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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 24TH APRIL, 2006. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.01PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

1. ATTENDANCE & APOLOGIES:

IN ATTENDANCE:

COUNCILLORS: DL Needham Presiding Member
JE Price
AW Wigg
WJ Kirkpatrick
THJ Hoyer
KR Murphy
EE Brown

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

APOLOGIES: Crs JC Star Leave of Absence
JA Scott
IJ Richards
Mr B Gleeson Executive Manager Planning & Regulatory Services

GALLERY: 0

2. PUBLIC QUESTION TIME:

2.1 Response To Previous Public Questions Taken On Notice

Questions from Sustainable Development Committee meeting 21st March 2006:

SD110/03/06 - Mr Paul Nield, 195 Boomerang Road, Oldbury

Q. What matters did each party agree or disagree on?

A. The specific matters that were discussed between each party during the mediation process for this appeal are confidential. A copy of the report presented to Council in March 2006 on this matter is available for public viewing.

SD110/03/06 - Mrs Lee Bond, 70 Stockmans Close, Oakford

Q. When Council is asked what happened at an appeal, the information is not provided. Why is this, when the information can be accessed on the internet.

A. Once an appeal is lodged with the State Administrative Tribunal (SAT) all discussions that occur during mediation hearings are confidential. Some hearings at the SAT are open to the public. Further information can be obtained from the SAT on when hearing dates are being held.

SAT do not publish progress reports relating to appeals. After SAT have made a decision on an appeal, the information is publicly available. This information can be obtained by contacting SAT. If a report is presented to Council on an appeal, then this information is also available to the public.

2.2 Public Question Time

3. PUBLIC STATEMENT TIME:

Nil

4. PETITIONS & DEPUTATIONS:

Nil

5. PRESIDENT'S REPORT:

Nil

6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

Cr Wigg declared a financial interest in item CGAM134/04/06 CONFIDENTIAL ITEM: WORKING PARTY REPRESENTATION AND REQUEST FOR EXTENSION OF MANAGEMENT ORDER FOR RESERVE 30867 as a member of the SJ Grammar School Board and a financial guarantor.

Cr Needham declared an interest of impartiality in item SD125/04/06] PROPOSED ADDITIONS TO GRACEFORD HOSTEL – LOT 108 (18) TURNER ROAD, BYFORD as the proponent is a friend of the family; and stated that this impartiality would not effect the way in which Cr Needham votes on the item.

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

7.1 Ordinary Council Meeting – 27th March, 2006

COUNCIL DECISION

Moved Cr Price seconded Cr Hoyer
That the minutes of the Ordinary Council Meeting held on 27th March, 2006 be confirmed.
CARRIED 7/0

REPORTS OF COMMITTEES:

SD127/04/06 BULK EARTHWORKS AND IMPORTATION OF FILL – PORTION OF LOT 3 THATCHER ROAD, BYFORD (P05318/02)		
Proponent:	Koltasz Smith	<p>In Brief</p> <p>To consider the approval of bulk earthworks on a portion of the land ahead of final approval of the Local Structure Plan and subdivision approval by the Western Australian Planning Commission.</p> <p>It is recommended approval be granted with conditions.</p>
Owner:	Goldtune Investments Pty Ltd	
Officer:	Andrew Pawluk – Contract Planner	
Signatures Author:		
Senior Officer:		
Date of Report	6 April 2006	
Previously	SD113/03/06	
Disclosure of Interest	No officer involved in the preparation of this report has an interest in the subject land. In accordance with the provisions of the Local Government Act	
Delegation	Council	

Date of Receipt: 14 March 2006
 Advertised: N/A
 Submissions: N/A
 Lot Area: 19.73ha
 L.A Zoning: Urban Development
 MRS Zoning: Urban and Urban Deferred
 Byford Structure Plan: Rural Residential; Residential (R20); Multiple Use Corridor; Waterway; Drainage Basin.
 Rural Strategy Policy Area: N/A
 Rural Strategy Overlay: N/A
 Municipal Inventory: N/A
 Townscape/Heritage Precinct: N/A
 Bush Forever: N/A
 Date of Inspection: 4 April 2006

Background

The development application has been lodged in order that bulk earthworks of 10.8ha may be undertaken prior to winter to prepare the site for the impending approval of a residential subdivision. A draft Local Structure Plan (LSP) has been lodged over Lot 3 and adjoining lots under the guidance of the Byford Structure Plan.

The draft LSP which covers Lot 3 Thatcher Road (the land subject of the earthworks application), Lot 301 Larsen Road, Lot 3 Alexander Road and part Lot 2 Abernethy Road, Byford was presented to Council at its March 2006 meeting for consideration for advertising. A number of LSP's have been submitted recently and this has raised questions about the appropriateness of roads and other content of the approved Byford District Structure Plan in this case the design and likely role of the district road would compromise good neighbourhood design and solar orientation of lots.

Council resolved to defer consideration of the LSP subject to a review of the Byford District Structure Plan with respect to roads, retail and implementation of drainage.

In the report on the LSP it was stated that *'it is considered appropriate to grant approval to a development application to undertake site development earthworks in advance of the Byford Structure Plan being revised and before the onset of winter rains'*.

The applicant advises that it is intended to import clean fill and undertake earthworks throughout the application area to about 80-90% of the ultimate finished level. The final 10-20% of fill and shaping will await Council's approval of the LSP and the subsequent subdivision application.

A copy of the earthworks plan is marked SD127.1/04/06.

Sustainability Statement

Effect on Environment: Potential impacts on affecting natural drainage, creating a dust and noise nuisance. These are interim impacts, until the land is developed for housing, which can be controlled and limited by conditions.

Use of Local, Renewable or Recycled Resources: Clean fill will be sourced from the Russell Road pit in Henderson. Local cartage contractors may be used.

Economic Viability: The filling of the land in advance of winter itself aims to minimise filling and cartage costs due to the Byford Structure Plan review.

Economic Benefits: Timely filling of the site can potentially reduce development costs and such savings may be passed down to the eventual lot purchasers.

Social – Quality of Life: Truck movements, on site works and potential for dust will bring a temporary reduction to the quality of life for nearby residents. Appropriate conditions shall be imposed to limit these potential impacts.

Social and Environmental Responsibility: Following studies to review the Byford District Structure Plan, the consequent draft LSP will be advertised for community consultation thus enabling comment and involvement by local and interested residents. This promotes social responsibility on behalf of the Shire and the proponent and good faith with previous submitters.

Social Diversity: Not applicable.

Statutory Environment:

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

Without a subdivisional approval issued by the WAPC, the act of clearing, filling and undertaking earthworks constitutes 'development' under the Scheme and accordingly requires development approval.

The act of filling or undertaking bulk earthworks is a use 'not listed' under the Scheme. The Scheme, under Clause 3.2.5 states that Council may '*determine that the proposed use may be consistent with the objectives and purpose and thereafter follow the advertising procedures of Clause 6.3...*'. The proposal is currently being advertised for public comment to surrounding landowners.

Policy/Work Procedure Implications:

PWP3 Landfill Guidelines

Financial Implications:

There are no financial implications to Council related to this proposal.

Strategic Implications:

The proposal will facilitate residential development which will relate to the following Key Sustainability Result Areas:-

4. Governance

Objective 3: Compliance to necessary legislation

Strategy:

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

Community Consultation

Community consultation has been commenced in accordance with Clauses 3.2.5 and 6.3 of the Scheme.

Comment

The subject site is located within Catchment “3D2” under the Byford Urban Stormwater Management Strategy which recommends a minimum fill of 1.1m (above natural ground level). The proposed fill is generally at 1.1 metres. It is recommended that the applicant be advised by conditions of the minimum fill required as per the Byford Urban Stormwater Management Strategy.

The subject site suffers from waterlogging in winter with heavy clays rendering it unworkable once winter rains have set in. The applicant has requested advanced approval in order that earthworks can be carried out before the site becomes waterlogged. The majority of the fill will be placed on site in readiness for the approval of the LSP and subdivision which is anticipated after winter 2006.

The final levels will be determined at the subdivision stage where further surfacing and refining of the earthworks will be undertaken as well as the installation of the necessary engineering and landscaping for multiple-use corridors and required drainage regime in accordance with the Byford Urban Stormwater Management Strategy recommendations.

Site Conditions

The site has a gradual fall from the south east corner to the north-west corner. A modified drainage channel traverses the site in the south west corner. It is desirable for this drain to remain in operation until the multiple-use corridors which are proposed adjoining the southern and western edges of the application area are constructed as part of the residential subdivision and provide an alternate and ultimate drainage regime, in accordance with the Byford Urban Stormwater Management Strategy. The application plan is recommended to be further amended to show the alignment of the existing drain and an additional 10 metre buffer excluded from the application area. A 10 metre buffer to the earthworks is recommended to ensure that there is no export of fill material due to erosion into the drain. The balance of land located to the south west of the drain is quite small and isolated from the remainder of the fill area and is also recommended to be excluded from the application area.

Pooling in winter, also occurs at a low lying area at the south west corner of the adjoining Marri Grove Primary school site. This area fills then flows across the application area at natural surface level. It is necessary for measures being undertaken for this low lying area to be adequately drained during the interim filling of the site. This requirement has been imposed as a condition.

There are a handful of remnant trees on-site which are not proposed to be protected within POS under the draft LSP.

Byford Structure Plan

Apart from the drainage areas mentioned above the balance of the application area is identified for residential development under the approved Byford Structure Plan. Accordingly, there is no impediment towards allowing the application area, apart from the drainage requirements (mentioned above), from being cleared, filled and earthworked as per the amended application plan.

Operation

Appropriate conditions have been imposed to limit the impacts to neighbouring residents from traffic, dust and noise. Entry to the site by fill trucks has been limited to Larsen Road to prevent any trucks entering Thatcher Road or Evans Way.

Voting Requirements: ABSOLUTE MAJORITY

Officer Recommended Resolution:

- A. Council determines that the filling and bulk earthworks is a use not listed in the Zoning Table of Town Planning Scheme No. 2.
- B. Council in accordance with Clause 3.2.5 of Town Planning Scheme No. 2 determines that the filling and undertaking of bulk earthworks on a portion of Lot 3 Thatcher Road, Byford as proposed on amended plan 2750/002/B is a use consistent with the objectives and purposes of the Residential zone.
- C. Subject to no valid objections being received during the advertising period, Council authorises the Executive Manager Planning and Regulatory Services to issue development approval for bulk earthworks as proposed on amended plan 2750/002/B received on 3 April 2006, as further amended by this approval, on a portion of Lot 3 Thatcher Road, Byford, subject to the following conditions:

- 1. This approval relates only to the bulk earthworks and clearing within the application area as shown on the approved plans. No retaining walls or any other structures shall be constructed without prior approval to the Shire.
- 2. Areas hatched in red on the approved plans are excluded from this approval and any works within those areas will require a separate development application or be covered under a subdivision approval issued by the Western Australian Planning Commission.
- 3. Suitable arrangements being made in the design to the satisfaction of the Director Engineering to accommodate the continuation of the natural surface drainage that occurs from east to west across the site in the vicinity of the low lying area located at the south western corner of Marri Park Primary School.
- 4. The developer is to erect a sign on the site for the duration of the development, visible from Larsen Road to the satisfaction of the Executive Manager Planning and Regulatory Services. The signs are to advise the public of the existence of heavy vehicle traffic, proposed duration of earthworks and the phone contact details of the principal contractor and supervising engineer.
- 5. Earthworks are to meet all adjoining land at natural existing ground level and the earthworks batter is to be no greater than 1:6 (18%).
- 6. Certification from a practicing Geotechnical Engineer at the completion of the filling confirming that earthworks, filling and compaction are completed and controlled in such a manner that results in a suitable building platform for the intended land use, shall be submitted to the Shire to the satisfaction of the Executive Manager Planning and Regulatory Services.
- 7. All works shall be conducted in accordance with Council's Policy Standards and specifications pertaining to earthworks.
- 8. Hours for site and construction work shall be limited to the following:-

Monday to Friday	7.00am to 6.00pm only
Saturday	7.30am to 5.00pm only
Sunday and Public Holidays	No filling to occur

9. No earthworks (including batters) shall intrude into the proposed multiple-use corridors or any other land which abuts the site.
10. The applicant shall be responsible for any changes and alterations to earthworks on-site, resulting from any changes required by the Shire on the Local Structure Plan, future development approvals and/or subdivision approval(s) issued by the Western Australian Planning Commission.
11. All stormwater shall be contained on-site, to the satisfaction of the Director Engineering. Erosion shall be controlled so as not to result in sand runoff into the road reserve.
12. The proponent and the contractor shall be responsible for the dust and sand drift control in accordance with the Department of Environmental Protection (DEP) guidelines. Disturbed areas shall be stabilised as soon as practicable and thereafter maintained to the satisfaction of the Director Engineering.
13. No burning of cleared vegetation shall be permitted.
14. Only clean fill shall be used on site in accordance with relevant Department of Environment Guidelines. Compaction and stabilisation must be carried out to the satisfaction of the Director Engineering.
15. All truck traffic is to enter and exit the site from Larsen Road. Trucks movements to and from the site shall only use Larsen Road (west of the site) and trucks are not to use Larsen Road past the Primary School.
16. Certification that the existing bore on-site has been decommissioned.
17. The perimeter of the area to be worked must be pegged and clearly marked to ensure that all earthworks are contained within the approved area.
18. Site works and construction noise levels shall be in accordance with the provisions of the Environmental Protection Act (Noise) Regulations 1997.
19. Larsen Road including the entry to the property shall be maintained at the existing standard to the satisfaction of the Director Engineering. Any damage caused to the road by the proponent shall be repaired immediately to the satisfaction of the Director Engineering.

Advice Notes:

1. This approval should not be construed as support for any impending subdivision over the land. Final fills levels will be determined at the subdivision stage.
2. In respect to Condition 1, this approval does not negate the need for further earthworks to be undertaken subject to approval of engineering drawings in relation to a future subdivision approval.
3. In respect of Condition 2, earthworks shall not encroach within 10 metres of the drain which traverses through the south-west area of the application area. Earthworks are to meet the 10 metre buffer edge at natural existing ground level and the earthworks batter is to be no greater than 1:6 (18%).
4. Council encourages the reuse of vegetation on-site.
5. The subject site is located within Catchment 3D2 of the Byford Urban Stormwater Management Strategy where the minimum depth of fill required is 1.1 metres.

SD127/04/06 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Hoyer seconded Cr Price

- A. Council determines that the filling and bulk earthworks is a use not listed in the Zoning Table of Town Planning Scheme No. 2.**
- B. Council in accordance with Clause 3.2.5 of Town Planning Scheme No. 2 determines that the filling and undertaking of bulk earthworks on a portion of Lot 3 Thatcher Road, Byford as proposed on amended plan 2750/002/B is a use consistent with the objectives and purposes of the Residential zone.**
- C. Subject to no valid objections being received during the advertising period, Council authorises the Executive Manager Planning and Regulatory Services to issue development approval for bulk earthworks as proposed on amended plan 2750/002/B received on 3 April 2006, as further amended by this approval,**

on a portion of Lot 3 Thatcher Road, Byford, subject to the following conditions:

- 1. This approval relates only to the bulk earthworks and clearing within the application area as shown on the approved plans. No retaining walls or any other structures shall be constructed without prior approval to the Shire.**
- 2. Areas hatched in red on the approved plans are excluded from this approval and any works within those areas will require a separate development application or be covered under a subdivision approval issued by the Western Australian Planning Commission.**
- 3. Suitable arrangements being made in the design to the satisfaction of the Director Engineering to accommodate the continuation of the natural surface drainage that occurs from east to west across the site in the vicinity of the low lying area located at the south western corner of Marri Park Primary School.**
- 4. The developer is to erect a sign on the site for the duration of the development, visible from Larsen Road to the satisfaction of the Executive Manager Planning and Regulatory Services. The signs are to advise the public of the existence of heavy vehicle traffic, proposed duration of earthworks and the phone contact details of the principal contractor and supervising engineer.**
- 5. Earthworks are to meet all adjoining land at natural existing ground level and the earthworks batter is to be no greater than 1:6 (18%).**
- 6. Certification from a practicing Geotechnical Engineer at the completion of the filling confirming that earthworks, filling and compaction are completed and controlled in such a manner that results in a suitable building platform for the intended land use, shall be submitted to the Shire to the satisfaction of the Executive Manager Planning and Regulatory Services.**
- 7. All works shall be conducted in accordance with Council's Policy Standards and specifications pertaining to earthworks.**
- 8. Hours for site and construction work shall be limited to the following:-**

Monday to Friday	7.00am to 6.00pm only
Saturday	7.30am to 5.00pm only
Sunday and Public Holidays	No filling to occur
- 9. No earthworks (including batters) shall intrude into the proposed multiple-use corridors or any other land which abuts the site.**
- 10. The applicant shall be responsible for any changes and alterations to earthworks on-site, resulting from any changes required by the Shire on the Local Structure Plan, future development approvals and/or subdivision approval(s) issued by the Western Australian Planning Commission.**
- 11. All stormwater shall be contained on-site, to the satisfaction of the Director Engineering. Erosion shall be controlled so as not to result in sand runoff into the road reserve.**
- 12. The proponent and the contractor shall be responsible for the dust and sand drift control in accordance with the Department of Environmental Protection (DEP) guidelines. Disturbed areas shall be stabilised as soon as practicable and thereafter maintained to the satisfaction of the Director Engineering.**
- 13. No burning of cleared vegetation shall be permitted.**
- 14. Only clean fill shall be used on site in accordance with relevant Department of Environment Guidelines. Compaction and stabilisation must be carried out to the satisfaction of the Director Engineering.**
- 15. All truck traffic is to enter and exit the site from Larsen Road. Trucks movements to and from the site shall only use Larsen Road (west of the site) and trucks are not to use Larsen Road past the Primary School.**

16. **Certification that the existing bore on-site has been decommissioned.**
17. **The perimeter of the area to be worked must be pegged and clearly marked to ensure that all earthworks are contained within the approved area.**
18. **Site works and construction noise levels shall be in accordance with the provisions of the Environmental Protection Act (Noise) Regulations 1997.**
19. **Larsen Road including the entry to the property shall be maintained at the existing standard to the satisfaction of the Director Engineering. Any damage caused to the road by the proponent shall be repaired immediately to the satisfaction of the Director Engineering.**

Advice Notes:

1. **This approval should not be construed as support for any impending subdivision over the land. Final fills levels will be determined at the subdivision stage.**
2. **In respect to Condition 1, this approval does not negate the need for further earthworks to be undertaken subject to approval of engineering drawings in relation to a future subdivision approval.**
3. **In respect of Condition 2, earthworks shall not encroach within 10 metres of the drain which traverses through the south-west area of the application area. Earthworks are to meet the 10 metre buffer edge at natural existing ground level and the earthworks batter is to be no greater than 1:6 (18%).**
4. **Council encourages the reuse of vegetation on-site.**
5. **The subject site is located within Catchment 3D2 of the Byford Urban Stormwater Management Strategy where the minimum depth of fill required is 1.1 metres.**
6. **The applicant be requested to ensure truck operators comply with the conditions of approval and ensure that their operations do not adversely impact on the community by way of truck speeds, control of litter and following designated truck routes.**

CARRIED 7/0 ABSOLUTE MAJORITY

Committee Note: The Officer Recommended Resolution was changed by adding an Advice Note which requests that the applicant ensure truck operators comply with the conditions of approval and ensure that their operations do not adversely impact on the community by way of truck speeds, control of litter and following designated truck routes.

SD122/04/06 ASSESSMENT OF COMMUNITY SUBMISSIONS (INCLUDING COMMUNITY INDICATORS PROGRAM) (A0301)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Council is asked to endorse a standard process and assessment tool through which community submissions (including Community Indicators Program), that do not fit under current assessment processes, can be considered.
Owner:		
Officer:	Carole McKee, Community Development Coordinator	
Signatures Author:		
Senior Officer:		
Date of Report	5 April 2006	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

It is necessary to formalise a standard process for receiving, assessing and making decisions about requests, proposals and other submissions originating from the community.

The process has been developed in relation to the Community Indicators Program (CIP) to facilitate the submission of items from CIP Action Plans from the community to the Shire.

During the development of the assessment process for CIP action plans it was evident that existing avenues and generic processes do not necessarily provide guidance for the assessment and prioritising of all potential community submissions that have policy, planning, programming or budget implications. This process would apply to any submission from community forums, groups or representatives that do not fall under an alternative existing process (such as formal planning applications).

The assessment form has been developed in consideration of existing assessment processes such as that for Townscape funding and the Community Funding Program, as well as other existing processes and work procedures.

The assessment criteria covers:

- Alignment with the Serpentine Jarrahdale Shire Strategic Plan, including economic, social and environmental sustainability
- Impacts and benefits for community members
- Demonstration of an evidence base
- Reference to existing policies, plans, planning processes, projects and programs
- Financial viability

The process involves assessment by Shire officers and presentation to Executive. The outcomes for any submission may involve inclusion in budget or forward financial planning, policy/program/project adoption, forwarding to Council/Committee for consideration or other outcomes according to Executive's recommendations. Within the process is a feedback loop to Council and the community.

A copy of the process paper and work procedure is with the attachments marked SD122.1/04/06.

A copy of the assessment tool is with attachments marked SD122.2/04/06.

Sustainability Statement

Effect on Environment: The assessment tool takes into account strategic directions for the environment and has reference to the Shire's policies, programs and projects.

Resource Implications: The assessment tool takes into account strategic directions for the resource management and has reference to the Shire's policies, programs and projects.

Use of Local, renewable or recycled Resources: The assessment tool takes into account strategic directions for the environment and reference to the Shire's policies, programs and projects.

Economic Viability: The assessment tool takes into account if submissions are financially viable, the level of scoping and costing and the potential to attract other funding.

Economic Benefits: The assessment tool considers the extent of community benefit of the submission.

Social – Quality of Life: The assessment tool takes into account strategic directions in relation to social and community elements and has reference to the Shires policies, programs and projects.

Social and Environmental Responsibility: The assessment tool takes into account community participation and consultation. The process is designed to be socially and environmentally responsible through building community capacity to consider all elements and enabling full participation in its implementation.

Social Diversity: The assessment tool does not disadvantage any social groups.

Statutory Environment: Not applicable.

Policy/Work Procedure Implications: The adoption of a new process/work procedures is being proposed.

Financial Implications: The proposed process links with budget and Forward Financial Planning processes.

Strategic Implications: This proposal relates to the following Key Sustainability Result Areas:-
4. Governance
Objective 1: An effective continuous improvement program
Strategy
4. Balance resource allocation to support sustainable outcomes
Objective 2: Formation of Active Partnerships to progress key programs and projects
Strategy
1. Improve coordination between Shire, community and other partners.

Community Consultation: The process and assessment tool is developed in the context of the CIP and has been formulated with input from Councillors through the Policy Forum.

Comment:

Following consultation with Councillors at Policy Forum on 4 April 2006, the use of numerical scoring in the assessment tool has been removed. Numerical scoring in relation to the

assessment of submissions was not considered a critical part to this tool as the intention is not to necessarily evaluate proposals with respect to each other, nor to use scoring for mathematical analysis.

Assessment is on the basis of strategic and program relevance, community consultation, evidence base and financial assessment. If the submission does not provide adequate information in relation to these elements there is opportunity for the assessing officer to seek that additional information.

The CIP is designed for gathering evidence, engaging with the Shire/community/other parties and preparing action plans that take into consideration strategic and program relevance, community consultation, evidence base and financial assessment, thus providing the framework to build the capacity of community submissions.

Voting Requirements: Normal

SD122/04/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

**Moved Cr Hoyer seconded Cr Price
Council endorses the Generic Process “Community Input into Policy, Planning, Programming and Budget Processes” and related Assessment Criteria as *attached at SD122.2/04/06* in order to enable the processing of submissions from the community (including Community Indicators Program).
CARRIED 7/0**

SD123/04/06 PROPOSED DISTRICT STRUCTURE PLAN PROCESS FOR MUNDIJONG/WHITBY (A1315)		
Proponent:	Serpentine Jarrahdale Shire	In Brief To endorse the proposed process for the preparation of a District Structure Plan for Mundijong/Whitby.
Owner:	Various	
Officer:	Jocelyn Ullman – Senior Strategic Planner	
Signatures Author:		
Senior Officer:		
Date of Report	5 April 2006	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

A request has been lodged with the Shire and the Western Australia Planning Commission (WAPC) for the transfer of a large area of land in the Whitby locality from “Urban Deferred” to “Urban” in the Metropolitan Region Scheme (MRS). At its meeting on the 27 March 2006 the Council resolved to advise the WAPC that it supports this request (SD112/03/06).

As a result of the growing interest in land development in Mundijong/Whitby and the requirements of Council’s Town Planning Scheme No. 2 it is proposed that the Shire prepare a District Structure Plan for the Mundijong/Whitby urban cell. The following Report outlines the process for the preparation of the Plan.

