

TABLE OF CONTENTS

1. ATTENDANCE & APOLOGIES:.....	3
2. PUBLIC QUESTION TIME:.....	3
2.1 Response To Previous Public Questions Taken On Notice	3
3. PUBLIC STATEMENT TIME:.....	4
4. PETITIONS & DEPUTATIONS:	4
5. PRESIDENT’S REPORT:.....	4
6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:	4
7. RECEIPT OF MINUTES OR REPORTS AND CONSIDERATION OF ADOPTION OF RECOMMENDATIONS FROM COMMITTEE MEETINGS HELD SINCE THE PREVIOUS COUNCIL MEETINGS:	4
SD003/07/06 PROPOSED FENCE AROUND RESERVE 24278 - JARRAHDAL PRIMARY SCHOOL (RS0139/01)	5
SD006/07/06 PROPOSED AERIAL WALKWAY, FOOTBRIDGE & CAR PARK WITHIN JARRAHDAL HERITAGE PARK - LOT 200 JARRAHDAL ROAD, JARRAHDAL (P05576/57).....	12
OCM01/07/06 OFFER TO PURCHASE PORTION OF RESERVE 30867 (A1118) (RS0136)	20
SD007/07/06 PROPOSED RESTAURANT – LOT 5 (#1409) KARNUP ROAD, SERPENTINE (P02140/05)	32
CGAM001/07/06 THOMAS ROAD AND NICHOLSON ROAD INTERSECTION (R0200-02 & R0129)	39
CGAM003/07/06 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION 2006 ANNUAL GENERAL MEETING (A1164).....	46
CGAM004/07/06 FORWARD FINANCIAL PLAN (A0119/05).....	49
CGAM005/07/06 REGIONAL PRIORITY PLAN (A0839-06).....	52
8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN	60
OCM02/07/06 CONFIDENTIAL ITEM: DELEGATED AUTHORITY TO GRANT VARIATIONS TO THE CONTRACT OF SALE FOR A PORTION OF LOT 814 JARRAHDAL ROAD, JARRAHDAL (P05576).....	61
9. CHIEF EXECUTIVE OFFICER’S REPORT	62
OCM03/07/06 INFORMATION REPORT	62

10.	URGENT BUSINESS:	63
11.	COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:	63
12.	CLOSURE:	63
13.	INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:	64
	SD001/07/06 BUILDING INFORMATION REPORT	64
	SD002/07/06 HEALTH INFORMATION REPORT	64
	SD0004/07/06 PROPOSED SHOPPING CENTRE – LOTS 10 & 11 SOUTH WESTERN HIGHWAY AND LOT 104 LARSEN ROAD, BYFORD (P0009/03)	65
	SD005/07/06 PROPOSED OVERSIZE ANCILLARY ACCOMMODATION - LOT 14 JARRAHDAL ROAD, JARRAHDAL (P03932)	66
	SD008/07/06 DRAFT DETAILED AREA PLAN 4. FOR BYFORD CENTRAL RESIDENTIAL ESTATE (A0710)	68
	SD009/07/06 DRAFT DETAILED AREA PLAN – LOT 9000 THOMAS ROAD, BYFORD (REDGUM BROOK ESTATE STAGE 4) (S129301)	70
	SD010/07/06 PLANNING INFORMATION REPORT	73
	CGAM002/07/06 DARLING DOWNS MANAGEMENT COMMITTEE– MANAGEMENT OF DARLING DOWNS RESERVE (A0038-02)	73
	CGAM006/07/06 MONTHLY FINANCIAL REPORT – JUNE 2006 (A0924/06)	74
	CGAM007/07/06 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)	74
	CGAM008/07/06 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)	75
	CGAM009/07/06 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)	75
	CGAM010/07/06 RATE DEBTORS REPORT (A0917)	76
	CGAM011/07/06 INFORMATION REPORT	76

- 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 JULY, 2006. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.02PM 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
KR Murphy
JC Star
JA Scott
EE Brown

OFFICERS: Mr B Gleeson Executive Manager Planning & Regulatory Services
Mr S Bell Director Engineering
Mr R Montgomery .Executive Manager Strategic Community Planning
Mrs S Langmair Minute Secretary

APOLOGIES: Mr D LongActing Chief Executive Officer

GALLERY: 22

2. PUBLIC QUESTION TIME:

2.1 Response To Previous Public Questions Taken On Notice

The Executive Manager Planning and Regulatory Services made an announcement in relation to item SD003/07/06 PROPOSED FENCE AROUND RESERVE 24278 - JARRAHDAL E PRIMARY SCHOOL (RS0139/01) and advised that legal advice has been received from Council's solicitors with respect to the proposed fence and that a supplementary report and alternate officer recommendation in relation to this matter was before Council at this meeting. In essence, the Council was not in a position to refuse the application as the Crown was not subject to the provisions of the new Planning and Development Act 2005.

Public Question Time commenced at 7.06pm

Pia Steele, Chestnut Road, Jarrahdale

Q Regarding the length of aerial walkway – is it 750m long?

A The Executive Manager Planning and Regulatory Services advised that there is an error in the report. The length of the walkway would be less than 150 metres.

Public Question Time concluded at 7.08pm

3. PUBLIC STATEMENT TIME:

Public Statement Time commenced at 7.08pm

Lorraine Scott, Principal, Serpentine Jarrahdale Grammar School

Wished to publicly acknowledge the support of Council and for the thorough report that Council staff had prepared in item OCM01/07/06 OFFER TO PURCHASE PORTION OF RESERVE 30867 (A1118) (RS0136).

Public Statement Time concluded at 7.08pm

4. PETITIONS & DEPUTATIONS:

Nil

5. PRESIDENT'S REPORT:

The Shire President highlighted a request from one of the Councillors about their concerns with people riding unlicensed motorcycles and their anti-social behaviour on a property in the Kingsbury Drive area. The Police were called to this location recently however they did not make it in time to catch the people acting anti-socially. The letter was presented to the Executive Manager Planning & Regulatory Services for further investigation.

6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

Cr Wigg declared a financial interest in item OCM01/07/06 OFFER TO PURCHASE PORTION OF RESERVE 30867 (A1118) (RS0136) as he is a guarantor of the SJ Grammar School and member of the SJ Grammar School Board. Cr Wigg advised that he would be leaving the Chamber when this item is discussed.

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 – 26th June, 2006

COUNCIL DECISION

**Moved Cr Scott seconded Cr Wigg
That the minutes of the Ordinary Council Meeting held on 26th June, 2006 be confirmed.
CARRIED 8/0**

REPORTS OF COMMITTEES:

SD003/07/06 PROPOSED FENCE AROUND RESERVE 24278 - JARRAHDAL PRIMARY SCHOOL (RS0139/01)		
Proponent:	Department of Housing and Works	In Brief Application for construction of security fencing around the whole of Reserve 24278 being the Jarrahdale Primary School. It is recommended that the application be refused on the grounds of non-compliance with the Shire's Town Planning Scheme No. 2 due to potential impact on amenity of the adjacent residential area and incompatibility with the character of the Jarrahdale townsite.
Owner:	Crown/Education Department	
Officer:	Meredith Kenny - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	6 July 2006	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Date of Receipt: 7 September 2005
 Advertised: No
 Submissions: Yes
 Lot Area: 3.5 hectares
 L.A Zoning: Local Reserve – Public and Community Purposes
 MRS Zoning: Urban
 Municipal Inventory: Not listed
 Townscape/Heritage Precinct: Townscape
 Bush Forever: No
 Site Inspection: 14 June 2006

Background

The subject site is located on Wanliss Street, Jarrahdale but also has frontage to Munro Street and the currently unconstructed Siford Way. The school buildings are located within the northern half of the reserve and an oval occupies most of the southern half of the reserve. Currently there is a wooden picket fence around the pre primary area of the school and star picket and wire mesh fencing of approximately 1.5 metres high around the Munro Street and the remainder of the Wanliss Street frontage.

An application has been received to construct fencing around most of the reserve encompassing the school buildings and the oval.

The fence is to be constructed of Garrison fence panels (steel grille) and brickwork along part of the Wanliss Street frontage (adjacent to pre-primary building) and on the corner of Wanliss and Munro Streets. The Garrison fence panels and brickwork panels will be 2.4 metres high. Garrison panel gates will be provided at the entrances to the pre-primary and primary school buildings off Wanliss Street and two gates on the Munro Street frontage of the reserve.

The remainder of the fencing including along most of the Wanliss Street frontage, all of the Munro Street frontage, the oval and the western side boundary (including abutting a residence that faces Wanliss Street is to be constructed of 2.1 metre high black PVC coated chain mesh on black posts and rails. Three strands of barbed wire will be added to the top of the fence creating a total fence height of 2.4 metres. Gates will be provided at several points on the western and eastern fence alignments.

The applicant advised that the proposed fence is part of the Department of Education and Training's (DET) ongoing security fencing program for schools. Schools who wish to be included on the program are required to make formal application to and to consult with local stakeholders. The Department of Housing and Works manages the fencing program for DET.

The applicant advises that the proposed security fence at Jarrahdale Primary School is to address concerns by the school community about the schools proximity to Karnet Prison Farm and the likelihood of prisoners taking refuge at the site as well as to prevent Kangroos from damaging school grounds and bringing ticks into the school grounds.

A site plan and photographs showing examples of similar security fencing at other schools are with the attachments marked [S003/06/07](#).

Sustainability Statement

Effect on Environment: It is considered that the proposed fence will have a detrimental impact on the visual amenity of the area as it is the kind of fencing expected around industrial sites not in a residential area. The design itself is not consistent with townscape values of urban design. In particular the fence will directly abut the side boundary of a single residence that faces Wanliss Street. As the school site is elevated about two metres above Wanliss Street the visual impact of the fence will be even greater. The applicant has not advised whether any trees or other native vegetation will require removal to accommodate the necessary fence clearance.

Resource Implications: Impacts from disturbance of landscape, possible removal of trees and drainage impacts.

Use of Local, renewable or recycled Resources: The proposal will utilise new materials sourced outside the Shire.

Economic Benefits: The fence may have some limited local employment opportunities.

Social – Quality of Life: The fencing proposed may have a detrimental effect on the sense of community as it will provide an impermeable barrier in the centre of the residential area. In addition, the barrier to local people using the school oval out of hours will reduce the sense of community and reduce opportunities for local recreation. There is only one other oval in the town (Jarrahdale Oval in Millars Road) which is in an isolated area almost 2 kilometres away from the main residential area. There are no other ovals or parks within the residential area of the townsite where children may go to play in safe proximity to residences.

The fence will also provide an impermeable barrier to wildlife thereby forcing wildlife to use the surrounding roads through the residential area risking injury and death.

Statutory Environment: Planning and Development Act 2005
Town Planning Scheme No. 2

Policy/Work Procedure Implications: Nil

Financial Implications: Possible legal costs, if the proposal is refused and the applicants seek a review of the determination by the State Administrative Tribunal.

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.
5. Value and enhance the heritage character, arts and culture of the Shire.
6. Ensure a safe and secure community.

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

Strategies:

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

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Under the terms of DET's security fencing program for schools the school is required to consult local stakeholders. In this instance the school only consulted with members of the school community (ie parents of children attending the school) and not the wider community of Jarrahdale (ie residents in streets adjacent to the school and the general townsite) or the Shire. The notice to parents was in the form of a newsletter that advised that the school had already had a grant approved for the construction of the fence. Parents comments were only sought on which of two options to proceed with. Accordingly, it is considered that the school did not adequately consult all local stakeholders.

Two unsolicited submissions were received from members of the schools Parents and Citizens group. The issues raised in these two submissions are summarised below:

- . Jarrahdale Primary School is situated in a very isolated position and with emergency services being a considerable distance away and having limited mobile phone range, the children and staff are in a very vulnerable position.
- . The school has had issues in the recent past that necessitates a fence with greater security including:
 - vandalism, graffiti and attempted arson
 - unlawful use of vehicles through school premises during school hours
 - children with special needs needing extra security
 - drug paraphernalia found outside the current fence
 - broken glass left in school playground
 - tick infestations and vegetation damage caused by wildlife and health posed by dogs
 - trail bikes being ridden on the oval
- . As the population of Jarrahdale increases the following issues may arise which increase the need for a fence:
 - children who arrive early and leave school late due to bus of parental commitments
 - staff working late in isolation
 - the isolated toilet block which backs onto State Forest
 - easy access for escapees from Karnet Prison
- . It was disappointing to find out that the Shire acted upon the views of a minority group of individuals without full consideration of the issues of our school or local community.
- . Will the Shire pay the legal/financial and medical costs incurred if any of the events described above occur due to a substandard fence.

Attached to one of these submissions was also a petition signed by 88 people.

Comment received from Jarrahdale Heritage Society

The Jarrahdale Heritage Society members advise that they strongly oppose the type of fence proposed for the local school. It is understood that the fence will be 2.4 metres high cyclone fencing topped with two strands of barbed wire.

Jarrahdale is one of very few towns in the state to be listed as a Heritage Town. The design of the fence will not reflect the historical and heritage quality of the town and will detract from townscape principles that the Society and the Shire have aspired to for many years.

While we appreciate the need to care for the safety and well being of the students and to protect the school property, a fence of this nature will damage the ambience and sense of community that exists within the town.

Comment:

Determination of application by Western Australian Planning Commission (WAPC)

In accordance with the Notice of Delegation issued by the WAPC any application for approval to commence development by a public authority on land zoned under the Metropolitan Region Scheme (MRS) requires determination under the MRS by the WAPC. The subject land is zoned Urban under the MRS therefore, the decision on this application under the MRS must be issued by the WAPC.

