk can be managed in accordance with WAPC guidelines.
- That homestead lots cannot be created if a homestead lot has been excised from the farm in the past.
- That fragmentation of rural land and loss of rural character through piecemeal, unplanned subdivision should not be supported.

The Shire will request for more clarity on the following within SPP2.5 – Clause 5.6 – Avoiding Land Use conflicts:

- The proposed policy does not imply any requirement to provide evidence of the extent of the land use conflicts. Therefore the Shire recommends the following should be added:
(e) The extent of existing and future land use conflicts are clearly understood/demonstrated in the context of potential constraints on the proposed rural living land use.

The Shire recommends a modification to SPP2.5 – Clause 5.2 to reflect the following:

- The sentence that reads “On this basis, the following principles will apply to rural land in the Perth metropolitan region:” being replaced with;
- “The availability of rural land within the Perth metropolitan region will be put under pressure for a variety of reasons. These pressures include:”
- Replacement of the title to “5.2 Pressure on rural land in the Perth metropolitan region”.

Voting Requirements: Simple Majority

SD110/05/11 Committee/Officer Recommended Resolution:

That Council receive the draft State Planning Policy 2.5 and draft Development Control Policy 3.4 and endorse the submission as provided in attachment *SD110.3/05/11*, advising the Department of Planning accordingly.

Director Engineering left the room at 8.30pm and returned at 8.32pm

SD110/05/11 COUNCIL DECISION/Alternate Recommendation:

Moved Cr Harris, seconded Cr Randall
That:

A) Council receive the draft State Planning Policy 2.5 and draft Development Control Policy 3.4 and endorse the submission as provided in attachment SD110.3/05/11, subject to the inclusion of the following matters:

i) The Shire recommends a modification to SPP 2.5 – Clause 5.4 to incorporate the following dot points:

- Demonstrate that the rural living precinct has access to existing community infrastructure to accommodate the proposed growth, alternatively, provide these facilities as part of the proposed development.
- Demonstrate that the movement network proposed as part of a rural living precinct such as multiple use corridors, bridle trails and bicycle paths be expanded and integrated into the precinct area.

ii) The Shire recommends a modification to SPP 2.5 to make reference to integrated water management be made in the following sections:

- Section 3.2 Water for rural development;
- Section 4.1 General policy provision;
- Section 5.3 Conservation of biodiversity and natural heritage;
and
- Section 5.5 Subdivision for the purposes of carbon sequestration.

iii) Include a definition of Public Purpose and modify the definition for Rural Enterprise.

iv) The Shire seek to strengthen the policy to ensure that rural land in the metropolitan area and peri-urban areas is protected for food production.

v) Rural living can act as an important buffer between rural land uses and urban settlements when it forms part of a well considered local planning strategy.

B) Advise the Department of Planning accordingly.
CARRIED 8/2

Council Note: The Committee Recommended Resolution was altered as additional clarification and consideration was sought in respect of the integration and demand on community facilities for rural living areas, carbon sequestration in areas with more than 400mm of rainfall and consideration of groundwater tables and aquifers for rural land.

Cr Geurds foreshadowed the Committee/Officer Recommended Resolution if the motion under debate was defeated.

SD112/05/11 DEVELOPMENT SERVICES INFORMATION REPORT		
Proponent:	N/A	In Brief To receive the Information Report for April 2011.
Owner:	N/A	
Author:	Various	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	27 April 2011	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

BUILDING

In accordance with the Delegated Authority vested in the Manager Building Services, the following report is provided:

DS16 – Building Applications and Licences

Building permits issued under Delegated Authority for the month of March 2011 were numbers 10/371, 10/419, 10/676, 10/756, 10/785, 10/893, 10/895, 10/919, 10/921, 10/960, 10/965, 10/996, 10/1014, 10/1019, 10/1020, 10/1025, 10/1027, 10/1034, 10/1056, 10/1085, 10/1086, 10/1091, 10/1094, 10/1095, 10/1098, 10/1099, 10/1101, 10/1104, 10/1117, 10/1125, 11/006, 11/007, 11/009, 11/010, 11/012 – 11/017, 11/020 – 11/023, 11/025 – 11/029, 11/031 – 11/034, 11/036 – 11/039, 11/041, 11/043 – 11/049, 11/052, 11/054 – 11/057, 11/059, 11/062, 11/065, 11/066, 11/069, 11/074, 11/075, 11/077 – 11/079, 11/081, 11/082, 11/085 – 11/090, 11/093, 11/094, 11/096, 11/103, 11/108, 11/110, 11/120, 11/121, 11/124, 11/125, 11/129, 11/131 (100 approvals).

Month of March	2010/2011	2009/2010
Value of permits issued	\$13,136,716	\$7,584,678
Cumulative total for period	\$96,547,344	\$73,335,480
Number of permits issued	100	55
Number of dwellings approved	48	34
Number of applications received	73	106

On 4 April 2011, 72 applications were pending.

HEALTH

In accordance with the Delegated Authority vested in the Manager Health, Rangers & Compliance the following report is provided:

DS21 – Effluent Disposal Applications

L8 Carex Walk, Jarrahdale
L164 Yangedi Road, Hopeland
L1 Bishop Road, Mundijong
L221 Brixton Close, Byford
L302 Hillview Close, Serpentine
L30 Utlely Road, Serpentine
L803 Redcliffe Road, Cardup

L313 Bournbrook Avenue, Cardup
 L152 Coral Vine Loop, Jarrahdale
 L206 Henry George Close, Byford
 L505 Henderson Road, Hopeland
 L100 Gossage Road, Oldbury
 L83 Cavanagh Close, Cardup
 L2 Hopkinson Road, Darling Downs
 L69 Rangeview Loop, Serpentine
 L13 Dairy Link, Mardella
 L2 Blair Road, Oakford
 L115 Forest Avenue, Jarrahdale
 L7 Craddon Road, Oakford

DS21 – Permit to Use Apparatus

L31 Utley Road, Serpentine

DS22 – Health Act Administration, Enforcement and Prosecution

- Assessment No A133500 – Water quality and training.
- Assessment No A301400 – Food Act – Improvement Notice (External). Pests, structure, drainage, refuse issues.
- Assessment No A301400 – Food Act – Improvement Notice (Internal). Pests, cleaning, temperature.

RANGERS & DEVELOPMENT COMPLIANCE**Prosecutions**

Date Used	Delegated Authority Reference No.	Address	Matter	Officers Signature
April 2011	CG04	A168865	Unauthorised Land Use (failure to comply with S214 direction)	CEO
April 2011	CG04	A173308	Continued unauthorised land use (3 RD Prosecution)	CEO

Enforcement

Notices issued CG05	9 x Dog, 3 x Sign, 2 x Livestock, 2 Off road vehicles, 15 x Compliance, 7 x Parking, 11 x Litter	
Fines issued CG05	2 x litter, 7 x Dog, 1 x livestock,	\$3100
Other (LG Act activities) CG02	Registration & impound fees (dog, livestock and off road vehicle) Recovery of costs.	\$2540
In reported, legal or investigative process CG02	Dog Act Off Road Vehicle Act Litter Act Parking Local Government Act Development Compliance	29 5 17 8 19 22 (in process /action pending)
Matters completed and/or	Dog Act	17

resolved by compliance, in consultation or mediation.	Local Government Act	18
	Development Compliance	26
	Other	32

PLANNING

In accordance with the Delegated Authority vested in the Executive Manager Planning and Senior Planners the following report is provided:

A copy of the Statutory Planning Report tabling Scheme Amendments, Local Planning Policies and Local Structure Plans is with attachments marked [SD112.1/05/11](#).