Sustainability Statement

The Structure Plan process is outlined below:

Introduction

It is suggested that a Community Enquiry Workshop Process (CEWP) be carried out for the preparation of a District Structure Plan for Mundijong/Whitby. The main aim of undertaking such a process is to raise awareness of the principles of best practice, sustainable urban design and to explore and demonstrate how they can be applied, through an interactive community consultation process. The process will assist in developing ideas, solutions and outcomes in real-world planning and design situations.

Participants with different skills and knowledge of the site will work in teams to investigate and understand urban issues and future trends. A broader and better understanding of the principles of best practice, sustainable urban design will develop as a result of such an approach.

Application area

The District Structure Plan for Mundijong/Whitby will cover the “Urban Deferred” and “Urban” zones depicted under the MRS. This area is bounded by South Western Highway to the east, the proposed Tonkin Highway extension to the south (south of Watkins Road), the proposed Tonkin Highway extension to the west and Bishop and Norman Roads to the north.

Objectives of the CEWP

1. Introduce the application of the principles of best practice and sustainable urban design.
2. Educate participants in the planning process.
3. Test any current plans and further develop these plans in accordance with the above principles.
4. Bring together professionals from the planning and development sector and other interested parties who will have the opportunity to debate and agree upon the best ways to achieve designs that reflect those principles.
5. Allows participants to draw designs instead of just talking about them.
6. Encourages participants to respond to the physical characteristics of an actual site by examining and reinforcing local characteristics and protecting natural features.
7. Help participants to understand the development opportunities and constraints of a site and how designs may be implemented.
8. Provide important feedback to assist in refining design principles and the policy and statutory framework through which they are applied.

Outcomes of CEWP

The proposed principle outcome from the CEWP process is the preparation of a **draft District Structure Plan** that can advertised and considered through the formal planning process. The spin off effects from carrying out the structure plan process as put forward are as follows:

- Education of the community on the planning process and the reasons, considerations and decisions that are made during this process
- A draft Structure Plan that all stakeholders, private and public, have been involved in preparing and have an understanding of
- Reduce the potential for objections to proposals put forward in the draft plan as a result of everyone being involved from the very beginning
- The involvement of the community in a planning process that they would not normally have the opportunity to be involved in
- All planning work and decisions being made in an open environment

Who is responsible?

The Serpentine Jarrahdale Shire will take the leading role in organising and managing the process with a number of government agencies, private stakeholders and various consultants and the community being involved.

Participants

It is proposed that two groups be established, a Technical Working Group and a Consultation Group.

The Technical Working Group will prepare and participate in all briefings/workshops and is proposed to consist of:

- Council Officers
- Department for Planning & Infrastructure
- Department of Environment
- Department of Education and Training
- Water Corporation
- Council appointed Consultant Team (facilitator, town planners, architects, urban designers, traffic engineers, environmental scientists, landscape architects, economic development/retail development specialists)
- Other government stakeholders may be required to discuss specific issues during the running of the process eg Public Transport Authority, Main Roads WA.

These people will attend the whole workshop and will collectively develop the designs and other outcomes for presentation at the end of the process. This group will also run the day to day and technical side of the workshop process.

A second group known as a Consultation Group will consist of:

- Councillors
- Community Representatives
- Developers/landowners
- Any agencies that may have funding and service delivery implications

This group will be present mainly at the design review sessions, although some individuals may attend at other times. This group is made up mainly of those who have a clear interest in the outcomes, either as decision makers, implementers or clients.

The process

The main tasks and who should be involved in the process are outlined below. Key initial steps include:

- Preliminary discussions between the Shire and prospective partners
- Gaining any necessary formal authorisation/approvals to hold the workshops/briefings, including funding
- Exchange of letters as necessary to confirm commitments and cost sharing
- A scoping meeting of the main participants, including assignment of responsibilities.

The following is a general outline of the steps in the CEWP:

1. Conduct an initial information session on the CEWP process, who is to be involved and how, what is expected from the participants and what outcomes are expected from the process. This initial session is to engage the community and determine the best approach for the next steps in the process. It is proposed that a number of options be put forward to the group to get a better understanding of how much time people may be able to commit, at what points would people like to be involved and get some initial feedback on who might like to be involved.

2. Following the initial information session it is proposed to run a number of workshops/briefings that discuss issues within the Structure Plan area. This would involve the identification of professionals to present briefing papers, followed by a working session. Suggested briefing papers/workshops:

- Introduction to process including timeframe and steps. Site tour
- Storm water and waste water issues
- Community facilities
- Activity centres and employment, schools
- Community design, density, lot sizes
- Transport and traffic
- Environment and Public Open Space

Depending on the issue and the likely community response from the initial information session it is suggested that workshops/briefings be run over a day with some issues requiring perhaps two days. Some topics may be addressed through a briefing paper and then a short evening session.

At the end of each briefing workshop the general community should be invited to attend a shortened presentation on what information and work was carried out that day.

3. Once the briefings have been completed then an intense workshop is to be held where a draft District Structure Plan is prepared with everyone being involved. This workshop is likely to be run over a number of days. Following the preparation of the plan this is to be presented to the community.

It is envisaged that the intense workshop could be conducted in late September early October 2006. The briefing sessions would be held leading up to the workshop.

4. Preparation of draft District Structure Plan and document including findings from Community Enquiry Workshop Process.
5. Once prepared the Draft District Structure Plan will be required to be advertised in accordance with Council's Town Planning Scheme No. 2. This is to include a manned display on a weekend and formal presentations to the community and developers.
6. Gather all submissions and make recommendations for modifications (if necessary) to draft District Structure Plan to Council.
7. Make modifications to draft District Structure Plan.
8. Forward Draft District Structure Plan to the WAPC for consideration.

Statutory Environment:

The District Structure Plan will be developed and advertised in accordance with the provisions of Town Planning Scheme No. 2.

Policy/Work Procedure Implications:

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

Financial Implications:

There will be financial implications involved with the running of the CEWP, appointment of consultants and also costs involved in the gathering of information. These implications will be presented to Council once they have been determined, however funds are included in the 05/06 Budget for this project.

Strategic Implications:

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

1. People and Community

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

Strategies:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.
4. Foster a strong sense of community, place and belonging.

Objective 3: High level of social commitment

Strategies:

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

2. Environment

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

Strategies:

1. Increase awareness of the value of environmental requirements towards sustainability.
2. Develop partnerships with community, academia and other management agencies to implement projects in line with Shire objectives.

3. Economic

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.
2. Represent the interests of the Shire in State and Regional planning processes.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

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

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

Strategies

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

Community Consultation:

The CEWP outlined above is based on extensive community involvement in the planning process and far exceeds the traditional community involvement in the preparation of a Structure Plan. The CEWP will also be followed by the formal planning process and advertising of a District Structure Plan which provides further opportunity for the community to comment on the Draft Plan.

Comment:

The Community Enquiry Workshop Process is considered the most effective process to carry out the preparation of a District Structure Plan for Mundijong/Whitby. It will involve the community, private and public stakeholders, government agencies and Council in the preparation of a plan that will lead the future development of the Mundijong/Whitby area.

Voting Requirements: Normal

SD123/04/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Price seconded Cr Wigg

The report on the proposed District Structure Plan Process for Mundijong/Whitby including the community consultation processes be endorsed.

CARRIED 7/0

SD124/04/06 DRAFT DETAILED AREA PLAN – PROPOSED LOTS CORNER BOFORS LANE & BENALLA CRESCENT, BYFORD BY THE SCARP (S127104)		
Proponent:	Taylor Burrell Barnett Planning	In Brief To consider a draft Detailed Area Plan setting out design requirements for the future development of four lots abutting an area of public open space within Stage 3 of the Byford by the Scarp estate as required by a condition of the subdivision approval. It is recommended that, subject to some minor modifications, the draft Detailed Area Plan be approved in accordance with clause 5.18.5.1(c)(i) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2.
Owner:	Caversham Property Pty Ltd	
Officer:	Meredith Kenny, Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	5 April 2006	
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	

Date of Receipt: 21 February 2006
 Advertised: N/A
 Submissions: N/A
 Lot Area: Exact land area not known
 L.A Zoning: Residential R20
 MRS Zoning: Urban
 Byford Structure Plan: N/A
 Rural Strategy Policy Area: N/A
 Rural Strategy Overlay: N/A
 Municipal Inventory: N/A
 Townscape/Heritage Precinct: N/A
 Bush Forever: N/A
 Date of Inspection: Various

Background:

A draft Detailed Area Plan (DAP) has been received for consideration under clause 5.18.5.1(a)(ii) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 (“Scheme”). The draft DAP sets out design requirements for four lots that will back onto an area of public open space within Stage 3 of the Byford by the Scarp estate. Condition 8 of the subdivision approval required the DAP as follows:

8. *Detailed Area Plans to be prepared for the development on the proposed residential lots adjoining the areas of Public Open Space, the pedestrian access way and residential lots in close proximity to the South Western Highway (as shown on the attached plan) to the satisfaction of the Western Australian Planning Commission.*

A copy of the approved subdivision plan containing the subject lots is with the attachments marked SD124.1/04/06.

A copy of the draft Detailed Area Plan is with the attachments marked SD124.2/04/06.

The DAP specifies those design elements that vary from the Western Australian Planning Commission's Residential Design Codes 2002.

The following development standards are proposed:

1. The dwellings (including patios and gazebos) must be located within the building envelopes where shown.
2. The requirements to consult with adjoining or other land owners to achieve a variation to the R Codes is not required.
3. Development shall be designed so that its shadow cast at midday 21 June, onto any adjoining property does not exceed 40% of the adjoining property's site area.
4. Sheds and outbuildings are to be constructed of similar materials and colours as the dwelling where they are visible from the street or public open space.
5. Council has discretion to vary the provisions of the Detailed Area Plan (including setbacks and garage locations) to improve solar penetration.
6. The minimum garage setback shall be 3.0 metres from the primary street.
7. Clothes lines and rubbish bins must be screened and not visible from public view.
8. A minimum open space of 40% is applicable.
9. Building part of the main residence on the allotment boundary within the 2 metre solar setback is permitted if:
 - a) the solar aspect of the design of the residence is not compromised;
 - b) access to the rear of the property is maintained from the outside.
 - c) A 2 metre solar setback to the northern boundary (with minor incursions, such as a chimney) to a maximum of 70% of north elevation provided solar penetration of living areas is achieved.
10. Density Coding is R20.
11. Dwellings on lots abutting public open space must be designed to ensure passive surveillance of public open space.

An assessment of the proposed provisions of the DAP is contained in the Comment section of this report.

Sustainability Statement

Effect on Environment: The draft DAP generally accords with the approved Development Strategy for the Byford by the Scarp estate which focuses on environmental sustainability. The draft DAP incorporates design requirements which are intended to create an efficient, highly attractive form of cottage development across the lots. This promotion of energy efficiency particularly will result in a positive effect on the environment through reduced energy consumption and dependency.

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

Economic Viability: The draft DAP focuses on environmental and resource sustainability and appropriate design.

Social – Quality of Life: The draft DAP is considered to be socially responsible through a dedication to environmental sustainability and particularly to ensure an appropriate neighbourhood environment promoting passive surveillance of public open space.

Statutory Environment:

Planning and Development Act 2005
Metropolitan Region Town Planning Scheme Act 1959
Metropolitan Region Scheme 1963
Western Australian Planning Commission Act 1985
Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2

Policy/Work Procedure Implications:

Statement of Planning Policy No. 1 (*State Planning Framework Policy - Variation 1*)
Statement of Planning Policy No. 2 (*Environmental and Natural Resources Policy*)
Statement of Planning Policy No. 3.1 (*Residential Design Codes*)
Draft Statement of Planning Policy No. 1 (*Draft State Planning Framework Policy - Variation 2*)
Draft Statement of Planning Policy No. 3 (*Draft Urban Growth and Settlement*)

Financial Implications:

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

Strategic Implications:

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

6. Ensure a safe and secure community.

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

Strategies:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.
4. Foster a strong sense of community, place and belonging.

2. Environment

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

Strategies:

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

4. Governance

Objective 3: Compliance to necessary legislation

Strategy:

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

Community Consultation:

Given that the draft DAP refines further details relating to the development of the lots abutting the public open space area as required by Condition 8 of the subdivision approval, the Scheme does not require any formal advertising processes.

Comment:

The design requirements contained in the DAP are intended to create a cottage style dwelling on each lot, with high quality external presentation, energy efficiency and casual surveillance of adjacent public areas.

Assessment of the draft DAP has determined that the following issues have not been adequately addressed given that the rear yards of the dwellings will be visible from the adjoining public open space:

1. *The method of screening bin storage and clotheslines.*
2. *Fencing of the lot boundaries abutting the public open space area.*
3. *The materials to be used for outbuildings, patios and gazebos.*
4. *The placement of air conditioning units and solar hot water systems.*
5. *Dwelling design to maximize passive surveillance of public open space.*

Accordingly, the following modifications are recommended to the provisions contained on the DAP:

1. Modifying provision 7 to require bin storage and clothes drying areas to be screened by masonry walls to match the dwelling and be a minimum of 1.8 metres high.
2. Adding a new provision 12 to clarify the need for fencing to attain a minimum standard of visual permeability to allow passive surveillance of the adjoining public open space.
3. Requiring outbuildings to be constructed of materials that match the walls and roof of the dwelling (ie masonry walls and metal or tiled roofs). This would not apply to patios and gazebos.
4. Modifying provision 11 to clarify how the design of the dwelling must address the public open space.
5. Adding a new provision 13 requiring the roof of patios and gazebos and the like to match the colour of the roofing material on the dwelling.
6. Adding new provisions 14 and 15 controlling the location of air conditioning units and solar hot water systems.

The developers may argue with regard to point 2 above that a fencing condition is not necessary as Condition 10 of the subdivision approval requires the developer to install uniform fencing to the rear of lots abutting the public open space. However, there still needs to be a provision on the DAP to bind subsequent occupants of the lots from replacing or modifying fencing with a solid screen in the future.

Subject to the modifications detailed above, it is recommended that the DAP be approved in accordance with clause 5.18.5.1(a)(ii) of the Scheme.

Voting Requirements: Normal

SD124/04/06 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Hoyer seconded Cr Price

A. The Detailed Area Plan for proposed lots corner Bofors Lane and Benalla Crescent, Byford within Byford by the Scarp residential estate be approved in accordance with clause 5.18.5.1(c)(i) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 subject to the following provisions being incorporated on the plan:

1. **The dwellings (including patios and gazebos) must be located within the building envelopes where shown.**
2. **The requirements to consult with adjoining or other land owners to achieve a variation to the R Codes is not required.**

3. Development shall be designed so that its shadow cast at midday 21 June, onto any adjoining property does not exceed 40% of the adjoining property's site area.
4. Sheds and outbuildings are to be constructed of the same materials and colours as the dwelling where they are visible from the street or public open space.
5. Council has discretion to vary the provisions of the Detailed Area Plan (including setbacks and garage locations) to improve solar penetration.
6. The minimum garage setback shall be 3.0 metres from the primary street.
7. Clothes lines and rubbish bins must be screened from public view by masonry walls to match the dwelling and the walls are to have a minimum height of 1.8 metres.
8. A minimum open space of 40% is applicable.
9. Building part of the main residence on the allotment boundary within the 2 metre solar setback is permitted if:
 - a) the solar aspect of the design of the residence is not compromised;
 - b) access to the rear of the property is maintained from the outside;
 - c) a 2m solar setback to the northern boundary (with minor incursions, such as a chimney) to a maximum of 70% of north elevation provided solar penetration of living areas is achieved.
10. Density Coding is R20.
11. Dwellings must be suitably designed and orientated to ensure passive surveillance of areas of public open space and laneways. This is to be achieved by ensuring that major openings and living areas face towards the public open space and laneway.
12. Fencing on boundaries facing the public open space shall be designed and constructed in accordance with clause 3.2.5 A5 of the Residential Design Codes (open feature fencing).
13. The roofing material used for patios and gazebos shall match the colour of the roof of the dwelling to the satisfaction of the Shire.
14. Air conditioning/cooling units must be of similar colour to the roof and must not protrude above any roof ridgelines or gables. Units are not to be visible from the adjacent front street or public open space areas and must be positioned to prevent noise impacts in accordance with the Department of Environment's 'Installers Guide to Air Conditioner Noise' Publication;
15. Solar hot water systems must be integrated with the design of the roof, and where visible from the adjacent front street or public open space areas be a split system with the tank installed at ground level or out of public view.

- B. Within ten days of the date of this resolution, a copy of the approved Detailed Area Plan be sent to the Western Australian Planning Commission in accordance with clause 5.18.5.1(e) of the Shire of Serpentine-Jarrahdale's Town Planning Scheme No. 2.**

CARRIED 7/0

Cr Needham declared an interest of impartiality in item SD125/04/06 PROPOSED ADDITIONS TO GRACEFORD HOSTEL – LOT 108 (18) TURNER ROAD, BYFORD as the proponent is a friend of the family; and stated that this impartiality would not effect the way in which Cr Needham votes on the item.

SD125/04/06 PROPOSED ADDITIONS TO GRACEFORD HOSTEL – LOT 108 (18) TURNER ROAD, BYFORD (P01301/02)		
Proponent:	A. Scott Hambley	In Brief The applicant seeks approval for additions to the Graceford Hostel and the construction of a new car parking area. It is recommended that the application be conditionally approved.
Owner:	WA Baptist Hospital & Homes Trust Inc.	
Officer:	M Daymond – Planning Officer	
Signatures Author:		
Senior Officer:		
Date of Report	4 April 2006	
Previously	SD008/07/05	
Disclosure of Interest	Cr Needham declared an interest of impartiality as she is a personal friend of the Buttfield family (who are related to the architect).	
Delegation	Council	

Date of Receipt:	14 April 2005
Advertised:	Revised Proposal: 21/12/05 – 20/01/06 to Government Agencies
Submissions:	2 submissions received
Lot Area:	3.5521 ha
L.A Zoning:	Public & Community Purposes
MRS Zoning:	Urban
Byford Structure Plan:	Public Purposes
Rural Strategy Policy Area:	Not Applicable
Rural Strategy Overlay:	Not Applicable
Municipal Inventory:	Not Applicable
Townscape/Heritage Precinct:	Not Applicable
Bush Forever:	Site 321
Date of Inspection:	January 2006

Background

An application has been submitted to Council for extensions to the existing Graceford Hostel on Turner Road, Byford. The application includes the proposed development of a new 20 bay car parking area, 16 new rooms, a new common area, a new crossover to service the existing car park and upgrades to the existing effluent disposal field to cater for the new residents.

The three (3) new car bays on the eastern side of the property, the extended roadway and the upgrading of the existing fire fighting facilities have previously been approved by Council and have since been constructed.

A copy of the development and site plans are with attachments marked SD125.1/04/06.

Sustainability Statement

Effect on Environment and Resource Implications: The proposal will result in the removal of existing vegetation within a Bush Forever site and a Conservation Category Wetland. The Department of Environment will need to issue a clearing permit to the applicant to allow for the vegetation to be removed. Storm water from the proposed road way and car bays will be

managed on site as part of the storm water management for the entire property. The development has been assessed by the Environmental Protection Authority and the level of assessment was 'Not Assessed – Public Advice Given.'

The Graceford Hostel site contains a number of significant conservation values including the presence of conservation category wetlands which are presently not well represented elsewhere in the Region, vegetation complexes, Threatened Ecological Communities at both the state and national levels and several species of threatened flora and fauna. Information regarding these values as provided by the Bush Forever Office are described below:

The site contains two poorly conserved vegetation complexes representative of the eastern side of the Swan Coastal Plain. These are the Forrestfield Complex (where only 5% is proposed for protection) and the Guildford Complex (where only 3% is proposed for protection). Both vegetation complexes are well below the minimum conservation target of 10%.

The site contains two threatened floristic community types, one of which is listed under the Commonwealth 'Environmental Protection and Biodiversity Conservation Act 1999' where referral to the Commonwealth is required. These are critically endangered floristic community type 3a 'Eucalyptus calophylla – Kingia australis' woodlands on heavy soils (listed as endangered under the Commonwealth Act) and the endangered floristic community type 20b – Eastern 'Banksia attenuata' and or 'Eucalyptus marginata' woodlands. A number of Priority listed flora and fauna species have also been recorded on the site.

The site contains a large wetland, which has been classified into areas of conservation category, resource enhancement and multiple use.

It is essential that the environmental values as detailed above are preserved as much as possible through the construction phase of the proposed development. Council also needs to have strong regard for the advice that is to be provided by the EPA and be strongly guided by their recommendations.

It is therefore recommended that the conditions as provided by the EPA be included on the development approval from Council.

Use of Local, renewable or recycled Resources: It is considered that the application may use locally and regionally available resources.

Economic Viability: The proposal will result in the removal of some existing vegetation. The addition of the new rooms will cater for a growing demand of such facilities.

Economic Benefits: There will be a significant economic benefit to the community as a result of this application.

Social – Quality of Life: The proposal may improve the quality of life for residents at the Hostel through the construction of the new activity room and common lounge area.

Social and Environmental Responsibility: The Council has a social responsibility to the community to provide adequate facilities to cater for an ageing population and to provide these residents with suitable services.

Social Diversity: The proposal does not disadvantage any social groups.

Statutory Environment:

Planning and Development Act 2005
Town Planning Scheme No.2
Statement of Planning Policy No.2 – The Peel-Harvey
Coastal Plain Catchment
The proposal was advertised in accordance with clause
6.3.1 of the Scheme and referred to the Department of

Environment, Bush Forever, Environmental Protection Authority and the Western Australian Planning Commission for comment.

Policy/Work Procedure

Implications:

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

Financial Implications:

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

Strategic Implications:

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

2. Develop good services for health and well being.
3. Retain seniors and youth within the community.
6. Ensure a safe and secure community.

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

Strategies:

Objective 3: High level of social commitment

Strategies:

2. Build key community partnerships.

2. Environment

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

Strategies:

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

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

Strategies:

1. Implement known best practice sustainable natural resource management.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

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

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

Strategies

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

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

The application was referred to the Department of Environment (DoE), Bush Forever, the Environmental Protection Authority (EPA) and the Western Australian Planning Commission (WAPC) for comment as the proposal is located in an area with a conservation category wetland, a bush forever site and abuts a Metropolitan Region Scheme (MRS) Parks and Recreation reserve. Comments were received from the Bush Forever Office and the EPA with the DoE's advice sent straight to the EPA to form part of their comments to Council. No comment has been provided by the WAPC.

Response from Government Agencies

Bush Forever

Extracts from the Bush Forever submission are detailed below:

Graceford Nursing Home lies within Bush Forever Site No 321, Brickwood Reserve and Adjacent Bushland, Byford. This Bush Forever site contains a number of significant conservation values including the presence of conservation category wetlands, poorly preserved vegetation complexes, Threatened Ecological Communities at both the state and national levels and several species of threatened flora and fauna.

There are currently no mechanisms in place which provide for the ongoing management of the site. An Environmental Management Plan (EMP) provides the mechanism to ensure impacts on the wetlands and vegetation are minimized during the construction phase and in an ongoing manner. The EMP prepared by Syrinx Environmental does not satisfactorily achieve this objective and it is recommended that any approval be conditional on the preparation and implementation of a revised EMP.

The car park is proposed to be located within a degraded area of the Bush Forever site, does not contain Threatened Ecological Communities (TEC's) of Declared Rare Flora (DRF), and the removal of this vegetation is considered an acceptable 'trade off' to securing to ongoing management of Lot 108 and Reserve 37404. The removal of this vegetation and the construction of the car park is only supported subject to the preparation of a revised EMP.

With regards to the effluent disposal systems, the EMP fails to adequately address the associated direct and indirect impacts on both the vegetation, particularly the TEC, and the wetland system. It is recommended that Baptist Care be required to provide further analysis prior to any approvals being considered. However, it is understood that the application has been referred to the EPA to determine whether or not to assess the proposal. This office will support the recommendation of the EPA Services Unit in this regard.

Recommendation

Subject to favourable consideration by the EPA Services Unit and compliance with the recommendations of the EPA Services Unit, the Bush Forever Office supports the proposal subject to the following conditions:

- 1. The preparation of a revised Environmental Management Plan for Lot 108 and Reserve 374-4 (Lot 106) Turner Road, prior to the issue of a building licence.*
- 2. The ongoing management of Lot 108 and Reserve 37404 (Lot 106) Turner Road in accordance with the Environmental Management Plan, and to the satisfaction of the Shire.*

Advice to Applicant:

1. *The applicant is advised that the Environmental Management Plan is to be prepared in consultation with the Department of Environment, the Local Authority and the Bush Forever Office, and shall address, but not be limited to:*

*Fire Management;
Weed Management;
Wetland Management;
Access Control; and
Rehabilitation/revegetation program.*

Department of Environment (DoE)

The DoE have advised that they have provided comment to the EPA Service Unit for inclusion in their advice to Council. Details of the EPA advice are included below.