The application was referred to the WAPC for determination under the MRS. The referral letter advised the WAPC that the Shire was unlikely to support the proposed development as it did not meet the objectives of the Jarrahdale Townscape Precinct nor the Shire's Fencing Local Law. The WAPC issued a Notice of Deferral of Decision on 16 December 2005 pending the resolution of issues related to the proposal. This notice was forwarded to both the applicant and the Shire. The Shire did not proceed further with the application at that stage as it was expected that the applicant would submit further information/grounds in support of the proposal. The applicant did not submit any further information to the Shire in relation to the proposal.

On 8 March 2006 the WAPC issued a Notice of Determination for the application advising that approval had been granted for the proposal under the Metropolitan Region Scheme.

Determination of application by the Shire under Scheme

Separate approval is required for development on a local reserve under Town Planning Scheme No 2.

Commencement of Works on-site

The applicant has now been advised by telephone and in writing that commencement of the proposed works in the absence of written approval from the Shire would constitute unauthorised development and that any persons to carries out, permits or suffers to permit such unauthorised development would be committing an offence under both Town Planning Scheme No. 2 and the Planning and Development Act 2005 (the Act) and may be liable to the penalties for such offences prescribed under the Act.

A copy of the above correspondence has also been forwarded to the Principal of the Jarrahdale Primary School.

Assessment of the proposal

The subject site is located within the Jarrahdale Townscape Precinct. Town Planning Scheme No. 2 contains the following provisions with regard to development in the Townscape precinct:

5.16.1 Primary Objective

Council's objective, recognising the Precincts' historic and townscape significance, is to ensure retention of the character of the Precincts as a whole and the buildings within the Precincts. In order to achieve the above objective, development, which for the purposes of this clause includes the following:-

- a) *Demolition or removal of buildings*
- b) *Works which affect the external appearance of a building*
- c) *Construction of additions and outbuildings*
- d) *Erection of a fence or a wall*
- e) *Development of new buildings*
- f) *Significant landscaping*

shall not be permitted unless written approval has been granted by Council. In considering an application for development, Council shall have regard to any development guidelines which it has adopted to assist in the retention of the established and recognisable character of the Heritage and Townscape Policy Precincts as depicted on the Appendix 14 Map.

5.16.2 Secondary Objectives

- a) *To retain the historic timber town characteristics (1870-1910)*
- b) *To reserve, protect and enhance buildings, structures and physical features which have been identified as having cultural heritage significance in terms of aesthetic, historic, scientific or social factors*
- c) *To preserve the form and design of existing buildings and facades, and encourage restoration*
- d) *To provide control over signs and ancillary design features to ensure compatibility with the historic theme*
- e) *To generally follow the Jarrahdale Townscape Study 1991 (Hocking & Associates) recommendations when considering applications for tourism and related facilities*

It is considered that the proposed fence is contrary to the objectives of the Jarrahdale Townscape Precinct as it will not serve to enhance the character of the precinct as a whole nor will it enhance the school buildings which have cultural heritage significance in terms of aesthetic, historic and social factors. The fence is also not consistent with the Jarrahdale Townscape Study, which recommends fencing of street frontages to consist of low fencing of post and rail, post and wire or picket fencing.

Fences Local Law

The Shire of Serpentine Jarrahdale's Fences Local Law does not apply to land classified as a local reserve under Town Planning Scheme. This local law only applies to zoned land within the Shire and therefore, is not applicable to this application.

Safety & Security

The potential for escapees from Karnet prison Farm to enter the school grounds is not considered to provide an adequate reason for the fence given that the prison has now been provided with security fencing and other security measures.

The proposed fence will cost \$80,000. It is considered that alternative less intrusive measures could be implemented at the school to address safety and security issues including a range of options such as

- . duress alarms in toilets linked to school office;
- . improved lighting of outdoor areas & sensor lighting;
- . clearing vegetation around buildings to reduce possible hiding places;
- . low level post and rail and wire fencing around oval to discourage vehicles, trail bikes and random pedestrian access through school premises.

An option may also be to limit the scale of fencing to buildings only and leaving the unbuilt area of the school, unfenced.

Conclusion

It is considered that the proposed fence will have a detrimental affect on the visual amenity of the school and the sense of community, will reduce local opportunities for recreation and will not enhance the character of the precinct and the school. In addition, it is considered that the public consultation process undertaken with regard to the proposed fence was inadequate and that the Shire was not involved in the process. Accordingly, it is recommended that the application be refused under Town Planning Scheme No. 2.

Voting Requirements: Normal

Committee/Officer Recommended Resolution:

- A. The application for a security fence to be constructed around Jarrahdale Primary School on Reserve 24278 Wanliss Street, Jarrahdale be refused for the following reasons:
1. It would not be appropriate in the interests of orderly and proper planning and preservation of the character and amenity of the area to grant approval for the proposed fence around a school located in a residential area.
 2. It would not be appropriate in the interests of preservation of the landscape values of the Jarrahdale Townscape Precinct to grant approval for an overheight, fence around a school in the Jarrahdale Townscape Precinct.
 3. The nature of the proposed development is incompatible with the existing and future character of the area as envisaged by the Shire of Serpentine-Jarrahdale, which includes use of low, open style fencing in the townsite.
 4. The development will be detrimental to the residential amenity of the occupiers of the nearby dwelling houses, by reason of appearance.
 5. The development will adversely affect the streetscape of Wanliss and Munro Streets, which are predominantly residential in character.
 6. The proposed fence is unsightly and out of character with the primary school site and will impact the visual amenity of the bushland setting of the Jarrahdale townsite.
- B. The applicant be requested to arrange further consultation with the Jarrahdale community including representatives from the Shire, to discuss alternative options for improved security measures at the Jarrahdale Primary School.

SUPPLEMENTARY INFORMATION

Advice was received from Council's Solicitors in relation to the legal requirements for the need for the Department of Housing and Works to obtain planning approval for development of the proposed fence. The advice received states that in accordance with the provisions of the recently proclaimed Planning and Development Act 2005, the Crown is exempt from the need to obtain planning approval from the Shire for works on a local reserve.

Therefore, Council is unable to make a determination on this matter as it would be an ultra vires decision.

SD003/07/06 COUNCIL DECISION/Alternative Officer recommendation:

Moved Cr Star seconded Cr Price

A. The Department of Housing and Works be advised:

1. That following receipt of legal advice on this matter, that Council cannot make a determination on this matter under the provisions of the Town Planning Scheme; and
2. Notwithstanding that the Western Australian Planning Commission has granted planning approval for the proposed fence, Council remains opposed to the construction of the proposed fence for the following reasons:
 - a. It would not be appropriate in the interests of orderly and proper planning and preservation of the character and amenity of the area to grant approval for the proposed fence around a school located in a residential area.
 - b. It would not be appropriate in the interests of preservation of the landscape values of the Jarrahdale Townscape Precinct to grant approval for an overheight, fence around a school in the Jarrahdale Townscape Precinct. Jarrahdale is classified as a Historic town by the National Trust.
 - c. The nature of the proposed development is incompatible with the existing and future character of the area as envisaged by the Shire of Serpentine-Jarrahdale, which includes use of low, open style fencing in the townsite.
 - d. The development will be detrimental to the residential amenity of the occupiers of the nearby dwelling houses, by reason of appearance. The residents were not consulted by the school.
 - e. The development will adversely affect the streetscape of Wanliss and Munro Streets, which are predominantly residential in character.
 - f. The proposed fence is unsightly and out of character with the primary school site and will impact the visual amenity of the bushland setting of the Jarrahdale townsite.
 - g. The reasons given for a high security fence were based on incorrect facts.

B. That a letter be sent to the Western Australian Planning Commission, Minister for Planning and Infrastructure, Minister for Education, Director General, Department of Education and Minister for Housing & Works, advising:

1. of Council's decision;
2. that the Shire expresses its concerns that the advice of the Shire of Serpentine – Jarrahdale was ignored by the Western Australian Planning Commission when determining the proposal under the Metropolitan Region Scheme;
3. that the Shire is of the opinion that inadequate public consultation was undertaken on this proposal with the whole of the Jarrahdale community including the Shire of Serpentine Jarrahdale resulting in a divisive issue that was creating disharmony in the community;
4. that alternative options for improved security measures have not been fully considered for the School; and
5. that the Shire is not opposed to a fence but not one that is completely out of character with the social and visual amenity of the town and a potential hazard for pre-school children with the inclusion of barbed wire on top of the fence. The height of the fence is unnecessary and obtrusive.

C. Seek under Freedom of Information (FOI) the submission that was put to the Department of Education regarding the justification for the need of the fence and its type.

CARRIED 7/1

SD006/07/06 PROPOSED AERIAL WALKWAY, FOOTBRIDGE & CAR PARK WITHIN JARRAHDALÉ HERITAGE PARK - LOT 200 JARRAHDALÉ ROAD, JARRAHDALÉ (P05576/57)		
Proponent	Serpentine Jarrahdale Shire	In Brief Public advertising for the proposed aerial walkway, footbridge and car park within the Jarrahdale Heritage Park resulted in two submissions objecting to aspects of the proposal. It is recommended that subject to modifications to the car park location to address concerns raised in the submissions, the application be approved subject to conditions.
Owner	National Trust of Australia	
Officer	M Kenny - Senior Planner	
Signatures - Author:		
Senior Officer:		
Date of Report	6 July 2006	
Previously	SD105/03/06	
Disclosure of Interest	No officer involved in the preparation of this report has a declared interest.	
Delegation	Council	

Date of Receipt: 10 February 2006
 Advertised: Yes
 Submissions: 2 objections
 Lot Area: N/A
 L.A Zoning: Special Use
 MRS Zoning: Rural
 Byford Structure Plan: N/A
 Rural Strategy Policy Area: N/A
 Rural Strategy Overlay: N/A
 Municipal Inventory: Yes
 Townscape/Heritage Precinct: Heritage
 Bush Forever: Nil
 Date of Inspection: 31 May 2006

Background

At the Ordinary Meeting of Council held on 27 March 2006 the following motion was carried with regard to the above proposal:

SD105/03/06 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Star seconded Cr Brown

A. *The proposal be advertised to landowners located adjacent to the proposed aerial walkway and carpark for comment in accordance with Clauses 6.2.1(c) and 6.2.2 of the Town Planning Scheme.*

B. *Subject to no valid objections being received in the opinion of the Executive Manager Planning and Regulatory Services, the Executive Manager Planning and Regulatory Services be granted delegated authority to approve the application for development of an aerial walkway, footbridge and car park on Lot 200 Jarrahdale Road, Jarrahdale subject to the following conditions:*

1. *A Building Licence is to be obtained prior to the commencement of any development (including earthworks) with the exception of the car park.*
2. *A landscaping and vegetation management plan for the areas of the subject site affected by these proposals is to be submitted (in*

triplicate) to the Shire and approved prior to the issue of a Building Licence for the development. For the purpose of this condition, a detailed landscape plan shall be drawn to a scale of 1:100 and shall show the following:

- a) *The location, name and mature heights of existing and proposed trees and shrubs;*
 - b) *Any paved areas to be established;*
 - c) *Any natural landscaped area to be retained;*
 - d) *Those areas to be reticulated or irrigated or demonstrated to be designed using water sensitive principles;*
 - e) *Revegetation with local indigenous species only;*
 - f) *The retention of all native vegetation indigenous to the site (where practicable);*
 - g) *Use of shade trees in the car parking areas at the rate of one tree per six parking bays; and*
 - h) *Existing and proposed vegetative screening between the Armstrong Road carpark and the residence on Lot 224 corner Jarrahdale Road and Armstrong Road.*
3. *The materials and finishes of the development are to comply with the approved plans unless otherwise approved by the Shire.*
 4. *All timber components used shall include the implementation of measures designed to prevent termite infestation. Details of the measures to be taken shall be submitted with the Building Licence application.*
 5. *The car park, pedestrian pathways, footbridge and aerial walkway shall be designed and constructed to allow ramped access for people with disabilities with the maximum gradient and provision of handrails to comply with the specifications for such contained in Australian Standard AS1428.1.*
 6. *All storm water is to be disposed of within the confines of the property. A detailed storm water management plan is to be submitted for approval prior to the issue of a building licence and is to utilise water sensitive design principles.*
 7. *Details of signs and hoardings is to be a separate application to Council.*
- C. *Construction not proceed on an aerial walkway until completion of a business plan for the Jarrahdale Heritage Park which confirms construction of the aerial walkway.*

CARRIED 9/0 ABSOLUTE MAJORITY

In accordance with the above motion the proposal was advertised to landowners in Armstrong Road and Jarrahdale Road who may possibly be affected by the proposed works. Two submissions were received from residents of Armstrong Road advising of objections to the location of the proposed car park. A summary of these submissions is contained in the Community Consultation section of this report along with responses to the points of objection.

The Development Site

The development site is within the Jarrahdale Heritage Park and was included in the master plan for the Park. The proposal includes the construction of an aerial walkway, a carpark adjacent to Armstrong Way and a pedestrian footbridge across the Gooralong Brook to provide a link between the car park and the aerial walkway. The aerial walkway will span from the proposed picnic shelter and toilet area at the rear of the old post office across the Gooralong Brook and then link by a pathway to the gravel access road on the northern side of the park and the Armstrong Road car park.

The proposed carpark off Armstrong Road will provide 49 car parking bays (including two Acrod bays) and two coach/bus bays. The car park surface will be asphalt and rock pitched table drains will be installed. The carpark will include pedestrian path links to park facilities

and restricted vehicle access (lockable gate) to the gravel access road that runs from east to west through the park and services the amphitheatre. A toilet block is to be built adjacent to the car park in the future.

The proposed footbridge across the Gooralong Brook will be constructed of timber decking with steel balustrading.

The aerial walkway will contain two components – the laminated timber lattice tunnel and a steel viewing platform. The lattice tunnel will be accessed via a path from the rear of the post office and will extend for a length of approximately 75.0 metres south to north ending just on the northern side of Gooralong Brook. At that point the steel walkway commences and runs for a distance of approximately 29 metres in a north westerly direction where it will join a path to the Armstrong Road car park.