DELEGATED AUTHORITY DETERMINATIONS – DEVELOPMENT APPLICATIONS, SUBDIVISIONS, DETAILED AREA PLANS

Date Issued	Authority Ref.	Property & Development	Decision
16/03/11	DS-08	L2 South Western Highway, Whitby – Motocross Event	Approved
17/03/11	DS-08	L4 Summerfield Road, Mardella – Single Dwelling / Conversion of Existing to Rural Workers	Approved
17/03/11	DS-08	L16 Davey Road, Mundijong – Patio	Approved
21/03/11	DS-08	L21 South Western Highway, Byford – Planter	Approved
21/03/11	DS-08	L270 Jandu Street, Byford – Single Dwelling	Approved
22/03/11	DS-08	L78 Cavanagh Close, Cardup – Dam	Approved
23/03/11	DS-05	L302 Kardan Boulevard, Byford – Single Dwelling	Approved
23/03/11	DS-08	L316 Miamit Lane, Byford – Single Dwelling	Approved
24/03/11	DS-15	L152 Coral Vine Loop, Jarrahdale – Shed / Water Tank	Approved
24/03/11	DS-05	L21 John Crescent, Byford – Carport	Approved
24/03/11	DS-15	L31 Tranby Avenue, Serpentine – Swimming Pool	Approved
25/03/11	DS-08	L23 Binshaw Avenue, Byford – Bed & Breakfast	Approved
28/03/11	DS-08	L259 Benalla Crescent, Byford – Patio	Approved
28/03/11	DS-08	L44 Paterson Street, Mundijong – Garage	Approved
30/03/11	DS-09	L177 Paterson Street, Mundijong – Fence	Approved
04/04/11	DS-08	L579 Bruns Drive, Darling Downs – Patio	Approved
04/04/11	DS-05	L73 Kinnear Trail, Byford – Patio	Approved
04/04/11	DS-05	L663 Plaistowe Boulevard, Byford – Single Dwelling	Approved
04/04/11	DS-08	L60 Masters Road, Darling Downs – Home Business	Approved
04/04/11	DS-08	L7 Allum Way, Serpentine – Shed / Patios	Approved
04/04/11	DS-08	L165 Evening Peel Court, Darling Downs – Simulated Horse Tuition	Approved
05/04/11	DS-09	L319 Coleman Court, Cardup – Relocation of Building Envelope / Shed / Water Tanks	Approved
06/04/11	DS-05	L274 Vance Road, Byford – Patio	Approved
11/04/11	DS-05	L320 Kandimak Boulevard, Byford – Patio	Approved

Application Type	Authority	Number
Development Applications Received	N/A	36
Development Applications Approved	Delegated Authority	24
	Committee/Council	1
	Total	25
Development Applications Refused	Delegated Authority	0

	Committee/Council	0
	Total	0
Subdivision Referrals Received	N/A	3
Subdivision Approval Recommendation to WAPC	Delegated Authority	0
Subdivision Refusal Recommendation to WAPC	Delegated Authority	0
Subdivision Deferral Recommendation to WAPC	Delegated Authority	0
Subdivision Condition Clearances issued	Delegated Authority	0

On 15 April 2011, 94 applications were pending.

SUBDIVISION APPLICATION DETERMINATIONS BY WESTERN AUSTRALIAN PLANNING COMMISSION

WAPC Ref	Property	No. of Lots	Type	Council Recommendation	WAPC Decision
S143593	L9003 Wungong South Road, Darling Downs	45	Rural A	Refusal Proposal is not in accordance with the Shire's adopted Subdivision Guide Plan (SGP) for this area.	Refusal
S143241	L9001 Wungong South Road, Darling Downs	37	Rural A	Refusal Proposal is not in accordance with the Shire's adopted SGP for this area.	Approval
S142793	L5 Karnup Road, Serpentine	4	Farmlet	Approval	Approval
S143285	L9001 & 9003 Wungong South Road, Darling Downs	34	Rural A	Refusal Proposal is not in accordance with the Shire's adopted SGP for this area.	Approval
S143529	L5, 6 & 22 Warrington & Doley Road, Byford	66	R30 & R40	Deferral The Glades Local Structure Plan not yet adopted by the WAPC.	Approval
S143440	L9016, 9017 Thomas Road, Byford	151	R20 & R30	Approval	Approval

DEVELOPMENT APPLICATION DETERMINATIONS BY WESTERN AUSTRALIAN PLANNING COMMISSION

WAPC Ref	Property	Type	Council Recommendation	WAPC Decision
Nil				

SUBDIVISION CLEARANCES ISSUED

WAPC Ref	Property	Type	Council Recommendation	WAPC Decision
Nil				

Voting Requirements: Simple Majority

SD112/05/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:

**Moved Cr Hoyer, seconded Cr Brown
That Council accept the Information Report.
CARRIED 10/0**

CGAM058/05/11 SHIRE OF SERPENTINE JARRAHDAL - DIFFERENTIAL RATING STRATEGY 2011/2012 FINANCIAL YEAR (A1955)	
Proponent:	Shire of Serpentine Jarrahdale
Owner:	Not applicable
Officer:	Casey Mihovilovich – Executive Manager Finance Services
Signatures Author:	Not applicable
Senior Officer:	Alan Hart – Director Corporate Services
Date of Report	9 May 2011
Previously	Not applicable
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act
Delegation	Council

In Brief

Council to:

1. Support in principle the differential rates in the dollar and minimums proposed for 2011/2012.
2. Advertise the proposed differential rates.
3. Seek the Minister for Local Government's approval to impose differential general rates more than twice the lowest rate.

Background

The Local Government Act 1995 provides for Councils to levy rates to fund the estimated annual budget deficiency for the forthcoming financial year.

Statutory Environment:

Section 6.32 of the Local Government Act 1995, provides Council with the power, by absolute majority, to impose general rates, uniformly or differentially, on rateable land within its district.

Section 6.33 provides for local governments to impose differential rates according to any, or a combination, of the following characteristics;

- a) The purpose for which the land is zoned;
- b) The purpose for which the land is held or to be used;
- c) Whether or not land is vacant;

In imposing a differential rate a local government is not to, without the approval of the Minister, impose a differential rate which is more than twice the lowest differential general rate imposed by it.

Section 6.35 requires that where a local government imposes differential rating it is to ensure that no more than 50% of the total number of separately rated properties in the district, or in each rate category is rated on the minimum without the approval of the Minister. A local government must request approval of the Minister if it imposes a minimum payment that does not comply with section 6.35 on the basis that the land is vacant.

Section 6.36 of the Act provides that before a local government can impose a differential rate it must give local public notice of its intention to do so.

Policy/Work Procedure Implications:

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

Financial Implications:

The Shire's principle source of income is through rates. It is an essential part of the budget process that the Council consider the level of rates that need to be raised in the context of funding the annual budget. It must also be noted that as other income, such as fees and charges are fixed by external legislation, there is very little scope for the Shire to increase this revenue source to keep up with the rising costs of service provision, therefore, these increasing costs must be borne by increases in rates.

Another consideration is the increasing costs of borrowings that need to be funded each year. As the Shire borrows funds in each budget, the flow on effect in the following year's budget is the cost of these borrowings. This increased cost is generally funded through increases in rates.