Environmental Protection Authority (EPA)

On 14 December 2005, the DoE advised that the application should be referred to the EPA under section 38 of the Environmental Protection Act 1986 as in their view the proposal has the potential to have a significant impact on the environment. The application was referred to the EPA on 21 December 2005 with correspondence received on 20 March 2006 advising that the application will not be subject to a formal environmental impact assessment or the setting of formal conditions by the Minister for Environment. The EPA advised however that advice will be forwarded to the Shire as soon as possible after the closure of the public appeal period.

Advice from the EPA was received on 7 April 2006 and extracts from this advice are detailed below:

Lot 108 Turner Road, Byford and the adjoining land are associated with very high environmental values that are being impacted by the current development and may potentially be impacted by further development. However, it is considered that there is potential for a benefit to the environmentally important area, if the proposed works are implemented to comply with long-term ongoing weed, wastewater and environmental management measures.

The EPA Service Unit highly recommends that the Shire and/or proponent investigate the possibility of a covenanting program to assist in the long-term management of the site.

As part of their advice to Council, the EPA listed a set of conditions that are recommended to be included on any development approval from Council. These conditions cover the same areas of concern as detailed by the Bush Forever Office, specifically relating to the preparation of a revised EMP.

The only difference in the advice provided by these two agencies is that the Bush Forever Office require that the revised EMP be prepared prior to the issue of a building licence whereas the EPA require the revised plan prior to any site disturbance. It is recommended that the EPA advice be used as the building licence application can be processed and issued whilst the required plans are being updated. This will avoid any further delays occurring in the commencement of building works.

A copy of the advice including recommended conditions from the EPA is with attachments marked SD125.2/04/06.

Officer Comment

Zoning & Site Factors

The subject property is zoned 'Public and Community Purposes' under Council's Town Planning Scheme No.2 and 'Urban' under the Metropolitan Region Scheme (MRS). The lot also abuts a 'Parks and Recreation' Reserve as identified under the MRS. The subject site is also contained within Bush Forever Site No.321 and contains a Conservation Category Wetland.

Proposal

Additions to Rooms and Common Areas

The current application proposes the construction of 16 additional rooms, a new activity room and common lounge area, extensions to the existing kitchen and other minor internal works. The proposed additions will be constructed of materials that match in with the existing development.

New Car Park and Crossover

The main part of the application to Council involves building a car park on the western side of the existing building. The location of the car park has previously been identified as being potentially highly constrained due to several environmental issues, including the proposal being within a Bush Forever site, a Conservation Category Wetland and adjacent to a Threatened Ecological Community. Through discussions on site with Council staff, the applicant and Syrinx Environmental, the size of the car park has been decreased with a reduction in the number of car bays and the relocation of the drain to pass through the car park rather than around the western boundary. These amendments have helped to reduce the environmental impacts compared to the original proposal.

The proposed new car park on the western side of the property is to accommodate 20 bays and is to provide an adequate area within which emergency service vehicles are able to turn around safely. Also, the car park will provide one bay for bus parking. The car park is to be accessed by the existing 6.0m wide bitumen roadway on the property. The existing vegetation within the proposed car park area is relatively degraded and can be considered as an acceptable 'trade off' to securing the ongoing management of the land provided that an updated EMP is prepared.

The increased stormwater runoff produced as a result of the car park will be captured via a series of soaks and then piped into the existing open storm water drain which in turn links with the Turner Road system. A new crossover is also proposed off of Turner Road providing an additional point of access into the existing car park.

Effluent Disposal

Significant upgrading to the existing effluent disposal systems are required to adequately cater for proposed increase in the number of residents at the hostel. There are currently two effluent disposal fields on site, both of them located near the identified Threatened Ecological Community. Through the 'Graceford Hostel Impact Assessment and Management Plan for Proposed Extension' report prepared by Syrinx Environmental, three possible options were presented for changes to the current effluent disposal system. These are detailed below:

Option 1

Option 1 involves the extension of the northern effluent disposal field and ceasing use of the southern effluent disposal system.

Option 2

Option 2 involves the continued use of both effluent disposal fields with no extensions to either.

Option 3

Option 3 involves expansion of the northern effluent disposal field and continuing use of the southern effluent disposal field.

Through discussions with relevant staff, option 3 was identified as the preferred option and was identified by Syrinx Environmental as an appropriate outcome for the design of the effluent disposal fields. The existing southern effluent disposal field adjacent to the proposed car park will therefore be retained in its current form. The only change to this field is that the existing Palm species will be replaced with more appropriate deep rooted perennial species as identified by Syrinx Environmental.

The existing northern field will be increased in size from 670m² to 1350m² and increased in depth to a total of 1m. The size of the northern field has been increased in size to accommodate the 16 new beds and has been determined using calculations from Biomax and PM White & Partners (hydraulic consultant). The appropriate areas of increase of the northern disposal field were identified through discussions with Syrinx Environmental to ensure minimal impact on the Threatened Ecological Communities.

Syrinx Environmental have also advised that option 3 is appropriate provided that the extension to the northern effluent disposal field remains east of the firebreak and the existing open drain remains east of the southern disposal field. This has been achieved and is shown on the development site plan.

Environmental Management Plan (EMP)

Syrinx Environmental were engaged by the applicant to undertake a study to determine the significance of the vegetation to be impacted by the proposal. The EMP identifies the types of environmental values existing on site and details various management techniques that can be adopted to help manage the impacts of the proposal. The Bush Forever Office have advised in their submission that although the EMP accurately details the current vegetation complexes and vegetation conditions of the site and provides some suitable recommendations, it fails to consider the ongoing management of the entire site. The Bush Forever Office have stated:

Any addition to the number of occupants on site will directly and indirectly impact on the Bush Forever site. Indirect impacts may include increased pressure on site from both vehicular and pedestrian access, and the further spreading of weeds. Any support to extend the bed numbers of the hostel should be conditional on the preparation of a revised EMP and the ongoing implementation of the EMP.

As the subject site contains a number of valuable environmental assets, the requirement for a revised EMP to be prepared is supported. It is therefore recommended that the conditions as provided by the EPA be included as part of the planning approval for the extensions to the hostel.

Development Timeline

The original planning application for extensions to the Graceford Hostel was submitted to Council on the 14 April 2005. Since that time, Baptist Care have struggled to get any approvals through as the significant environmental issues present on the land have slowed the process down dramatically. As part of the original application, upgrading of the existing fire fighting facilities was included but was eventually dealt with separately given the urgency of the situation. Since April 2005, numerous site visits have been undertaken with Council staff, representatives from Bush Forever, the EPA and the DoE, the applicant and representatives from Baptist Care. The application has experienced unnecessary delays

through inconsistent advice being provided from these Government agencies. The Department of Health and Ageing gave Baptist Care provisional allocation of 16 beds on the 11 March 2005 with this allocation being subject to having the beds on line by 31 March 2006. Due to the delays in progressing the application, the completion date has been extended to the 31 December 2006.

In order to meet the expectations of the Department of Health and Ageing, the extensions to Graceford Hostel has become even more urgent and further delays should be avoided where possible.

Conclusion

The Graceford Hostel at Lot 108 Turner Road, Byford is located on land within the Brickwood Bushland which contains a number of significant environmental issues. The proposed additions need to take into consideration these values and minimise possible impacts where possible. It is considered that the proposed additions, car park and increase to the existing effluent disposal field can be undertaken in a sustainable manner subject to compliance with a revised EMP to the satisfaction of the Shire as recommended by the Bush Forever Office.

It is therefore recommended that the proposed additions to the Graceford Hostel be conditionally approved.

Voting Requirements: Normal

SD125/04/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Price seconded Cr Hoyer

The proposed additions, including the construction of a twenty (20) bay car park and upgrading of the existing effluent disposal system, on Lot 108 (18) Turner Road, Byford be approved subject to the following conditions:

- 1. Development to be in accordance with the plans attached to and forming part of this approval.**
- 2. The additions are to be constructed of new materials and are to match in with existing development to the satisfaction of the Principal Building Surveyor.**
- 3. No direct discharge of stormwater into watercourses or drainage lines.**
- 4. All stormwater runoff from roofs and hardstand areas to be disposed of on site.**
- 5. The additions and car park are not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant legislation.**
- 6. The proposed carparks, driveway, crossover and culvert is to be designed and constructed to the satisfaction of the Shire.**
- 7. Storm water runoff from the proposed car parking area and road way shall be managed to the satisfaction of the Shire.**
- 8. Installation of the proposed fire hydrant and construction of emergency access and egress ways to the satisfaction of Council's Community Emergency Services Manager.**
- 9. Prior to any site disturbance associated with the proposed works on Lot 108, a revised Environmental Management Plan shall be prepared for Lot 108 and Part Reserve 37404 to the satisfaction of the Executive Manager Strategic Community Planning. The objective of the Environmental Management Plan shall be to protect the environmental values of Lot 108 and the adjoining land from impacts from the Graceford Hostel development during the development and in the future.**
- 10. The approved Environmental Management Plan shall be implemented to the satisfaction of the Executive Manager Strategic Community Planning.**
- 11. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the landowner obtaining the prior consent in writing of the Council,**

where such vegetation is certified as structurally unsound by an accredited arboriculturalist, or where the clearing is required for the purpose of a firebreak or for the construction of a building, car park, driveways or other approved component of this development.

12. Upgrading of existing effluent disposal system and fields to the satisfaction of the Shire and Department of Health.

Advice Notes:

1. In relation to condition 9, the revised Environmental Management Plan shall contain the following component parts:

- a) Fire Management and Access Control developed in conjunction with the agency vested with control of the adjoining reserve and the Fire and Emergency Services Authority.
- b) A Weed Management Plan for Lot 108 Turner Road, Byford and the western portion of Reserve 37404, prior to site works, to the satisfaction of the Department of Environment, the Bush Forever Office and the Shire. The weed management plan should include detail of weed mapping and any ongoing weed control and revegetation as agreed to by the agency vested with control of the adjoining reserve.
- c) A Nutrient and Irrigation Management Plan that details the mechanisms to be used to ensure the protection of existing indigenous vegetation from the impacts of the on site wastewater treatment system.

The proponent shall prepare and implement a Nutrient and Irrigation Management Plan, prior to site works, which aims to minimise water-logging and leaching of nutrients, to the satisfaction of the Department of Environment.

The Nutrient and Irrigation Management Plan shall include a monitoring and reporting methodology that monitors the impact on the receiving environment. The plan shall define an agreed level of impact that would trigger a review of modification of the effluent system.

The proponent shall prepare and implement a program to monitor the impact on the receiving waters to the satisfaction of the Department of Environment.

The proponent shall upgrade the effluent disposal system with an alternative treatment unit with nutrient attenuating capabilities to the satisfaction of the Shire, the Department of Environment and the Department of Health. Should an in-system phosphate removal method be used, as opposed to the use of an approved amended soil mix in the above ground spray irrigation area, this shall include the retrofitting of existing effluent disposal equipment.

Should the method approved be that of an amended soil mix in the above ground spray irrigation area, a minimum vertical separation distance that will be maintained between the irrigated land surface and the end of wet season water table shall be defined to the satisfaction of the Department of Environment.

Should the amended soil/spray irrigation area be approved there should be a plan for the removal and rehabilitation of the amended soil when it reaches its nutrient holding capacity.

- d) A Wetland and Native Vegetation Management Plan that describes mechanisms to protect existing indigenous vegetation and the

revegetation of the effluent disposal beds, and disturbed areas with indigenous species. It should contain a list of species that will be used and accepted by the agency vested with control of the adjoining reserve.

e) A Stormwater Management Plan designed to protect water quality and the ecology of the downstream surface and groundwater receiving environment, and in accordance with the “stormwater Management Manual for Western Australia” (Department of Environment, 2004).

f) A Construction Management Plan that includes the following:

Prior to the commencement of site works there will be in place clear signage or tape marking, operator information and temporary fencing of areas known to contain Threatened Ecological Communities to the satisfaction of Council.

No construction works are to impact outside the western boundary of the extent of approved works and all access for construction is to be east of the existing firebreak unless prior alternative access arrangements have been accepted by Council and by the agency vested with control of the adjoining reserve.

Weed affected soils are not to be placed outside the works area and are not to be used in on-site revegetation works or any other way that would allow the weed seed bank they contain to germinate on-site and threaten the growth of native plants.

No fill, soils and other materials are to be brought onto the site unless they are certified as weed and dieback free.

All construction machinery shall be clear of soil and plant material prior to site entry.

Dieback prevention measures shall be adopted in accordance with Department of Conservation and Land Management protocols.

2. The applicant is advised to have due regard to the advice provided by the Environmental Protection Authority in their letter dated 5 April 2006.
3. This decision issued by the Serpentine Jarrahdale Shire does not remove any responsibility the proponent may have in relation to protecting areas of bush land significance (known as *Bush Forever*) on or within proximity of their property. If any occurrences of Bush Forever are present or within proximity, further information should be obtained from the Department for Planning and Infrastructure - Bush Forever Office.
4. This decision issued by the Serpentine Jarrahdale Shire does not remove any responsibility the proponent may have in obtaining a vegetation clearing permit under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*, from the Department of Environment. Further information should be obtained from the Department of Environment.
5. This decision issued by the Serpentine Jarrahdale Shire does not remove any responsibility the proponent may have in obtaining approval from the Department of Environment for any works which may impact on any wetland on or within proximity of their property. Further information should be obtained from the Department of Environment.

CARRIED 7/0

SD126/04/06 PROPOSED SINGLE DWELLING AND VARIATION TO LOCAL PLANNING POLICY NO. 13 (WOODLOT SUBDIVISION JARRAHDAL DESIGN GUIDELINES) – LOT 826 JARRAHDAL ROAD, JARRAHDAL (P05942/02)		
Proponent:	M Reid & J Holmes-Reid	In Brief Applicant seeks approval for the construction of a single dwelling and to vary the requirements of LPP13 'Woodlot Subdivision Jarrahdale Design Guidelines'. Specifically, a variation is sought relating to the 650m ² maximum area allowed for building and landscape works. It is recommended that the single dwelling be conditionally approved and a variation to the requirements of the policy be granted.
Owner:	As Above	
Officer:	M Daymond – Planning Officer	
Signatures Author:		
Senior Officer:		
Date of Report	20 March 2006	
Previously	NA	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Date of Receipt: 25 January 2006
 Advertised: NA
 Submissions: NA
 Lot Area: 0.3834 ha
 L.A Zoning: Special Use
 MRS Zoning: Urban
 Byford Structure Plan: NA
 Rural Strategy Policy Area: Town & Village Urban/State Forest
 Rural Strategy Overlay: NA
 Municipal Inventory: NA
 Townscape/Heritage Precinct: NA
 Bush Forever: NA
 Date of Inspection: NA

Background

The applicant seeks a variation to the requirements stipulated under Local Planning Policy No.13 (LPP13) 'Woodlot Subdivision Jarrahdale Design Guidelines', specifically relating to maximum area allowable to be fenced off for dwelling construction and landscaping works.

As part of the application to Council for the dwelling, the applicant has provided the following information:

"The proposed building envelope exceeds the maximum 650m² requirement by 182m². The envelope incorporates the house (medium size), the carport, the shed (small), 2 water tanks and the Ecomax, plus a 3 metre wide clearance of all vegetation around the entire building. All the components are moderate in size, thus it follows that the envelope could not be smaller if it is to accommodate all the components that are required to be housed within it.

Therefore, a concession is sought for the larger size building envelope to be approved. Please note that a high Scorecard Assessment has been achieved, showing our commitment to conserve the site's ecological significance and character, as well as setting a new standard in sustainable design and building principles and practice."

On 20 October 2003, Council resolved to adopt LPP13 which was established to help Council deal with development within the Woodlot subdivision in Jarrahdale. The policy is divided into a number of different sections with section 3.0 relating to development control and detailing the information that is required to be submitted to Council as part of the development application and building licence. Sections 3.3.2 and 3.3.4 of the policy state

that a maximum area of 650m² can be used for building and landscape works and is the maximum area that can be cleared of vegetation. Further, no more than 650m² can be fenced to separate and protect existing vegetation. The applicant is seeking approval to fence 832m² of land, an increase of 182m² from the policy.

A copy of the development plans are with attachments marked SD126.1/04/06.

Sustainability Statement

Effect on Environment: The proposed variation to the policy is not considered to have a significant impact on the environment. Although the policy states that all vegetation within the fenced area can be removed, all of the trees with the exception of one that are identified on the site plan to be removed are permitted to be removed under various clauses within the policy. Trees within 3 metres of any building can be removed for fire prevention purposes and trees within 15 metres directly north of the northern façade can be removed for solar access. The extension of the fencing will not result in the need for any vegetation to be removed that is not already exempt under other clauses.

Resource Implications: The variation to the policy will not result in any resource implications. The proposed dwelling has already been designed to be energy efficient through site orientation, the use of photovoltaic cells, solar hot water systems and required insulation.

Use of Local, renewable or recycled Resources: The proposed dwelling may use locally available resources through construction. The proposed variation to the policy will not alter this.

Economic Viability & Benefits: There will not be any ongoing costs to Council through the variation to LPP13.

Social – Quality of Life, Social and Environmental Responsibility & Social Diversity: The proposed variation to the policy will not impact on the quality of life of surrounding landowners.

Statutory Environment: Shire of Serpentine-Jarrahdale Town Planning Scheme No.2

Policy/Work Procedure Implications: LPP13 - Woodlot Subdivision Jarrahdale Design Guidelines

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

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

2. Environment

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

Strategies:

3. Encourage protection and rehabilitation of natural resources.
6. Value, protect and develop biodiversity.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

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

Community Consultation:

Community consultation was not required to be undertaken for the proposed variation to LPP13.

Comment:

Local Planning Policy No.13 - Woodlot Subdivision Jarrahdale Design Guidelines

LPP13 was adopted by Council to assist in dealing with development within the Woodlot subdivision in Jarrahdale. Under section 3.3.2, requirements are stipulated for the maximum area of land that can be used for building and landscaping works. The policy states the following:

“Maximum 650m² of site can be used for building and landscape works. This is also the maximum area that can be cleared of existing vegetation if required for building and landscaping works (including all existing site vegetation groundcovers, shrubs and/or trees) for the building and landscaping areas including building footprint, turf, gardens decks and paving.”

Further, clause 3.3.4 states:

“Cleared area for house and associated facilities (650m² or less) to be fenced to separate and protect existing vegetation.”

The applicants are seeking a variation to these requirements as they are proposing to fence an area of 832m² in size with a majority of this area being cleared of existing trees. Although the proposed buildings occupy a floor area of no more than 350m² as stipulated by the policy, the extra 182m² is needed to accommodate the proposed grey water tank, rainwater tank and Ecomax effluent disposal system. The proposed increase in area will not have a significant impact on the existing environment as the trees that are shown to be removed on the site plan within the fenced off area are already permitted to be removed under various clauses within the policy. Clause 3.3.1 of the policy states:

“Buildings are to have a 3 metre wide clearance of all vegetation around the entire building, this requires all vegetation to be removed for the full 3 metre width vertically.”

Also, clause 3.3.2 states:

“An application can be made to Council to remove trees 15 metres directly to the north of the northern façade for solar access to the house.”

All of the trees except one that are shown to be removed on the site plan are either within 3m of proposed buildings or north of the northern façade.

Scorecard Assessment

Under LPP13, a minimum of 7 points out of 21 are required to be met prior to the issue of a building licence. The proposal achieves 9 points covering various areas such as landscaping, energy efficiency and building materials. The proposed variation to LPP13 has no negative impact on the scorecard assessment for the proposed development.

Construction Materials

The proposed dwelling is to be constructed entirely out of zincalume. It is considered that these materials will not detrimentally impact on the locality as the subject lot is heavily vegetated helping to screen the dwelling from adjoining properties and Jarrahdale Road. The use of zincalume helps increase the energy efficiency of the proposal.

Variation In Standards

Clause 4.0 of LPP13 states that:

“Consideration may be granted to variation of standards where it can be demonstrated to Council’s satisfaction by way of a comprehensive written statement outlining how the proposal meets the objectives of these guidelines.”

As part of the application to Council, the applicant has submitted a building design report that details the requirements above.

A copy of the building design report is with attachments marked SD126.2/04/06.

Conclusion

It is considered that a variation to the policy for this particular development will not compromise the environmental outcomes that are trying to be achieved nor negatively impact on Council, the locality or surrounding landowners. The proposed variation to the policy will not significantly impact on the existing vegetation as all of the trees with the exception of the ones that are shown to be removed on the site plan are permitted under various clauses of the policy. The increase in area is sought in order to adequately cater for the proposed grey water tank, rain water tank and effluent disposal system around the dwelling. The use of these tanks as a means of minimising resource use is supported and should be encouraged by Council.

It is therefore recommended that the proposed dwelling be conditionally approved and a variation to LPP13 be granted.

Voting Requirements: Normal

SD126/04/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Brown seconded Cr Wigg

The application for development of a Single Dwelling on Lot 826 Jarrahdale Road, Jarrahdale be approved subject to the following conditions:

- 1. A building licence is required to be obtained prior to the commencement of any development (including earthworks).**
- 2. Development shall be in accordance with the Approved Development Plans dated October 2005, and subject to any modification required as a consequence of any conditions of this approval.**
- 3. The building envelope is not to exceed 832m² as detailed on the approved site plan.**
- 4. All driveway surfaces are to be constructed of a suitable material such as paving, road base, or coarse gravel to limit the generation of dust and sediments entering nearby creeks and drainage lines and to be less than 200m² of impermeable paving on site.**
- 5. No direct discharge of stormwater into watercourses or drainage lines.**
- 6. All stormwater runoff from roofs is to be fed into a water tank for irrigation and stormwater runoff from hardstand areas is to be disposed of on site.**
- 7. The dwelling shall be constructed in accordance with the requirements of AS 3959-1999 Construction of Buildings in Bushfire-prone Areas.**

8. Only materials identified on the approved plans are to be used in the construction of the dwelling unless the prior written approval of the Shire is obtained.
9. The proposed building is to have a 3 metre wide clearance of all vegetation maintained at all times, to the satisfaction of the Shire. Nothing is permitted to be stored under the proposed building once established on site.
10. The strategic firebreak along the rear boundary of the lot is to be kept clear at all times, and must be maintained to permit unimpeded access by emergency vehicles at all times to the satisfaction of the Shire.
11. Native and indigenous species may only be planted on the site to the satisfaction of the Shire. The landowner is specifically required to plant at least the same number of trees on site to match the number of trees required to be removed in accommodating the proposed development. Planted trees are to be of semi-mature standard, being at least 1m tall and 45 litre bag size to the satisfaction of the Shire. Details to be submitted with the building licence application.
12. No boundary fences are permitted between properties to the satisfaction of the Shire. Properties may be marked by posts on corners only, in existing cleared areas. A 1.2m post and wire fence may be permitted along the adjacent State Forest boundary only, if required by the landowner, to the satisfaction of the Shire.

CARRIED 7/0

SD128/04/06 BULK EARTHWORKS AND IMPORTATION OF FILL – PORTION OF LOTS 4 AND 5 ABERNETHY ROAD, BYFORD (P01571/01 & P04147/01)		
Proponent:	Byford Central Pty Ltd	<p>In Brief</p> <p>To consider the approval of bulk earthworks on a portion of the land ahead of final approval of Local Structure Planning and subdivision approval by the Western Australian Planning Commission.</p> <p>It is recommended approval be granted with conditions.</p>
Owner:	J Petricevich	
Officer:	Andrew Pawluk – Contract Planner	
Signatures Author:		
Senior Officer:		
Date of Report	7 April 2006	
Previously	SD103/03/06	
Disclosure of Interest	No officer involved in the preparation of this report has an interest in the subject land. In accordance with the provisions of the Local Government Act	
Delegation	Council	

Date of Receipt: 14 March 2006
 Advertised: N/A
 Submissions: N/A
 Lot Area: Lot 4 - 15.3157ha
 Lot 5 – 15.9458ha
 L.A Zoning: Urban Development
 MRS Zoning: Urban and Urban Deferred (area to be earthworked is totally within Urban zone)
 Byford Structure Plan: Residential (R30); Residential (R20); Drainage Basin (within area to be earthworked).
 Rural Strategy Policy Area: N/A
 Rural Strategy Overlay: N/A
 Municipal Inventory: N/A
 Townscape/Heritage Precinct: N/A
 Bush Forever: N/A
 Date of Inspection: 7 April 2006

Background

Two development applications have been lodged, one for each lot, in order that bulk earthworks (3.75ha within Lot 4 and 4.0ha within Lot 5) may be undertaken prior to winter to prepare the site for the impending approval of a residential subdivision. A draft Local Structure Plan has been lodged with Council over the whole of Lots 4 and 5 Abernethy Road under the guidance of the Byford Structure Plan adopted by Council in August 2005.

The draft Local Structure Plan was presented to Council at its March 2006 meeting for consideration for advertising. The Council resolved to advertise the Local Structure Plan but not until such time as various modifications were undertaken and Council had reviewed the Drainage and Nutrient Management Plan and obtained independent assessment of Byford Central resolution of drainage as per the Byford Urban Stormwater Management Strategy (BUSMS). The modifications and review will take some time to complete.