The height of the floor of the aerial walkway above ground ranges between approximately 2.5 metres at the southern end to 4.5 metres at the northern end. The pathway from the car park/picnic shelter are at the southern end will be constructed to provide a gently downward sloping ramp from the southern car park area. The steel viewing platform at the northern end of the aerial walkway ramps upward to the northern pathway and access road to provide pedestrian access to the Armstrong Road car park.

The lattice shell of the walkway is approximately 4 metres in diameter.

Site plans, sections and elevation drawings are with attachments marked [SD006/07/06](#).

Sustainability Statement

Effect on Environment: The design of the proposed carpark and structures aims to accommodate existing native trees. Site fill has been limited to a minimum where necessary to provide level pedestrian access. Excavation will occur in the construction of the car park and the excess fill from this is to be used for the construction of the previously approved amphitheatre. This will significantly reduce the need to transport fill and excavation material to and from the site in general and therefore reduce the adverse fossil fuel consumption associated with heavy transportation. In addition, the recycling of the excavated soil from the car park areas in the construction of the amphitheatre would mean a reduction in the risk of foreign micro-organisms being introduced into the Park.

Resource Implications and Use of local, renewable or recycled Resources: It is intended to use excavated fill from the proposed car parking area within the Park in the construction of the amphitheatre. In addition, the decking on the footbridge is to be constructed from jarrah off-cuts from the Jarrahdale timber mill, also located within the Park. Usually these off-cuts end up as firewood.

Water management during construction will need to be carefully considered prior to construction particularly in relation to the prevention of erosion and the washing of sediment from exposed areas of soil into the adjacent watercourse. The time of year of construction will significantly affect the ability for this issue to be managed.

Economic Benefits: The facilities proposed as part of this application combined with other existing and approved features in the park will provide a draw for people to come to the Jarrahdale townsite. Visitors to the park could provide a flow on of custom for existing businesses in and around the town including the tavern, cafes/restaurants, shops and fuel outlets.

Local labour (such as Karnet Prison work groups and Greenskills groups) is to be used as much as possible in the construction of facilities, weed management and landscaping throughout the park. In addition, where possible, local materials will be sourced for use in the construction of the proposed facilities.

Social – Quality of Life: There is a single residence on a rural property on Armstrong Road opposite the proposed car park, with the dwelling being almost directly opposite the northern crossover to the car park. It is likely that this crossover will be an exit only, so the residents in this house may be affected by head lights when night time events occur in the park. Armstrong Road is to be widened from 4.0 metres to 7.4 metres and this may result in the loss of some screening roadside vegetation between Armstrong Road and the residence on Lot 224. Accordingly, a site assessment should be undertaken to determine whether additional roadside planting is required to reduce the possible impact of noise and headlight glare on the residence on Lot 224.

Social Diversity: The proposal will not directly impact on any particular social group. Ramped access is provided at either end of the aerial walkway. The ramps and the walkway itself should be designed to achieve a maximum gradient of 1:20 for any pathways linking the walkway from car parking and picnic areas (ie maximum gradient permitted without handrails) and 1:14 on the aerial walkway and viewing platform walkway. This will maximise accessibility to this important park feature for all visitors to the park.

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

Policy/Work Procedure Implications: Nil

Financial Implications: These projects will be predominately funded from existing grants as well as Council's own contributions.

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.
5. 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:

5. Protect built and natural heritage for economic and cultural benefits.

2. Environment

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.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

The overall master plan for the Park, which included these proposals, was put out for public comment in 2002. Owners of properties in Armstrong Road and Lot 199 Jarrahdale Road (directly opposite the park) were given written notice of the proposals the subject of this application. Two submissions were received from owners of the two properties in Armstrong Road. The issues raised in these submissions are detailed below:

Granich Partners Barristers & Solicitors on behalf of A136000, Armstrong Road, Jarrahdale
Our client objects to the proposal in the strongest possible terms. Proposed access to the car park off Jarrahdale Road will create a significant traffic hazard and the removal of a significant number of mature trees will be necessary to lay the car park.

Our client will also suffer a significant negative impact on his amenity.

Our client submits that a more suitable location for the proposed car park would be at the opposite end of the park. This suggested alternative location would not create a traffic hazard and would not require the removal of the significant number of trees that is being proposed.

We are instructed that our client has previously made his views about the proposal known to the Shire. Our client was not, however, in a position to respond to your letter by the time you suggested as he has been overseas.

We are also instructed that the only other property owner in Armstrong Road also objects to the proposal on the same grounds.

A136000, 5 Armstrong Road, Jarrahdale

I object to the proposal to widen Armstrong Road to allow a car park to be built so close to my house for such a big area. Why build it right on my doorstep? I am not against progress though consideration of other is more neighbourly. I believe consultation with residents on site would resolve any misunderstanding the Council may have to our practical-objective opinions on this matter.

Officer Comment

The Jarrahdale Heritage Park Project Officer met with one of the landowners who lodged an objection and together they identified an alternative location and design for the car park that included the relocation of the entrance of the crossover clear of the location of the objector's dwelling. A significant vegetation buffer between the car park and the Armstrong Road frontage will also be retained. These modifications will prevent possible headlight glare from night-time traffic using the car park and day and night-time traffic noise from directly impacting on the dwelling. In addition the retention of a significant vegetation buffer between the carpark and the road will reduce possible visual impact of the car park on the amenity of Armstrong Road thereby addressing concerns raised by both submitters in this regard.

A sketch plan showing conceptual modifications to the Armstrong Road car park location is with the attachments marked [SD006-07-06.tif](#)

With regard to one of the submitters comment that the car park should be located at the other end of the park it has been determined through the traffic modelling and other planning done for the Jarrahdale Heritage Park that a number of strategically located car parks are required rather than one large car park. Accordingly, the traffic management plan for the park includes car parks adjacent to Armstrong Road, adjacent to the old post office, off Foster Way and adjacent to Millars Road.

The traffic management plan also concluded that the Armstrong Road intersection provided a safe access point from Jarrahdale Road for a car parking area. This is a safer option than a car park being accessed directly off Jarrahdale Road.

It is recommended as a result of the concerns raised by the submitters that the following additional conditions be included on the approval:

1. A vegetative screen with a minimum depth of 50 metres is to be retained between Armstrong Road and the Armstrong Road car park.
2. The crossover to the Armstrong Road car park is to be placed in a location clear of the dwelling on the other side of Armstrong Road to the satisfaction of the Shire.

3. Existing native trees within the area to be developed as a car park are to be retained to the satisfaction of Director Engineering.

Comment

The facilities proposed in this and previous planning applications for the park are beginning to provide connective accessibility between the various components that will make up the park including multiple parking areas, access roads, pathways, picnic and barbecue facilities, toilets, the amphitheatre, the Mill Managers House and the Old Post Office.

Disabled Access

It is considered important to make the park facilities accessible to as wide a variety of people as possible in the interests of addressing social equality. Accordingly, it is considered that all built facilities within the park (toilets, picnic and barbecue areas, amphitheatre, aerial walkway and car parks) should provide for people with mobility restrictions.

Generally, this is achieved through the grouping of facilities such as car parks, picnic areas and toilets and the provision of ramped pathways and ramped access at both ends of the aerial walkway. However, the gradient within these areas and facilities should be restricted to a maximum of 1:20 where hand rails are not provided and 1:14 where handrails/balustrading is provided. Level landings (rest areas) are also required at certain distances along paths and ramps. It is therefore recommended that a condition be imposed requiring paths and ramps to be built to the specifications set out in Australian Standard AS1428.1 which contains the Australian standard of specifications for disabled facilities.

Conclusion

As the proposed works are consistent with the Jarrahdale Heritage Park master plan and form part of the landscape plan for the project, approval is recommended subject to conditions relating to the issues raised above and modification to the Armstrong Road car park entrance and layout.

Voting Requirements: Normal

SD006/07/06 Officer Recommended Resolution:

- A. The application for development of an aerial walkway, footbridge and car park on Lot 200 Jarrahdale Road, Jarrahdale be approved subject to the following conditions:
 1. A Building Licence is to be obtained prior to the commencement of any development (including earthworks) with the exception of the car park.
 2. A vegetative screen with a minimum depth of 50 metres is to be retained between Armstrong Road and the Armstrong Road car park.
 3. The crossover to the Armstrong Road car park is to be placed in a location clear of the dwelling on the other side of Armstrong Road to the satisfaction of the Shire.
 4. Existing native trees within the area to be developed as a car park are to be retained to the satisfaction of Director Engineering.
 5. A landscaping and vegetation management plan for the areas of the subject site affected by these proposals is to be submitted (in triplicate) to the Shire and approved prior to the issue of a Building Licence for the development. For the purpose of this condition, a detailed landscape plan shall be drawn to a scale of 1:100 and shall show the following:
 - a) The location, name and mature heights of existing and proposed trees and shrubs;
 - b) Any paved areas to be established;
 - c) Any natural landscaped area to be retained;
 - d) Those areas to be reticulated or irrigated or demonstrated to be designed using water sensitive principles;
 - e) Revegetation with local indigenous species only;

- f) The retention of all native vegetation indigenous to the site (where practicable);
 - g) Use of shade trees in the car parking areas at the rate of one tree per six parking bays; and
 - h) Existing and proposed vegetative screening between the Armstrong Road carpark and the residence on Lot 224 corner Jarrahdale Road and Armstrong Road.
- 6 The materials and finishes of the development are to comply with the approved plans unless otherwise approved by the Shire.
- 7 All timber components used shall include the implementation of measures designed to prevent termite infestation. Details of the measures to be taken shall be submitted with the Building Licence application.
- 8 The car park, pedestrian pathways, footbridge and aerial walkway shall be designed and constructed to allow ramped access for people with disabilities with the maximum gradient and provision of handrails to comply with the specifications for such contained in Australian Standard AS1428.1.
- 9 All storm water is to be disposed of within the confines of the property. A detailed storm water management plan is to be submitted for approval prior to the issue of a building licence and is to utilise water sensitive design principles.
10. Details of signs and hoardings is to be a separate application to Council.
- B. Construction not proceed on an aerial walkway until completion of a business plan for the Jarrahdale Heritage Park which confirms construction of the aerial walkway.

SD006/07/06 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Price seconded Cr Wigg

- A. The application for development of an aerial walkway, footbridge and car park on Lot 200 Jarrahdale Road, Jarrahdale be approved subject to the following conditions:**

- 1. A Building Licence is to be obtained prior to the commencement of any development (including earthworks) with the exception of the car park.
- 2. A vegetative screen with a minimum depth of 50 metres is to be retained between Armstrong Road and the Armstrong Road car park.
- 3. The crossover to the Armstrong Road car park is to be placed in a location clear of the dwelling on the other side of Armstrong Road to the satisfaction of the Shire.
- 4. Existing native trees within the area to be developed as a car park are to be retained to the satisfaction of Director Engineering.
- 5. A landscaping and vegetation management plan for the areas of the subject site affected by these proposals is to be submitted (in triplicate) to the Shire and approved prior to the issue of a Building Licence for the development. For the purpose of this condition, a detailed landscape plan shall be drawn to a scale of 1:100 and shall show the following:
 - a) The location, name and mature heights of existing and proposed trees and shrubs;
 - b) Any paved areas to be established;
 - c) Any natural landscaped area to be retained;
 - d) Those areas to be reticulated or irrigated or demonstrated to be designed using water sensitive principles;
 - e) Revegetation with local indigenous species only;
 - f) The retention of all native vegetation indigenous to the site (where practicable);
 - g) Use of shade trees in the car parking areas at the rate of one tree per six parking bays; and
 - h) Existing and proposed vegetative screening between the Armstrong Road carpark and the residence on Lot 224 corner Jarrahdale Road and Armstrong Road.

- 6 The materials and finishes of the development are to comply with the approved plans unless otherwise approved by the Shire.
 - 7 All timber components used shall include the implementation of measures designed to prevent termite infestation. Details of the measures to be taken shall be submitted with the Building Licence application.
 - 8 The car park, pedestrian pathways, footbridge and aerial walkway shall be designed and constructed to allow ramped access for people with disabilities with the maximum gradient and provision of handrails to comply with the specifications for such contained in Australian Standard AS1428.1.
 - 9 All storm water is to be disposed of within the confines of the property. A detailed storm water management plan is to be submitted for approval prior to the issue of a building licence and is to utilise water sensitive design principles.
 10. Details of signs and hoardings is to be a separate application to Council.
- B. Construction not proceed on an aerial walkway until completion of a business plan for the Jarrahdale Heritage Park which confirms construction of the aerial walkway.**
- C. That the traffic management plan be referred to Council for consideration and review.**
- CARRIED 7/1**

Committee Note: Part C was added to the officer recommended resolution requiring that the traffic management plan for the Jarrahdale Heritage Park be referred to Council for consideration and review.

COUNCIL DECISION

**Moved Cr Price seconded Cr Brown that the order of business be changed so that item OCM01/07/06 OFFER TO PURCHASE PORTION OF RESERVE 30867 (A1118) (RS0136) be considered after item SD006/07/06 to allow members of the gallery who are interested in this item to listen to debate.
CARRIED 8/0**

Cr Wigg declared a financial interest in item OCM01/07/06 OFFER TO PURCHASE PORTION OF RESERVE 30867 (A1118) (RS0136) as he is a guarantor of the SJ Grammar School and member of the SJ Grammar School Board. Cr Wigg left the meeting at 7.30pm.