The Shire has until the 31st August each year to adopt the Annual Budget, as the shire is a rapidly growing organisation and as such we are heavily reliant on receiving rates income to fund our operations, including salaries. With this in mind, setting the level of rates for advertising and allowing the adoption of the annual budget at the June Ordinary Council Meeting, after the close of the advertising period, is a very high priority to enable rates notices to be issued. The Shire prepares its cash flow based on starting to receive rate payments in late August each year.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
OUR COUNCIL AT WORK	Leadership	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		4		We are realistic about our capacity to deliver.
		8		Elected members provide a clear and consistent strategic

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		15		direction. The Shire will set policy direction in the best interests of the community.
		19	Leadership through organisational culture	The elected members and staff have a relationship of unity and work together to achieve goals.
	Knowledge and Information	65	Customer perception of value	Strive to continually improve customer satisfaction and stakeholder relationships.

Community Consultation:

In accordance with sections 1.7 and 6.36 of the Local Government Act 1995 Council is required to give local public notice of the intention of Council to impose differential rates, or a minimum payment under a differential rate category.

Local public notice includes publishing in a newspaper circulating in the district, exhibiting on the notice board of the local government office, and exhibiting on the notice board of the library inviting submissions in respect of the following information, for a minimum of 21 days;

- 1) Details of each rate or minimum payment the local government intends to impose,
- 2) Invitation for submissions to be made in respect of the proposed rate or minimum payment and any related matters.

Comment:

The estimated budget deficit for the 2011/12 financial year has not yet been finalised, as the detailed budget estimates covering various expense and revenue items are currently being prepared. At present, the amount required from rates to fund the outcomes of the draft budget is in excess of the proposal provided in the attachments. Staff are revising the draft budget and service levels and are looking at all avenues to reduce the gap, including alternative revenue sources. Once the level of rates is known, further refinement of the draft budget can occur as all variables in the budget will then be known.

The table below is a summary of how much each percentage increase from 2010/11 will generate in total rate revenue;

% increase	Total rates revenue
6.5%	\$11,116,568
7.0%	\$11,168,692
7.5%	\$11,220,908
8.0%	\$11,273,625
8.5%	\$11,326,177

A copy of the modelling spreadsheet is with attachments marked [CGAM058.1/05/11 \(E11/2447\)](#).

A copy of the Objects and Reasons in Differential Rates for 2011/2012 is with attachments marked [CGAM058.2/05/11 \(E11/2446\)](#). Note, once Council has agreed on the advertised rates, the highlighted fields in the Objects and Reasons document will be replaced.

It is important to note that in the past Council has adopted rates that are more than twice the minimum differential rate and must therefore seek Ministerial approval, as required by the provisions of the Local Government Act 1995. The Department of Local Government has been scrutinising Council's differential rating strategy each year and may request modifications to be made, if they are not satisfied that the rating strategy is fair and equitable.

Council is required to provide a twenty one (21) day community consultation period when the differential rating option proposed.

Voting Requirements: ABSOLUTE MAJORITY

CGAM058/05/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Randall, seconded Harris

That Council takes the following action in relation to the rating strategy for the 2011/12 financial year:

1. Support in principle the following differential rates in the dollar and minimum payments for the GRV and UV rated properties, subject to finalisation of the 2011/12 draft budget and the establishment of the funding shortfall required from imposition of rates on GRV and UV rated properties:

PROPOSED 2011/2012 – 7.5%				
DIFFERENTIAL CATEGORY	RATE	UV RATE IN CENTS	GRV RATE IN CENTS	MIN RATE
Residential Improved			8.0405	\$1,033
Residential Vacant			11.9036	\$1,001
Commercial			8.3924	\$1,033
Special Residential			8.3705	\$1,033
Special Residential Vacant			16.0810	\$1,033
Units-Rowley Road			8.0405	\$756
Residential Composite			8.8517	\$1,033
Light Industry			9.0856	\$1,033
Rural		0.2641		\$1,033
Public Purpose		0.5125		\$1,033
Intensive Farming		0.7803		\$1,033
Farmland		0.1822		\$1,033
Rural Living		0.3250		\$1,033
Conservation		0.1321		\$1,033
Mining Tenements		0.5282		\$1,239
Chestnuts Drainage Specified Area Rate			0.6621	

2. Advertise for public comment, the differential rates and the minimum payment stated in 1 above, as per the requirements of the Section 6.36 of the Local Government Act 1995.
3. Apply to the Minister for Local Government for approval to impose differential general rates, which are more than twice the lowest differential general rate, for the 2011/2012 financial year, as per section 6.33(3) of the Local Government Act 1995.

CARRIED 10/0

CGAM059/05/11		TENDER NUMBER RFT 003/11 PROVISION OF GENERAL CLEANING SERVICES (A1993)
Proponent:	Serpentine Jarrahdale Shire	In Brief Council is requested to endorse the recommended Tenderer for the Provision of General Cleaning Services to the Serpentine Jarrahdale Shire for the two year period from 1 July 2011 to 30 June 2013 inclusive with the option to extend for a further twelve (months) until 30 June 2014.
Owner:	Serpentine Jarrahdale Shire	
Author:	Uwe Striepe - Executive Manager Engineering	
Senior Officer:	Richard Gorbunow - Director Engineering	
Date of Report	18 April 2011	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

This Tender forms part of Serpentine Jarrahdale Shire's Supply Tenders and the provision of general cleaning services is required to facilitate the 2011/2012 and 2012/2013 building maintenance program.

The initial term of the Contract will be for two years from 1 July 2011 to 30 June 2013, with a mutually agreed option to extend the Contract for a further one year period. The extension of the one year term however will be based on the Contractors performance over the preceding two year period, level and quality of service, value for money, and community satisfaction with the services provided.

A Request for Tenders was recently called for the 'Provision of General Cleaning Services.' Tender RFT 003/11 was advertised in the West Australian on 19 March 2011 and Comment News on 22 March 2011 and closed on 4 April 2011 at 2pm.

At the close of Tenders, four submissions were received from the following registered companies:

- Jaclyn Cleaning Group
- All Clean Property Services
- Petanelli Cleaning Services
- JCW Super Clean

A submission was also received from I.M.J. Cleaning Services after the tender closed and therefore could not be considered.

A copy of the attachment being the Request for Tender for the Provision of General Cleaning Services is with attachments marked [CGAM059.1/05/11](#) (E11/1182).

A copy of the CONFIDENTIAL attachment outlining the Schedule of Rates is with attachments marked [CGAM059.2/05/11](#).

Sustainability Statement

This Tender will ensure that the Shire is provided with the best service and value for money required to complete the services identified in the fully costed Plan for the Future and Annual Budget. By seeking the services externally the Shire is able to utilise best practice

opportunities in the market and maximise the productivity of the funds available to provide sound and sustainable asset maintenance.

The service will strengthen the Shire’s Operations Team by ensuring that they have access to a wide range of services at cost competitive rates.

Resource Implications: To actively pursue all Engineering Services’ works and services projects and programs delivery in a manner achieving best practice outcomes in terms of cost, timelines and quality objectives.

Use of Local, renewable or recycled Resources: The Shire encourages the use of local companies and resources thus supporting local business.

Social – Quality of Life: Tenderers resources will be utilised to provide a quality and safe environment for the residents of our community.

Social Diversity: The proposal does not disadvantage any social groups within the community, rather it aims to cater for all sections of the community.