In the report to Council on the LSP it was acknowledged that the first stage of development would occur in the northern part of the subject lots and that the developer seeks to commence and complete stage 1 earthworks prior to the onset of winter 2006.

The proponent will import fill from the Baldivis Road sand pit in Baldivis. The site will generally be filled between 0.8m to 1.0m above the existing ground level which generally accords with recommended finish levels of the BUSMS. The original application plan for the fill also included lot and road layout details. Approval to such plan could be misconstrued as approval to the subdivisional layout and accordingly the applicant was requested to submit amended plans which only show fill details and no lot or road layout.

A copy of the amended earthworks plan is marked SD128.1/04/06.

Sustainability Statement

Effect on Environment: Potential impacts on affecting natural drainage, creating a dust and noise nuisance. These are interim impacts, until the land is developed for housing, which can be protected and limited by conditions.

Use of Local, Renewable or Recycled Resources: Fill will be sourced from the sand pit off Baldivis Road, Baldivis. Local cartage contractors may be used.

Economic Viability: The filling of the land itself aims to reduce the holding cost of the development by aiming to achieve a more efficient timeframe for subdivisional development.

Economic Benefits: Timely filling of the site can potentially reduce development costs and such savings may be passed down to the eventual lot purchasers.

Social – Quality of Life: Truck movements, on site works and potential for dust will bring a temporary reduction to the quality of life for nearby residents. Appropriate conditions shall be imposed to limit these potential impacts.

Social and Environmental Responsibility: Not applicable

Social Diversity: Not applicable

Statutory Environment:

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

Without a subdivisional approval issued by the WAPC, the act of clearing, filling and undertaking earthworks

constitutes 'development' under the Scheme and accordingly requires development approval.

The act of filling or undertaking bulk earthworks is a use 'not listed' under the Scheme. The Scheme, under Clause 3.2.5 states that Council may '*determine that the proposed use may be consistent with the objectives and purpose and thereafter follow the advertising procedures of Clause 6.3...*'. The proposal is currently being advertised for public comment to surrounding landowners.

Policy/Work Procedure Implications:

PWP3 Landfill Guidelines

Financial Implications:

There are no financial implications to Council related to this proposal.

Strategic Implications:

The proposal will facilitate residential development which will relate to the following Key Sustainability Result Areas:-

4. Governance

Objective 3: Compliance to necessary legislation

Strategy:

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

Community Consultation

Community consultation has commenced in accordance with Clauses 3.2.5 and 6.3 of the Scheme.

Comment

The subject site suffers from potential waterlogging in winter rendering it unworkable once winter rains have set in. The applicant has requested approval in order that earthworks can be carried out before the site becomes waterlogged in order that the majority of fill is on site in readiness for the approval of the LSP and subdivision which is anticipated after winter 2006.

The final levels will be determined at the subdivision stage where further refining of the earthworks will be undertaken as well as the installation of the multiple-use corridors and required drainage regime in accordance with the Byford Urban Stormwater Management Strategy recommendations.

Site Conditions

The application area has a slight fall from north-east to south-west and naturally drains into the natural water course along the southern edge of the application area. The water course is proposed to be enhanced (as per the Byford Structure Plan) and contained within a proposed multiple-use corridor immediately abutting the southern edge of the application area. However, such enhancement will not occur until subdivision takes place.

The subject water course contains a high flow during winter months and frequently breaches its banks. Given this, it is recommended that the earthworks be setback in order to prevent material from the fill eroding into the water course, during periods of high rain. Accordingly, it is recommended that all filling is to be setback at least 20 metres from the edge of the existing water course embankment to ensure that there is no export of fill material into the water course.

There are a few trees on site, some will be protected within proposed public open space areas under the LSP.

Byford Structure Plan

The proposed earthworks essentially covers the proposed first stage of residential development for Lots 4 and 5 being that area north of the natural water course which can be readily accessed from Abernethy Road.

The boundary of the proposed earthworks are proposed to be setback a minimum of 20 metres from Abernethy Road to provide for a public open space (POS) corridor as recommended by the adopted Byford Structure Plan to provide for water sensitive urban design treatments. However, the application plan fails to accommodate for the widening of Abernethy Road by 20 metres as recommended by the Byford Structure Plan and as required by Council's resolution of March 2006. Therefore, it is recommended that the earthworks area be set back 40 metres from the boundary of Abernethy Road to accommodate the road widening and the 20 metre POS strip.

The earthworks application provides no reference to the drainage basin recommended to be located in the south-east corner of Lot 4, adjoining the multiple-use corridor. Whilst the lodged LSP provides argument that the drainage basin is indicative only and that the anticipated stormwater flows can be accommodated through appropriate design of the water course in the multiple-use corridor, such argument has yet to be assessed by the Shire. The need for a drainage basin will be formally assessed by the 'assessment panel' which is currently being set up on behalf of Council to review/assess the drainage strategies proposed by Local Structure Plans against the recommendations of the Byford Urban Stormwater Management Strategy. Should the 'panel' find that a drainage basin is required, then such requirement can be imposed on the approval to the Local Structure Plan and subdivision. As an interim measure it is recommended that a 20 metre wide buffer be applied to the northern side of the proposed multiple-use corridor as a safe guard to protect the potential need for a formal drainage basin, if required. The buffer will also act as a protective mechanism to prevent the outfall of soil from the fill entering the water course.

It is considered prudent to advise the applicant that approval to filling the application area should not be construed as negating the need for providing a drainage basin in the south east corner of Lot 4 as recommended under the Byford Urban Stormwater Management Strategy.

Lot 4 is located within Catchment "6C" and Lot 5 within "6B" under the Byford Urban Stormwater Management Strategy which recommends a minimum fill of 1.3m and 1.1m respectively (above natural ground level). The proposed fill is generally at between 0.8m to 1.0 metres. It is recommended that the applicant be advised of the minimum fill required as per the Byford Urban Stormwater Management Strategy. The shortfall in the fill level can be rectified at the refining of earthworks at the subdivision stage.

Operation

Appropriate conditions have been imposed to limit the impacts to neighbouring residents from traffic, dust and noise.

Conclusion

Subject to no valid objections being received during the advertising period and subject to the issues raised above being addressed by appropriate conditions there is no impediment towards allowing the application area, apart from the drainage requirements (mentioned above), from being cleared, filled and earthworked as per the amended application plan.

Voting Requirements:

ABSOLUTE MAJORITY

SD128/04/06 Committee/Officer Recommended Resolution:

Moved Cr Hoyer seconded Cr Brown

- A. Council determines that the filling and bulk earthworks is a use not listed in the Zoning Table of Town Planning Scheme No. 2.
- B. Council in accordance with Clause 3.2.5 of Town Planning Scheme No. 2 determines that the filling and undertaking of bulk earthworks on a portion of Lot 4 and Lot 5 Abernethy Road, Byford as proposed on amended plan 2650/002/B is a use consistent with the objectives and purposes of the Residential zone.
- C. Subject to no valid objections being received against the proposal during the advertising period, Council authorises the Executive Manager Planning and Regulatory Services to issue development approval for bulk earthworks as proposed on amended plan 2650/002/B received on 10 April 2006, as further amended by this approval, on a portion of Lot 4 and Lot 5 Abernethy Road, Byford, subject to the following conditions:

- 1. This approval relates only to the bulk earthworks and clearing within the application area as shown on the approved plans. No retaining walls or any other structures shall be constructed without prior approval to the Shire.
- 2. Areas hatched in red on the approved plans are excluded from this approval and any works within those areas will require a separate development application or be covered under a subdivision approval issued by the Western Australian Planning Commission.
- 3. The developer to erect a sign on the site for the duration of the development, visible from Abernethy Road to the satisfaction of the Executive Manager Planning and Regulatory Services. The signs are to advise the public of the existence of heavy vehicle traffic, proposed duration of earthworks and the phone contact details of the principal contractor and supervising engineer.
- 4. Earthworks are to meet all adjoining land at natural ground level and the earthworks batter is to be no greater than 1:6 (18%).
- 5. Certification from a practicing Geotechnical Engineer at the completion of the filling confirming that earthworks, filling and compaction are completed and controlled in such a manner that results in a suitable building platform for the intended land use, shall be submitted to the Shire to the satisfaction of the Executive Manager Planning and Regulatory Services.
- 6. All works shall be conducted in accordance with Council's policy standards and specifications pertaining to earthworks.
- 7. Hours for site and construction work shall be limited to the following hours:

Monday to Friday	7.00am to 6.00pm only
Saturday	7.30am to 5.00pm only
Sunday and Public Holidays	No filling to occur

- 8. No earthworks (including batters) shall intrude into the proposed multiple-use corridors or any other land which abuts the site.
- 9. The applicant shall be responsible for any changes and alterations to earthworks on-site, resulting from any changes required by the Shire on the Local Structure Plan, future development approvals and/or subdivision approval(s) issued by the Western Australian Planning Commission.
- 10. All stormwater shall be contained on-site, to the satisfaction of the Director Engineering. Erosion shall be controlled so as not to result in sand runoff into the road reserve.

11. The proponent and the contractor shall be responsible for the dust and sand drift control in accordance with the Department of Environmental Protection (DEP) guidelines. Disturbed areas shall be stabilised as soon as practicable and thereafter maintained to the satisfaction of the Director Engineering.
12. No burning of cleared vegetation shall be permitted.
13. Only clean fill shall be used on site in accordance with relevant Department of Environment Guidelines. Compaction and stabilisation must be carried out to the satisfaction of the Director Engineering.
14. The perimeter of the area to be worked must be pegged and clearly marked to ensure that all earthworks are contained within the approved area.
15. Site works and construction noise levels shall be in accordance with the provisions of the Environmental Protection Act (Noise) Regulations 1997.
16. Abernethy Road including the entry to the property shall be maintained at the existing standards to the satisfaction of the Director Engineering. Any damage caused to the road by the proponent shall be immediately repaired to the satisfaction of the Director Engineering.

Advice Notes:

1. This approval should not be construed as support for any impending subdivision over the land. Final fills levels will be determined at the subdivision stage.
2. In respect to Condition 1 this approval does not negate the need for further earthworks to be undertaken subject to approval of engineering drawings in relation to a future subdivision approval.
3. In respect of Condition 2, earthworks shall be set back 40 metres from Abernethy Road and shall not encroach any closer than 20 metres to the boundary of the proposed multiple-use corridor. Earthworks are to meet the 20 metre buffer setback at natural existing ground level and the earthworks batter is to be no greater than 1:6 (18%).
4. In respect to Condition 9, approval to the fill on this application does not necessarily negate the need for the provision of a drainage basin in the south eastern corner of Lot 4 as recommended in the adopted Byford Structure Plan. The need or otherwise for a drainage basin will be reviewed in the Shire's assessment of the Drainage and Nutrient Management Plan as part of its assessment of the Local Structure Plan and subdivision. Should any fill be required to be removed from the site in order to install a drainage basin, if required by Council following assessment of the Drainage Management Plan, then such works will be taken by and at the cost of the developer.
5. The northern portion of Lot 4 is located within Catchment "6C" and Lot 5 within "6B" under the Byford Urban Stormwater Management Strategy which recommends a minimum fill of 1.3m and 1.1m respectively (above natural ground level). It is noted that some of the proposed fill levels on the site are lower than the Strategy's recommended level and accordingly such shortfall will need to be rectified in the final refining of earthworks to be undertaken at the subdivision stage.

AMENDMENT:

Moved Cr Hoyer seconded Cr Murphy that advice Note "6. The applicant be requested to ensure truck operators comply with the conditions of approval and ensure that their operations do not adversely impact on the community by way of truck speeds, control of litter and following designated truck routes" be added.

After debate the presiding member then put the amendment which was
CARRIED 7/0

The presiding member then put the amended motion which was

COUNCIL DECISION:

- A. Council determines that the filling and bulk earthworks is a use not listed in the Zoning Table of Town Planning Scheme No. 2.
- B. Council in accordance with Clause 3.2.5 of Town Planning Scheme No. 2 determines that the filling and undertaking of bulk earthworks on a portion of Lot 4 and Lot 5 Abernethy Road, Byford as proposed on amended plan 2650/002/B is a use consistent with the objectives and purposes of the Residential zone.
- C. Subject to no valid objections being received against the proposal during the advertising period, Council authorises the Executive Manager Planning and Regulatory Services to issue development approval for bulk earthworks as proposed on amended plan 2650/002/B received on 10 April 2006, as further amended by this approval, on a portion of Lot 4 and Lot 5 Abernethy Road, Byford, subject to the following conditions:

- 1. This approval relates only to the bulk earthworks and clearing within the application area as shown on the approved plans. No retaining walls or any other structures shall be constructed without prior approval to the Shire.
- 2. Areas hatched in red on the approved plans are excluded from this approval and any works within those areas will require a separate development application or be covered under a subdivision approval issued by the Western Australian Planning Commission.
- 3. The developer to erect a sign on the site for the duration of the development, visible from Abernethy Road to the satisfaction of the Executive Manager Planning and Regulatory Services. The signs are to advise the public of the existence of heavy vehicle traffic, proposed duration of earthworks and the phone contact details of the principal contractor and supervising engineer.
- 4. Earthworks are to meet all adjoining land at natural ground level and the earthworks batter is to be no greater than 1:6 (18%).
- 5. Certification from a practicing Geotechnical Engineer at the completion of the filling confirming that earthworks, filling and compaction are completed and controlled in such a manner that results in a suitable building platform for the intended land use, shall be submitted to the Shire to the satisfaction of the Executive Manager Planning and Regulatory Services.
- 6. All works shall be conducted in accordance with Council's policy standards and specifications pertaining to earthworks.
- 7. Hours for site and construction work shall be limited to the following hours:

Monday to Friday	7.00am to 6.00pm only
Saturday	7.30am to 5.00pm only
Sunday and Public Holidays	No filling to occur

- 8. No earthworks (including batters) shall intrude into the proposed multiple-use corridors or any other land which abuts the site.
- 9. The applicant shall be responsible for any changes and alterations to earthworks on-site, resulting from any changes required by the Shire on the Local Structure Plan, future development approvals and/or subdivision approval(s) issued by the Western Australian Planning Commission.

10. All stormwater shall be contained on-site, to the satisfaction of the Director Engineering. Erosion shall be controlled so as not to result in sand runoff into the road reserve.
11. The proponent and the contractor shall be responsible for the dust and sand drift control in accordance with the Department of Environmental Protection (DEP) guidelines. Disturbed areas shall be stabilised as soon as practicable and thereafter maintained to the satisfaction of the Director Engineering.
12. No burning of cleared vegetation shall be permitted.
13. Only clean fill shall be used on site in accordance with relevant Department of Environment Guidelines. Compaction and stabilisation must be carried out to the satisfaction of the Director Engineering.
14. The perimeter of the area to be worked must be pegged and clearly marked to ensure that all earthworks are contained within the approved area.
15. Site works and construction noise levels shall be in accordance with the provisions of the Environmental Protection Act (Noise) Regulations 1997.
16. Abernethy Road including the entry to the property shall be maintained at the existing standards to the satisfaction of the Director Engineering. Any damage caused to the road by the proponent shall be immediately repaired to the satisfaction of the Director Engineering.

Advice Notes:

1. This approval should not be construed as support for any impending subdivision over the land. Final fills levels will be determined at the subdivision stage.
2. In respect to Condition 1 this approval does not negate the need for further earthworks to be undertaken subject to approval of engineering drawings in relation to a future subdivision approval.
3. In respect of Condition 2, earthworks shall be set back 40 metres from Abernethy Road and shall not encroach any closer than 20 metres to the boundary of the proposed multiple-use corridor. Earthworks are to meet the 20 metre buffer setback at natural existing ground level and the earthworks batter is to be no greater than 1:6 (18%).
4. In respect to Condition 9, approval to the fill on this application does not necessarily negate the need for the provision of a drainage basin in the south eastern corner of Lot 4 as recommended in the adopted Byford Structure Plan. The need or otherwise for a drainage basin will be reviewed in the Shire's assessment of the Drainage and Nutrient Management Plan as part of its assessment of the Local Structure Plan and subdivision. Should any fill be required to be removed from the site in order to install a drainage basin, if required by Council following assessment of the Drainage Management Plan, then such works will be taken by and at the cost of the developer.
5. The northern portion of Lot 4 is located within Catchment "6C" and Lot 5 within "6B" under the Byford Urban Stormwater Management Strategy which recommends a minimum fill of 1.3m and 1.1m respectively (above natural ground level). It is noted that some of the proposed fill levels on the site are lower than the Strategy's recommended level and accordingly such shortfall will need to be rectified in the final refining of earthworks to be undertaken at the subdivision stage.
6. The applicant be requested to ensure truck operators comply with the conditions of approval and ensure that their operations do not adversely impact on the community by way of truck speeds, control of litter and following designated truck routes.

CARRIED 7/0 ABSOLUTE MAJORITY

Committee Note: The Officer Recommended Resolution was changed by correcting an error in Part C by changing the address from Lot 3 Thatcher Road, Byford to Lot 4 and Lot 5 Abernethy Road, Byford. The Presiding Member determined that this was a minor amendment.

Council Note: The Committee/Officer Recommended Resolution was changed by adding Advice Note No. 6.

CGAM122/04/06 BRIGGS PARK RESERVE - BPR 730 (RS0081)		
Proponent:	Serpentine – Jarrahdale Cricket Club	In Brief: A request from the Serpentine – Jarrahdale Cricket Club to construct two additional cricket practice nets at Briggs Park Reserve and for the Council to part fund the project up to a maximum amount of \$5,432 (GST Inclusive).
Owner:	Vested in the Serpentine Jarrahdale Shire	
Officer:	Paul Beaumont - Operations Team Leader	
Signatures Author:		
Senior Officer:		
Date of Report	5 th April 2006	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

A letter was received from the Serpentine – Jarrahdale Cricket Club on the 19th October requesting additional practice nets to be erected at the Briggs Park Reserve. The membership of the club has increased substantially and the current practice area of two nets no longer meets the needs of the club.

The initial request was for the Shire to fully fund the project, however staff advised that this was not possible and that the club should approach the Community Development Team to investigate what other funding sources might be available.

The club has submitted an application to the Shire through the Shire's Community Funding Program for one third of the total cost. The remaining two thirds of the cost are to be met by the club, and if successful, with the assistance of a Department of Sport and Recreation CSRFF grant for one third. The Shire's proportion of the costs, if endorsed by the Council, will need to be allocated from the 2006/2007 budget.

The area being proposed for the additional practice nets is adjacent to the existing nets. No major disruption to the site is envisaged as a footpath that was being constructed when this proposal was originally made was redirected at no extra cost.

The estimated cost for the construction of the additional nets is \$16,297 (GST Inclusive). If endorsed, the one third contribution from the Shire would be \$5,432 (GST Inclusive).

Sustainability Statement

Effect on Environment:

No clearing of the land is required.

Resource Implications: The proposal minimises the use of vegetated land to protect biodiversity, there will be no impact to the immediate area and all soil will be stockpiled for reuse on other projects.

Use of Local, renewable or recycled Resources: Local contractors will be used wherever possible, some volunteer labour will be sourced from the club.

Economic Viability: This will be a one of cost to the Council of \$5,432 no further costs are envisaged at this time. With the expansion of this facility the need for further practice nets at the Mundijong Reserve should be avoided

Economic Benefits: The benefits to the community in expanding this facility will enable the club to continue to grow and provide suitable infrastructure to support this growth.

Social – Quality of life: Allowing communities to be involved, provision of events and training, support of groups/committees.

Social and Environmental Responsibility: The continued support to providing adequate sporting facility to the community by the development of recreational activities.

Social Diversity: The proposal does not disadvantage any social groups.

Statutory Environment: None

Policy/Work Procedure Implications:

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

Financial Implications:

The Shire is requested to contribute \$5,432 (GST Inclusive) towards the project which equates to one third of the total cost. There are no funds available in the 2005/2006 budget, therefore the matter will be listed for consideration by the Council during formulation of the 2006/2007 annual budget.

Strategic Implications:

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

1. Provide recreational opportunities.

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

Strategies:

2. Develop compatible mixed uses and local employment opportunities in neighbourhoods.
4. Foster a strong sense of community, place and belonging.

Objective 3: High level of social commitment

Strategies:

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

2. Environment

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

Strategies:

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

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

Strategies:

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

3. Economic

Objective 1: A vibrant local community

Strategies:

3. Develop tourism potential.

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

Objective 3: Effective management of Shire growth

Strategies:

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

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

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

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

Strategies

1. Improve coordination between Shire, community and other partners.
2. Improve customer relations service.

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Consultation has occurred previously with the Serpentine Jarrahdale Cricket Club

Comment:

The request from the Serpentine - Jarrahdale Cricket Club for permission and part funding to erect two additional cricket nets will benefit the community by providing adequate infrastructure at this facility. The club is seeking funding (one third from Council and one third from Department of Sport and Recreation) and is prepared to make a one third contribution for a project that will enhance this facility for all residents. This matter will be listed for consideration during formulation of the 2006/2007 annual budget.

Voting Requirements: Simple Majority

CGAM122/04/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Wigg seconded Cr Hoyer

1. Council considers the allocation of \$5,432 during formulation of the 2006/2007 budget as a one third contribution for the purposes of erecting two additional cricket nets.

CARRIED 7/0

COMMITTEE FORESHADOWED MOTION:

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

1. Council considers the allocation of \$5,432 during formulation of the 2006/2007 budget as a one third contribution for the purposes of erecting two additional cricket nets subject to the club receiving one third contribution from grant funding and one third contribution in kind from the Cricket Club.

CGAM123/04/06 COMMUNITY AMENITIES JARRAHDAL CEMETERY JCM600 (RS0152)		
Proponent:		In Brief Council is requested to approve the excavation of the next stage for burial sites at Jarrahdale Cemetery. The estimated cost of \$20,000 to be considered by Council during formulation of the 2006/2007 budget
Owner:	Serpentine Jarrahdale Shire	
Officer:	Paul Beaumont Operations Team Leader	
Signatures Author:		
Senior Officer:		
Date of Report	4 th March 2006	
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

Jarrahdale Cemetery is located off Atkins Road. The substrata consists of gravel with large amounts of laterite, which makes excavation for burial sites extremely difficult.

Past practice was to use a rock breaker, or in extreme circumstances to use dynamite to remove the larger pieces of rock. The use of a rock breaker when in close proximity to an existing grave can, in itself, present problems associated with the vibration. These vibrations can be quite considerable in the more extreme cases causing cracking or movement of existing monuments. In some cases the rock formation can even run under an existing grave causing extreme soil disturbance.

When the cemetery was extended to the South a decision was made to alleviate these problems by excavating the new site to a depth of 3 metres and remove all of the large pieces of laterite. This was then backfilled with the original loose material and imported fill, which ensured that no further problems were experienced with the excavation works.

The majority of the full monument plots are either occupied or reserved. However, there are plenty of the headstone only sites available. There is concern that the original excavation

works when carried out did not provide enough clearance for the further most row of headstone only sites. During a recent burial in this locality rock was encountered which had to be removed using a rock breaker.

The previously excavated area was to accommodate 27 full monument and 50 headstone only sites. These headstone only sites are placed on a concrete plinth. It is proposed to carry out excavation works only at this time and the Shire will need to budget for the installation of the concrete plinths in 2008/09.

There are approximately 46 headstone sites available. Taking the average of 10 burials a year and additional reservations that will be placed, it is anticipated that it will take 4 to 5 years before this area is fully occupied. It is proposed to excavate an area big enough to accommodate a further 50 headstone sites.

There is no danger of running out of sites in the immediate future. The concerns are that if these excavation works are not carried out this year and these sites begin to be occupied, the risk will increase of causing serious damage to existing burial sites. The proposed excavation works will be carried out North and adjacent to the previously excavated area.



Sustainability Statement

Effect on Environment: This will have little impact on the immediate environment with no impact on flora or fauna in the area.

Resource Implications: Additional funding will be required.

Use of Local, renewable or recycled Resources: Local contractors will be used if available combined with Operations staff, rocks removed will be recycled for use in the JHP project.

Economic Viability: This proposal will ensure the progression of burials within the Jarrahdale Cemetery at a cost that is extremely competitive and will be recouped as the sites are reserved.

Economic Benefits: The excavation works will ensure that future burials will be more cost effective with the reduced time in excavating the sites.

Social – Quality of Life: This proposal will provide assurance to residents and families of deceased persons of continued right of burial within the Serpentine Jarrahdale Shire at the Jarrahdale cemetery.

Social and Environmental Responsibility: The proposal is aimed at being socially and environmentally responsible by providing access for burials at the Jarrahdale cemetery.

Social Diversity: This proposal does not disadvantage any social groups.

Statutory Environment: Nil

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

Financial Implications: \$20,000 is an estimated figure for all works associated with this proposal.