OCM01/07/06 OFFER TO PURCHASE PORTION OF RESERVE 30867 (A1118) (RS0136)		
Proponent:	Serpentine Jarrahdale Grammar School Inc.	In Brief 1. Council reaffirm to the SJ School Board its full support for the establishment of a secondary educational facility in Mundijong; 2. Council not proceed with the proposal to divest the Administration and Civic Centre to the SJ Grammar School Board; 3. Council adopt the position of retaining the current location for the Shires' Administration and Civic Centre for the long term; 4. Advise the School Board of its decision to decline the offer; 5. Council continue to facilitate negotiations with the Serpentine Jarrahdale Grammar School Board to identify and secure a site for its permanent establishment.
Owner:	Crown/Serpentine Jarrahdale Shire	
Officer:	Darren Long – Acting CEO	
Signatures Author:		
Senior Officer:		
Date of Report	17 th July 2006	
Previously	CGAM134/04/06; 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 1995.	
Delegation	Council	

Background

For some time Council has been actively supporting the vision to develop a high school in Mundijong. Once students have completed primary school, they currently travel out of the Shire and attend over twelve (12) different government and non-government high schools. This undermines the important development of social networks for teenage members of the Shire community.

A feasibility study was prepared for the Anglican Schools Commission and Council in 2003. This identified the use of the Shire administration site and building as a potentially suitable location for the school. The Shire administration building, car-park and hall are sited on Reserve 30867, located on the corner of Paterson Street and Mundijong Road, Mundijong. The study outlined the co-sharing of the Mundijong Oval located on 'A' Class Reserve 4486 and the Shire library facilities on Reserve 4330.

The Education Department and Anglican Schools Commission examined the report and subsequently declined to establish a high school in the Shire. A dedicated group of community members continued to advance the high school vision resulting in the incorporation of the Serpentine Jarrahdale Grammar School in October 2004.

The Hon. Alan Carpenter, the (then) Minister for Education, approved the Serpentine Jarrahdale Grammar School Board's community based high school concept on the 18th January 2005, with the school being able to open in January 2006, potentially occupying the Shire offices. The proposal would necessitate the Shire finding a new administration centre in a very short timeframe.

Discussions at the meeting of the 29th June 2005 with the School Board, and subsequent legal advice, indicated that Council could not, at that time, enter into any contracts relating to the use of the land on which the administration building is sited without first obtaining a change in vesting of Reserve 30867. The school could not use the property while vested under the current vesting orders.

A change of vesting purpose was submitted to Department for Planning and Infrastructure (DPI) by the Shire on 7 July 2005, which was subsequently approved by the Minister for Planning and Infrastructure on 23 September 2005. Transportable buildings were located in the car park and the hall placed under the control of the SJ Grammar School via a lease.

PROPOSAL:

The most recent item of correspondence received from the SJ Grammar School Board is addressed to the Shire President, dated 31 May 2006, making an offer to Council for the purchase of Councils' offices and Council chamber situated at 6 Paterson Street, Mundijong, subject to a number of conditions. A response to this correspondence is due to enable the Board to evaluate options and formalise their plans.

Sustainability Statement

Effect on Environment:

It was recommended that all existing mature trees on site be required to be retained with the exception of several white gums which were affected by termites.

Resource Implications and Use of Local, Renewable or Recycled Resources:

The provision of a secondary school within the Shire will reduce greenhouse gas emissions by reducing the need for high school age children to travel outside the Shire for schooling.

Economic Benefits:

The school has the potential to both directly and indirectly provide employment opportunities (i.e. teaching, administrative and maintenance jobs in the school and external jobs such as bus services).

Social – Quality of Life:

It is not considered that the development will have any major negative impacts on the quality of life of any nearby residence.

Social Diversity:

The proposal will not directly favour or disadvantage any particular social group; however the School Board may reserve the right to set fees and entrance requirements. All buildings and facilities in the school should be designed to address disabled access and amenity requirements.

Statutory Environment:

- Serpentine-Jarrahdale Town Planning Scheme No. 2
- Metropolitan Region Scheme
- Local Planning Policy LPP16 Paterson Street Guidelines
- Western Australian Planning Commission's Development Control Policy DC 2.4 School Sites.
- Land Administration Act
- Local Government Act 1995

Financial Implications:

The financial cost of the School Boards' proposal to Council, if spread over 15 years, would equate to an approximate average of \$167,000 per annum.

However, if Council considers retaining and renovating the existing Administration Centre site; and considers selling Lots 87 & 88 to the School Board, there is the ability to reduce the cost to Council substantially.

Strategic Implications:

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

3. Economic

Objective 1: A vibrant local community

Strategy:

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

4. Governance

Objective 3: Compliance to necessary legislation

Strategy:

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

Community Consultation:

Legislative provisions require Council to compile a formal business plan in relation to the disposal of land by private treaty. It is proposed that the community consultation process be incorporated into the legislative advertising process for a proposal put forward by the Serpentine Jarrahdale Grammar School Board that may be acceptable to Council.

Comments

The matter requiring prompt attention is the letter from the School Board dated 31 May 2006. An extract from this letter is detailed below:

Serpentine Jarrahdale Grammar School Inc. offers to buy the Councils' property known as the Shire Offices and Council Chambers and related land known as 6 Paterson Street Mundijong, on the following terms and conditions:

1. *The purchase price to be the price agreed between the Shire and the School and in default of agreement, as agreed by 2 valuers, one appointed by the Shire and one by the School and if they are unable to agree, as determined by a third valuer;*
2. *The purchase price would be paid as a lump sum on the date the Shire vacates its premises;*
3. *The offer is subject to the Shire obtaining freehold title to the land and to that end, the Shire would need to undertake to obtain, at its expenses, freehold title;*
4. *The Shire would be obliged to proceed with determining the site of a new Council Building and constructing and building a new Council Building. We would suggest that, as this stage, that timing be left open as we do of course understand that the Shire would need to go through the relevant planning an approval process;*
5. *The offer by the Serpentine Jarrahdale Grammar School (Inc) is subject to the School obtaining satisfactory finance.*

Council needs to carefully consider the implications of this proposal. The following matters are not intrinsically related but are invariably involved in the course of resolving this proposal to the satisfaction of all parties:

1. Best location for the Council Administration and Civic Centre:

The Administration and Civic Centre is presently located on an excellent site with respect to the town centre, and close to major civic facilities such as library, post office, hall and landcare centre. The existing design is insufficient to accommodate current staffing levels and ensure the provision of modern and comfortable working conditions. The Shire is on the threshold of major development and population growth. It is appropriate that accommodation needs fit likely growth in staff and functions.

2. Best location for the School:

The School requires a location that is close to the town and public transport, is near to the oval and sporting facilities, and is of sufficient size to meet the present and future growth potential of the school community. The location must be a cost effective option for the School Board.

3. The extent and scope of the SJ Shire to offer assistance to the School:

Although the Shire has communicated a desire to assist the Board realise its vision to develop a high school in Mundijong, the financial reality is that local government is seldom the provider or funder of education – this role is the responsibility of commonwealth and state governments. Without access to state or commonwealth funding, the Shire is unable to offer any significant financial assistance to the Board. Even if funds were available, issues of fiduciary prudence and probity in governance would present challenges to this direct assistance.

Principally the Shire has very limited capacity to assist the Board, other than to identify potential sites and to initiate contingent planning implementation via the Scheme and the Structure Plan. It is important to resolve the scope for planning and realisation of the School in an appropriate location that does not jeopardise broader Shire and community growth options.

4. Timing of the proposal:

As with any new construction proposal, appropriate time needs to be allowed for the planning, design and construction phases of the project. The planning and design of a new Administration and Civic Centre is estimated to take between 12-18 months. The heightened building boom WA is experiencing will make it very difficult to deliver any construction project within a reasonable timeframe.

5. Cost and financial risk exposure:

The cost of any proposal must be weighed up against its risk, and any benefit or loss that may result from the decision. It would be prudent for the Council to carefully consider the financial implications associated with a proposal, not only in direct financial cost terms, but also from an asset revenue capacity. The ability to maximise the return from a freehold land asset, based on its best use, is obviously a good outcome for residents of the Shire. Conversely, the ability to maximise this return would be lost if Council built on freehold land.

Council must also recognise its current and future capabilities to finance future infrastructure needs that will arise as major development and population growth occurs. In many cases the nexus is overlooked between the provision of infrastructure and its maintenance/repair/replacement in the future.

6. Fiduciary prudence and probity in governance:

Council has an explicit fiduciary prudence and probity role to fulfil to its ratepayers and residents as the custodian of the local governments assets. Council must act with fairness, equity and integrity when dealing with all matters.

Numerous informal discussions have been held by Council contemplating the 'locational value' of the existing administration building site, in a relational context to the development of the Mundijong/Whitby area and where the future town centre will be. When considering the request from the SJ Grammar School Board for the purchase of the Shire Offices and Council Chamber, one issue became clear. The Council has not adopted a formal position on what is the best location for the Shires Administration and Civic Centre.

Whilst it could be argued that the location decision is intrinsically linked to the Schools' proposal, it is contended that this is not the case. An independent assessment needs to be completed on the best location for the Administration and Civic centre. This assessment must be separate from the School Boards' proposal, to allow Council to independently arrive at a conclusion regarding the best location for the Administration and Civic Centre. The prime consideration of the Council must be what the best location for the conduct of future business of the Shire will be; and not confusing this with the needs of another organisation.

Therefore, it is recommended that Council consider what is the best location for the Administration and Civic Centre for the future of the Shire.

To assist Council with this deliberation, Council staff have developed some locational criteria to consider when assessing site locations. The eight (8) criteria are listed below:

1. Site must be within the Mundijong Urban area;
2. Site must be within 400 metres of existing or proposed public transport facilities;
3. The site must be a prominent or potential landmark site;
4. Services (water, power, Telstra, etc) must be available or close by;
5. Zoning and or reserve purpose must be consistent with proposed use;
6. Site must be on a local distributor road or easily accessible from;
7. Site must be of adequate size to accommodate future expansion (minimum 1.2ha);
8. Site preferably would already be in Shire control or ownership.

To further assist Councillors consider sites; the following locations have been identified by Council staff as potential Administration and Civic Centre sites (not in any order of preference):

1. Depot Site – Whitby Street;
2. Lot 6 Paterson Street, Mundijong;
3. Lots 87 & 88 Mundijong Road, Mundijong;
4. Portion of Lot 499 Mundijong Road, Mardella;
5. Mundijong Saleyards – Lot 1 Evelyn Street, Mundijong;
6. Mundijong Railway Park – Paterson Street, Mundijong;
7. Lots 3, 29, 30 & 5 Paterson Street, Mundijong;
8. Lots 10 and 11 Paterson Street, Mundijong; and
9. Arboretum Reserve – Lot 66 Watkins Road, Mundijong.

Colour maps depicting the location of each site are with Attachment marked [OCM01/07/06](#).

Whilst the above list is not considered exhaustive, it provides a summary of sites that have been chosen based on the key determining factor of being located within the Mundijong urban area.

A desktop assessment of each site has been performed by Council staff against the eight (8) locational criteria above. The findings, including constraints and opportunities, for each site are listed in the following table:

Site Description	MRS Zoning	TPS Zoning	Land Area	Ownership Status	Constraints	Opportunities
Shire Depot – Whitby Street	Urban	Community and Public Purposes	1.4ha	Management order with Council	<ul style="list-style-type: none"> • A new site would have to be found for the Depot. • Road closure would be required to link all lots together to reach adequate land area, and closure process is very lengthy. • Site is visually isolated from existing and future public transport routes. • Site is not, and never will be a landmark site and is poorly located. • Site is isolated from the town centre and the opportunity to strengthen town centre would be lost. • Additional costs in establishing a new depot and a new civic centre. 	<ul style="list-style-type: none"> • Land is already in Council control, except for portion of road that requires closure. • Would create the opportunity to relocate depot out of residential area and replace with more compatible use. • Site is in proximity to existing railway line and bus route. • Site has local road distributor access from Whitby Street.
Lot 6 Paterson Street	Urban	Public & Community Purposes	1.2ha	Management Order with Council.	<ul style="list-style-type: none"> • SJ Grammar School is currently operating from hall and car park. 	<ul style="list-style-type: none"> • Land is already in Council control. • Costs would be limited to some new construction and renovation. • Site is a landmark site and is strategically located in the Mundijong town centre. • Site is visually prominent and will strengthen town centre. • Site is large enough to accommodate future growth. • Site is easily accessible to public transport. • Site is already serviced with all utilities.

Site Description	MRS Zoning	TPS Zoning	Land Area	Ownership Status	Constraints	Opportunities
						<ul style="list-style-type: none"> • Site is adjacent to other community facilities. • Site has local distributor access. • Site has constructed car parking areas for staff and customers. • Close to current and future public transport route on Mundijong Road. • Easy access from Freeway and Tonkin Highway
Lots 87 & 88 Mundijong Road	Urban	Public Open Space	2.1ha	Owned by Council.	<ul style="list-style-type: none"> • Reserved for public open space, so a Scheme amendment would be required. • Nearest services are approx. 150m away. • Deceleration lane would be required on Mundijong Road. • Site is isolated from town centre. • Will not maximise asset return value if Civic centre is constructed on land – would be much better to sell land seeing freehold title is held. • Site was originally identified as future emergency services co-location site. 	<ul style="list-style-type: none"> • Land is already in Council control. • Prominent site on main road. • Site is adjacent to other community facilities. • Site is mainly cleared, so minimal impact on existing vegetation. • Adequate size to allow for significant expansion in future. • Close to current and future public transport route on Mundijong Road. • Easy access from Freeway and Tonkin Highway. • Potential synergies between land uses – Administration Centre & Emergency Services Co-location.
Portion of Lot 499 Mundijong Road	Urban	Rural	120ha	Private ownership	<ul style="list-style-type: none"> • No opportunity for access to Mundijong Road due to Bush Forever strip along road. • No access 	<ul style="list-style-type: none"> • No existing immediate neighbours, whose lifestyle would be adversely impacted upon. • Adequate

Site Description	MRS Zoning	TPS Zoning	Land Area	Ownership Status	Constraints	Opportunities
					<p>available from Wright Road due to railway line.</p> <ul style="list-style-type: none"> • Not centrally located within the future urban cell. • Land not currently in Council ownership. • Structure planning has not been completed for this area of land. • Rezoning of land is required under Town Planning Scheme. • Services would need to be supplied to property; nearest service point is at the corner of Paterson and Watkins Road. • Could not be considered a landmark site. 	<p>space could be obtained to accommodate both Administration and Depot facilities.</p> <ul style="list-style-type: none"> • Largely greenfields site, so no loss of vegetation.
Mundijong Saleyards – Lot 1 Evelyn Street	Urban	Urban Development	3.22ha	Owned by Council	<ul style="list-style-type: none"> • No direct vehicle access across the railway line, separating the land from the existing town centre. • Only access is via Watkins and Roman Roads, which would require upgrading. • Site is not visually prominent. • Site is removed from town centre. • Rezoning of land is required under Town planning Scheme. • Could not be considered a landmark site. • Will not maximise asset return value if Civic centre is constructed on land – would be 	<ul style="list-style-type: none"> • All services are already available to the site. • Land is already in Council ownership. • Site is within Mundijong urban area. • Site is close to existing public transport facilities. • Site is easily accessible from local distributor road, but they would require upgrading. • Site is of adequate size to allow for future expansion.