Statutory Environment:

Part 4 of the Local Government (Functions and General) Amendment Regulations 2007 requires that Tenders be publicly invited for the supply of goods or services if the consideration under the contract is, or is expected to be, more than \$100,000.

The tendering process for goods and services must be in accordance with Sections 11, 18, and 19 of the Local Government (Functions and General) Regulations 1996 and Local Government (Functions and General) Amendment Regulations 2007.

In particular, Regulation 18 outlines a number of requirements relating to the choice of tender. Council is to decide which of the Tenders is most advantageous and may decline to accept any or all of the Tenders received.

Regulation 19 requires Council to advise each Tenderer in writing of the results of the Council's decision.

Policy/Work Procedure Implications:

CSP2 – Procurement of Goods or Services through Direct Purchasing and Public Tendering.

Financial Implications:

The costs associated with the provision of general cleaning services will be contained within the proposed 2011/2012 and 2012/2013 annual budgets.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective
BUILT ENVIRONMENT	Infrastructure		
			Ensure all decisions are consistent with the long term financial Plan for the Future.

Vision Category	Focus Area	Objective Summary	Objective
			Ensure asset management plans extend to whole of life costings of assets and reflect the level of service determined by Council.
		Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.
SUSTAINABLE ECONOMIC GROWTH			
	Industry Development		
			Encourage value adding opportunities for local industries and resources.
PEOPLE AND COMMUNITY			
	Places		
			Ensure community spaces and places are accessible and inviting.
OUR COUNCIL AT WORK			
	Leadership		
		Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
			Our structure, processes, systems and policies are aligned with the Plan for the Future.
			We are realistic about our capacity to deliver.
			Elected members and staff have a clear understanding of their roles and responsibilities.
			All decisions by staff and elected members are evidence based, open and transparent.
			The elected members and staff operate from a common understanding of sustainability.
		Leadership through organisational culture	Elected members and staff live our values and lead by example.
			Elected members and staff operate in an environment of trust, respect, openness and transparency.
			The elected members and staff have a relationship of unity and work together to achieve goals.
			The conduct of elected members and staff will be professional and reflect positively on the Shire at all times.
		Society, community and environmental responsibility	The elected members provide bold and visible leadership.
	Knowledge and Information		
		Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
			Understand current and future costs of service delivery.
		Creating value through applying knowledge	Ensure evidence based decision making
			Improve service delivery through the application of knowledge.
			Critically examine the efficiency and effectiveness of

Vision Category	Focus Area	Objective Summary	Objective
			service delivery
	Customer and Market Focus		
		Gaining and using knowledge of customers and markets	Align systems and processes to meet customer needs.
	People		
		A Great Place to Work	The shire will strive to create a unique employment environment.

Community Consultation:

Not required.

Comment:

The Tenders were reviewed by an evaluation panel that comprised the Shire's Executive Manager Engineering, Manager Operations and Parks, and Operations Administration Officer. Following the review, the Tenders were ranked according to the criteria outlined in the Request for Tenders. The table provided below shows the scores and rankings of the conforming Tenders.

A copy of the CONFIDENTIAL scores and rankings of the conforming Tenders is with attachments marked [CGAM059.3/05/11](#).

JCW Super Clean currently has the Contract for the provision of cleaning services to the Serpentine Jarrahdale Shire up to 30 June 2011 and has held the Contract for the last two years.

The majority of the Tender submissions were of high quality and were received from suitably qualified and highly skilled companies in the cleaning domain. However, the submission from Jaclyn Cleaning Group (WA) Pty Ltd stands out as having highly competitive cleaning rates for the two year period combined with the ability to provide an efficient and effective service. In addition, Jaclyn Cleaning Group hold contracts with a number of other comparative councils and businesses.

Accordingly, it is recommended that the Tender for the Provision of General Cleaning Services be awarded to Jaclyn Cleaning Group for the 2011/2012 and 2012/2013 financial years.

Voting Requirements:**ABSOLUTE MAJORITY****CGAM059/05/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:****Moved Cr Brown, seconded Cr Butfield****That Council:**

- 1. Accept the evaluation criteria as contained in the attached request for tender RFT 003/11;**
- 2. Accept the Tender submitted by Jaclyn Cleaning Group for the Provision of General Cleaning Services in accordance with Tender Number RFT 003/11 for the period of 1 July 2011 to 30 June 2013: and**
- 3. Authorise the Chief Executive Officer to approve a possible one (1) year extension in accordance with the Tender.**

CARRIED 9/1

CGAM060/05/11 TENDER NO. RFT001/2011-13 – SUPPLY, SPRAYING AND COVERING OF HOT BITUMEN SEALS (A1991)		
Proponent:	Engineering Services	In Brief That Council approve the recommended tender for supply, spraying & covering of hot bitumen seals for a two year period – 1/7/2011 to 30/6/2013.
Owner:	Not Applicable	
Author:	Frank Strever - Manager Operations and Parks	
Senior Officer:	Richard Gorbunow - Director Engineering	
Date of Report	14 April 2011	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

In accordance with the Local Government Act 1995, tenders are called to ensure that the suppliers of materials and services comply with Council's requirements and that the best market price is received to meet the budgeted Capital and Operational works program as approved by Council.

Request for Tender RFT001/2011 was called for the supply, spraying and covering of hot bitumen seals and reseals. The tender was advertised in The West Australian on 19 March 2011 and Comment News on 22 March 2011. Tenders closed on 4 April 2011.

A copy of Request for Tender RFT001/2011-13 Part 1 is attached at [CGAM060.1/05/11 \(E11/1169\)](#).

Aa copy of RFT001/2011-13 Part 2 Tender Specifications and Tenderer's Offer is with attachments marked [CGAM060.2/05/11 \(E11/1170\)](#).

A copy of the CONFIDENTIAL scores and rankings of the conforming Tenders is with attachments marked [CGAM060.3/05/11](#).

This tender forms part of Serpentine Jarrahdale Shire's Supply Tenders. The provision of bitumen is essential to facilitate the completion of the annual road construction, maintenance and bitumen resurfacing program.

Tenders are assessed by a panel of staff members in accordance with the Serpentine Jarrahdale Shire's "Evaluation Panel Guide". The panel was made up of from staff experienced in tender preparation and evaluation and included:

- Executive Manager Engineering Services
- Manager Operations and Parks
- Works Co-ordinator

At the close of tender, submissions were received from the following registered companies:

RNR Contracting Pty Ltd (*1 non-conforming tender and 1 alternative tender*)
 Boral Resources (WA)
 Fulton Hogan Industries Pty Ltd
 Keslake Nominees Pty Ltd T/as Bitumen Surfacing

A copy of the Qualitative Criteria and Price Schedules is with CONFIDENTIAL attachment [CGAM060.4/05/11](#).

Sustainability Statement

This Tender will ensure that the Shire is provided with the best services required to complete the proposed works identified in the fully costed Plan for the Future and Annual Budget. By seeking the services externally the Shire is able to utilise best practice opportunities in the market and maximize the productivity of the funds available to provide sound and sustainable asset maintenance.

The proposed services strengthen the Shire’s Operations team ensuring they have access to a wide range of services available at cost competitive rates.

Effect on Environment:

- The built environment is improved and maintained
- The community environment is enhanced through Council commitment to Asset preservation.
- The proposal incorporates best practice.