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

2. Value and enhance the heritage character and culture of the Shire
3. Ensure a safe and secure community for all residents

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

Strategies:

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

Objective 3: High level of social commitment

Strategies:

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

2. Environment

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

Strategies:

3. Encourage protection and rehabilitation of natural resources.

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

Strategies:

1. Implement known best practice sustainable natural resource management.

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

Strategies:

1. Implement known best practice sustainable resource management.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

1. Identify and implement best practice in all areas of operation.
2. Promote best practice through demonstration and innovation.
4. Balance resource allocation to support sustainable outcomes.

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation: No Community Consultation is required
Comment:

The approval of Council is requested to allocate funds in the 2006/07 budget to excavate the next stage of burial sites which will ensure the integrity of existing monuments remain, by reducing the overall impact to this site. These works will also ensure that the Council continue to provide adequate facilities for interments within the shire, with the Serpentine Cemetery under considerable pressure through lack of space Jarrahdale Cemetery will continue to meet the increasing demand.

Voting Requirements: Simple Majority

CGAM123/04/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Kikpatrick seconded Cr Hoyer

Council consider the sum of \$20,000 during the formulation of the 2006/07 budget to ensure the safe and continuing use of the Jarrahdale Cemetery.

CARRIED 7/0

CGAM0124/04/06 THE JARRAHDAL MASONIC LODGE – REQUEST TO WAIVE THE REQUIREMENT OF BOND TO HIRE MUNDIJONG PAVILION (RS0120/01)		
Proponent:	The Jarrahdale Masonic Lodge	In Brief That Council decline the request from The Jarrahdale Masonic Lodge for Council to waive the requirement of a bond when hiring the Mundijong Pavilion.
Owner:	Serpentine Jarrahdale Shire	
Officer:	Darren Long Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	27/03/06	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

The Jarrahdale Masonic Lodge has written to Council seeking Council's consideration of waiving the requirement for the payment of a bond when hiring the Mundijong Pavilion.

The Lodge advises that the cost of hiring the hall is now at a level which small organisations, such as the Lodge are unable to afford.

A copy of the letter of request is included with the attachments and marked CGAM0124/04/06.

Statutory Environment:

Local Government Act 1995.

Financial Implications:

There is no loss of hire fees associated with this proposed.

Strategic Implications:

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

1. People and Community

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

Strategies:

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

Objective 3: High Level of Social Commitment

Strategies:

1. Build key community partnerships.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

No community consultation required.

Comment:

Bonds were introduced by Council to provide some protection from hirers who caused damage to Council property, or left the facility in an untidy state.

The risk here is the exposure to some organisations/community groups who will not look after the facility in an appropriate manner and in accordance with the hire conditions. An example of this risk is the results of the conduct of an inspection of a recent facility hire by a local organisation. The local organisation had not adhered to the hire conditions and left the facility in an extremely untidy state. This resulted in Council incurring additional cleaning costs, which could only easily be covered from the bond that the local organisation was required to pay.

Whilst the Masonic Lodge organisation and its members may have been excellent hirers in the past, and may continue to be in the future, there is always the risk that they may not. There is also the risk of precedent implications; that if the bond is waived for one organisation, then other local organisations should also be entitled to the waiver. It is recommended that the bond be required for all hirers of Council facilities.

Voting Requirements: Simple Majority

CGAM0124/04/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

**Moved Cr Brown seconded Cr Hoyer
That Council declines to grant a waiver of the bond associated with the hire of the Mundijong Pavilion, and advise the Jarrahdale Masonic Lodge accordingly.
CARRIED 7/0**

CGAM125/04/06		BYFORD CENTENNIAL CELEBRATIONS AND COMMUNITY FAIR – WAIVER OF HIRE FEES FOR BRIGGS PARK OVAL & PAVILION (RS0081/07)
Proponent:	Briggs Park Community Group Inc.	In Brief That Council consider a request from the Briggs Park Community Group to waive the fees for the hire of the Briggs Park Oval for the Country Fair on 26 November 2006.
Owner:	Serpentine Jarrahdale Shire	
Officer:	Darren Long Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	06/04/06	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

A letter has been received from the Briggs Park Community Group Inc. seeking Council's support by way of waiving the applicable fees for the hire of the Briggs Park Oval and pavilion for the Country Fair event to be held on the 26 November 2006.

A copy of the letter is included with the attachments and marked CGAM125/04/06.

Sustainability Statement

Economic Viability: The proposed activities are deemed to be economically viable and the Committee is seeking other revenue sources to assist with the coordination of the Fair.

Economic Benefits: It is anticipated that the proposed Fair will attract a large number of people and their families to Byford to experience the Fair and take part in the proposed centennial celebrations.

Statutory Environment: Local Government Act 1995.

Financial Implications: In waiving the hire fees of the oval for the day, Council would be supporting the event. Based on 9 hours use of the oval the total hire cost would equate to \$155.10 and pavilion hire for 9 hours would equate to \$89.25. The total waiver if granted would amount to \$244.35.

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

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

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

Strategies:

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

3. Economic

Objective 1: A vibrant local community

Strategies:

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

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

Comment:

The Briggs Park Community Group Inc. is a local not for profit community based organisation whose primary aim is to promote a cultural event in combination with the centennial celebrations of the Byford town.

It is recommended that the Briggs Park Community Group Inc. be advised that a bond of \$1000 will be applicable if alcohol is to be sold, or \$500 if alcohol is not to be sold.

Voting Requirements: **ABSOLUTE MAJORITY**

CGAM125/04/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Brown seconded Cr Price

1. That Council grant the Briggs Park Community Group Inc. a waiver of the hire fees associated with the Briggs Park pavilion and oval for the proposed fair and centennial celebrations to be held on the 26 November 2006, with appropriate provision being made in the 2006/2007 budget;

2. That Council advise the Briggs Park Community Group of the waiver of hire fees.
3. That Council advise the Briggs Park Community Group that an appropriate bond will be applicable for the hire of the pavilion and oval at Briggs Park, and the hire of the facility shall be in accordance with Councils standard hire conditions.

CARRIED 7/0 ABSOLUTE MAJORITY

CGAM126/04/06		SERPENTINE PCYC –WAIVER OF HIRE FEES FOR CLEM KENTISH HALL & OVAL (RS0109/02)
Proponent:	Serpentine Police and Citizens Youth Club Inc.	In Brief That Council consider a request from the Serpentine PCYC to waive the fees for the hire of the Clem Kentish hall and Oval for the SHOWCASE PCYC on 8 April 2006.
Owner:	Shire of Serpentine Jarrahdale	
Officer:	Darren Long Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	06/04/06	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995.	
Delegation	Council	

Background

A letter has been received from the Serpentine PCYC Inc. seeking Council's support by way of waiving the applicable fees for the hire of the Clem Kentish Oval and Hall for the SHOWCASE PCYC event to be held on the 8 April 2006 from 2:30pm to 6:00pm.

Each Club has its own Management Committee and is required to conduct its affairs within the requirements of the Constitution and Policy set by the Council of Management.

All Clubs have financial autonomy and the responsibility to finance their operating costs, acquisition and maintenance of buildings, extensions, buses, equipment etc. Major ongoing expenses include power, telephone, cleaning, administration costs, wages (instructors), repairs and replacing of equipment. Insurance is a major expense as the Federation is required to have substantial Public Liability and associated policies.

A copy of the letter of request is with attachments marked CGAM126/04/06.

Sustainability Statement

Economic Viability: The proposed activities are deemed to be economically viable. The PCYC have advised that the SHOWCASE will also be complimented by their customary movie night.

Economic Benefits: It is anticipated that the proposed Fair will attract a large number of people and their families to Byford to experience the Fair and take part in the proposed centennial celebrations.

Social – Quality of Life: The PCYC philosophy is to meet the needs of young people across this state, through activities aimed at developing citizenship, fitness, honour, loyalty and friendship. The PCYC provide an excellent avenue for youth to participate in

coordinated and structured youth activities under the care and control of responsible persons.

Statutory Environment: Local Government Act 1995

Financial Implications: In waiving the hire fees of the oval for the day, Council would be supporting the event. Based on 3.5 hours use of the oval the hire cost would equate to \$155.10; and pavilion hire for 3.5 hours would equate to \$38.50. The total waiver if granted would amount to \$193.60.

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

1. Provide good recreational opportunities.
2. Retain seniors and youth within the community.

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

Strategies:

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

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Not required, as there are no other bookings for the facility on this day.

Comment:

The Serpentine PCYC is a local not for profit community based organisation whose primary aim is to create opportunities for youth, by ensuring that our activities reflect the needs of young people. These opportunities include:

- Achieve ongoing, active and friendly relationships between Police and young people, as a way to reduce crime.
- Develop positive, strategic alliances with the community, to promote and encourage youth development, and create a safer and more harmonious environment in which to live.
- Encourage young people to achieve their best in life.
- Achieve recognition for PCYC throughout the community as a premier youth facility, providing the most current, relevant activities at the local level

It is recommended that the Serpentine PCYC be advised that a refundable bond will be applicable.

Voting Requirements: **ABSOLUTE MAJORITY**

CGAM126/04/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Wigg seconded Cr Price

1. That Council grant the Serpentine PCYC a waiver of the hire fees associated with the Clem Kentish Hall and oval for the proposed SHOWCASE event to be held on the 8 April 2006;
2. That Council advise the Serpentine PCYC of the waiver of hire fees.
3. That Council advise the Serpentine PCYC that an appropriate bond will be applicable for the hire of the Clem Kentish hall and oval and the hire of the facility shall be in accordance with Councils standard hire conditions.

CARRIED 7/0 ABSOLUTE MAJORITY

Cr Wigg declared a financial interest in item CGAM134/04/06 CONFIDENTIAL ITEM: WORKING PARTY REPRESENTATION AND REQUEST FOR EXTENSION OF MANAGEMENT ORDER FOR RESERVE 30867 as a member of the SJ Grammar School Board and a financial guarantor and left the meeting at 7.27pm.

The meeting was closed to the gallery at 7.27pm because the matter concerns information of a confidential nature.

CGAM134/04/06		CONFIDENTIAL ITEM: WORKING PARTY REPRESENTATION AND REQUEST FOR EXTENSION OF MANAGEMENT ORDER FOR RESERVE 30867 (A1118) (RS0136)
Proponent:	Serpentine Jarrahdale Grammar School Inc.	In Brief
Owner:	Crown/Serpentine Jarrahdale Shire	It is recommended that Council endorse Recommendation A contained within this report.
Officer:	Joanne Abbiss – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	14 th April 2006	
Previously	SD061/11/05; SCM02/09/05; CGAM048/10/05; SCM01/07/05; OCM01.4/01/05; SM020.7/10/04; SM05.12/08/04; SM04/08/04; SM024.4/12/03; SM017/10/03; SM050/04/03; SM043.11/02/03; SM075.1/06/02; SMC01/07/05	
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	

CGAM134/04/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Murphy seconded Cr Kirkpatrick

Council resolves to endorse Recommendation “A” contained within this report.

CARRIED 6/0

Cr Wigg was not present and did not vote and returned to the meeting at 7.28pm.

The meeting was re-opened to members of the gallery at 7.28pm.

8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

OCM033/04/06		COMMUNITY FUNDING PROGRAM (A1173/06)
Proponent:	Serpentine Jarrahdale Shire	In Brief In order to accommodate the event of a Council delegate being unable to attend the Community Funding Program Working Group annual session(s), Council is asked to nominate 1 st and 2 nd deputy Council representatives from separate wards to sit with the Community Development Officer on the 2006/07 Community Funding Program Working Group should a deputy be required.
Owner:	Not applicable	
Officer:	Lucy Cotton - Community Development Officer	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously	SD101/03/06; CRD04/05 CRD20/03/04, CRD10/01/03, CRD43/03/02, CRD19/01/01, CRD17/06/00	
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

Policy CSP8 Financial Assistance – Requests includes the following for the selection of the members of the Shire's Community Funding Program Working Group:

“1(d) That three Council representatives from separate wards be nominated each year to sit with the Community Development Officer on the Community Funding Program Working Group.”

This year Council resolved the following:

SD101/03/06 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Star seconded Cr Hoyer

Council nominates Councillor Scott, Councillor Kirkpatrick and Councillor Wigg representing three separate wards, as per Council Policy CSP8 to sit with the Community Development Officer on the 2006/2007 Community Funding Program Working Group.

CARRIED 9/0

Comment

The Working Group is scheduled to meet on Wednesday 26 April from 2 – 4pm, and the recommendations of the Working Group will be presented through the May 2006 Sustainable Development Committee Agenda.

Following the recent unfortunate accident suffered by one (1) of our Councillors, it became obvious that there was no system in place to enable the appointment of a deputy to the Community Funding Program Working Group.

The Officer Recommended Resolution addresses this matter for 2006/07, as well as proposing that Policy CSP8 Financial Assistance be updated as follows to accommodate this in the future:

“1(d) That three Council representatives from separate wards be nominated each year to sit with the Community Development Officer on the Community Funding Program Working

Group, and that 1st and 2nd deputy Council representatives from separate wards be nominated in case a deputy is required”.

Voting Requirements: Normal

OCM033/04/06 Officer Recommended Resolution:

1. Council nominates Councillor (as first deputy), and Councillor (as second deputy) representing two (2) separate wards, to sit with the Community Development Officer on the 2006/2007 Community Funding Program Working Group should a deputy be required.
2. That Policy CSP8 Financial Assistance (section 1(d)) be updated as follows:
1(d) That three Council representatives from separate wards be nominated each year to sit with the Community Development Officer on the Community Funding Program Working Group, and that 1st and 2nd deputy Council representatives from separate wards be nominated in case a deputy is required.

OCM033/04/06 COUNCIL DECISION

Moved Cr Price seconded Cr Wigg

1. Council nominates Councillor Murphy (as first deputy), and Councillor Hoyer (as second deputy) representing two (2) separate wards, to sit with the Community Development Officer on the 2006/2007 Community Funding Program Working Group should a deputy be required.
2. That Policy CSP8 Financial Assistance (section 1(d)) be updated as follows:
1(d) That three Council representatives from separate wards be nominated each year to sit with the Community Development Officer on the Community Funding Program Working Group, and that 1st and 2nd deputy Council representatives from separate wards be nominated in case a deputy is required.

CARRIED 7/0

OCM034/04/06		INFORMATION TECHNOLOGY UPGRADE – CALLING OF TENDERS FOR REPLACEMENT DESKTOP SYSTEMS (A0030)
Proponent:	Director Corporate Services	In Brief That Council accept the tender from Dell Pty Ltd for the supply, configuration and installation of fifty (50) desktop computer systems.
Owner:	Shire of Serpentine Jarrahdale	
Officer:	Darren Long Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	20/04/06	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

An analysis of Councils Information Technology support costs over the last nine (9) months has revealed a steady increase. It is anticipated that support costs will continue to increase given the state of Councils existing Information Technology platform.

A review of Councils existing Information Technology platform and architecture has been completed and revealed the platform is no longer able to efficiently support the number of users (55) within the organisation.

A two (2) stage IT Strategy is proposed. The first stage involves implementation of approximately 50 desktop client computers, with new Microsoft Office software, across the organisation.

The second stage involves implementation of five (5) new servers, new networking hardware; and new backup hardware/software that will enable Council to implement a comprehensive disaster recovery program.

Tenders for the supply of desktop systems were called and closed at 4:00pm on 10 April 2006.

Sustainability Statement

Statutory Environment:

Local Government Act 1995.
Local Government (Functions and General) Regulations 1996 Part 4.

Financial Implications:

A range of tender prices were received. The most competitive received was from Dell Pty Ltd for a total system supply, inclusive of software, of \$1,615.00. Based on the supply of fifty (50) units, the total cost to Council would be \$80,750. Additional installation costs will be incurred for the roll out of the desktops, estimated at approximately \$8,000. This is under the total estimated cost of \$93,000.

Strategic Implications:

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

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

Regularly update information services and IT capacity to support programs and projects

Comment:

Tenders have been analysed against the criteria set for the tender. The following matrix represents the scores from the qualitative and price criteria evaluation:

SUPPLIER NAME	TOTAL COST PER UNIT	TOTAL COST FOR 50 UNITS	PRICE WEIGHTING	SYSTEM SPECIFICATIONS	RELEVANT EXPERIENCE	TOTAL SCORE
Dell Pty Ltd	\$ 1,615.00	\$ 80,750.00	50	30	18	98
Computer Corp - Option 1	\$ 1,663.00	\$ 83,150.00	49	30	18	97
Trinix Computers	\$ 1,685.00	\$ 84,250.00	48	30	18	96
Computer Corp - Option 2	\$ 1,670.00	\$ 83,500.00	48	30	18	96
City Business Machines	\$ 1,733.00	\$ 86,650.00	46	30	18	94
ADA PC Support - Option 1 'ATI Chipset'	\$ 1,749.11	\$ 87,455.50	46	30	17	93
Thames Computer Group	\$ 1,740.00	\$ 87,000.00	46	30	17	93
Corporate Express - Option 1	\$ 1,839.20	\$ 90,284.20	44	30	18	92
ADA PC Support - Option 2	\$ 1,853.27	\$ 92,663.50	43	30	17	90
ADA PC Support - Option 3	\$ 1,935.03	\$ 96,751.50	40	30	17	87
Corporate Express - Option 2	\$ 2,117.20	\$ 104,184.20	35	30	18	83

The specifications provided for each type of desktop unit are very similar and all system specifications will achieve the high level of performance being sought by management. On this basis, it is recommended based on price that the tender from Dell Pty Ltd be accepted.

Voting Requirements:

ABSOLUTE MAJORITY

OCM034/04/06 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Murphy seconded Cr Price

That Council accept the tender from Dell Pty Ltd for the supply and installation of 50 desktop computers with Windows XP Professional and Office 2003 Professional, at a cost of \$1,615.00 (Ex GST) per desktop unit.

CARRIED 7/0 ABSOLUTE MAJORITY

OCM035/04/06		INITIATION OF SCHEME AMENDMENT NO. 150 – BYFORD DEVELOPMENT CONTRIBUTION AREA AND PLAN (A1294)
Proponent:	Serpentine Jarrahdale Shire	<p>In Brief</p> <p>Council adopted for final approval in September 2005, Amendment No. 113 to the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 (TPS 2). The amendment sought to introduce a Byford Development Area, a Byford Development Contribution Area and a Byford Development Contribution Plan into TPS 2.</p> <p>The Minister for Planning and Infrastructure has decided not to approve the amendment until a number of modifications are effected, including the deletion of sections 2 and 3 relating to the Byford Development Contribution Area and Byford Development Contribution Plan. The effect of this decision is that Council cannot commence the implementation and collection of the developer contributions for the Byford area.</p> <p>The Western Australian Planning Commission (WAPC) have advised that Council should proceed with a new amendment to TPS 2 to introduce a Development Contribution Plan including specifying a Development Contribution Area.</p> <p>It is recommended that a new amendment be initiated to introduce a Developer Contribution Plan and Development Contribution Area to TPS 2.</p>
Owner:	Various	
Officer:	Brad Gleeson, Executive Manager Planning and Regulatory Services	
Signatures Author:		
Senior Officer:		
Date of Report	20 April 2006	
Previously	P131/04/01, P253/07/00, SD037/09/05	
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:	23 March 2006
Advertised:	Advertising is required to be undertaken.
Submissions:	N/A
Lot Area:	Approximately 1453 hectares
L.A Zoning:	Various
MRS Zoning:	Urban and Urban Deferred
Byford Structure Plan:	Yes
Rural Strategy Policy Area:	N/A
Rural Strategy Overlay:	N/A
Municipal Inventory:	Yes
Townscape/Heritage Precinct:	N/A
Bush Forever:	Yes
Date of Inspection:	N/A

Background

Amendment 113

Amendment No. 113 was adopted for final approval by the Council in April 2001. The finalisation of the amendment was deferred by the WAPC in September 2001, pending modifications and finalisation of the Byford Structure Plan (BSP).

After final approval was granted by the WAPC to the BSP in March 2005, Council progressed the amendment for final approval in August 2005.

The WAPC have considered the modified amendment and advise:

I refer to your letters dated 30 April 2001 and 10 October 2005 and advise that the Minister for Planning and Infrastructure noted the summary of submissions, and Council's proposed modifications to the amendment as advertised, in particular the proposal to introduce provisions for Development Contributions, and has decided not to approve the above amendment until such time as the following modifications are effected:

- 1. inclusion of the modifications recommended by Council in respect of the inclusion of the Byford Development Area into Appendix 15, as proposed under section 1 of the amendment; and*
- 2. the deletion of sections 2 and 3 of the proposed Amendment by which the Byford Development Contribution Area and associated Byford Development Contribution Plan were to be included in TPS 2.*

The Minister determined that the recommended modifications referred to above are not substantial and therefore does not require re-advertising in terms of the requirements of regulation 20 of the Town Planning Regulations 1967.

Council is further advised that:

- a) It should proceed with the preparation of a separate amendment (as foreshadowed under section 12.4 of the approved Byford Structure Plan) to include in Appendix 16 a Development Contribution Plan, including the specification of a Development Contribution Area as provided for under clause 5.19.2 of Town Planning Scheme No. 2.*
- b) The infrastructure to be funded under the Development Contribution Plan should be generally limited to those works defined as "infrastructure" under Town Planning Scheme No. 2, and clearly and unambiguously identified.*
- c) There needs to be demonstrable nexus between cost contributions from individual landowners and the common infrastructure towards which contributions are to be applied, with the basis for cost allocation to accord with the principles for application of developer contributions outlined in the Commission's Planning Bulletin 18.*
- d) Where development or maintenance works are to be included as common infrastructure under the Development Contribution Plan, sufficient detail needs to be included to provide a defined basis for costing.*
- e) Streetscape and road improvements within the existing developed area should generally be excluded from those works to be funded under the Development Contribution Plan, unless there is a clear and demonstrable nexus between such works and the development in respect of which contributions are to be required.*
- f) Detailed cost apportionment needs to accord with the Development Contribution Plan, with reference to both the common infrastructure identified for individual areas in the Development Contribution Plan and the method of determining cost contributions from individual owners.*
- g) Where it is proposed that the cost of the common infrastructure in one area is to be apportioned among owners with any other area:
 - i) there needs to be a clear and demonstrable nexus between the infrastructure requirements and the development of those areas from which contributions are to be required; and**

- ii) *the basis of the cost sharing needs to be stated and justified with reference to the nexus.*

Worley Parsons Study

Council commissioned consultants Worley Parsons in 2004 to prepare a Development Contribution Plan (DCP) for the Byford Urban Cell which included costs for the provision of infrastructure. A copy of the Worley Parsons report that was endorsed by Council was forwarded to the Department for Planning and Infrastructure (DPI).

DPI have reviewed the scheme amendment and the DCP and have raised a number of concerns including:

1. The amendment identified contributions towards the cost of common infrastructure. These proposals were not included in the amendment as advertised by Council in 2001 and have not been previously considered by the WAPC or DPI.
2. The DCP was not included in the amendment when it was advertised by Council and has not been considered by the WAPC or DPI.
3. Clarification is required on what particular “streetscape and road improvements” are proposed, what is intended in relation to “development” of multi use corridors and district public open space and “maintenance of district open space”. DPI noted that the limited potential for redevelopment in the Byford townsite would make a contribution for such matters as road improvements/ streetscape inequitable and a significant departure from accepted practice for developed areas.
4. Discrepancies in the proposals relating to Development Contributions under the DCP including:
 - the uncertain definition of some elements of common infrastructure eg development of multi use corridors and maintenance of public open space;
 - the questionable inclusion and absence of definition of some common infrastructure eg streetscape and road improvements in Area C;
 - the absence of any common infrastructure for Area D, notwithstanding the inclusion of a basis for cost sharing; and
 - departure from the principles for cost allocation as set out in the Commission’s Planning Bulletin 18.
5. The allocation of some infrastructure costs do not fully accord with the Commission’s Planning Bulletin 18. Specifically, this relates to the need for the provision of infrastructure and contributions being fair and equitable. There needs to be a demonstrable nexus between cost contributions from individual land owners and common infrastructure towards which contributions are to be applied.
6. Administration costs including the recoupment of costs for planning studies such as the Byford Urban Stormwater Management Strategy and stormwater monitoring, are outside the ambit of infrastructure as currently defined in TPS 2.

A copy of the letter from the WAPC is with the attachments marked OCM035.1/04/06

Sustainability Statement

The BSP provides the broad planning framework for the urbanisation of the area surrounding the Byford town site and identifies the scale and location of the district level infrastructure necessary to allow urbanisation to proceed. The BSP has been prepared on the basis that the existing lot cadastral boundaries are ignored in order to achieve the most sustainable layout and standard of development. It recognises that the most sustainable urban form and return to the community can be achieved through a comprehensive approach to planning and design for the area as a whole parcel.

As part of this approach, the Scheme recognises that the disparate ownership which exists within the BSP area means that a coordinated approach will be required towards infrastructure provision. From a financial sustainability point of view, the Scheme recognises

that landholdings are too fragmented to enable single large developers to provide the high costs and absorb the substantial investment risks associated with uncoordinated infrastructure provision. This, therefore, requires the proper administration of cost contributions from all owners within the BSP area, so that the identified sustainable and equitable urban form can be realised. This is to take place in accordance with a DCP for the BSP area integrated as part of the Scheme.