Site Description	MRS Zoning	TPS Zoning	Land Area	Ownership Status	Constraints	Opportunities
					<p>much better to sell land seeing freehold title is held.</p> <ul style="list-style-type: none"> Structure planning has not been completed for this area of land. 	
Mundijong Railway Park	Urban	Urban Development	Max. 1ha	Mixture of Shire and Crown Control	<ul style="list-style-type: none"> Land is too narrow and not considered adequate in area. Land is not totally in Council control. Car parking provision would take up approx 50% of entire frontage of land. A change of Reserve purpose would be required. 	<ul style="list-style-type: none"> Important landmark site within existing town centre. Well placed for other commercial activities to be included in building, if council desires. Some land in Council control. Site is located right on rail and bus routes.
Mundijong Railway Park (continued)	Urban	Urban Development	Max. 1ha	Mixture of Shire and Crown Control	<ul style="list-style-type: none"> Development of this site would not be consistent with the spatial setting of the street and railway line. This site would be subject to noise impacts of the railway and not conducive to a good work environment. Services would need to be provided to site, but are easily available. MRS & TPS Scheme amendments would be required. 	
Lots 3, 29, 30 and 5 Paterson Street	Urban	Commercial	6000m ²	Private ownership.	<ul style="list-style-type: none"> Land privately owned and would need to be purchased at market value. Site is too small to house existing Administration and Civic centre, let 	<ul style="list-style-type: none"> Centrally located in town. Site would help consolidate commercial area. Close to public transport routes.

Site Description	MRS Zoning	TPS Zoning	Land Area	Ownership Status	Constraints	Opportunities
					<p>alone future expansion, unless two storey building was considered.</p> <ul style="list-style-type: none"> Access for car parking facilities would be difficult, unless rear lane is used. 	
Lots 10 and 11 Paterson Street	Urban	Commercial	4046m ²	Private ownership	<ul style="list-style-type: none"> Land privately owned and would need to be purchased at market value. Site is too small to house existing Administration and Civic centre, let alone future expansion, unless two storey building was considered. 	<ul style="list-style-type: none"> Centrally located in town. Site would help consolidate commercial area. Close to public transport routes.
Arboretum Reserve Lot 66 Watkins Road Mundijong	Urban	Public and Community Purposes	3.88ha	Owned by Council	<ul style="list-style-type: none"> Rear of site appears to be low lying and may be subject to flooding. Site is greater than 400m radius from Public transport routes. Site is isolated from town centre and the opportunity to strengthen town centre would be lost. Power connection is nearby but water connection would need to be sourced from some distance away. Will not maximise asset value if Civic Centre is constructed on land – would be much better to sell land seeing freehold title is held. 	<ul style="list-style-type: none"> Land is already in Council control. No zoning changes required. Site has road reservations on all four sides for ease of access. Site is located on major link road. Site has adequate cleared spaces to allow for Administration and Civic Centre with minimal clearing. Site is large enough to allow for significant future growth. It is anticipated that Watkins Road will be a public transport route in the future.
Arboretum Reserve Lot 66 Watkins	Urban	Public and Community Purposes	3.88ha	Owned by Council	<ul style="list-style-type: none"> Investigative geotechnical work would 	<ul style="list-style-type: none"> Long term, Watkins Road could be an

Site Description	MRS Zoning	TPS Zoning	Land Area	Ownership Status	Constraints	Opportunities
Road Mundijong (Continued)					need to be undertaken to ascertain suitability of site and fill required. <ul style="list-style-type: none"> It is anticipated major earthworks would be required to obtain adequate fill levels. Site would not be considered a landmark site. 	expansion area for the town centre.

It is evident from the above analysis, and in isolation to other issues such as the school, that the most advantageous site for the permanent Shire Administration and Civic Centre is the existing location, 6 Paterson Street, Mundijong. There are several reasons for this conclusion, however the key principles guiding this belief are:

1. 6 Paterson Street is located centrally in the Mundijong townsite;
2. The existing Administration Centre has road frontage to Paterson and Cockram Streets’;
3. 6 Paterson Street is a strategic site within the Mundijong town and lends itself to ease of accessibility for customers;
4. The site is fully serviced and is the established location for the Administration and Civic Centre;
5. The land is vested in Councils care and control via a management order;
6. 6 Paterson Street has a direct relationship with, and will help consolidate and strengthen, the commercial precinct of the Mundijong townsite;
7. All other sites that have been identified do not have all of the advantages of, or have more constraints than, the existing site at No 6 Paterson Street, Mundijong.
8. The financial imposition to undertake the essential renovations to meet accommodation requirements at the existing site is the most cost effective and risk averse option for Council.

The decision making process on this matter will be influenced by the very strong social consideration attached to it; which needs to be appropriately weighed by Councillors when deliberating on this matter. However, the social aspect also needs to be balanced against the custodian role Council has to its residents in ensuring that the maximum benefit is obtained from assets and that the highest fiscal and fiduciary responsibilities are maintained.

Referencing all the data presented in the desktop analysis, it is apparent that the most advantageous and attractive location for the Administration and Civic Centre is 6 Paterson Street, Mundijong. On this basis, it is recommended that Council:

1. Not proceed with the proposal to divest the Administration Centre and Council Chamber on portion of Reserve 30867, to the Serpentine Jarrahdale Grammar School Inc., and as a consequence not proceed to advertise the proposal pursuant to Section 3.59 of the Local Government Act 1995;
2. Adopt the position of retaining the current location for the Shires’ Administration and Civic Centre for the long term; and
3. Advise the SJ Grammar School Board of Councils decision not to accept their offer of purchase.

At this juncture it would be appropriate for Council to reiterate its full support to facilitate the establishment of a high school in Mundijong. Therefore, it is also recommended that Council resolve to:

1. Reaffirm to the SJ Grammar School Board its full support for the establishment of a secondary educational facility in Mundijong;
2. Continue to facilitate negotiations with the SJ Grammar School Board Inc. to identify and secure a site for its permanent establishment;

In the interests of part two (2) of the above recommendation, Council has the ability to facilitate an outcome in relation to the Schools future location. The Board has indicated some interest in the potential of Lots 87 and 88 as the future school site. The site offers a number of advantages to the School. These predominantly being:

1. Land is already in Council control and as it is held freehold would be relatively easily to transact the sale of the property;
2. It is a prominent site on a main road allowing ease of access by vehicles;
3. The site is adjacent to other community facilities and would provide easy access to the community oval and other sporting facilities;
4. The site is mainly cleared, so minimal impact on existing vegetation and possibly would not need to go through a lengthy vegetation approvals process;
5. The site is considered of an adequate size to allow for significant expansion in future of the School. This site also has advantages over and above No 6 Paterson Street, on the basis it is larger in land area and would allow for school growth potential.
6. The site is close to current and future public transport routes on Mundijong Road.
7. The site is easily accessible from the Freeway and Tonkin Highway.
8. Service connections are relatively close to the land (approx 150m away), thus servicing costs would not be of a great magnitude.

Voting Requirements: Simple Majority

Officer Recommended Resolution:

That Council:

1. Note and agree on the information contained in this report;
2. Reaffirm to the SJ Grammar School Board its full support for the establishment of a secondary educational facility in Mundijong;
3. Not proceed with the proposal to divest the Administration Centre and Council Chamber on portion of Reserve 30867, to the Serpentine Jarrahdale Grammar School Inc., and as a consequence not proceed to advertise the proposal pursuant to Section 3.58 of the Local Government Act 1995;
4. Adopt the position of retaining the current location for the Shires' Administration and Civic Centre for the long term;
5. Advise the SJ Grammar School Board of its decision in declining the offer.
6. Continue to facilitate negotiations with the SJ Grammar School to identify and secure a site for its permanent establishment.

OCM01/07/06 COUNCIL DECISION

Moved Cr Price seconded Cr Kirkpatrick

That Council:

- 1. Note and agree on the information contained in this report;**
- 2 Reaffirm to the SJ Grammar School Board its full support for the establishment of a secondary educational facility in Mundijong;**
- 3 Not proceed with the proposal to divest the Administration Centre and Council Chamber on portion of Reserve 30867, to the Serpentine Jarrahdale Grammar**

- School Inc., and as a consequence not proceed to advertise the proposal pursuant to Section 3.58 of the Local Government Act 1995;**
- 4 Adopt the position of retaining the current location for the Shires' Administration and Civic Centre for the long term;**
 - 5 Advise the SJ Grammar School Board of its decision in declining the offer.**
 - 6. Continue to facilitate negotiations with the SJ Grammar School to identify and secure a site for its permanent establishment;**
 - 7. Council considers Lots 87 and 88 Mundijong Road as a possible site for the SJ Grammar School.**

Advice Note:

- 1. Council is aware that negotiations are being held between the SJ Grammar School and the owners of the Urban Pacific land north of Keirnan Street at Whitby as a possible site for the school.**

CARRIED 7/0

Council Note: The Officer Recommended Resolution was changed by adding point 7 relating to the potential use of Lots 87 and 88 Mundijong Road as a possible site. An advice note was also included acknowledging negotiations between SJ Grammar School and the owners of the Urban Pacific Land with respect to a possible site for the school.

Cr Wigg did not vote and returned to the meeting at 7.48pm

SD007/07/06 PROPOSED RESTAURANT – LOT 5 (#1409) KARNUP ROAD, SERPENTINE (P02140/05)		
Proponent:	Jozef Stokman	In Brief The applicant seeks planning approval from Council to convert an existing heritage dwelling on Karnup Road, Serpentine into a restaurant. It is recommended that the application be conditionally approved.
Owner:	As Above	
Officer:	M Daymond – Planning Officer	
Signatures Author:		
Senior Officer:		
Date of Report	5 July 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: 18 April 2006
 Advertised: 2 May – 23 May 2006
 Submissions: 2 letters of support
 Lot Area: 12.28 ha
 L.A Zoning: Rural
 MRS Zoning: Rural
 Byford Structure Plan: NA
 Rural Strategy Policy Area: Farmlot
 Rural Strategy Overlay: NA
 Municipal Inventory: SJ12-19
 Townscape/Heritage Precinct: NA
 Bush Forever: NA
 Date of Inspection: 15 June 2006

Background

An application has been submitted to Council for the conversion of an existing heritage dwelling into a restaurant on Karnup Road, Serpentine. The application includes the proposed development of the restaurant, driveway and construction of a 12 bay car park.

The subject dwelling is listed within Council's Municipal Heritage Inventory.

A copy of the site and development plans are with attachments marked [SD007/07/06](#).

Sustainability Statement

Effect on Environment: The proposal will have no impacts on the environment as there is minimal existing vegetation on site. The only vegetation that will be required to be removed will be a few small shrubs that have been planted along the western edge of the proposed driveway. The shrubs will need to be removed and the fence relocated in order to cater for the required widening of the driveway. The location of the proposed car park is in an existing cleared area.

The dwellings have heritage value for the Shire that have been in a dilapidated state for many years. The proposal will involve the restoration of one dwelling and conversion to a restaurant and is sure to become a valuable asset for the Shire.

Resource Implications: The proposal does not have any significant resource implications and will not place any additional pressures on the existing services within the area. The restaurant will be connected to an on-site effluent disposal system and will utilise a rainwater tank for water capture and reuse.

Use of Local, renewable or recycled Resources: It is considered that the application may use locally and regionally available resources to help the dwelling be restored to its previous state.

Economic Viability & Benefits: There will be an economic benefit to the community as a result of this application as a local business will be established within the area. The proposal may be an economic and tourism generator.

Social – Quality of Life: The proposal may improve the quality of life for residents within Serpentine by providing a service that does not currently exist within the area. Although there will be increased traffic movements on and off the property, this is unlikely to impact on adjoining landowners.

Social and Environmental Responsibility & Social Diversity: The proposal does not impact significantly on the existing vegetation and will not disadvantage any social groups.

Statutory Environment:

Planning and Development Act 2005

Town Planning Scheme No.2

The proposal was advertised in accordance with clause 6.3.1 of the Scheme and referred to surrounding landowners 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:

1. Provide recreational opportunities.
2. Develop good services for health and well being.
5. 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:

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

4. Reduce water consumption.

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.
3. Develop tourism potential.

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

Strategies:

2. Consider specific sites appropriate for industry /commercial development.

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.
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.

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 surrounding landowners for comment.

Affected Property	Summary of Submission	Officer's Comment	Action (Condition/ Support/ Dismiss)
A19301	No objection We believe the amenity in this locality will be a benefit to the surrounding community and provide support to the adjacent recreational facilities.	Comment Noted	Support
A19600	No objection We wholeheartedly endorse the proposal and feel it will be an asset to Serpentine.	Comment Noted	Support

Referral to the Western Australian Planning Commission

The application has been referred to the Western Australian Planning Commission (WAPC) for comment until the 25 July 2006 as the subject site abuts a Metropolitan Region Scheme (MRS) Parks and Recreation Reserve (Serpentine Golf Course). To date no comment has been received.