Statutory Requirement

Local Government Act 1995, Part 3 Div 3 s.3.57
Part 4 of the Local Government (Functions and General) Amendment Regulation 2007 requires that tenders be publicly invited for the supply of goods and services if the consideration under the contract is or is expected to be more than \$100,000.

Policy/Work Procedure Implications:

CSP2 – Procurement of Goods or Services through Direct Purchasing and Public Tendering.

Financial Implications:

Costs of materials are funded through Capital and Maintenance works budget.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective
BUILT ENVIRONMENT			
	Land Use Planning		
		Transport	Ensure safe and efficient freight and transport linkages within the Shire and region.
			Ensure future public transport needs and infrastructure is incorporated into the land use planning process within the Shire and region.
		General	Encourage innovative solutions, technology and design.
	Infrastructure		
		Asset management	Continually improve the accuracy of the long term financial Plan for the Future by accommodating asset management plans that are developed.
			Ensure asset management plans extend to whole of life costings of assets and reflect the level of service determined by Council.

Vision Category	Focus Area	Objective Summary	Objective
		Roads and bridges	Develop and adequately fund a functional road network and bridges based on the level of service set by Council.
	Energy		
		Production	Keep abreast of advances in renewable technology.
	Knowledge and Information		
		Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
			Understand current and future costs of service delivery.
			Develop systems for data capture and analysis.
		Creating value through applying knowledge	Ensure evidence based decision making
		Infrastructure	Advance the development of transport, technology and utilities infrastructure.
			Facilitate the development of consistent appropriate and informative signage throughout the Shire.
			Examine the opportunities for utilisation of Shire facilities as business incubators.

Community Consultation:

No community consultation required.

Comment:

The non-weighted cost method was used where functional considerations such as capacity and quality, are seen to be crucial to the outcome of the contract. The tendered price was considered along with related factors affecting the total cost.

In summary, the Qualitative Criteria covered:

- 25% Relevant experience
- 25% Personnel Skills and Experience
- 25% Tenderer's resources and
- 25% Demonstrated understanding

Scores were allocated accordingly by the panel.

Price

Boral, Fulton Hogan and Bitumen surfacing supplied conforming price schedules. RNR referred to a conditional minimum of 5000 m² in one tender. Therefore this tender is classified as non-conforming. The RNR Alternative tender is based on prices for 2500-5000 m², 5001-10000 m² and greater than 10001 m². Areas under 2500 m² were not submitted for pricing.

The evaluation process assessed the Alternative prices from RNR in terms of a likely capital and operational scenario for the 2011/2012 financial year and deduced that the middle range

of 5001 - 10000 m² would be the main range of works covered under the spray sealed area. This was then compared to the other three tenderer's prices.

The price tables exhibited in attachment **CGAM060.4/05/11** show that Boral represents the best value for the main priced items which constitute the bulk of the cost in spray sealing:

- Design, supply and Apply 10mm reseal
- Design, supply and Apply 14mm reseal
- Design, supply and Apply 14mm Primer seal

The evaluation of the qualitative criteria and the prices submitted supports the submission by Boral as being the best value. Boral WA scored highly in the qualitative criteria and when factored with the lowest prices received, provides Council with good levels of service and economic effectiveness.

Voting Requirements: ABSOLUTE MAJORITY

CGAM060/05/11 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Brown, seconded Cr Hoyer

That Council:

- 1. Accept the evaluation criteria as contained in the attached request for tender RFT 001/2011;**
- 2. Accept the tender submitted by Boral Resources (WA) for the Supply, Spraying and Covering of Hot Bitumen Seals and Prime Seals in accordance with RFT001/2011-13 for the period of 1 July 2011 to 30 June 2013; and**
- 3. Authorise the Chief Executive Officer to approve a possible one year extension.**

CARRIED 10/0

9. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN:

OCM056/05/11 REVISION OF COUNCIL DECISION - TONKIN HIGHWAY / ABERNETHY ROAD CONNECTION (A0471-03)		
Author	Councillor Merri Harris	In Brief It is recommended that the previous resolution CGAM053/04/11 made at the Ordinary Council meeting of 27 April 2011 be rescinded and a new decision be made.
Senior Officer:		
Date of Report	10 May 2011	
Previously	CGAM053/04/11	
Disclosure of Interest		
Delegation	Council	

BACKGROUND**Previous Council Resolution**

At the Ordinary Council meeting of 27 April 2011, the following was resolved:

COUNCIL DECISION/New Motion

Moved Cr Geurds, seconded Cr Ellis

That Council advise WAPC and Main Roads that it considers it is premature to make a decision regarding the future design of the Abernethy Road and Tonkin Highway intersection, as detailed designs of Tonkin Highway are not available and the timing of its construction is not known.

CARRIED 5/4

Cr Harris voted against the motion

Cr Harris foreshadowed a new motion similar to the Committee Recommended Resolution with a Part 3 that indicates that Council would like to exercise a range of options should the circumstances change in the currently accepted design of the Tonkin Highway, if the motion under debate is defeated.

A full copy of the Officer report (including attachments) presented to Council on 27 April 2011 is with attachment marked OCM056.1/05/11 (CR11/161).

This report is presented to Council to rescind previous resolution CGAM053/04/11 in order for a new decision to be made.

Since the Ordinary Council Meeting of 27 April 2011, additional information has been received from Corona Capital Management Pty Ltd respectively requesting that an agenda item be placed on the agenda for the Ordinary Council Meeting of 23 May 2011 to resolve as a matter of urgency.

A copy of the correspondence from Corona Capital Management Pty Ltd and correspondence from WAPC is with attachment marked OCM056.2/05/11 (IN11/6120).

Conclusion

This report is therefore presented to Council to rescind previous resolution CGAM053/04/11 and to endorse the original Committee Recommended Resolution presented to the April Ordinary Council Meeting adding a Part 3 - *Council would like to exercise a range of options should the circumstances change in the currently accepted design of the Tonkin Highway*, after considering the additional information received.

Voting Requirements:

The motion to consider rescinding does not require an Absolute Majority however the motion to rescind must have an Absolute Majority.

OCM056/05/11 COUNCIL DECISION/Councillor Recommended Resolution:

Moved Harris, seconded Cr Petersen, Cr Randall and Cr Buttfield
That Council consider rescinding motion CGAM053/04/11.

CARRIED 8/2

Cr Brown voted against the motion

COUNCIL DECISION/Councillor Recommended Resolution:

Moved Harris, seconded Cr Hoyer, Cr Petersen and Cr Buttfield
That Council rescind the motion CGAM053/04/11.

CARRIED 8/2

Cr Brown and Cr Geurds voted against the motion

OCM056/05/11 COUNCIL DECISION/Councillor Recommended Resolution:

Moved Cr Harris, seconded Cr Randall
That Council:

1. Advise the Western Australian Planning Commission, Main Roads WA and the owners of Lot 9051 (formerly Lot 6 & 27) Abernethy Road, Byford that no flyover structure is required to be provided over the proposed Tonkin Highway extension for the following reasons:
 - Detrimental impact to remnant vegetation and the existing Bush Forever site.
 - Significant hydrological constraints based on information provided by the Byford Townsite Drainage and Water Management Plan (2008).
 - It is projected that only 1,100 vehicles per day would use the flyover based on the Main Roads WA & Serpentine Jarrahdale Shire 2031 Mundijong-Whitby and Byford Regional Traffic Model.
2. Advise the Western Australian Planning Commission and Main Roads WA that vehicle access to Abernethy Road will be terminated on the East and West sides of Tonkin Highway.
3. Council would like to exercise a range of options should the circumstances change in the currently accepted design of the Tonkin Highway.