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

Policy/Work Procedure Implications: Planning work procedures relating to processing scheme amendments.

Financial Implications: Costs of advertising the scheme amendment.

The Shire (or its appointed agents) will be required to manage the Byford Development Contribution Plan, receiving funds from owners when subdivision occurs and in some cases paying out owners who will be required to give up land for multi use corridors, district public open space and the district road system.

Clause 5.19.5.1 of the Scheme requires the Shire to establish and maintain a reserve account in accordance with the *Local Government Act 1995* for each Development Contribution Area (DCA) into which cost contributions for that DCA will be credited and from which all payments for the cost of infrastructure within that DCA will be paid. The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that DCA. The Shire is required to provide every owner an audited annual statement of accounts for the DCA as soon as practicable after the audited annual statement of accounts becomes available.

If there is a shortfall in the total of cost contributions when all cost contributions have been made or accounted for in a particular DCA, the Shire may:

- i. Make good the shortfall from its municipal fund;
- ii. Enter into agreements with owners to fund the shortfall;
- iii. Raise loans or borrow from a financial institution; or
- iv. Impose a differential rate to a specified Development Contribution Area in that regard.

If there is an excess in the total of Cost Contributions when all Cost Contributions have been made or accounted for in a particular DCA, the local government is to use the excess funds for the provision of additional facilities in that DCA.

Strategic Implications: This proposal relates to the following Key Sustainability Result Areas:-
1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

1. Provide recreational opportunities.
2. Develop good services for health and well being.
6. Ensure a safe and secure community.

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

Strategies:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.
4. Foster a strong sense of community, place and belonging.
5. Protect built and natural heritage for economic and cultural benefits.

2. Environment

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

Strategies:

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

3. Economic

Objective 1: A vibrant local community

Strategy:

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

Objective 3: Effective management of Shire growth

Strategy:

1. Enhance economic futures for Shire communities.

4. Governance

Objective 3: Compliance to necessary legislation

Strategy:

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

Community Consultation:

The scheme amendment will be advertised for public comment. It is proposed to advise all landowners including developers in the BSP area of the proposal.

Comment:

Shire officers attempted to allay the concerns of DPI and met with them to discuss the issues associated with Amendment 113. However, the Shire was not provided with the opportunity to make a direct presentation to the Minister for Planning and Infrastructure prior to a decision being made. The Shire will now need to progress a new scheme amendment to TPS 2.

As subdivision is now taking place within Byford, it is vital that the new amendment be progressed. This will provide the legal basis to obtain cost contributions from owners who are subdividing and are required to make a cost contribution in accordance with the Byford DCP.

In terms of operation of the Byford Development Contribution Plan, it is necessary that owners within Byford B, Byford C and Byford D precincts which are characterised by small lots be required to pay the full cost contribution at the time of subdivision of their land,

whether or not maximum subdivisional density is being achieved. This will ensure that required cost contributions are received in full and up front and encourage owners to subdivide up to their maximum density as per the intent of the Scheme.

Given the larger lot areas within Byford A precinct, it is practical that proportional cost contributions be required from these owners in reflection to the amount of their land being subdivided. This will allow the cost contribution to be obtained at a rate which reflects the development of new lots within this precinct of the Byford DCP.

Scope and Amount of contributions

The WAPC have questioned the Shire's rationale for including a number of specific infrastructure contributions and other matters into the DCP. This includes but is not limited to streetscape and drainage work, maintenance of public open space and administration costs.

The BSP that was adopted by Council and the WAPC identified a number of actions to facilitate development in Byford. The adoption of the BSP under the TPS 2 forms the basis for determining district infrastructure requirements to be included as shared infrastructure items. These include:

- major roads;
- multiple use corridors;
- streetscape program;
- bushplan site;
- general administration and studies;
- services – sewer pump station sites;
- public open space; and
- road/ traffic management.

Conclusion

The challenge is for the Shire to convince DPI / WAPC that drainage matters is a pertinent and non option cost implicit in urban development in Byford. Further discussion will be initiated with DPI regarding the Shire's position on the rationale for infrastructure contributions as per the BSP.

The principles behind Amendment 113 and the DCP remain valid and needs to be progressed with the WAPC. It is recommended that Council initiate a new amendment to TPS 2 to introduce a Byford Development Contribution Area and Byford Development Contribution Plan.

Voting Requirements: Normal

OCM035/04/06 Officer Recommended Resolution:

- A. Council notes the decision of the Minister for Planning and Infrastructure in relation to Amendment 113 to TPS 2.
- B. Pursuant to Section 72 of the Planning and Development Act 2005 the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 be amended by:
 1. *Introducing a Byford Development Contribution Area into Appendix 15 of the Scheme Text as follows:*

15.2 *Byford Development Contribution Area*

(a) *Boundary of Byford Development Contribution Area*

The boundary of the Byford Development Contribution Area is delineated on Plan No. 15.2.

(b) *Detailed Development Contribution Area Requirements*

(i) *The Byford Development Contribution Area is divided into four precincts as shown on Plan No. 15.2. These are Byford A, Byford B, Byford C and Byford D, and represent the precincts for the Byford Development Contribution Area.*

(ii) *All owners within the Byford Development Contribution Area are required to make a Cost Contribution in accordance with the applicable Byford Development Contribution Plan contained in Appendix 16 and the provisions of clause 5.19 of the Scheme.*

2. *Introducing a Byford Development Contribution Plan into Appendix 16 of the Scheme Text as follows:*

16.1 *Byford Development Contribution Plan*

(a) *The Byford Development Contribution Plan is to operate for a period of five (5) years, commencing on the date which notice of the Hon. Minister's approval of the amendment is published in the Government Gazette. The period of operation may be extended and the Development Contribution Plan may be amended accordingly as provided for by clause 5.19.2.2(b) of the Scheme.*

(b) *Owners within the Byford A precinct shall make a proportional Contribution to Costs in accordance with the Byford Development Contribution Plan to reflect the proportion of their land being subdivided. Owners within the Byford B, Byford C and Byford D precincts shall make the full Cost Contribution in accordance with the Byford Development Contribution Plan at the time of approval of the subdivision of their land and prior to clearance of diagrams of survey.*

<u>Area</u> <i>(see clause 5.18 of Scheme and clause 15.2 of Appendix 15)</i>	<u>Common Infrastructure</u> <i>(see clause 5.18.9)</i>	<u>Details of Contribution Arrangement for Area</u> <i>(see clause 5.18.9)</i>
Byford A	1. Multi Use Corridors - Land Acquisition - Development 2. District Public Open Space - Land Acquisition - Development - Maintenance 3. District Road System - Land Acquisition 4. Administration	<i>The Cost Contribution is to be based upon the proportion that the value of each Owner's land bears to the total value of land within the Contribution Area</i>
Byford B	1. Multi Use Corridors - Land Acquisition - Development	<i>The Cost Contribution is to be based upon the proportion that the area of each Owner's land bears to the total area of land</i>

<u>Area</u> (see clause 5.18 of Scheme and clause 15.2 of Appendix 15)	<u>Common Infrastructure</u> (see clause 5.18.9)	<u>Details of Contribution Arrangement for Area</u> (see clause 5.18.9)
	2. Administration	within the Contribution Area
Byford C	1. Drainage and Road Improvements 2. Administration	The Cost Contribution is to be based upon the proportion that the area of each Owner's land bears to the total area of land within the Contribution Area
Byford D	1. Administration	The Cost Contribution is to be based upon the proportion that the area of each Owner's land bears to the total area of land within the Contribution Area

- C. A copy of the amendment document be forwarded to the WAPC for approval to consent to advertise.
- D. A copy of the amendment document be forwarded to the Environmental Protection Authority in accordance with Section 81 of the Planning and Development Act 2005.
- E. Subject to B and C above with the advice of the Environmental Protection Authority under section 48A of the Environmental Protection Act that the amendment not be assessed, Council advertise the amendment in accordance with the requirements of the Town Planning Regulations 1967 (as amended) for not less than 42 days.

Director Corporate Services left the meeting at 7.40pm and returned at 7.41pm.

NEW MOTION:

Moved Cr Murphy seconded Cr Hoyer (proforma)
That this matter be deferred to the May 2006 Sustainable Development Committee for further consideration.

Debate on the matter ensued. Cr Murphy then withdrew his motion.

OCM035/04/06 COUNCIL DECISION/ Officer Recommended Resolution

Moved Cr Murphy seconded Cr Hoyer

A. Council notes the decision of the Minister for Planning and Infrastructure in relation to Amendment 113 to TPS 2.

B. Pursuant to Section 72 of the Planning and Development Act 2005 the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 be amended by:

1. *Introducing a Byford Development Contribution Area into Appendix 15 of the Scheme Text as follows:*

15.2 Byford Development Contribution Area

(a) **Boundary of Byford Development Contribution Area**

The boundary of the Byford Development Contribution Area is delineated on Plan No. 15.2.

(b) **Detailed Development Contribution Area Requirements**

- (i) *The Byford Development Contribution Area is divided into four precincts as shown on Plan No. 15.2. These are Byford A, Byford B, Byford C and Byford D, and represent the precincts for the Byford Development Contribution Area.*
- (ii) *All owners within the Byford Development Contribution Area are required to make a Cost Contribution in accordance with the applicable Byford Development Contribution Plan contained in Appendix 16 and the provisions of clause 5.19 of the Scheme.*

2. Introducing a Byford Development Contribution Plan into Appendix 16 of the Scheme Text as follows:

16.1 Byford Development Contribution Plan

- (a) *The Byford Development Contribution Plan is to operate for a period of five (5) years, commencing on the date which notice of the Hon. Minister's approval of the amendment is published in the Government Gazette. The period of operation may be extended and the Development Contribution Plan may be amended accordingly as provided for by clause 5.19.2.2(b) of the Scheme.*
- (b) *Owners within the Byford A precinct shall make a proportional Contribution to Costs in accordance with the Byford Development Contribution Plan to reflect the proportion of their land being subdivided. Owners within the Byford B, Byford C and Byford D precincts shall make the full Cost Contribution in accordance with the Byford Development Contribution Plan at the time of approval of the subdivision of their land and prior to clearance of diagrams of survey.*

<u>Area</u> (see clause 5.18 of Scheme and clause 15.2 of Appendix 15)	<u>Common Infrastructure</u> (see clause 5.18.9)	<u>Details of Contribution Arrangement for Area</u> (see clause 5.18.9)
Byford A	1. Multi Use Corridors - Land Acquisition - Development 2. District Public Open Space - Land Acquisition - Development - Maintenance 3. District Road System - Land Acquisition 4. Administration	<i>The Cost Contribution is to be based upon the proportion that the value of each Owner's land bears to the total value of land within the Contribution Area</i>
Byford B	1. Multi Use Corridors - Land Acquisition - Development 2. Administration	<i>The Cost Contribution is to be based upon the proportion that the area of each Owner's land bears to the total area of land within the Contribution Area</i>

<u>Area</u> <i>(see clause 5.18 of Scheme and clause 15.2 of Appendix 15)</i>	<u>Common Infrastructure</u> <i>(see clause 5.18.9)</i>	<u>Details of Contribution Arrangement for Area</u> <i>(see clause 5.18.9)</i>
<i>Byford C</i>	<i>1. Drainage and Road Improvements</i> <i>2. Administration</i>	<i>The Cost Contribution is to be based upon the proportion that the area of each Owner's land bears to the total area of land within the Contribution Area</i>
<i>Byford D</i>	<i>1. Administration</i>	<i>The Cost Contribution is to be based upon the proportion that the area of each Owner's land bears to the total area of land within the Contribution Area</i>

- C. A copy of the amendment document be forwarded to the WAPC for approval to consent to advertise.**
- D. A copy of the amendment document be forwarded to the Environmental Protection Authority in accordance with Section 81 of the Planning and Development Act 2005.**
- E. Subject to B and C above with the advice of the Environmental Protection Authority under section 48A of the Environmental Protection Act that the amendment not be assessed, Council advertise the amendment in accordance with the requirements of the Town Planning Regulations 1967 (as amended) for not less than 42 days.**

CARRIED 7/0

OCM036/04/06		STATE ADMINISTRATIVE TRIBUNAL REVIEW FOR PROPOSED POULTRY FARM - LOT 5 PUNRAK ROAD, HOPELAND (P00007/02)
Proponent:	Dykstra Planning	In Brief A request has been submitted as part of the mediation process for the current appeal for the modification of one of the proposed conditions. It is recommended that the requested modification be accepted.
Owner:	H & H Evans	
Officer:	Meredith Kenny - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	5 April 2006	
Previously	OCM026/02/06; SCM03/01/06; SD079/06/05; SD031/02/05	
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: Application: 18 October 2004
Determined: 3 June 2005
Appeal: 7 July 2005

Advertised: Yes (original application)

Submissions: 11 objections

Lot Area: 20 hectares

L.A Zoning: Rural

MRS Zoning: Rural

Byford Structure Plan: Not applicable

Rural Strategy Policy Area: Rural Policy Area

Rural Strategy Overlay: Nil

Municipal Inventory: Not applicable

Townscape/Heritage Precinct: Not applicable

Bush Forever: Nil

Background

At the Special Meeting of the Council held on 31 January 2006 a motion was carried that the application for approval to commence development for the expansion of the poultry farm at Lot 5 Punrak Road, Hopeland be approved subject to conditions.

A copy of Motion SCM/03/01/06 is with the attachments marked OCM036.1/04/06 motion 1.

A mediation conference with regard to the proposal was held on 7 February, 2006 at the State Administrative Tribunal (SAT). The applicants and their representatives reviewed the conditions to be imposed by the Council and identified four conditions they desired be modified prior to the issue of a consent order by the SAT.

In addition the presiding SAT officer advised that as the planning application had already been determined by the Council (Special Council meeting held on 3 June 2005) and that decision was the subject of a review by SAT, the Council motion to issue an approval was invalid. Accordingly, motion SCM 03/01/06 was revoked and a new motion supporting the issue of Consent Orders by the SAT was carried.

Council considered the issues raised through the mediation process at the Ordinary Meeting held on 27 February 2006 and agreed to support modification of three of the four conditions that it had been requested to reconsider.

A copy of the motion OCM26C/02/06 is with the attachments marked OCM036.2/04/06 motion 2

The applicant has now submitted further acoustic modelling based on the construction of a solid fence running the length of the west facing ends of the new sheds. Based on this the applicant requests that the condition relating to bunding be deleted and replaced with a condition worded as follows:

"Noise barriers to a maximum height of 2.5 metres shall be constructed at the tunnel ventilation end of each new shed, in the event that the annual auditing report or any other audit determines that such barriers are required to mitigate noise levels on the adjoining land, to the satisfaction of the Council."

The applicant's request is based on the following information:

"Two separate acoustic models have been undertaken by Lloyd Acoustics to reflect the following scenarios:

- a) *The noise generated by the entire farm operation based upon a worst case scenario including the very rare occasion of each shed having 6 of the tunnel ventilated fans operating at the same time, assuming the placement of the 2.5m noise barrier deflectors as designed by Lloyd Acoustics in the earlier report; and*
- b) *In addition to the worst case scenario outlined in a) above, an even more extreme and very unlikely scenario of all the end tunnel fans operating at the same time in the evening.*

The above worst case scenarios are attached for your information and have been overlaid on the aerial photograph to illustrate the extent to which the acoustic contour affects the adjoining Lot 144 to the west.

The applicant wishes to emphasize that the Redmond Farm is a very different system than the other tunnel ventilated farms in the locality, particularly due to the fact that the existing farm and the proposed extensions are a roof ventilation system. The new sheds will have approximately 50% roof ventilation and accordingly, the use of the end tunnel ventilation fans is extremely limited. In fact the use of end fans at nighttime is highly unlikely to occur at all. It is for this reason that the use of a maximum of six end fans from the tunnel ventilation system is considered an extreme and rare scenario. Further, the full use of all end tunnel fans is considered extremely unlikely.

However, even taking these extremes into consideration, the noise modelling based on the placement of 2.5 m acoustic barriers shows only a limited impact on the adjoining Lot 144 to the west. I wish to reiterate, the use of end tunnel fans at this level is highly unlikely given that 60% of the ventilation is roof vented."

Sustainability Statement

Effect on Environment: The proposed poultry farm will not require the clearing of any remnant native vegetation. Waste products (spent litter, manures, dead birds) are removed from the site and disposed of at licensed facilities.

Stormwater water and waste water is disposed of in on-site detention ponds which allow filtration of matter contained in the water before recharging into the ground.

Resource Implications: The poultry farm will involve the use of groundwater as there isn't a reticulated water supply in the area. However, the new technology incorporated into the controlled environment poultry sheds means that water usage is 50% less than with older

style sheds. Any increase in the use of bores outside current licensing limits, will require an application to the Department of Environment to extend those limits.

Use of local, renewable or recycled Resources: It is uncertain whether the proposed sheds will be constructed from locally available resources.

Economic Benefits: The proposal has the potential to generate long term employment within the Shire both directly at the farm and indirectly at businesses which service this type of operation.

Social – Quality of Life: The application was referred to surrounding landowners for comment. There is the potential for the amenity of the area to be affected by noise, odour and dust as well as visually if not managed and designed appropriately to ameliorate these potential impacts.

Social and Environmental Responsibility: In order to prevent any adverse impacts on the environment or amenity of the area, the owners would need to demonstrate a commitment to a high level of social and environmental responsibility. In order to determine what measures will be needed to achieve this, appropriate modelling needs to be carried out with regard to potential impacts. The onus is on the applicant to demonstrate that the proposed development will not have an adverse effect on the amenity of adjacent properties, particularly with regard to existing dwellings on adjacent properties given that the use of Poultry Farm is a discretionary use in the Rural zone except within the Poultry Farm Special Control area.

Social Diversity: The application for the extension of the poultry farm does not directly impact on any particular social group.

Statutory Environment:

Planning and Development Act 2005
Town Planning Scheme No.2

As per the resolution of the Western Australian Planning Commission made under Clause 32 of the Metropolitan Region Scheme, extensions to poultry farms that are greater than 100 square metres in area require separate determination by the WA Planning Commission under the Metropolitan Region Scheme (MRS). The Shire determines the application under the Town Planning Scheme (TPS) only.

Policy/Work Procedure Implications:

The application was referred to the Department of Environment and Agriculture Western Australia as the site is within the Peel-Harvey Coastal Plain Catchment Area Statement of Planning Policy No.2.1, Statement of Planning Policy No.5, Draft Environmental (Peel Harvey Estuarine System) Policy 1992

Financial Implications:

The Financial implications to Council related to this application (appeal) include legal costs and the costs associated with the expert witnesses engaged by the Shire to assist in the appeal. In addition to considerable staff time, these costs to date amount to approximately \$10 000. The final invoices with regard to this appeal have not been received yet.

Strategic Implications:

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

2. Environment

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

Strategies:

1. Increase awareness of the value of environmental requirements towards sustainability.
3. Encourage protection and rehabilitation of natural resources.
4. Reduce water consumption.
5. Reduce green house gas emissions.
6. Value, protect and develop biodiversity.

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

Strategies:

1. Implement known best practice sustainable natural resource management.
2. Respond to Greenhouse and Climate change.
3. Reduce waste and improve recycling processes

3. Economic

Objective 1: A vibrant local community

Strategies:

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

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

Comment:

The applicant is seeking the modification of condition 30 which currently states as follows:

- “30. *Prior to the commencement of use of the new poultry sheds, the following measures must be taken in order to achieve compliance with the Environmental Protection (Noise) Regulations:*
- (i) *Installation of an earthen bund at least 4 metres high above shed floor level running parallel to vehicle access way on the western side of the five new sheds;*
 - (ii) *A solid fence with a minimum height of 3 metres is to be erected around the southern end of the central vehicle access as indicated on the approved site plan; and*
 - (iii) *Any plant rooms, including any backup power generator, are to be acoustically insulated;*
- to the satisfaction of the Shire. The noise attenuation measures required by this condition must be maintained throughout the life of the development.*

The use (including construction of sheds) shall not commence until the Shire has received from the applicant and has approved:

- (a) *specifications and elevation drawings of the earthen bund; and*
- (b) *certification from a suitably qualified acoustic expert that the noise attenuation measures required and proposed will ensure that the noise generated by the development will at all times comply with the Environmental Protection (Noise) Regulations.”*

The previous noise modelling report (November 2005) indicated a significant noise impact on adjacent Lot 144 Punrak Road, which at this time does not have a dwelling. Given that Council has no ability under its Town Planning Scheme to require a planning application for a single dwelling, there is no opportunity to control the location of any future dwelling on Lot 144 and therefore impossible to avoid a dwelling being built in a location that is known to

have noise levels above regulatory standards. The same would apply to Lots 7 and 8 Punrak Road, however these are currently owned by the applicant.

A copy of the development plan and the modelling results diagram from the November 2005 acoustic report, showing the significant impact on Lot 144 to the west are with attachments marked OCM036.3/04/06 development

The applicant submitted the November 2005 supplementary noise report to address the concerns raised by the Shire's independent reviewer with regard to truck noise. However, the Shire's independent reviewer casts doubt on the outcome of the modelling, particularly as the sound power data used for inputs was higher than in previous reports yet the outcomes were lower. The Shire has been advised that it would be necessary to audit the prediction model before this discrepancy could be resolved with any certainty.

Accordingly, it was previously recommended that Council not endorse the modifications to Condition 30 requested by the applicant (ie removal of the requirement to install an earthen bund on the western side of the new sheds).

The March 2006 acoustic report states that:

The operation of end fans in the new sheds is likely to occur for less than 2% of the time during the general operation of the fan. Additionally the end fans may be operated during catching to provide additional cooling for the catching crew. Under these circumstances up to half the fans in one shed may be operated during the night time period.

It is important to note that during catching periods the noise of end fans running will be combined with other noise producers such as trucks, forklifts and people's voices. Most of the activity occurs in between the sheds and also on the vehicle accessway that runs parallel to the western ends of the sheds so without a physical noise barrier being in place there is potential for noise to be dispersed to the west in particular.

The applicant's acoustic consultant suggests the following three options for addressing this potential noise impact are as follows:

Option 1: No Fans at Night (Administrative Control)

Except in extremely unusual weather conditions, the end fans could be programmed to only operate between the hours of 0700 and 2200. Under such circumstances the daytime and evening assigned noise levels would apply and the extent of the land to the west affected by the fans would be significantly reduced. The noise contours resulting from this option are illustrated in Figure 4.1

Figure 4.1 from the March 2006 acoustic report is with attachments marked OCM036.4/04/06 4.1

Option 2: Controlled Use of Night-time Fans (Administrative Control)

As previously stated, the catching crew often request the end fans to be operating while catching to provide additional cooling. Under these circumstances a maximum of 6 fans would be operated in each shed where the catching is occurring. The resulting noise contours using this administrative noise control, which includes the forklift, are presented in Figure 4.2.

Figure 4.2 from the March 2006 acoustic report is with attachments marked OCM036.5/04/06 4.2

Option 3: Engineering Noise Control (Noise Barriers)

This option assumes the construction of noise barriers 4 metres from the ends of the sheds, which is the minimum distance for effective operation of the fans, and extend to the full width of each shed. The barriers would be 2.2 metres high, constructed of sheet metal and would

be profiled to minimise the pressure loss as the air hits the barrier. Figure 4.5 shows a typical detail of the proposed barrier. The resulting noise level contours using this engineering noise control are presented in Figures 4.3 and 4.4. Figure 4.3 assumes the extremely unlikely case of all end fans operating at night and Figure 4.4 assumes the most likely scenario of six end fans in each shed operating at night.

Figures 4.3 to 4.5 from the March 2006 acoustic report are with attachments marked OCM036.6/04/06 figures

In conclusion the applicant's noise consultant states that all three options are very effective at minimising the impact to the property to the west of the farm.

Comment by Shire's Acoustic Consultant with regard to March 2006 Noise Modelling

The latest noise modelling report (March 2006) was forwarded to the Shire's acoustic consultant for assessment. The following response was received:

The latest noise report Fig 4.3 provides the worst case scenario. This shows the areas that would be sterilised for residential development based on the >35dB(A) shading. As can be seen in this figure, the area west and east of the site is significantly affected. This is one consideration for Council to include in their review (assuming the modelling is accurate).

The barrier doesn't appear to reduce the noise greatly when this figure is compared to those in the Nov report. There is a noticeable reduction in the 35dBA contour directly west, but not so much north west or south west.

The barrier material proposed is reasonable, as long as there are no gaps in it. It's lack of effectiveness is probably due to the 'effective' height which is only 400mm (fan height is 1.8m and barrier is 2.2m). It would need to be considerably higher to provide a marked benefit.

The latest noise contours (Fig 4.3 of March report) show the three existing dwellings (marked as rectangles in the figure) to receive <=35dBA, whereas the previous report show these to receive <=30dBA. This is strange but might be due to reflections from the proposed barrier modelled.