The approval for the application will be conditional that no valid objections are received from the WAPC and seeking to grant delegated authority to the Executive Manager Planning & Regulatory Services to include any additional conditions that the WAPC deem necessary.

Comment:

Zoning

The subject property is zoned 'Rural' under Council's Town Planning Scheme No.2 and the MRS. The proposed use of the building is defined as 'Restaurant' under the scheme which is classified as a 'SA' use within the Rural zone. As such, the application was referred to adjoining landowners for comment in accordance with clause 6.3.1 of the scheme.

Conversion of Existing Heritage Dwelling

The property at Lot 5 Karnup Road in Serpentine currently contains two historic dwellings and a third dwelling that was built in 2002. The two historic dwellings are listed within Council's Municipal Heritage Inventory and date back to approximately the 1920's. The dwellings sit side by side and abut the Karnup Road reserve.

Both dwellings are listed as having a 'poor' condition within the Inventory and are currently being renovated by the owner. The western residence is proposed to be used for the restaurant with the materials being used blending in with the environment and in keeping with the previous style of the house.

A copy of the extracts from the Municipal Heritage Inventory are with attachments marked [SD007a/07/06](#).

The application has been referred to Council's Heritage Consultant Helen Burgess for comment. No advice has been received at the time of writing this report, although comment is not deemed to be critical for assessment of this application.

The proposed restaurant will essentially consist of a kitchen, cool room, dining area, al fresco dining area and a separate toilet block. The floor plan of the restaurant indicates that the restaurant will cater for a maximum of 74 patrons.

Access and Car Parking

The proposal indicates that a 12 bay gravel car park will be constructed approximately 23 metres behind the restaurant with access to the car park via a single 2.5 metre wide driveway between the restaurant and the modern dwelling.

In accordance with the requirements of Council's scheme, one car bay is to be provided per four patrons with the car park needing to be paved and marked. Based on the previous stated maximum of 74 patrons, 19 car bays will need to be provided. Additionally, the current 2.5 metre wide driveway is not wide enough to cater for two way traffic and will need to be widened to a minimum width of 6 metres in order to provide adequate access to the site. The required widening is unlikely to impact on the existing buildings or vegetation on site. A revised and detailed car parking plan will be a requirement of the planning approval.

Landscaping & Vegetation

The current proposal shows minimal landscaping through the site and between proposed development and existing lot boundaries. The landscaping on site needs to be increased significantly to help reduce the impacts of the development on surrounding properties.

Council's Environmental Health Department have advised that there are no major issues with the proposal subject to further information being provided with the building licence. These requirements will be included as conditions of approval.

Conclusion

The conversion of the existing heritage dwelling on Karnup Road into a restaurant will be a valuable asset for the Shire and provide a service that does not currently exist in the area. Both of the dwellings are listed in the Municipal Inventory as having a 'poor' condition and were likely to become even more dilapidated over the years if left unattended. The applicant has begun to restore the western dwelling to bring it back to a state reminiscent of its former glory.

A business such as the restaurant will be a benefit for the Shire and will not only provide a local service but may eventually be a tourist attraction that will bring people into the locality. Additionally, being located next to the Serpentine Golf Course will increase the restaurants tourism and recreational potential. It is recommend that the application be conditionally approved.

Voting Requirements: Normal

SD007/07/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Wigg seconded Cr Price

- A. Subject to no valid objections received from the Western Australian Planning Commission or Council's Heritage Consultant to the proposal in the opinion of the Executive Manager Planning and Regulatory Services, the proposed restaurant on Lot 5 (#1409) Karnup Road, Serpentine be approved subject to the following conditions:**

Planning & Building

- 1. A revised car parking and access plan to be submitted to the satisfaction of Council's Director of Engineering prior to the issue of a building licence.**
- 2. Development of the restaurant to be in accordance with the plans attached to and forming part of this approval.**
- 3. A building licence must be applied for and issued by the Shire before any work commences on site.**
- 4. Nineteen bays (inclusive of 2 disabled bays) shall be provided on site to the satisfaction of the Shire prior to the occupation of the development. The car parking bays are to be a minimum dimension of 5.4m x 2.4m. The disabled bays are to be of minimum width 3.2m and sign posted. Details to be submitted with the building licence application.**
- 5. A Practical Completion Inspection being obtained prior to occupancy requiring an on site inspection and clearance of all outstanding conditions to the satisfaction of the Shire. The building not being occupied until a Certificate of Classification has been issued by the Shire.**
- 6. Materials and colours used in the construction of the additions are to match in with the existing development on site to the satisfaction of the Shire.**
- 7. Any proposed signage to be in accordance with Council's Local Planning Policy No.5 – Control of Advertisements.**
- 8. Any outdoor display lighting or security lighting being located or shielded so that no additional light is cast on adjoining land or so that it will distract traffic.**
- 9. The development shall be designed and constructed to allow access and facilities for people with disabilities in accordance with the Building Code of Australia.**

Engineering

- 10. The proposed driveway and crossover being widened to a minimum width of 6.0 metres to the satisfaction of Council's Director of Engineering.**
- 11. The restaurant and car park is 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.**
- 12. The proposed carpark, driveway, crossover is to be designed and constructed to the satisfaction of the Shire.**
- 13. The vehicle car parking areas, accessway(s) and crossover(s) shall be designed, constructed, upgraded, sealed, kerbed, drained, line marked and thereafter maintained in accordance with the approved Development Plans and specification to the satisfaction of the Shire prior to the occupation of the development.**
- 14. Storm water runoff from the proposed car parking area and road way shall be managed to the satisfaction of the Shire. No direct discharge of stormwater into watercourses or drainage lines. All stormwater runoff from roofs and hardstand areas to be disposed of on site.**
- 15. The preparation and submission of a Drainage Management Plan for the development to the specifications and satisfaction of the Shire. Details to be submitted with the building licence application. All earth works and associated**

drainage shall be in accordance with plans and specifications submitted to and approved by the Shire.

Health

16. Upgrading of existing effluent disposal systems and fields to the satisfaction of the Shire and Department of Health.
17. Details for a water treatment system approved by the Department of Health and adequate to treat on-site water supply to a potable standard to be submitted to the satisfaction of Council's Principal Environmental Health Officer.
18. Prior to the issue of a building licence, plans and specifications of all internal fixtures, finishes and fittings must be provided in a scale 1:100, for approval by Council's Environmental Health Officer in accordance with Australian Standard AS4674 – 2004.
19. The construction and use of the proposed premises to comply with the Health (Food Hygiene) Regulations 1993 and the Food Safety Standards 3.2.3.

Environmental

20. 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.
21. A Landscaping Plan for the subject land is to be submitted to the Shire and approved prior to the issue of a building licence for the development. For the purpose of this condition, the Plan shall be drawn to a scale of 1:100 and shall show the following:
 - i. The location, name and mature heights of existing and proposed trees and shrubs;
 - ii. Any lawn and paved areas to be established;
 - iii. Revegetation with local indigenous species;
 - iv. Use of shade trees in the car parking areas at the rate of one tree per six parking bays.
22. Landscaping to be established in accordance with the approved Plan by 30 October 2006 and thereafter maintained by the applicant/owner to the satisfaction of the Shire.

Advice Notes:

1. The applicant/owner is advised that the proposal is to comply with all aspects of the Building Code of Australia including fire rating; fire separation; provision of fire hydrants; hose and reel provision; the provision of disabled access/ramp and facilities; emergency lighting and signage.
- B. The Executive Manager Planning and Regulatory Services be granted authority to vary or include any conditions on the approval as deemed necessary after receiving advice from the Western Australian Planning Commission and Council's Heritage Consultant.

CARRIED 8/0

CGAM001/07/06 THOMAS ROAD AND NICHOLSON ROAD INTERSECTION (R0200-02 & R0129)		<p>In Brief</p> <p>The purpose of this report is to provide information to the Council about the design and construction of the Thomas Road and Nicholson Road National Blackspot funded project.</p>
Proponent:	Serpentine Jarrahdale Shire	
Officer:	Stephen Bell – Director Engineering	
Signatures Author:		
Senior Officer:		
Date of Report	11 July 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

In the 2004/2005 financial year, the Serpentine Jarrahdale Shire obtained National Blackspot funding to install traffic signals and advanced warning lights at the intersection of Thomas Road and Nicholson Road. The intersection of Thomas Road and Nicholson Road had been identified by Council as a road safety concern due to a higher than expected number of right-angle and right-turn crashes and a potentially inadequate gap time with heavy haulage vehicles.

By letter dated 25 May 2005, Main Roads Western Australia advised the Shire that Thomas Road would form part of the High Wide Load corridor for the Metropolitan Region. As a consequence, the scope of works was expanded to include modifications to the intersection to facilitate High Wide Load compliance.

Project Funding

In the 2004/2005 financial year, the Shire was allocated \$300,000 of National Blackspot funding to progress the Thomas Road/Nicholson Road project. This allocation was to be matched on a two thirds (2/3) one third (1/3) basis, which is a general condition of any State/Federal Blackspot funding.

By Shire letter dated 18 January 2005, a request was made to Main Roads Western Australia to increase the level of funding from \$300,000 to \$385,000 and to extend the project deadline to December 2005. On 13 April 2005 MRWA agreed to the Shire's request.

By letter dated 25 May 2005, Main Roads Western Australia after consultation with Shire Officers provided \$220,000 (GST Inclusive) of High Wide Load funding to the Nicholson Road/Thomas Road project. This allocation was conditional upon the funds being applied to the proposed intersection and the improvements meeting Main Roads Western Australia High Wide Load compliant status.

In summary, the total funding allocation is as tabulated below:

	MRWA CONTRIBUTION	SERPENTINE JARRAHDALÉ SHIRE CONTRIBUTION
National Blackspot Funding	\$300,000	\$150,000
National Blackspot Funding – Additional	\$85,000	\$42,500
High Wide Load	\$200,000	No Matching Contribution Required
TOTAL	\$585,000	\$192,500

In the 2004/2005 financial year, the Shire was provided with an initial amount of \$60,000 of National Blackspot funding, which was recouped by the Shire on 20 August 2004. The balance of the funds, being \$325,000, is currently held by Main Roads Western Australia until recouped by the Shire. The High Wide Load contribution was recouped on 13 June 2005. Council's remaining commitment to the project is \$162,500 which has been identified in the 2005/2006 annual budget.

In April 2006, the Director Engineering wrote to Main Roads Western Australia seeking approval for the \$325,000 of National Blackspot funding to be carried forward into the 2006/2007 financial year. At this stage the SJS has not been advised in writing of the approval to carry forward the National Blackspot funding. However, the Shire has been verbally advised that the funding will be carried forward on the proviso that the funding is expended during 2006/2007. No further carry forwards will be approved by Main Roads Western Australia.

If for any reason the project cannot be progressed, the Shire will be required to repay Main Roads Western Australia the funding amounts that have been previously recouped (i.e. \$260,000 - GST Exclusive), being a component of the National Blackspot allocation and HWL funding.

Design Consultant

The design of the Thomas Road and Nicholson Road project is being undertaken by Cardno BSD. In the two (2) years since project inception, various intersection layouts have been prepared and reviewed by both Main Roads Western Australia and Council Officers. As yet, none of the intersection layouts have been endorsed due to complexities associated with the need to meet the strict HWL criterion, limiting the extent of service relocation and land acquisition required, and need to preserve heavy vehicle access to the service station.

It should be noted that at the time the Shire submitted its National Blackspot application, the need to comply with Main Roads Western Australia High Wide Load criterion was not known. Further, as traffic signals have been recommended to improve road safety at the intersection of Thomas Road and Nicholson Road, Main Roads Western Australia are the approval authority in this instance.

Sustainability Statement:

Statutory Environment:

Local Government Act 1995

Policy Implications:

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

Financial Implications:

In the 2004/2005 financial year, the Shire obtained National Blackspot funding to install traffic signals and advanced warning lights at the intersection of Thomas Road and Nicholson Road. The initial funding allocation was for \$300,000 however this was increased to

\$385,000 in April 2005 as a result of a request from the SJS. Council's matching component is \$192,500 bringing the total project cost to \$577,500 (excluding the Main Roads Western Australia HWL funding).

Main Roads Western Australia allocated \$220,000 (GST Inclusive) towards the project to accommodate High Wide Load requirements at the Thomas Road/Nicholson Road intersection. If the requirement to accommodate the High Wide Load exceeds the initial \$220,000 allocation, Main Roads Western Australia has verbally advised that these costs will be met under the High Wide Load funding programme.

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:

5. Protect built and natural heritage for economic and cultural benefits.

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:

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.

3. Economic

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

Strategies:

1. Improved freight, private and public transport networks.

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.
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.

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:

There has been significant consultation with Main Roads Western Australia, Cardno BSD, Western Power and other utility providers. At this stage there has been no consultation with the community, however after the concept design has been approved it is envisaged that discussions will result with the owner of the service station at the corner of Thomas Road and Nicholson Road.

Comment:

Over the course of time, five (5) concept layouts have been prepared by Cardno BSD for the Thomas Road and Nicholson Road intersection. The most recent layout, Option 5, attempts to align the northern and southern legs of Nicholson Road to remove the current stagger of the two road junctions at Thomas Road (refer Figure 1).