CARRIED 8/2

Cr Brown and Cr Geurds voted against the motion

OCM057/05/11		PROPOSED CHANGES TO COUNCIL AND COMMITTEE STRUCTURE (A0429)
Proponent:	N/A	In Brief For Council to receive the discussion paper – Proposed Changes to Council and Committee Structure – Options and Implications.
Owner:	N/A	
Author:	Joanne Abbiss- Chief Executive Officer	
Senior Officer:	Joanne Abbiss- Chief Executive Officer	
Date of Report	18 May 2011	
Previously	N/A	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The Shire of Serpentine Jarrahdale has been operating a two committee structure for a number of years.

Some councillors have expressed a desire to review the current system with a view to make the position of Councillor more attractive to community members that have daytime commitments.

To provide Councillors with information to assist in making an informed decision, a discussion paper has been prepared outlining a variety of options. The purpose of this report is for Council to receive the discussion paper to enable Council to begin a dialog which can enable the Council to discuss all options and/or any combination of options and understand the implications to the Shire should a change be deemed necessary.

A copy of the Discussion Paper – Proposed Changes to Council and Committee Structure – Options and Implications (E11/2675) is with attachments marked [OCM057.1/05/11](#).

Sustainability Statement

Social and Environmental Responsibility: The function of Council encourages community participation through every aspect of council, from being a Councillor to participating in meetings and forums. Any change to Council should encourage community participation and should also make it easier for the community to participate in Council activities.

Statutory Environment:

Authority to establish committees is set out in the Local Government Act (1995), section 5.8.

Policy/Work Procedure Implications:

Any change to the current committee structure may affect some of Council's policies and they will need to be amended to reflect the change. At this point in time, a review of all Council Policies to identify those policies that will need to be amended has not yet been undertaken.

Financial Implications:

As there are many options and potentially combinations of options, the financial implications have not been articulated in this report and councillors are directed to the discussion paper for this information.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective		
PEOPLE AND COMMUNITY		6	Happy	Improve access and inclusion for all.		
		27	Celebrate	Actively engage, and value the contribution of all stakeholders in better decision making.		
OUR COUNCIL AT WORK	Leadership					
		1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.		
		2		Our structure, processes, systems and policies are aligned with the Plan for the Future.		
		3		Our structure, processes, systems and policies are based on the "keep it simple" principle.		
		5		We have effective meetings.		
		7		Elected members and staff have a clear understanding of their roles and responsibilities.		
		9		All decisions by staff and elected members are evidence based, open and transparent.		
		16	Leadership through organisational culture	Elected members and staff live our values and lead by example.		
		17		The organisational culture of elected members and staff is one of inspiration, inclusion and innovation.		
		18		Elected members and staff operate in an environment of trust, respect, openness and transparency.		
		19		The elected members and staff have a relationship of unity and work together to achieve goals.		
		21		The Shire will further establish itself as an innovative leader in organisational culture.		
			Strategy and Planning			
		27		Strategic Direction	Prepare effectively for future development.	
		31		The Planning Process	Develop comprehensive governance policies and strategies.	
				33		Create dynamic, adaptable policy and processes to aid rigour, currency and relevance.
			Success and Sustainability			
		38		Achieving Sustainability	Ensure that elected members and staff are outcome focussed.	
		40			The culture, decision making and work systems need to be readily adaptable to change.	
	Knowledge and Information					
45		Generating, collecting and analysing the right data to	Ensure the full costs are known before decisions are made.			

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
			inform decision making	
		46		Understand current and future costs of service delivery.
		47		Understand the needs of stakeholders.
		49	Creating value through applying knowledge	Ensure evidence based decision making
		50		Improve service delivery through the application of knowledge.
		51		Critically examine the efficiency and effectiveness of service delivery
	Customer and Market Focus			
		52	Gaining and using knowledge of customers and markets	Align systems and processes to meet customer needs.
		55		Improve the accessibility of Shire services.
		65	Customer perception of value	Strive to continually improve customer satisfaction and stakeholder relationships.
	People			
		66	A Great Place to Work	Invest in HR.
		67		Recognise our people are our most important asset.
		68		The shire will strive to create a unique employment environment.
		69		Recognise our position in the employment market place and develop a niche/point of difference.
		71		Retain 'funky', fun, flexible, friendly, family feeling at the workplace.
		72		Accommodate a diversity of people and work habits
		73		Continue to build a multicultural and intergenerational workforce.
		75		The Shire values corporate knowledge and stability and is focused on staff retention.
	Process Management, Improvement and Innovation			
		85	Identification and Management of Processes	Invest in the development of flexible and adaptable systems and processes to improve efficiencies and costs
		91	Process Improvement and Innovation	Build staff confidence and give them the licence to drive change
		92		Ensure that bureaucratic governance systems do not reduce the creative energy of staff and elected members.
		93		Fully utilise the skills and knowledge of elected members and staff
		94		Achieve outcomes whilst minimising use of Council resources.

Community Consultation:

Should Council proceed to make any changes to the existing system, a press release will be prepared outlining the changes and a new meeting timetable will be prepared and advertised.

Comment:

The attached discussion paper outlines 7 options to Council. This is not an exhaustive list of options and there are many variations to those listed, each with their advantages and disadvantages.

There is also an election on the horizon (October 2011) with potentially a new Council that may have different views in relation to the Council meeting structure.

It is considered that Option 6 presents the opportunity for strategic growth and development and is worth further examination and discussion between elected members and staff and is consistent with what has been evolving as the necessary direction for Council to pursue.

Voting Requirements: Simple Majority

OCM057/05/11 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Randall, seconded Cr Hoyer
That Council:

1. Receive the Discussion Paper - Proposed Changes of Council and Committee Structure for the Shire of Serpentine Jarrahdale - Options and Implications.
2. Pursue the recommendation outlined in Option 6 to invite a local government facilitator to explain the possibilities vested in adopting the shift in focus expressed within the option and the benefits of a policy committee with the purposes described.

CARRIED 10/0

COUNCIL DECISION

Moved Cr Brown, seconded Cr Butfield
That the meeting be closed to members of the public at 8.58pm to allow Council to discuss confidential item OCM058/05/11 as per the Local Government Act 1995 section 5.23(2)(d).

CARRIED 10/0

OCM058/05/11		CONFIDENTIAL ITEM - WALGA STATE AGM AGENDA ITEM (A0202)	
Proponent:	n/a	In Brief: Council give consideration to submitting an item to Western Australian Local Government Association (WALGA) State AGM.	
Owner:	n/a		
Author:	Manager Emergency Services – Dave Gossage		
Senior Officer:	Director Engineering – Richard Gorbunow		
Date of Report	12 May 2011		
Previously	Nil		
Disclosure of Interest	Not applicable		
Delegation	Council		

Cr Geurds left the room at 9.04pm and returned at 9.06pm

OCM058/05/11 COUNCIL DECISION/Officer Recommended Resolution:

**Moved Cr Harris, seconded Cr Brown
That Council adopt Option 1 as presented in this report.
CARRIED 10/0**

COUNCIL DECISION

**Moved Cr Brown, seconded Cr Lowry
That the meeting was re-opened to the public at 9.13pm
CARRIED 10/0**

OCM059/05/11		EMERGENCY SERVICES LEVY BOUNDARY REVIEW (A1139)
Proponent:	FESA	In Brief: Council actively engage the Minister of Police and Emergency Services to express strong concern in relation to Fire and Emergency Services Authority (FESA) practices in relation to their proposed review of the Emergency Services Levy Boundary.
Owner:	n/a	
Author:	Manager Emergency Services – Dave Gossage	
Senior Officer:	Director Engineering – Richard Gorbunow	
Date of Report	12 May 2011	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

At the Shire's Policy Forum on the 3rd May 2011, a presentation was received from FESA regional staff in relation to the Emergency Services Levy boundary review. There was no formal proposal, only a presentation of what FESA intended to do. A copy of the data presented and proposal, with their research and justifications was requested at this meeting. This still has not been received in full to date. Correspondence and discussions with FESA has also highlighted that FESA officers have already made their decisions and have forwarded recommendations to the FESA Chief Executive Officer and the Minister for Emergency Services before consultation was undertaken with the Shire.