Modified noise modelling submitted by Applicant in April 2006

The assessment of the March 2006 noise modelling by the Shire's consultant were provided to the applicant. As a result, the applicant has provided additional noise modelling based on the use of a 2.5 metre high noise barrier (amended figure 4.4). This figure shows a significantly reduced impact on Lot 144 to the west during operation of the end fans. The applicant has also overlayed on an aerial photograph the noise contours produced when all end fans are operating and when only 6 end fans are operating in each shed and a 2.5 high barrier is in place at the western end of the sheds. This clearly depicts how much of Lot 144 will be affected by noise levels of 35 decibels or above during worst case scenarios and demonstrates that the 2.5 metre high barriers significantly reduce the amount of Lot 144 that would be sterilised by excessive noise.

Figure 4.4 and an acoustic modeling overlay are with attachments marked OCM036.7/04/06 4.4

Accordingly, it is recommended that Condition 30 be modified by replacing part (i) of the condition with the following wording:

- (i) *A 2.5 metre high solid fence is to be erected in a continuous unbroken line along the west facing ends of the new sheds starting from 4 metres past the northern side of the west facing end of the northern most new shed to 4 metres past and wrapping 4 metres around the southern side of the west*

facing end of the southern most new shed and set back 4 metres from the western end of the sheds as shown on the approved site plan. The colour of the fence is to match the colour of the wall sheeting of the new sheds.

It is not considered that the applicant's requested wording is acceptable as it only requires the fence to be erected if an audit proves a noise impact on Lot 144. It is considered that Council should be proactive by requiring the fence to be provided from the start and not once a dwelling has been built on Lot 144 and noise complaints have been received.

The final sentence of condition 30 should also be amended by deleting part a) to read as follows:

The use of the new sheds shall not commence until the Shire has received from the applicant certification from a suitably qualified acoustic expert that the noise attenuation measures required and proposed will ensure that the noise generated by the development will at all times comply with the Environmental Protection (Noise) Regulations.

Condition 32, relating to clean fill being required for the bunds, has now been deleted as bunding is no longer required by Condition 30. Subsequent conditions have been renumbered consecutively.

Conclusion

It is considered that the applicant has now adequately demonstrated that any impacts associated with the extended farm can be ameliorated to a level satisfactory to the Shire. Accordingly, it is recommended that the Council advise the State Administrative Tribunal that they support the issue of a Consent Order subject to conditions (see recommendation below) and including the modification to Condition 30 as detailed above.

Voting Requirements: Normal

OCM036/04/06 Officer Recommended Resolution

The State Administrative Tribunal be advised that Council supports the issue of a Consent Order for the proposed extensions to the existing Poultry (Broiler) Farm on Lot 5 Punrak Road, Hopeland subject to the following conditions:

GENERAL

1. Development shall be in accordance with the approved plans except as otherwise required by a condition of this approval.
2. A building licence being obtained prior to the commencement of any of the works covered by this approval including earthworks.

ENVIRONMENTAL MANAGEMENT PLAN

3. An Environmental Management Plan shall be prepared for the farm to the satisfaction of the Shire and shall be submitted to and approved by the Shire prior to the commencement of the use covered by this approval.
4. In carrying out the development the approved Environmental Management Plan must be complied with at all times.
5. A report (audit) on compliance with the approved Environmental Management Plan shall be submitted to the Shire within 28 days of the completion of the first growing cycle in the new sheds and thereafter on an annual basis by the anniversary date of this approval. The annual audit must include:
 - a) an identification of the sources and nature of all emissions, discharges and wastes generated on the site.

- b) an assessment of dust amenity (dust deposition) and health impacts (total suspended particulate, particulate matter less than 10 micron).
- c) an assessment of environmental impacts associated with its operations and its compliance with planning and environmental requirements, in particular assessment of operations against the Environment Protection (Noise) Regulations and the Environmental Protection Authority's Guidelines for the Assessment of Odour Impacts.
- d) an evaluation of its response to any complaints.
- e) a review of operational and management practices relating to environmental performance and the management of environmental risk, including emergency response, contingency plans and other measures to prevent or minimise environmental impacts and any additional measures required to ensure compliance within accepted standards.
- f) The results of monitoring that is conducted throughout the year at such times and for such periods as specified in the Environmental Management Plan or in relation to any written notice issued under Condition 6.

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

6. In the event the Shire is not satisfied with any audit, the Shire may by notice in writing require the applicant to take the action stipulated in the notice in order to ensure the approved Environment Management Plan is complied with.
7. Poultry shed design and management, plus the management of stock feed, water, waste products and all other aspects of poultry farm operations is to comply with the management guidelines set out in the Environmental Code of Practice for the Poultry Industry in Western Australian May 2004 as amended from time to time.

VEGETATION MANAGEMENT

8. Prior to the issue of a Building Licence for the new sheds, the proponent shall submit for the Shire's approval a Landscape and Vegetation Management Plan that identifies requirements for weed control, details the protection of existing vegetation, and describes the densities and distributions of indigenous trees, shrubs, groundcover and plant species to be established around the retention basin to aid in filtration of nutrients.
9. The proposed development shall not commence until the Shire has approved the Landscape and Vegetation Management Plan in writing.
10. The implementation of the approved Landscape and Vegetation Management Plan shall commence within 12 months of the development approval being granted and is to be completed within three years of the development approval being granted. Vegetation on site is to be maintained in accordance with the approved Landscape and Vegetation Management Plan thereafter.
11. As a performance guarantee against satisfactory completion of the auditable completion criteria in the approved Landscape and Vegetation Management Plan, a revegetation bond calculated at the rate of \$3.00 per stem to an overall maximum value of \$5 000 is to be paid to the Shire prior to the commencement of development. The bond shall be refunded by the Shire upon the satisfactory planting and survival of not less than 75% of plantings over one summer period. Any such bond is to be accompanied by a written authorisation from the owner of the land that the Shire may enter the land to complete or rectify any outstanding works in accordance with the approved Landscape and Vegetation Management Plan.
12. In the event of livestock grazing occurring on the subject land the landowner shall fence the existing revegetation areas.
13. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to, the developer obtaining the prior consent of the Shire in writing, where such vegetation (dead or alive) is deemed as structurally unsound by a certified arboriculturist, or where the clearing is required to accommodate approved developments.

DRAINAGE & NUTRIENT MANAGEMENT

14. The proponent shall prepare a Drainage and Nutrient Management Plan for approval by the Shire prior to the issue of a building licence for the new sheds and thereafter implement the approved Drainage and Nutrient Management Plan in its entirety prior to the commencement of the use of the new poultry sheds.
15. The approved Drainage and Nutrient Management Plan must be complied with at all times.
16. The owner shall ensure that the use of water for wash down is minimised.
17. Any discharge of water (washdown water, stormwater) from the premise including seepage to groundwater, other than directly to sewer or septic systems, shall be via treatment in silt traps, nutrient extraction swales, detention ponds, settling ponds or other effective mechanism to remove nutrients and chemical agents to the satisfaction of the Shire.
18. Separate facilities should be provided for the retention of both washdown (and other waste waters) and storm waters to prevent the settling pond overflowing during major storm events and unfiltered waste waters possibly impacting on surface or ground waters.
19. All water treatment facilities are to be regularly maintained to minimise the discharge of nutrients, total suspended dissolved solids, total suspended solids and other pollutants to ground and surface water resources and removal of build-up when required.

STORAGE AND DISPOSAL OF CHEMICALS, FEED AND WASTE MATERIALS

20. The owner shall immediately remove and dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compound(s).
21. The storage, use and disposal of all chemicals including, but not limited to, pesticides, disinfectants and veterinary products is to comply with the manufacturer's recommendations.
22. No chemicals or potential liquid contaminants are to be disposed of on-site.
23. Stock feed is to be stored within containers that prevent access by vermin and native wildlife.
24. All solid wastes (including poultry litter and spilt feed) should be contained in weather-proof conditions (on a covered hardstand) until removed from the site for disposal at an approved facility.
25. Manure shall not be disposed of on site and all temporary stockpiles of manure are to be contained in covered storage compounds which maintain them in a dry condition and do not allow access by flies.
26. Dead birds shall be stored in a cool-room facility and removed from the site on at least a weekly basis for disposal at an approved facility. Vehicles used to remove dead birds from the premise shall be covered to reduce odour emission.
27. All feed deliveries shall take place between the hours of 7.00am and 7.00pm.

NOISE

28. Reversing beepers are to be removed from all forklifts and tractors used on the property and alternative non-audible warning measures such as flashing lights (subject to compliance with the relevant Australian Standard and any Worksafe codes) are to be fitted to these vehicles instead.
29. All alarms associated with the operation of the poultry farm (ie power supply, temperature, feed and the like) shall be amended so that they are non-audible outside of any structure on the farm. Alternative non-audible methods of notification such as personal pagers carried by farm operators and employees when outside the structures shall be used to the satisfaction of the Shire.
30. Prior to the commencement of use of the new poultry sheds, the following measures must be taken in order to achieve compliance with the Environmental Protection (Noise) Regulations:

- (i) A 2.5 metre high solid fence is to be erected in a continuous unbroken line along the west facing ends of the new sheds starting from 4 metres past the northern side of the west facing end of the northern most new shed to 4 metres past and wrapping 4 metres around the southern side of the west facing end of the southern most new shed and set back 4 metres from the western end of the sheds as shown on the approved site plan. The colour of the fence is to match the colour of the wall sheeting of the new sheds.
 - (ii) A solid fence with a minimum height of 2.5 metres is to be erected around the southern end of the central vehicle access as indicated on the approved site plan; and
 - (iii) Any plant rooms, including any backup power generator, are to be acoustically insulated;
- to the satisfaction of the Shire. The noise attenuation measures required by this condition must be maintained throughout the life of the development.

The use of the new sheds shall not commence until the Shire has received from the applicant certification from a suitably qualified acoustic expert that the noise attenuation measures required and proposed will ensure that the noise generated by the development will at all times comply with the Environmental Protection (Noise) Regulations.

31. Noise generated by the operation of the farm shall comply with the Environmental Protection (Noise) Regulations at all times.

DUST

32. The sheds' ventilation systems shall incorporate measures to achieve a maximum emission of dust to a target of 50 µg m⁻³ and so as not to have greater than five exceedances per year, to the satisfaction of the Shire.
33. Measures shall be incorporated in the Environmental Management Plan and implemented to reduce dust productions and build up in poultry sheds.
34. Fan blades, screening and hoods shall be washed out with water rather than blown out with air.
35. Litter removal from the sheds shall be scheduled for times when dust nuisance to neighbours is likely to be minimised to the satisfaction of the Shire.
36. The developer shall prevent the generation of visible particulates (including dust) from access ways, trafficked areas, stockpiles and machinery from crossing the boundary of the premises by using where necessary appropriate dust suppression techniques.

LIGHTING

37. Outside lighting is to be kept to a safe minimum and should be angled to minimise light impacts on neighbouring properties.

ENGINEERING

38. Crossovers to be constructed in accordance with Serpentine Jarrahdale Shire standard industrial crossover specifications and be located to the satisfaction of the Serpentine Jarrahdale Shire.
39. The surface of the portion of Punrak Road abutting the subject site shall be upgraded to the satisfaction of the Shire including the widening of the road pavement to a minimum of six (6) metres for a length of 15 metres either side of the crossover and for a concrete apron to be installed between the crossover and the sealed surface of Punrak Road, to the satisfaction of the Shire. All costs associated with the required upgrading shall be at the expense of the developer of the subject site. The road pavement shall taper back from the 6 metre width to the existing 3 metre width after the 15 metres north and south of the crossover.

40. All driveway surfaces are to be constructed of a suitable material such as paving, road base, limestone or coarse gravel and compacted to limit the generation of dust and to ensure that no visible dust extends beyond the site boundary.
41. A maximum speed limit of 20 kilometres per hour shall be applied to all internal roads, driveways and vehicle accessways and signs in this regard shall be displayed at the entrances to the site and adjacent to the location of the sheds.

VISUAL AMENITY

42. The external cladding of the new poultry sheds shall match that of the existing poultry sheds.

SIGNAGE

43. A notice indicating the type of operation, hours of operation and potential impacts of the poultry farm operation is to be displayed adjacent to the Punrak Road frontage of the site in accordance with the specifications contained in the Western Australian Planning Commission's Statement of Planning Policy No. 4.3 - Poultry Farms Policy, to the satisfaction of the Shire.

ODOURS

44. Odour emissions must at all times comply with the Environmental Protection Authority's document "Guidance for the Assessment of Environmental Factors – Assessment of Odour Impacts from New Proposals No 47" as amended from time to time.

Advice Notes:

1. The application and a copy of this decision has been referred to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme and you will be advised in writing by that authority once a determination in this regard has been made.
2. Separate approval may need to be obtained from the Water and Rivers Commission for a bore licence.
3. A works approval or licence may need to be obtained from the Environmental Protection Authority for the poultry farm development.
4. The operations should be carried out in accordance with the document '*Water Quality Protection Note Poultry Farms in Public Drinking Water Source Areas*' produced by the Water and Rivers Commission.
5. The Environmental Management Plan required by condition 3 shall be prepared in accordance with the *EMS for Meat Chicken Farms - Example Environmental Management Plan* published by the Australian Government Rural Industries Research and Development Corporation.
6. The Landscape and Vegetation Management Plan required by condition 8 shall:
 - a) Include a scaled map of the development which can be placed as an overlay over a recent (since 2003) aerial photograph of the whole of Lot 5 Punrak Road;
 - b) Locate on the map and both identify and describe how existing indigenous vegetation is to be protected or is not to be retained as a result of driveways, fences, drains and other surface water features, firebreaks, power lines and other access ways and services plus proposed buildings and other structures;
 - c) Locate on the map and both identify and describe the management of existing exotic vegetation;
 - d) Locate on the map and identify both the types and magnitudes of weed infestations and describe weed management to be undertaken;
 - e) Locate proposed revegetation works on the map and describe the species, densities, soil preparation and plant protection to provide complete screening of all existing and proposed poultry sheds from the roads and adjoining

- properties, maximise nutrient uptake from surface waters and surrounding soils, reconnect remnant vegetation with visual screen plantings and provide habitat for local woodland and wetland fauna.
- f) Describe ongoing management of vegetation on site;
 - g) Clearly state auditable vegetation management targets including weed control and revegetation outcomes for audit at the time of vegetation management bond return and thereafter as follows:
 - i) Visual screens are to include a minimum of six rows of trees and shrubs and must be no less than 10 metres wide;
 - ii) Stems within visual screens are to be planted at minimum densities of one stem per three metres along rows that are no more than two metres apart;
 - iii) Visual screening is to include a mixture of trees and shrubs such that no more than one third of the plants are trees.
 - iv) Sedges and rushes to be planted around the settling pond are to be clumped with densities of four stems per metre squared within clumps and interspersed with other local wetland species;
 - v) Required stem densities relate to a time when a minimum of 80% of the plants have survived at least two summer seasons and this is to be achieved initially within three years after development approval is given and thereafter maintained;
 - vi) All plants are to be of locally native species indicative of neighbouring woodland and wetland communities;
 - vii) Achieve a plant diversity of at least 80% of the plant species that are listed within the dominant shoreline ground cover, medium shrub, tall shrub and tree categories for the relevant woodland and wetland communities on the Shire Planting List;
 - viii) Maintain a weed burden at levels not likely to threaten the native species;
 - ix) Locate fire breaks on the map.
 - x) All earth bunds are to be vegetated to the satisfaction of the Shire.
7. The Drainage and Nutrient Management Plan required by condition 14 above shall address the following:
 - a) show how the capacity of the settling pond will cope with storm water and shed wash down water in all but 1:10 year storm events;
 - b) show how chemicals from disinfectants used and nutrients from wash down water are treated so that no pollution can impact ground water resources or drain to the conservation category wetland down stream;
 - c) describe and commit to best management practice of swales including the placement of and periodic replacement of yellow sand linings, establishment and maintenance of a complete cover of healthy kikuyu, repeated clipping of kikuyu and disposal of clippings away from water courses, preferably to be exported off site to be composted with shed litter;
8. Storage of chemicals and fuels on site requires licensing by the Department of Minerals and Energy.
9. Litter shall be kept at an optimal moisture level to ensure it is not excessively dry nor damp.
10. This approval is issued under the provisions of the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2. Separate approval under the Metropolitan Region Scheme is also required to be obtained from the Western Australian Planning Commission prior to issue of a Building Licence and the commencement of any of the works covered by this approval.
11. The movement of any oversize vehicle, as per the interpretation contained in the Road Traffic Act 1974, to/from the subject site will require the separate approval of the Shire.

NEW MOTION:

Moved Cr Murphy seconded Cr Kirkpatrick

That this matter be deferred to the May 2006 Sustainable Development Committee for further consideration.

LOST 2/5

FORESHADOWED MOTION:

Cr Hoyer foreshadowed a motion by adding a part B “That Council writes to the objectors with an explanation of the proceedings to date and specifically the information that caused the current Condition 30 to be approved” to the original officers recommended resolution if the motion under debate was defeated.

OCM036/04/06 COUNCIL DECISION

Moved Cr Hoyer seconded Cr Price

Part A The State Administrative Tribunal be advised that Council supports the issue of a Consent Order for the proposed extensions to the existing Poultry (Broiler) Farm on Lot 5 Punrak Road, Hopeland subject to the following conditions:

GENERAL

1. Development shall be in accordance with the approved plans except as otherwise required by a condition of this approval.
2. A building licence being obtained prior to the commencement of any of the works covered by this approval including earthworks.

ENVIRONMENTAL MANAGEMENT PLAN

3. An Environmental Management Plan shall be prepared for the farm to the satisfaction of the Shire and shall be submitted to and approved by the Shire prior to the commencement of the use covered by this approval.
4. In carrying out the development the approved Environmental Management Plan must be complied with at all times.
5. A report (audit) on compliance with the approved Environmental Management Plan shall be submitted to the Shire within 28 days of the completion of the first growing cycle in the new sheds and thereafter on an annual basis by the anniversary date of this approval. The annual audit must include:
 - a) an identification of the sources and nature of all emissions, discharges and wastes generated on the site.
 - b) an assessment of dust amenity (dust deposition) and health impacts (total suspended particulate, particulate matter less than 10 micron).
 - c) an assessment of environmental impacts associated with its operations and its compliance with planning and environmental requirements, in particular assessment of operations against the Environment Protection (Noise) Regulations and the Environmental Protection Authority’s Guidelines for the Assessment of Odour Impacts.
 - d) an evaluation of its response to any complaints.
 - e) a review of operational and management practices relating to environmental performance and the management of environmental risk, including emergency response, contingency plans and other measures to prevent or minimise environmental impacts and any additional measures required to ensure compliance within accepted standards.
 - f) The results of monitoring that is conducted throughout the year at such times and for such periods as specified in the Environmental

Management Plan or in relation to any written notice issued under Condition 6.

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

6. In the event the Shire is not satisfied with any audit, the Shire may by notice in writing require the applicant to take the action stipulated in the notice in order to ensure the approved Environment Management Plan is complied with.
7. Poultry shed design and management, plus the management of stock feed, water, waste products and all other aspects of poultry farm operations is to comply with the management guidelines set out in the Environmental Code of Practice for the Poultry Industry in Western Australian May 2004 as amended from time to time.

VEGETATION MANAGEMENT

8. Prior to the issue of a Building Licence for the new sheds, the proponent shall submit for the Shire's approval a Landscape and Vegetation Management Plan that identifies requirements for weed control, details the protection of existing vegetation, and describes the densities and distributions of indigenous trees, shrubs, groundcover and plant species to be established around the retention basin to aid in filtration of nutrients.
9. The proposed development shall not commence until the Shire has approved the Landscape and Vegetation Management Plan in writing.
10. The implementation of the approved Landscape and Vegetation Management Plan shall commence within 12 months of the development approval being granted and is to be completed within three years of the development approval being granted. Vegetation on site is to be maintained in accordance with the approved Landscape and Vegetation Management Plan thereafter.
11. As a performance guarantee against satisfactory completion of the auditable completion criteria in the approved Landscape and Vegetation Management Plan, a revegetation bond calculated at the rate of \$3.00 per stem to an overall maximum value of \$5 000 is to be paid to the Shire prior to the commencement of development. The bond shall be refunded by the Shire upon the satisfactory planting and survival of not less than 75% of plantings over one summer period. Any such bond is to be accompanied by a written authorisation from the owner of the land that the Shire may enter the land to complete or rectify any outstanding works in accordance with the approved Landscape and Vegetation Management Plan.
12. In the event of livestock grazing occurring on the subject land the landowner shall fence the existing revegetation areas.
13. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to, the developer obtaining the prior consent of the Shire in writing, where such vegetation (dead or alive) is deemed as structurally unsound by a certified arboriculturist, or where the clearing is required to accommodate approved developments.

DRAINAGE & NUTRIENT MANAGEMENT

14. The proponent shall prepare a Drainage and Nutrient Management Plan for approval by the Shire prior to the issue of a building licence for the new sheds and thereafter implement the approved Drainage and Nutrient Management Plan in its entirety prior to the commencement of the use of the new poultry sheds.
15. The approved Drainage and Nutrient Management Plan must be complied with at all times.
16. The owner shall ensure that the use of water for wash down is minimised.
17. Any discharge of water (washdown water, stormwater) from the premise including seepage to groundwater, other than directly to sewer or septic systems, shall be via treatment in silt traps, nutrient extraction swales,

- detention ponds, settling ponds or other effective mechanism to remove nutrients and chemical agents to the satisfaction of the Shire.
18. Separate facilities should be provided for the retention of both washdown (and other waste waters) and storm waters to prevent the settling pond overflowing during major storm events and unfiltered waste waters possibly impacting on surface or ground waters.
 19. All water treatment facilities are to be regularly maintained to minimise the discharge of nutrients, total suspended dissolved solids, total suspended solids and other pollutants to ground and surface water resources and removal of build-up when required.

STORAGE AND DISPOSAL OF CHEMICALS, FEED AND WASTE MATERIALS

20. The owner shall immediately remove and dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compound(s).
21. The storage, use and disposal of all chemicals including, but not limited to, pesticides, disinfectants and veterinary products is to comply with the manufacturer's recommendations.
22. No chemicals or potential liquid contaminants are to be disposed of on-site.
23. Stock feed is to be stored within containers that prevent access by vermin and native wildlife.
24. All solid wastes (including poultry litter and spilt feed) should be contained in weather-proof conditions (on a covered hardstand) until removed from the site for disposal at an approved facility.
25. Manure shall not be disposed of on site and all temporary stockpiles of manure are to be contained in covered storage compounds which maintain them in a dry condition and do not allow access by flies.
26. Dead birds shall be stored in a cool-room facility and removed from the site on at least a weekly basis for disposal at an approved facility. Vehicles used to remove dead birds from the premise shall be covered to reduce odour emission.
27. All feed deliveries shall take place between the hours of 7.00am and 7.00pm.

NOISE

28. Reversing beepers are to be removed from all forklifts and tractors used on the property and alternative non-audible warning measures such as flashing lights (subject to compliance with the relevant Australian Standard and any Worksafe codes) are to be fitted to these vehicles instead.
29. All alarms associated with the operation of the poultry farm (ie power supply, temperature, feed and the like) shall be amended so that they are non-audible outside of any structure on the farm. Alternative non-audible methods of notification such as personal pagers carried by farm operators and employees when outside the structures shall be used to the satisfaction of the Shire.
30. Prior to the commencement of use of the new poultry sheds, the following measures must be taken in order to achieve compliance with the Environmental Protection (Noise) Regulations:
 - (i) A 2.5 metre high solid fence is to be erected in a continuous unbroken line along the west facing ends of the new sheds starting from 4 metres past the northern side of the west facing end of the northern most new shed to 4 metres past and wrapping 4 metres around the southern side of the west facing end of the southern most new shed and set back 4 metres from the western end of the sheds as shown on the approved site plan. The colour of the fence is to match the colour of the wall sheeting of the new sheds.
 - (ii) A solid fence with a minimum height of 2.5 metres is to be erected around the southern end of the central vehicle access as indicated on the approved site plan; and

- (iii) Any plant rooms, including any backup power generator, are to be acoustically insulated; to the satisfaction of the Shire. The noise attenuation measures required by this condition must be maintained throughout the life of the development.

The use of the new sheds shall not commence until the Shire has received from the applicant certification from a suitably qualified acoustic expert that the noise attenuation measures required and proposed will ensure that the noise generated by the development will at all times comply with the Environmental Protection (Noise) Regulations.

31. Noise generated by the operation of the farm shall comply with the Environmental Protection (Noise) Regulations at all times.

DUST

32. The sheds' ventilation systems shall incorporate measures to achieve a maximum emission of dust to a target of 50 µg m⁻³ and so as not to have greater than five exceedances per year, to the satisfaction of the Shire.
33. Measures shall be incorporated in the Environmental Management Plan and implemented to reduce dust productions and build up in poultry sheds.
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35. Litter removal from the sheds shall be scheduled for times when dust nuisance to neighbours is likely to be minimised to the satisfaction of the Shire.
36. The developer shall prevent the generation of visible particulates (including dust) from access ways, trafficked areas, stockpiles and machinery from crossing the boundary of the premises by using where necessary appropriate dust suppression techniques.