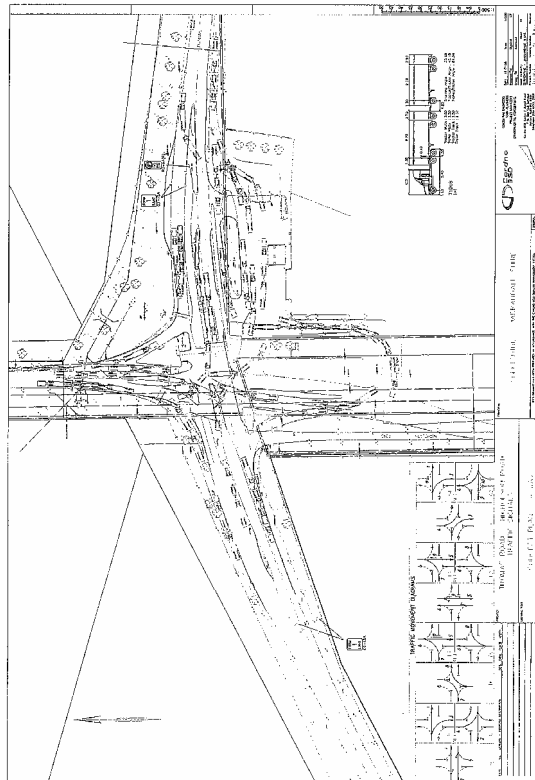


FIGURE 1 – CONCEPT LAYOUT OPTION 5

In the event that Option 5 is endorsed, the following construction difficulties are anticipated:

- The SJS would need to acquire land from the Water Corporation in Nicholson Road south to accommodate the realigned intersection. At this stage, it is unknown whether the Water Corporation would be prepared to allow the Shire to purchase part of their land and at what cost. Notwithstanding the above, the time required to acquire the land from the Water Corporation may hinder the Shire's ability to complete the project prior to the 30 June 2007 (deadline for expending of National Blackspot funding).
- The concept layout provides access off Nicholson Road south for heavy vehicles to enter and exit the service station. The proposed access conflicts with existing Western Power infrastructure (i.e. termination pole, stay poles etc) and to relocate this infrastructure may jeopardise the project as the current Blackspot funding is insufficient to cover these relocation costs and the work is outside the High Wide Load corridor. Hence, no High Wide Load funding would be available.
- The layout poses road safety concerns, particularly entry and exit from the service station site.

To expedite the project, the Director Engineering arranged a meeting with Main Roads Western Australia on 29 May 2006. At that meeting the design for Option 5 was discussed. It was acknowledged that Option 5 was undesirable due to road safety concerns regarding the access into and out of the service station, extent of road widening required in Nicholson Road south, and extent and cost of service relocations. Consequently, it was agreed that Option 3 (refer to Figure 2) with some amendments would progressed.



FIGURE 2 – CONCEPT LAYOUT OPTION 3

At the meeting of 29 May 2006, Main Roads Western Australia suggested that the project be resubmitted in two stages: the first stage addressing the widening of Nicholson Road as proposed in the ultimate plan (refer Figure 3) and as identified as an issue in a road safety audit and the second stage addressing the installation of the traffic signals. The Director Engineering (DE) advised that this option was not acceptable as the National Blackspot funding would need to be refunded and a fresh application submitted to Main Roads Western Australia for consideration. Further, the Council and community would not support such an action. Accordingly, Main Roads Western Australia acknowledged the concerns of the DE and resolved to assist the Shire to expedite the project to meet agreed funding milestones and project objectives.

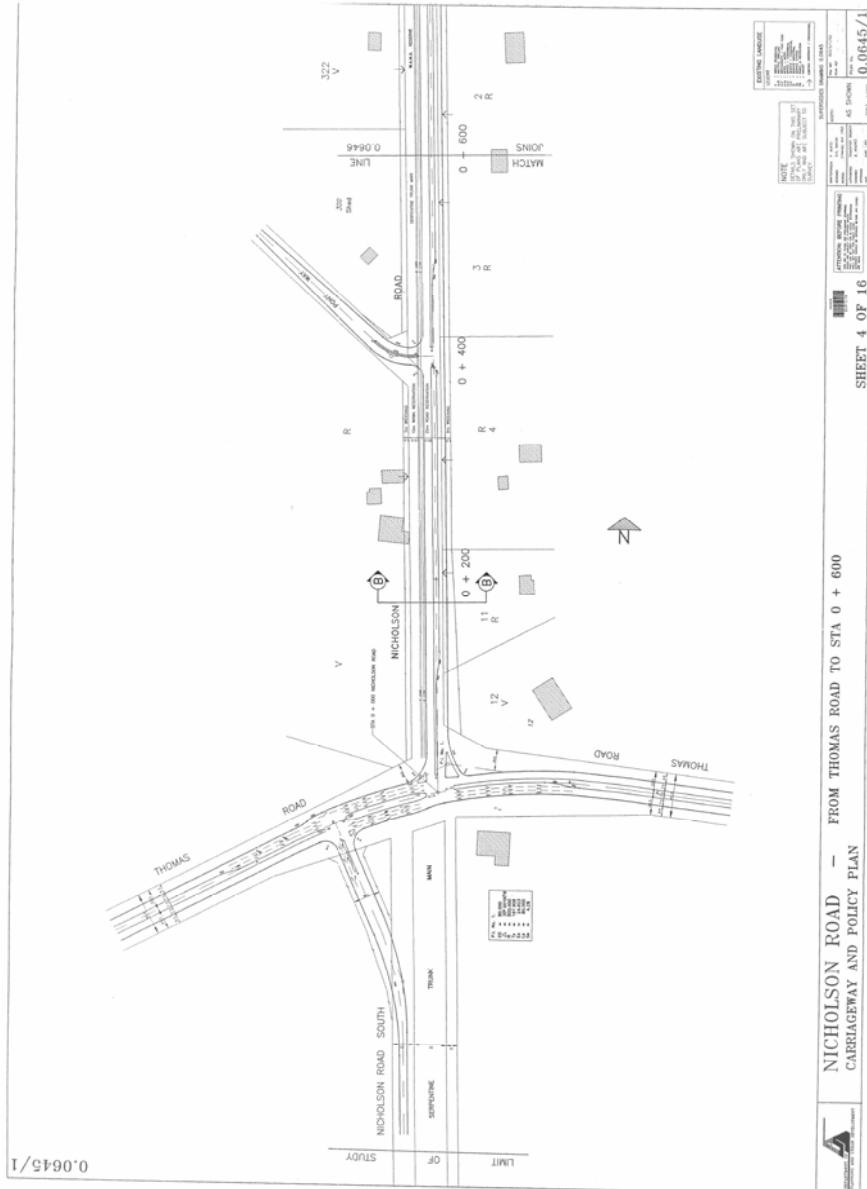


FIGURE 3 – ULTIMATE PLAN THOMAS ROAD

A meeting was held 21 June 2006 with Main Roads Western Australia, Western Power, BSD and Shire representatives. The meeting was convened to discuss the High Wide Load requirements and likely impacts on existing Western Power infrastructure at the subject location. Western Power is currently preparing preliminary designs and cost estimates for the relocation of their infrastructure outside the High Wide Load corridor. In addition, the design for Option 3 is progressing to facilitate the relocation of western power infrastructure ahead of the intended construction process. All going well, the construction of the traffic signals and other ancillary works at Thomas Road and Nicholson Road is scheduled for November 2006.

Voting Requirements: Simple Majority

CGAM001/07/06 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Star seconded Cr Price

- 1. That the Council reaffirms its commitment to the Thomas Road and Nicholson Road project recognising the need to have the project completed by 30 June 2007 to fulfil the requirements of the National Blackspot funding program.**
- 2. That the Council issue a media release regarding the Thomas Road and Nicholson Road project to inform the community about its current status and indicative construction timeframes.**

CARRIED 6/2

FORESHADOWED MOTION

During the debate Cr Murphy foreshadowed the following motion if the motion under debate was defeated.

The CEO is to urgently obtain a quotation for the installation of traffic lights at the intersection of Thomas Road and Nicholson Road as it is presently built. If a firm quotation is not able to be obtained quickly, then an estimate is to be obtained.

An estimate is to be prepared of the cost of minor works associated with the installation.

A report is to be included in the information report to the Corporate Governance and Asset Management Committee August meeting and then each month thereafter, setting out progress on the project.

The Shire President is authorised to send a letter to the Minister for Planning and Infrastructure informing her of the situation and requesting her support for the Shires actions.

CGAM003/07/06		WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION 2006 ANNUAL GENERAL MEETING (A1164)	
Proponent:	Western Australian Local Government Association	In Brief Council delegates voting requirements for the 2006 Annual General Meeting of WALGA	
Owner:	As above		
Officer:	Darren Long - Acting Chief Executive Officer		
Signatures Author:			
Senior Officer:			
Date of Report	6 th July, 2006		
Previously	OCM01/07/05; SM002/07/04; SM001/07/03 (A0163-06)		
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

Agendas for the Western Australian Local Government Association (WALGA) Annual General Meeting to be held on 6th August, 2006 have been distributed.

A copy of the WALGA Agenda is included with the attachments and marked [CGAM003-07-06.pdf](#).

Sustainability Statement Not Applicable

Statutory Environment: Individual Association constitutions

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

Financial Implications: There will be a cost associated with Councillors attending the local government week conference. Council has provided in the 2006-2007 draft budget funds to enable interested Councillors to attend the 2006 Local Government Week.

Strategic Implications: There are no strategic implications

Community Consultation:

Required: No

Comment:

The Serpentine Jarrahdale Shire under the single association structure has voting rights as a member of the South East Metropolitan Zone, Council's voting delegates (Councillors Star and Needham) will attend the 2006 Annual General Meeting on Sunday 6th August, 2006 at 1.00pm.

The Annual General Meeting of WALGA has a number of Agenda Items, which Council will need to provide direction to their nominated delegates on. These items are as follows:

1. Community
 - 1.1 Graffiti Management
 - 1.2 Control of Bushfire Brigades
 - 1.3 Country Medical Foundation
 - 1.4 State Government Employee Housing
 - 1.5 Transfer of Police Officers Between Districts
2. Development
 1. 2.1 Proposed Building Act and Qualification Requirements for Building Surveyors
 - 2.2 Impact of Overlapping Legislation on Local Government Planning Functions
3. Governance
 - 3.1 Fringe Benefits Tax Legislation
 - 3.2 Zone Tax Rebate Reform
 - 3.3 State Administrative Tribunal Retirement Villages Rates Exemption
 - 3.4 Establishment of a General Agreement between State and Local Government for the Transfer of Staff Entitlements
 - 3.5 Image Enhancement Strategies
 - 3.6 Advertising Campaign Promoting Local Government
 - 3.7 Training Programmes for Local Government Industry
 - 3.8 Extension of Protection for Local Government Councillors – Section 9.56 of the *Local Government Act 1995*
2. 4. Transport
 - 4.1 Reach Foundation Funding Proposal
 - 4.2 Vehicle Licensing Services
3. 5. WALGA Management
 4. 5.1 Terms of Office for Zone Office Bearers
 - 5.2 Proposed Amendments to the Constitution of the Western Australian Local Government Association

Voting Requirements: Simple

Officer Recommended Resolution:

Council delegates are to vote the following way on items on the 2006 Local Government Association Annual General Meeting Agenda:

1. Community
 - 1.1 Graffiti Management - Support or Not Support
 - 1.2 Control of Bushfire Brigades - Support or Not Support
 - 1.3 Country Medical Foundation - Support or Not Support
 - 1.4 State Government Employee Housing - Support or Not Support
 - 1.5 Transfer of Police Officers Between Districts - Support or Not Support
2. Development
 5. 2.1 Proposed Building Act and Qualification Requirements for Building Surveyors - Support or Not Support
 - 2.2 Impact of Overlapping Legislation on Local Government Planning Functions - Support or Not Support
3. Governance
 - 3.1 Fringe Benefits Tax Legislation - Support or Not Support
 - 3.2 Zone Tax Rebate Reform - Support or Not Support

- 3.3 State Administrative Tribunal Retirement Villages Rates Exemption - Support or Not Support
 - 3.4 Establishment of a General Agreement between State and Local Government for the Transfer of Staff Entitlements - Support or Not Support
 - 3.5 Image Enhancement Strategies - Support or Not Support
 - 3.6 Advertising Campaign Promoting Local Government - Support or Not Support
 - 3.7 Training Programmes for Local Government Industry - Support or Not Support
 - 3.8 Extension of Protection for Local Government Councillors – Section 9.56 of the *Local Government Act 1995* - Support or Not Support
6. 4. Transport
- 4.1 Reach Foundation Funding Proposal - Support or Not Support
 - 4.2 Vehicle Licensing Services - Support or Not Support
7. 5. WALGA Management
- 8. 5.1 Terms of Office for Zone Office Bearers - Support or Not Support
 - 5.2 Proposed Amendments to the Constitution of the Western Australian Local Government Association - Support or Not Support

CGAM003/07/06 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Price seconded Cr Kirkpatrick

Council delegates are to vote the following way on items on the 2006 Local Government Association Annual General Meeting Agenda:

- A**
- 1. Community**
 - 1.1 Graffiti Management - Support
 - 1.2 Control of Bushfire Brigades - Not Support
 - 1.3 Country Medical Foundation - Support or Not Support
 - 1.4 State Government Employee Housing - Support or Not Support
 - 1.5 Transfer of Police Officers Between Districts - Support or Not Support
 - 2. Development**
 - 9. 2.1 Proposed Building Act and Qualification Requirements for Building Surveyors - Support
 - 2.2 Impact of Overlapping Legislation on Local Government Planning Functions - Support
 - 3. Governance**
 - 3.1 Fringe Benefits Tax Legislation - Support or Not Support
 - 3.2 Zone Tax Rebate Reform - Support or Not Support
 - 3.3 State Administrative Tribunal Retirement Villages Rates Exemption - Support or Not Support
 - 3.4 Establishment of a General Agreement between State and Local Government for the Transfer of Staff Entitlements - Support or Not Support
 - 3.5 Image Enhancement Strategies - Support or Not Support
 - 3.6 Advertising Campaign Promoting Local Government - Support or Not Support
 - 3.7 Training Programmes for Local Government Industry - Support or Not Support
 - 3.8 Extension of Protection for Local Government Councillors – Section 9.56 of the *Local Government Act 1995* - Support
 - 10. 4. Transport**
 - 4.1 Reach Foundation Funding Proposal - Support or Not Support
 - 4.2 Vehicle Licensing Services - Support or Not Support
 - 11. 5. WALGA Management**

12. 5.1 Terms of Office for Zone Office Bearers - Support or Not Support
5.2 Proposed Amendments to the Constitution of the Western Australian Local Government Association - Support or Not Support

B. Items that haven't been given an indication of voting direction are to be left to the discretion of the delegates.

CARRIED 8/0

Committee Note: The Officer's Recommended Resolution was altered to allow the Committee to indicate their voting direction on certain items and allow the delegates to vote at their discretion for the remainder of the items.