Sustainability Statement

Resource Implications:

There will be an increased cost to ratepayers. There will be further pressure on the reticulated water supply infrastructure.

Effect on Environment: There will be an increase in travel due to local resources not being used, increasing emissions.

Economic Viability: The proposal will increase community costs and expectations. Council will be required to put in large amounts of funding for infrastructure, specifically fire hydrants and ongoing services. The future costs are unknown and ratepayers will still be expected to

pay for the prevention, preparedness, and elements of response and recovery costs out of their rates.

Economic Benefits: There are currently no perceived economic benefits to this community.

Social – Quality of Life: There are no anticipated changes to the services currently provided to the community yet increased costs. Anecdotal evidence from other local governments has demonstrated that volunteerism will be disadvantaged.

Statutory Environment: Bush Fires Act 1954
Emergency Management Act 2005
Fire Brigades Act 1942
Emergency Services Levy Act 2002

Financial Implications: Unknown, possibly substantial

Voting Requirements: Simple Majority

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
BUILT ENVIRONMENT				
	Infrastructure	32	Asset management	Continually improve the accuracy of the long term financial Plan for the Future by accommodating asset management plans that are developed.
		33		Ensure all decisions are consistent with the long term financial Plan for the Future.
		34		Ensure asset management plans extend to whole of life costings of assets and reflect the level of service determined by Council.
		37		Develop and adequately fund a functional road network and bridges based on the level of service set by Council.
		38		Ensure that bridge and road network planning and development considers community safety and emergency management.
		39	Water Management	Minimise the use of piped and artificial drainage and its impact on the landscape.
		40		Promote, implement and celebrate best practice integrated water cycle management.
		45	Utilities	Engage utility providers in strategic land use planning to ensure that communities are well serviced by appropriately located and timely constructed infrastructure.
		46		Encourage innovative solutions for the provision of utilities.
		52		Partnerships
	53		Proactively and positively negotiate mutually beneficial outcomes with the development industry.	
	54		Empower residents to advocate for their community of interest and endeavour to create Shire policy and strategy that is respectful of their vision.	
	59		Interact with professional and industry bodies to keep abreast of best practice.	
	61		Form strategic alliances for the more effective	

				resolution and achievement of regional land use planning and infrastructure delivery.
		62		Advocate for reduction of regulatory barriers to local government forming innovative and entrepreneurial relationships.
SUSTAINABLE ECONOMIC GROWTH				
	Industry Assistance			
		20	Strategy	Maintain an awareness of economic trends and forecasts that have the potential to impact on the sustainable economic growth of the Shire.
		24		Enter into partnership and joint venture projects that are mutually beneficial.
PEOPLE AND COMMUNITY				
	Wellbeing	1	Healthy	Promote a wide range of opportunities to enable optimal physical and mental health.
		3		Enable the provision of a range of facilities and services for families and children.
		4		Monitor and respond to the changing needs of our ageing population.
		5	Happy	Promote respect, responsibility and resilience in our community.
		6		Improve access and inclusion for all.
		7		Encourage, support and celebrate volunteerism.
		9		Invest in the development of future community leaders.
		10		Understand and respond to the needs of our youth.
		11		Actively engage youth in local decision making.
		12		Encourage youth participation in community activities, groups and networks.
		13	Safe	Achieve a high level of community safety
	Relationships	15	Encourage	Foster positive working relationships with and between volunteers.
		16		Encourage intergenerational interactions and activities.
		17		Create opportunities to identify and address social isolation.
		18		Identify opportunities for people to work together for their mutual benefit.
		19	Empower	Grow and sustain our strong community spirit.
		20		Develop a skilled, self determining community who participate in shaping the future and own and drive the changes that occur.
		21		Empower people to represent their community of interest.
		22		Achieve a sense of belonging through active networks and community groups.
		23		Build strong relationships that are resilient to the pressures and challenges of growth and "breaking new ground".
		24		Foster ownership and commitment within partnerships in order to achieve shared visions.
		25		Enable inclusive, accessible and appropriate communications.
		26	Celebrate	Acknowledge, utilise and celebrate the distinctiveness and diversity of our community.
		27		Actively engage, and value the contribution of all stakeholders in better decision making.
		28		Engage existing and new residents in sharing neighbourly and community values.
	Places		Vibrant	
		31		Build the community's capacity to create vibrant places through activities and events.
		33		Plan and facilitate the provision of a range of facilities and services that meet community needs

		35		Recognise the significance of prosperous businesses and groups in activating places and contributing to community safety.
			Innovative	
		38		Facilitate the establishment of educational places that offer a range of lifelong learning opportunities.
		39		Enable and develop sustainable, multipurpose facilities where duplication is minimised.
		41	Distinctive	Recognise, preserve and enhance the distinct characteristics of each locality.
		42		Foster the sense of belonging and pride of place in our community.
OUR COUNCIL AT WORK				
	Leadership	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		2		Our structure, processes, systems and policies are aligned with the Plan for the Future.
		10		The elected members and staff operate from a common understanding of sustainability.
		11		The Shire will further establish itself as an innovative leader.
		16	Leadership through organisational culture	Elected members and staff live our values and lead by example.
		18		Elected members and staff operate in an environment of trust, respect, openness and transparency.
		19		The elected members and staff have a relationship of unity and work together to achieve goals.
			Society, community and environmental responsibility	
		24		The Shire will further establish itself as an innovative leader in social, community and environmental responsibility.
		26		The Shire is focused on building relationships of respect with stakeholders.
	Strategy and Planning		Strategic Direction	
		28		Position the Shire to be responsive and resilient to changes in State or Federal policy direction.
		29		Create innovative solutions and manage responsibly to aid our long term financial sustainability.
		30		Consider the regional delivery of services in the acquisition of compatible infrastructure and assets.
	Knowledge and Information			
		49	Creating value through applying knowledge	Ensure evidence based decision making
		51		Critically examine the efficiency and effectiveness of service delivery
	Customer and			

	Market Focus		
		60	Encourage and support staff to proactively deal with complex customer service issues.
		61	Liaise with State and Federal Members of Parliament regarding local and regional issues and priorities.

Community Consultation:

Required: No

Comment:

Council needs to actively engage a number of stakeholders in relation to the practices being deployed by FESA in relation to legislative changes and funding distribution. There has been an unprecedented push by FESA to rush and get legislative changes/control centralised since the major incidents, without true and meaningful consultation of volunteers and community in relation to the assessment of the social, environmental and financial impacts to the state and local communities.