LIGHTING

37. Outside lighting is to be kept to a safe minimum and should be angled to minimise light impacts on neighbouring properties.

ENGINEERING

38. Crossovers to be constructed in accordance with Serpentine Jarrahdale Shire standard industrial crossover specifications and be located to the satisfaction of the Serpentine Jarrahdale Shire.
39. The surface of the portion of Punrak Road abutting the subject site shall be upgraded to the satisfaction of the Shire including the widening of the road pavement to a minimum of six (6) metres for a length of 15 metres either side of the crossover and for a concrete apron to be installed between the crossover and the sealed surface of Punrak Road, to the satisfaction of the Shire. All costs associated with the required upgrading shall be at the expense of the developer of the subject site. The road pavement shall taper back from the 6 metre width to the existing 3 metre width after the 15 metres north and south of the crossover.
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41. A maximum speed limit of 20 kilometres per hour shall be applied to all internal roads, driveways and vehicle accessways and signs in this regard shall be displayed at the entrances to the site and adjacent to the location of the sheds.

VISUAL AMENITY

42. The external cladding of the new poultry sheds shall match that of the existing poultry sheds.

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ODOURS

44. Odour emissions must at all times comply with the Environmental Protection Authority's document "Guidance for the Assessment of Environmental Factors – Assessment of Odour Impacts from New Proposals No 47" as amended from time to time.

Advice Notes:

1. The application and a copy of this decision has been referred to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme and you will be advised in writing by that authority once a determination in this regard has been made.
2. Separate approval may need to be obtained from the Water and Rivers Commission for a bore licence.
3. A works approval or licence may need to be obtained from the Environmental Protection Authority for the poultry farm development.
4. The operations should be carried out in accordance with the document '*Water Quality Protection Note Poultry Farms in Public Drinking Water Source Areas*' produced by the Water and Rivers Commission.
5. The Environmental Management Plan required by condition 3 shall be prepared in accordance with the *EMS for Meat Chicken Farms - Example Environmental Management Plan* published by the Australian Government Rural Industries Research and Development Corporation.
6. The Landscape and Vegetation Management Plan required by condition 8 shall:
 - a) Include a scaled map of the development which can be placed as an overlay over a recent (since 2003) aerial photograph of the whole of Lot 5 Punrak Road;
 - b) Locate on the map and both identify and describe how existing indigenous vegetation is to be protected or is not to be retained as a result of driveways, fences, drains and other surface water features, firebreaks, power lines and other access ways and services plus proposed buildings and other structures;
 - c) Locate on the map and both identify and describe the management of existing exotic vegetation;
 - d) Locate on the map and identify both the types and magnitudes of weed infestations and describe weed management to be undertaken;
 - e) Locate proposed revegetation works on the map and describe the species, densities, soil preparation and plant protection to provide complete screening of all existing and proposed poultry sheds from the roads and adjoining properties, maximise nutrient uptake from surface waters and surrounding soils, reconnect remnant vegetation with visual screen plantings and provide habitat for local woodland and wetland fauna.
 - f) Describe ongoing management of vegetation on site;

- g) Clearly state auditable vegetation management targets including weed control and revegetation outcomes for audit at the time of vegetation management bond return and thereafter as follows:**
- i) Visual screens are to include a minimum of six rows of trees and shrubs and must be no less than 10 metres wide;**
 - ii) Stems within visual screens are to be planted at minimum densities of one stem per three metres along rows that are no more than two metres apart;**
 - iii) Visual screening is to include a mixture of trees and shrubs such that no more than one third of the plants are trees.**
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 - v) Required stem densities relate to a time when a minimum of 80% of the plants have survived at least two summer seasons and this is to be achieved initially within three years after development approval is given and thereafter maintained;**
 - vi) All plants are to be of locally native species indicative of neighbouring woodland and wetland communities;**
 - vii) Achieve a plant diversity of at least 80% of the plant species that are listed within the dominant shoreline ground cover, medium shrub, tall shrub and tree categories for the relevant woodland and wetland communities on the Shire Planting List;**
 - viii) Maintain a weed burden at levels not likely to threaten the native species;**
 - ix) Locate fire breaks on the map.**
 - x) All earth bunds are to be vegetated to the satisfaction of the Shire.**

7. The Drainage and Nutrient Management Plan required by condition 14 above shall address the following:

- a) show how the capacity of the settling pond will cope with storm water and shed wash down water in all but 1:10 year storm events;**
- b) show how chemicals from disinfectants used and nutrients from wash down water are treated so that no pollution can impact ground water resources or drain to the conservation category wetland down stream;**
- c) describe and commit to best management practice of swales including the placement of and periodic replacement of yellow sand linings, establishment and maintenance of a complete cover of healthy kikuyu, repeated clipping of kikuyu and disposal of clippings away from water courses, preferably to be exported off site to be composted with shed litter;**

8. Storage of chemicals and fuels on site requires licensing by the Department of Minerals and Energy.

9. Litter shall be kept at an optimal moisture level to ensure it is not excessively dry nor damp.

10. This approval is issued under the provisions of the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2. Separate approval under the Metropolitan Region Scheme is also required to be obtained from the Western Australian Planning Commission prior to issue of a Building Licence and the commencement of any of the works covered by this approval.

11. The movement of any oversize vehicle, as per the interpretation contained in the Road Traffic Act 1974, to/from the subject site will require the separate approval of the Shire.

Part B. That Council writes to the objectors with an explanation of the proceedings to date and specifically the information that caused the current Condition 30 to be approved.

CARRIED 7/0

Council Note: The Officers Recommended Resolution was changed by adding Part B to ensure that the objectors are advised of the proceedings to date and in particular to Condition 30.

The meeting was closed to the gallery at 8.17pm because the matter concerns information of a confidential nature.

OCM037/04/06		CONFIDENTIAL ITEM: DELEGATED AUTHORITY TO GRANT VARIATIONS TO THE CONTRACT OF SALE FOR A PORTION OF LOT 814 JARRAHDAL ROAD, JARRAHDAL (P05576)
Proponent:	Serpentine Jarrahdale Shire	In Brief It is recommended that Council grant delegated authority to the Chief Executive Officer to endorse variations to the contract of sale for a portion of Lot 814 Jarrahdale Road, Jarrahdale.
Owner:	Serpentine Jarrahdale Shire	
Officer:	Chief Executive Officer – Joanne Abbiss	
Signatures Author:		
Senior Officer:		
Date of Report	21 st April 2006	
Previously	OCM11/09/05	
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	

Voting Requirements: ABSOLUTE MAJORITY

OCM037/04/06 COUNCIL DECISION/Officer Recommendation

Moved Cr Price seconded Cr Kirkpatrick

The Council resolves with regard to the Contract of Sale with Little Green Steps Pty. Ltd. for the sale of a portion of Lot 814 Jarrahdale Road, Jarrahdale shown as Lot 831 on the sketch annexed to the Contract :

- a) **that the Chief Executive Officer is authorised to require or agree to any further variations to the Contract which the Chief Executive Officer, with the advice of the Shire's solicitors, considers reasonable in the interest of the Shire, but not varying any fundamental term of the Contract; and**
- b) **pursuant to subclause (a), the Chief Executive Officer and the Shire President are authorised to execute any variation to the Contract in its final form on behalf of the Shire.**

CARRIED 7/0 ABSOLUTE MAJORITY

The meeting was opened to members of the public at 8.20pm

OCM038/04/06	³ / ₄ BUDGET REVIEW – MARCH 2006	(A0924/05)
Proponent:	Shire of Serpentine Jarrahdale	In Brief To consider the ³ / ₄ budget review and approve recommended changes to the adopted 2005/2006 budget.
Owner:		
Officer:	D J Long – Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	21/04/06	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Council	

Background

The ³/₄ budget review is undertaken to ascertain any significant variations from the budget estimates and to ensure tight fiscal control is maintained on the financial affairs of Council. The aim of the review is to identify any major expenditure and revenue departures from those set in the annual budget and, once identified, take corrective action.

The format of the report is to be set out providing the following information;

- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period,
- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result,

Sustainability Statement

This review provides an indication of current allocation of resources to provide services as adopted in the 2005/2006 budget. It ensures that allocations are undertaken in accordance with the adopted budget and proposes any changes required to maintain the most efficient use of the available resources.

Statutory Environment:

Section 6.4 of the Local Government Act 1995 and Regulation 34(1)(b) of the Local Government (Financial Management) Regulations 1996 require that monthly financial reports be presented to Council in accordance with the relevant standards.

Policy Implications:

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

Financial Implications:

As provided within the report

Strategic Implications:

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

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation: Not required.

Comment:

This review contains all committed purchase orders that have been raised against the budget allocations as well as actual payments made to those allocations. This means that some accounts will have the projected expenditure requirements into the next couple of months included. This provides the most up to date projection.

This report indicates all significant variations that are considered to affect the end of year result and other budget changes as a result of a review of the budget requirements. Where a variation is not considered to significantly affect the end of year result or is anticipated to correct itself prior to the end of year no comment has been made.

General Purpose Funding

RAR122 Interim Rates: This account has exceeded its budget revenue allocation to date by \$34,850 due to continuing subdivision activity. It is recommended that this account be increased to \$103,185.

Members of Council

MOC629 Loan Interest: The loan for the Administration Building has not been raised, therefore \$30,000 in interest will not be expended by 30 June 2006. It is recommended that this account be decreased to \$0.

MOC900 Loan Principal: The loan for the Administration Building has not been raised, therefore \$42,382 will not be expended by 30 June 2006. It is recommended that this account be decreased to \$0.

Governance

DCS556 Asset Revaluation: Quotations received to undertake the full audit, inspection and valuation of Council property and assets, by qualified valuers, have come in at \$16,300. It is recommended that this account be increased by \$11,300, to \$16,300.

OGC530 Legal Expenses: This account has already exceeded the budget allocation by \$5,000 as at 31 March. This is directly attributable to the legal and professional advice associated with a number of planning appeals. It is recommended that this account be increased by \$25,000 to \$120,235.

OGC505 Staff Employment Expenses: This account is projected to exceed its budget allocation due to the turn over of staff and new appointments being made. It is recommended that this account be increased to \$24,135.

Fire Prevention

ESD637 Firebreak Inspections: This account has exceeded budget by \$7,690.00 due to additional work being required in relation to firebreak inspections. Each year Council allocates funding for the inspection of fire breaks by an independent person. There are no provisions made within the budget for follow up of outstanding offences and fines, which have traditionally been undertaken by the ranger services. Currently there is 39 fines outstanding which total 9750 of revenue to council. Funding ran out in March this year when the second inspections on properties were partly completed. It is anticipated that to follow up on these outstanding fines will cost an additional \$3840; that is approximately two days

per week for eight weeks but does not include any court costs or action. Council can not claim these cost through the debtor system as the act requires a Court to determine the outstanding infringements before the recovery system is employed. It is recommended that this account be increased by \$3,840 plus the over-expenditure of \$7,690 to \$36,530 to allow for the completion of the firebreak inspections, which may yield a revenue stream in fines and penalties.

Health

HIA231 Septic Tank Fees: Current revenue trends for this account indicate a decrease in lodgement of septic tank applications, which will result in a reduction in fees collected. It is recommended that this account be reduced by \$16,930 to \$10,070.

Sanitation

WAS675 Refuse Collection: Current trends indicate that this account will exceed the budget provision. It is recommended that this account be increased by \$54,855 to \$446,100.

WAS750 Kerbside Junk Collection: Trends indicate savings on the contracted price for the kerbside pick up. It is recommended that this account be decreased by \$14,470 to \$101,530.

Town Planning

TPP502 Planning Consultancy: A number of planning projects have not been commenced this financial period, resulting in the budget provision for planning consultancy not being utilised. It is recommended that this account be decreased by \$9,250 to \$750.

TPL525 Planning Projects: Due to high staff turn over a number of major planning projects are not going to be commenced or completed this financial year, resulting in budget provisions not being utilised. It is recommended that this account be decreased by \$113,840 to \$62,160.

Recreation

OSR604 SJ Rec Centre Management: This account is projected to exceed budget provision due to additional cost incurred with the leasing of gym equipment. It is recommended that this account be increased by \$26,650 to \$236,650 to reflect actual expenditure.

OSR903 Recreation Centre Capital: This account is projected to exceed budget provision due to the authorisation of additional contract variations submitted by the builder and approved by Council. It is recommended that this account be increased by \$15,000 to \$35,000.

Transport

RC002 Jarrahdale Road Construction: Director of Engineering has advised that this road project will not be commenced or completed this financial year. It is recommended that this account be decreased by \$90,000 to \$0.

MOR795 Shoulder Maintenance: Trends indicate that shoulder maintenance will exceed the budget provision for the financial period. It is recommended that this account be increased by \$43,140 to \$150,140.

MOR802 Gravel Sheeting: Director of Engineering has advised that a large portion of the gravel sheeting program will not be completed this financial year. It is recommended that this account be decreased to \$45,430.

MOR850 Asset System: Due to staff turn over this project has not be commenced and the timing for the data pick up for the implementation of the new asset system is in Spring; resulting in this project not being completed this financial period. It is recommended that this account be decreased to \$0.

MOR320 MRWA Maintenance Contribution: Provision has been made in the budget for a maintenance contribution of \$25,000 from Main Roads. A contribution has not been paid by Main Roads WA for the last two years and it is unlikely that a contribution will be paid this financial period as no advice has been received from Main Roads in relation to a maintenance contribution being paid this financial year. It is recommended that this account be reduced to \$0.

EDT525 Consultants: Additional funds have been expended in the use of surveying and design consultants for road projects. It is recommended that this account be increased by \$8,260 to \$20,760.

Economic Services

EIF100 Extractive Industry Fees: A review of fees levied to date indicates that fewer extractive industry fees will be levied this financial year. It is recommended that this account be reduced by \$4,000 to \$24,000.

Other Property and Services

EPC500 Parts and Repairs: Trends indicate that the Parts and Repairs budget for plant and equipment will exceed the budget provision. It is recommended that this account be increased by \$26,250 to \$126,250.

Less Deducted Transactions

Surplus/(Deficit) Carried Forward: An estimation error has been made in the projected surplus figure carried forward when setting the 2005/2006 budget. The actual surplus carried forward is \$116,200 less than the surplus projected when the budget was adopted. Other savings in the 2005/2006 budget have been identified to offset this shortfall.

A summary of the recommended changes appears in the matrix below:

ACCOUNT DETAIL	ORIGINAL BUDGET	RECOMMENDED BUDGET AMENDMENT	BALANCE
RAR122 Interim Rates	68,335	103,185	34,850
MOC629 Loan Interest	30,000	-	64,850
MOC900 Loan Principal	42,382	-	107,232
DCS556 Asset Revaluation	5,000	16,300	95,932
OGC530 Legal Expenses	95,000	120,235	70,697
OGC505 Staff Employment Expenses	18,500	24,135	65,062
OFB003 Oakford Maint Vehicles	16,000	21,130	59,932
FBS003 Serpentine Maint of Vehicles	12,000	21,950	49,982
ESD900 Motor Vehicle	25,000	36,530	38,452
HIA231 Septic Tank Fees	27,000	10,070	21,522
WAS675 Refuse Collection.	391,245	446,100	(33,333)
WAS750 Kerbside Junk	116,000	101,530	(18,863)
TPP502 Planning Consultancy	10,000	750	(9,613)
TPP525 Planning Projects	176,000	62,160	104,227
OSR604 SJ Rec Centre Management	210,000	236,650	77,577
OSR903 Recreation Centre Capital	20,000	35,000	62,577
RC002 Jarrahdale Road Construction	90,000	-	152,577
MOR795 Shoulder Maintenance	107,000	150,140	109,437
MOR850 Asset System	100,000	-	209,437
MOR320 MRWA Maint Contribution	25,000	-	184,437
EDT525 Consultants	12,500	20,760	176,177
EIF100 Extractive Industry Fees	28,000	24,000	172,177
EPC500 Parts & Repairs	100,000	126,250	145,927
Less Less error in Surplus/(Deficit) Carried Forward			(116,200)
			<u>29,727</u>

Voting Requirements: ABSOLUTE MAJORITY

OCM038/04/06 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Price seconded Cr Hoyer (proforma)
That Council receives the $\frac{3}{4}$ year budget review for 2005/2006 and adopts the following budget adjustments to the 2005/2006 statutory budget:-

ACCOUNT DETAIL	ORIGINAL BUDGET	RECOMMENDED BUDGET AMENDMENT	BALANCE
RAR122 Interim Rates	68,335	103,185	34,850
MOC629 Loan Interest	30,000	-	64,850
MOC900 Loan Principal	42,382	-	107,232
DCS556 Asset Revaluation	5,000	16,300	95,932
OGC530 Legal Expenses	95,000	120,235	70,697
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MOR320 MRWA Maint Contribution	25,000	-	184,437
EDT525 Consultants	12,500	20,760	176,177
EIF100 Extractive Industry Fees	28,000	24,000	172,177
EPC500 Parts & Repairs	100,000	126,250	145,927
<u>Less</u> Less error in Surplus/(Deficit) carried Forward			(116,200)
			<u>29,727</u>

CARRIED 7/0 ABSOLUTE MAJORITY

9. CHIEF EXECUTIVE OFFICER'S REPORT

OCM039/04/06		INFORMATION REPORT
Proponent	Chief Executive Officer	In Brief Information Report for the month of April, 2006.
Officer	S Langmair – PA to the Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	20 th April, 2006	
Previously		
Disclosure of Interest		
Delegation	Council	

OCM039.1/04/06 COMMON SEAL REGISTER REPORT – MARCH, 2006 (A1128)

The Common Seal Register Report for the month of March, 2006 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked OCM039.1/04/06.(E02/5614)

OCM039.2/04/06 POLICY FORUM – April, 2006 (A0429/05)

The following items were discussed at the March, 2006 Policy forum:

ITEMS FOR PRELIMINARY DISCUSSION		INFORMATION TO BE PROVIDED
1	Mundijong Structure Plan Update (9.30am)	Jocelyn Ullman
2	Update On Regional Resource Recovery Facility	Briefing paper attached
3	Darling Downs Management Committee Creation	Darren Long
4	Community Indicators Program	Carole McKee

OCM039.3/04/06 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – PEEL ZONE MEETING – MARCH, 2006 (A1164)

The minutes of the WALGA Peel Zone meeting held on 30th March, 2006 and the President's Report to State Council April 2006 are with the attachments marked OCM039.3a/04/06 and OCM039.3b/04/06 (IN06/3873)

OCM039.4/04/06 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – NOTICE OF ANNUAL GENERAL MEETING 2006 (A1164)

The Annual General Meeting for the Western Australian Local Government Association will be held on Sunday 6th August, 2006 as part of Local Government Week. The meeting will be held at the Burswood Convention Centre. *The Notice of the Annual General Meeting is with the attachments marked OCM039.4/04/06 (IN06/3896)* together with general information on the format for the meeting and guidelines for the preparation and submission of motions. Note that closing date for submissions of motions is Friday 16th June, 2006.

OCM039.5/04/06 PEEL ECONOMIC DEVELOPMENT UNIT MEETING – FEBRUARY 2006 (A0839)

The Minutes of the Peel Economic Development Unit Meeting held on 2nd February 2006 are with the attachments marked OCM039.5/04/06 (IN06/4048)

OCM039.6/04/06 PEEL 2020 PARTNERSHIP MEETING – APRIL 2006 (A0134)

The Minutes of the Peel 2020 Partnership Meeting held on 3^d April, 2006 are with the attachments marked OCM039.6/04/06 (IN06/4159)

OCM039.7/04/06 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION STATE COUNCIL MEETING MINUTES APRIL 2006 (A1164)

The Minutes of the WALGA State Council Meeting held on 5th April, 2006 are with the attachments marked OCM039.7/04/06 (IN06/4461).

OCM039.8/04/06 OUTER METRO GROWTH COUNCIL MEETING MINUTES – 30 MARCH, 2006 (A0943)

The Minutes of the Outer Metro Growth Council Meeting held on 30th March, 2006 are with the attachments marked OCM039.8/04/06 (IN06/4469)

OCM039/04/06 COUNCIL DECISION/Officers Recommended Resolution

Moved Cr Price seconded Cr Wigg
The Information Report to 20th April, 2006 is received.
CARRIED 7/0

10. URGENT BUSINESS:
Nil

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

12. CLOSURE:

There being no further business, the Presiding Member closed the meeting at 8.50pm.

13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

SD119/04/06 BUILDING INFORMATION REPORT		
Proponent:	N/A	In Brief Information report
Owner:	N/A	
Officer:	S Swaine – Building Clerk	
Signatures Author:		
Senior Officer:		
Date of Report	04.04.06	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM051/06/04	

SD119/04/06 COMMITTEE DECISION/Officer Recommended Resolution

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

SD120/04/06 HEALTH INFORMATION REPORT		
Proponent:	N/A	In Brief Information report
Owner:	N/A	
Officer:	Tony Turner - Principal Environmental Health Officer	
Signatures Author:		
Senior Officer:		
Date of Report	4.04.06	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM051/06/04	

SD120/04/06 COMMITTEE DECISION/Officer Recommended Resolution

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

SD121/04/06 COMMUNITY DEVELOPMENT INFORMATION REPORT		
Proponent:	Not applicable	In Brief Information report
Owner:	Not applicable	
Officer:	Robyn Brown - Community Development Officer	
Signatures Author:		
Senior Officer:		
Date of Report	06.04.06	
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	Committee – in accordance with resolution SM046/05/04	

SD121/04/06 COMMITTEE DECISION/Officer Recommended Resolution

**That Council accepts the March 2006 Community Development Information Report.
CARRIED 7/0**

SD129/04/06 PLANNING INFORMATION REPORT		
Proponent	Executive Manager Planning & Regulatory Services	In Brief Information Report.
Officer	Lisa Fletcher – Support Officer Planning & Regulatory Services	
Signatures – Author:		
Senior Officer:		
Date of Report	3 April 2006	
Previously		
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM051/06/04	

SD129/04/06 COMMITTEE DECISION/Officer Recommended Resolution

**The Planning Information Report to 7 April 2006 be received.
CARRIED 7/0**

CGAM127/04/06 MONTHLY FINANCIAL REPORT – MARCH 2006 (A0924/06)		
Proponent:	Local Government Act 1995	In Brief To receive the Monthly Financial Report as at 31 March 2006
Owner:		
Officer:	Casey Mihovilovich – Manager Finance Services	
Signatures Author:		
Senior Officer:		
Date of Report	04/04/06	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Committee in accordance with resolution SM046/05/04	

CGAM127/04/06 COMMITTEE DECISION/Officer Recommended Resolution:

**Council receives the Monthly Financial Report, as at 31 March 2006, in accordance with Section 6.4 of the Local Government Act 1995.
CARRIED 7/0**

CGAM128/04/06 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent:	Director Corporate Services	In Brief To confirm the creditor payments made during March 2006
Owner:	N/A	
Officer:	S. O'Meagher – Finance Officer - Creditors	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM051/06/04	

CGAM128/04/06 COMMITTEE DECISION/Officer Recommended Resolution:

**Council notes the payments authorised under delegated authority and detailed in the list of invoices for the month of March, presented to the Corporate Governance & Asset Services Committee and to Council, per the summaries set out above include Creditors yet to be paid and in accordance with the Local Government (Financial Management) Regulations 1996.
CARRIED 7/0**

CGAM129/04/06 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the statement of debtors over \$1,000 as at 31 March 2006
Owner:	Not Applicable	
Officer:	Megan Mateljan – Finance Officer - Debtors	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM051/06/04	

CGAM129/04/06 COMMITTEE DECISION/Officer Recommended Resolution:

Council receive and note the report on Debtors accounts with a balance in excess of \$1,000 outstanding for 90 days or greater as at 31 March 2006.
CARRIED 7/0

CGAM130/04/06 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the sundry debtor balances as at 31 March 2006
Owner:	Not Applicable	
Officer:	Megan Mateljan – Finance Officer - Debtors	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM051/06/04	

CGAM130/04/06 COMMITTEE DECISION/Officer Recommended Resolution:

Council receive and note the report on Sundry Debtor Outstanding Accounts as at 31 March 2006.
CARRIED 7/0

CGAM131/04/06 RATE DEBTORS REPORT (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the rates report as at 31 March 2006
Owner:	Not Applicable	
Officer:	V Tapp – Finance Officer - Rates	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM051/06/04	

CGAM132/04/06 COMMITTEE DECISION/Officer Recommended Resolution:

**Council receive and note the report the Rate Debtors accounts as at 31 March 2006.
CARRIED 6/0**

CGAM133/04/06 INFORMATION REPORT		
Proponent:	Director Corporate Services	In Brief To receive the information report to 31 March 2006
Owner:	Not Applicable	
Officer:	Various	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM051/06/04	

CGAM133/04/06 COMMITTEE DECISION/Officer Recommended Resolution:

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