Voting Requirements: Simple Majority**OCM059/05/11 COUNCIL DECISION/Officer Recommended Resolution:**

Moved Cr Brown, seconded Cr Ellis

That;

1. Council does not support the change to the current Emergency Services Levy (ESL)/Fire Brigades Act boundaries and actively engage the Minister of Police and Emergency Services and Western Australian Local Government Association (WALGA).
2. Council actively seek support to have the management and control of the Emergency Services Levy and distribution of funds removed from Fire and Emergency Services Authority (FESA) control to an independent body with the same rules for funding applying to Fire and Emergency Services Authority (FESA) as to any other beneficiary of the funding.

CARRIED 10/0

OCM060/05/11 REQUEST FOR LEAVE OF ABSENCE – COUNCILLOR BETH BROWN (A0024)		
Proponent	Councillor Beth Brown	In Brief Councillor Beth Brown has requested a Leave of Absence from the June 2011 Ordinary Council Meeting.
Officer	Joanne Abbiss – Chief Executive Officer	
Senior Officer:	Not applicable	
Date of Report	4 May 11	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Council	

OCM060/05/11 COUNCIL DECISION/Officer Recommendation:

**Moved Cr Hoyer, seconded Cr Buttfield
Council approves Leave of Absence for Councillor Beth Brown for the Ordinary
Council Meeting to be held on 27th June 2011.
CARRIED 10/0**

10. CHIEF EXECUTIVE OFFICERS REPORT:

OCM061/05/11		INFORMATION REPORT
Proponent	Not applicable	In Brief Information Report.
Officer	Trish Kursar - Personal Assistant to the Chief Executive Officer	
Signatures - Author:		
Senior Officer:	Joanne Abbiss – Chief Executive Officer	
Date of Report	20 March 2011	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

OCM061.1/05/11 COMMON SEAL REGISTER REPORT – APRIL 2011

The Common Seal Register Reports for the month of April 2011 as per Council Policy G905 - Use of Shire of Serpentine Jarrahdale Common Seal is with the **attachments marked [OCM061.1/05/11](#)**.

OCM061.2/05/11 POLICY FORUM – 3 MAY 2011

The following items were discussed at the 3rd May 2011 Policy Forum:

Council Meeting Structure
Budget
State Planning Policy 2.5 – Land Use Planning in Rural Areas
Development Control Policy 3.4 – Subdivision of Rural Land
Staff Attraction and Retention
FESA ESL Boundary Review (Murray Bawden)
Serpentine Jarrahdale Golf Club presentation
Report from Workshop - “Art of Place Making” and “Creating Resilient Cities”.
Management Plans, Assets and Funding
Statutory Planning - update on projects

OCM061.3/05/11 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) SOUTH EAST METROPOLITAN ZONE AGENDA – 25 MAY 2011 (A1164-02)

In the attachments marked [OCM061.3/05/11](#) (IN11/6731) is the agenda of the South East Metropolitan Zone Meeting to be held on 25 May 2011 and THE DoLG Director General’s Report marked [OCM061.4/05/11](#).

OCM061.5/05/11 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) PEEL ZONE AGENDA – 31 MARCH 2011. (A1164-02)

In the attachments marked [OCM061.5/05/11](#) (IN11/6733) is the agenda of the Peel Zone Meeting to be held on 26 May 2011.

OCM061.6/05/11 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) STATE COUNCIL AGENDA – 1 JUNE 2011 (A1164-02)

In the electronic attachments marked [OCM061.6/05/11](#) (IN11/6677) is the agenda of the WALGA State Council meeting to be held on 1 June 2011.

OCM061.7/05/11 COUNCILLOR ATTENDANCE AT TRAINING PRIOR TO ELECTION

Council Policy G813 currently states that:

“20. A council member shall not be permitted to nominate for attendance at a conference six months prior to their term of office expiring.” The policy is silent however with regard to other forms of training and whether they are permissible within this timeframe. The Shire currently has Cr Ellis and Cr Buttfeld completing the WALGA Diploma at a cost \$6200 each and Cr Harris has just been awarded a prestigious scholarship to the Australian Centre for Excellence in Local Government with a Council contribution requirement of \$7,500. It is critical that Council has well trained councillors and it is recommended that council endorse the attendance of Cr Ellis, Cr Buttfeld and Cr Harris at these training courses.

OCM061/05/11 COUNCIL DECISION/Officer Recommended Resolution:

**Moved Cr Brown, seconded Cr Geurds
That Council:**

- 1. Receive the Information Report to 20 May 2011.**
- 2. Endorse the attendance of Cr Ellis and Cr Buttfeld at the WALGA Diploma course and Cr Harris at the Australian Centre of Excellence in Local Government course.**

CARRIED 10/0

11. URGENT BUSINESS:

Nil

12. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:

Nil

13. CLOSURE:

There being no further business, the meeting closed at 9.30pm.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on 27 June 2011.

.....
Presiding Member

.....
Date

14. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

SD111/05/11 STRATEGIC COMMUNITY PLANNING INFORMATION REPORT		
Proponent:	N/A	In Brief To receive the Information Report for April 2011.
Owner:	N/A	
Author:	Various	
Senior Officer:	Carole McKee – Acting Director Strategic Community Planning	
Date of Report	27 April 2011	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

STRATEGIC COMMUNITY PLANNING ACTIVITY REPORT

A copy of the Strategic Community Planning Department's Activity Report for April 2011 is with attachments marked [SD111.1/05/11](#).

Voting Requirements: Simple Majority

SD111/05/11 Committee Decision/Officer Recommended Resolution:

**Moved Cr Twine, seconded Cr Brown
That Council accept the Strategic Community Planning Information Report.
CARRIED 7/0**

CGAM056/05/11 MONTHLY FINANCIAL REPORT – APRIL 2011 (A0924/07)		
Proponent:	Serpentine Jarrahdale Shire	In Brief To receive the April 2011 Monthly Financial Report.
Owner:	Not Applicable	
Author:	Financial Accountant	
Senior Officer:	Director Corporate Services	
Date of Report	28 April 2011	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

CGAM057/05/11 Committee Decision/Officer Recommended Resolution:

Moved Cr Harris, seconded Cr Hoyer

That Council receives the payments authorised under delegated authority and detailed in the list of invoices for period of 22 March 2011 to 17 April 2011, presented as per the summaries set out above include Creditors that have been paid and accordance with the Local Government (Financial Management) Regulations 1996.

CARRIED 7/0

CGAM061/05/11		CORPORATE SERVICES INFORMATION REPORT
Proponent:	Not Applicable	In Brief To receive the information report to 27 April 2011.
Owner:	Not Applicable	
Author:	Various	
Senior Officer:	Alan Hart - Director Corporate Services	
Date of Report	27 April 2011	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution CGAM064/02/08	

CGAM061/05/11 Committee Decision/Officer Recommended Resolution:

Moved Cr Harris, seconded Cr Hoyer

That the Information Report to 27 April 2011 be received.

CARRIED 7/0

CGAM062/05/11		ENGINEERING SERVICES INFORMATION REPORT
Proponent:	Not Applicable	In Brief To receive the information report to 27 April.
Owner:	Not Applicable	
Author:	Various	
Senior Officer:	Richard Gorbunow – Director Engineering	
Date of Report	27 April 2011	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution CGAM064/02/08	

CGAM062/05/11 Committee Decision/Officer Recommended Resolution:

Moved Cr Hoyer, seconded Cr Harris

That the Information Report to 27 April 2011 be received.

CARRIED 7/0

- 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.