CGAM004/07/06 FORWARD FINANCIAL PLAN (A0119/05)		<p>In Brief</p> <p>To review submissions made by the public in relation to the proposed Forward Financial Plan 2006-2016 and adopt the revised Plan.</p>
Proponent:	Local Government Act 1995	
Officer:	Darren Long – Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	10/07/06	
Previously	SCM09/06/06	
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

At the 6th June 2006 Special Meeting, Council resolved to advertise the draft Forward Financial Plan 2006-2016 for public comment.

This Plan is a requirement of section 5.56 of the Local Government Act 1995 and includes;

1. A local government is to make a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).
2. A plan for the future of a district is to set out the broad objectives of the local government for the period specified in the plan.
3. A local government is to review its current plan for the future of its district every 2 years and may modify the plan, including extending the period the plan is made in respect of.
4. A council is to consider a plan, or modifications, submitted to it and is to determine* whether or not to adopt the plan, or the modifications, as is relevant.

***Absolute majority required.**

(6) If a plan, or modified plan, is adopted by the council then the plan or modified plan is to apply to the district for the period of time specified in the plan.

(7) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a plan for the future of the district, and when preparing any modifications of a plan.

(8) A plan for the future of a district is to contain a description of the involvement by the electors and ratepayers in the development of the plan, and any modifications of the plan.

(9) A local government is to ensure that a plan for the future made in accordance with this regulation applies in respect of each financial year after the financial year ending 30 June 2006.

An advertisement was placed in the Weekend Examiner newspaper seeking public comments on the Plan. A copy was also placed on Council's website and copies were made available from the Mundijong offices and the library. The closing date for submissions was 5:00pm on 6th July 2006.

Sustainability Statement

Economic Viability: The Forward Financial Plan considers all anticipated future expenditure and revenue streams. Future grant funding needs and resource requirements have been predicted to establish the viability of activities being achieved utilising these funding avenues. Whilst this document is only an estimate of future needs and sources of funding, it does identify the risk associated with Council's ability to undertake and fund each activity over the next ten (10) years.

The Forward Financial Plan will continue to be reviewed annually to ensure that the priorities remain current and therefore some of the activities indicated in the plan may change in the level of funding, the year of allocation, or may be deleted altogether if no longer deemed to be a current priority.

Economic Benefits: The Forward Financial Plan provides some certainty towards current priorities, subject to annual review, to ensure the continued sustainable development of the community. It will aid the planning process undertaken by Council in consultation with the community and assist in bringing the benefits expected from future growth.

Statutory Environment:

Under section 5.56 of the Local Government Act 1995;

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government Administration Regulation 19C applies.

Policy/Work Procedure Implications:

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

Financial Implications:

The Forward Financial Plan details the application of Council's financial resources for the next ten (10) years. Cost and revenue estimates for the first (1) year are provided at current day rates. An inflation rate of 3% has been factored in from year two (2) for expenses and a 1% rate for all revenue streams.

The Forward Financial Plan will be taken into consideration when developing the 2006/2007 statutory budget.

Strategic Implications:

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

3. Economic

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

4. Balance resource allocation to support sustainable outcomes.

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:

Required: Yes

The Local Government Act 1995 requires Council to adopt an advertising method prior to the review of the Plan. Council has adopted an advertising period of twenty one (21) days and placed advertisements in the Examiner and on Council's website.

Comment:

Only 1 submission has been received and is identified in the table below.

SUBMISSION	COMMENT	RECOMMENDATION
33 South Crescent, Byford	<ol style="list-style-type: none"> 1. Pleased to see and ongoing commitment to the Landcare Centre but the question was raised as to whether the Shire's aspirations could be achieved without raising the financial contribution in future years. 2. Appreciation expressed for the contribution to Percy's house. 3. While an explanation on the omission of George Street has been received, Link members feel that joining the two already developed portions of this street are absolutely vital and of a very high priority to the community and should be shown in the Plan. 	<ol style="list-style-type: none"> 1. Comments on financial contribution to Landcare are acknowledged, but the financial contribution is considered appropriate by Council at this point in time. 2. Comments are noted. 3. Not supported. Development is imminent in this area, which will result in George Street being built by developers, once subdivision of land occurs.

Voting Requirements: ABSOLUTE MAJORITY

CGAM004/07/06 COUNCIL DECISION/Committee/Officer Recommended Resolution

**Moved Cr Star seconded Cr Wigg
 That the Draft Forward Financial Plan 2006-2016, without amendment, be adopted.
 CARRIED 8/0 ABSOLUTE MAJORITY**

CGAM005/07/06		REGIONAL PRIORITY PLAN (A0839-06)	
Proponent:	Peel Development Commission	In Brief To review and update the Regional Priority Plan.	
Officer:	Darren Long – Director Corporate Services		
Signatures Author:			
Senior Officer:			
Date of Report	10/07/06		
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 Peel Development Commission has written to Council seeking input into the Regional Priority Plan for 2006/2007. The Plan consists of key strategic issues that have been group into eight (8) categories:

1. Education, training, labour supply/workforce;
2. Health;
3. Planning and Infrastructure;
4. Regional investment;
5. Natural Resource Management;
6. Community Building;
7. Living conditions in indigenous communities;
8. Governance.

Council is requested to review the existing Regional Priorities Plan and submit any additional strategic issues that should be incorporated into the Plan.

Sustainability Statement

Effect on Environment: The Regional Priorities Plan categorizes strategic issues into eight (8) areas. One strategy area is natural resource management; where the key projects aim to have a positive impact on the environment. The environmental impact, (including triple bottom line assessment), of other strategic projects in the Plan will be assessed as part of the initial scoping phase of that project.

Economic Viability: All key projects identified to be incorporated into the Regional Priorities Plan are considered to be of strategic economic importance and intrinsic to the continued economic growth and viability of the Peel Region.

Social – Quality of Life: The Regional Priorities Plan aims to identify strategic projects that will enhance the quality of life of the residents of the Peel region.

Statutory Environment: Nil.

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

Financial Implications: The Regional Priorities Plan details the cost of each strategic issue and identifies whether it is of a capital or recurrent nature. The Plan also identifies which department/organisation, at a state and commonwealth level, is responsible for the project.

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

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.
3. 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.
5. Reduce greenhouse gas emissions.
6. Value, protect and develop biodiversity.

3. Economic

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

4. Balance resource allocation to support sustainable outcomes.

Community Consultation:

Community consultation is an integral component of the Shire's Strategic Plan. The Council has community and legislative obligations to consult the local community on issues, plans and strategies that may directly or indirectly affect them. Consultation is essential if Council is to respond to the needs and priorities of the community and is an integral component of

informed decision-making. It is also well recognised that effective consultation can lead to significant time, resource and cost savings for Council and ultimately the community (i.e. less staff time required to deal with customer complaints and compliance matters).

Community consultation and participation processes are a vital part of local democracy; are good business practice and critical to good government. Effective consultation results in an increased level of community ownership and acceptance of decisions made by Council.

Comment:

A brief workshop with Councillors was held on 4th July 2006 to identify regional priorities that need to be included into the Regional Priorities Plan. The following strategic issues were identified for inclusion:

PRIORITY	DESCRIPTION OF PROPOSAL	COMMENTS
1	Extension of Tonkin Highway to Orton Road for completion by 2008.	The SJ Shire would like to see the construction of Tonkin Highway to Orton Road by 2008, as a funding partnership between the State and Commonwealth governments.
2	Funding for the development of the Mundijong/Whitby Structure Plan	The Mundijong/Whitby Structure Plan (MWSP) is a critical planning document that must be completed prior to development, to ensure orderly planning is in place. The SJ Shire is seeking matching funding (\$150k) from the State to assist with the compilation of the MWSP, which will allow for the orderly planning and sustainable development of the Mundijong/Whitby Urban Cell.
3	Funding for Community Facilities and Services Plan compilation and implementation.	The Community Facilities and Services Plan (CFSP) is a strategic document that will assist in the identification, planning, provisioning, positioning and funding of key infrastructure and services within the SJ Shire to meet future population growth requirements. The SJ Shire is seeking matching funding (\$50k) from the State Government to assist with the development of the CFSP.
4	Funding for Strategic Planning Studies – Local Planning Strategy and Town Planning Scheme.	The Local Planning Strategy (LPS) and the Town Planning Scheme (TPS) No.3 are strategic planning studies that are required to be done to ensure the orderly planning and development within the SJ Shire. The SJ Shire is seeking matching funding (\$137k) from the State Government to assist with the development of the LPS and TPS.
5	Implementation of a rail service to Byford by 2007, with the provision of complementary coach to rail linking service from Mundijong, Jarrahdale and Serpentine by 2007. Implementation of a rail service to Mundijong by 2009.	Reliable rail services to Byford by 2007, and then Mundijong by 2009 will provide a fundamental link to public transport in line with the planned urban growth at these centres. The provision of public transport will facilitate sustainable development of the Byford and Mundijong urban cells, as well as maximizing the use of the public rail transport facility with the provision of a coach to rail link service.
6	Improved water and other utilities infrastructure to Jarrahdale immediately.	Jarrahdale is in urgent need of an upgrade to utilities infrastructure immediately so that employment generating industries can be established. It is quote clear that employment

PRIORITY	DESCRIPTION OF PROPOSAL	COMMENTS
	Funding for a feasibility study into alternate water use/reuse strategies for Mundijong and Serpentine.	generation and development is dependent upon essential services. Funding is required to investigate the options of alternate water use or water reuse systems that could be installed at Mundijong and Serpentine.
7	Preservation and retention of Mundijong-Jarrahdale railway line.	The SJ Shire is seeking a commitment of funding from the State Government to undertake a feasibility study on the retention and reservation of the Mundijong-Jarrahdale railway line due to its heritage value.
8	Continuation of the provision of a passenger rail service between Bunbury and Perth. The State Government should seek to make the (mining) Industry fund a realignment of the freight rail network.	The State Government is proposing to reduce the 'Australind' passenger rail service between Bunbury and Perth. The SJ Shire is poorly serviced by public transport, particularly passenger rail, yet is on the cusp of major urban growth in Byford and Mundijong. The passenger rail service reduction proposed is in direct conflict with the State Governments' position on Network City. The State Government has indicated that due to a marked increase in freight rail, the rail line cannot sustain both freight and passenger rail, without major up-grading works. By electing to downgrade passenger services on the line, the Government is placing a greater priority on freight over people. The SJ Shire is totally opposed to any reduction to passenger rail service and seeks a commitment from the State Government that this will not occur.
9	Whitby Hostel Future and the creation of a park reservation and public access to the Whitby Falls.	The SJ Shire is receptive to the location of a mental health facility within the Shire. Council supports the continuation of the facility at Whitby. The SJ Shire seeks the State Government to retain the hostel facility at Whitby, but consider a complimentary arrangement where a park reservation is created and public access is established to the Falls.
10	Jandakot Airport	The PDC and local governments establish a common position in relation to the proposed relocation of the Jandakot Airport.
11	Mineral Sand Mining	A commitment be given by the State Government that no mineral sand mining will be permitted within the SJ Shire.
12	Funding for demand analysis to establish an Employment Generating Park at Cardup.	The SJ Shire is seeking a commitment of matching funding from the State Government to assist with the preparation of environmental and demand analysis studies

Voting Requirements:

Simple Majority

Officer Recommended Resolution

That the following table of regional priorities be communicated to the Peel Development Commission and the Peel Area Consultative Committee with a view of incorporating them into the Regional Priorities Plan:

PRIORITY	DESCRIPTION OF PROPOSAL	COMMENTS
1	Extension of Tonkin Highway to Orton Road for completion by 2008.	The SJ Shire would like to see the construction of Tonkin Highway to Orton Road by 2008, as a funding partnership between the State and Commonwealth governments.
2	Funding for the development of the Mundijong/Whitby Structure Plan	The Mundijong/Whitby Structure Plan (MWSP) is a critical planning document that must be completed prior to development, to ensure orderly planning is in place. The SJ Shire is seeking matching funding (\$150k) from the State to assist with the compilation of the MWSP, which will allow for the orderly planning and sustainable development of the Mundijong/Whitby Urban Cell.
3	Funding for Community Facilities and Services Plan compilation and implementation.	The Community Facilities and Services Plan (CFSP) is a strategic document that will assist in the identification, planning, provisioning, positioning and funding of key infrastructure and services within the SJ Shire to meet future population growth requirements. The SJ Shire is seeking matching funding (\$50k) from the State Government to assist with the development of the CFSP.
4	Funding for Strategic Planning Studies – Local Planning Strategy and Town Planning Scheme.	The Local Planning Strategy (LPS) and the Town Planning Scheme (TPS) No.3 are strategic planning studies that are required to be done to ensure the orderly planning and development within the SJ Shire. The SJ Shire is seeking matching funding (\$137k) from the State Government to assist with the development of the LPS and TPS.
5	Implementation of a rail service to Byford by 2007, with the provision of complementary coach to rail linking service from Mundijong, Jarrahdale and Serpentine by 2007. Implementation of a rail service to Mundijong by 2009.	Reliable rail services to Byford by 2007, and then Mundijong by 2009 will provide a fundamental link to public transport in line with the planned urban growth at these centres. The provision of public transport will facilitate sustainable development of the Byford and Mundijong urban cells, as well as maximizing the use of the public rail transport facility with the provision of a coach to rail link service.
6	Improved water and other utilities infrastructure to Jarrahdale immediately. Funding for a feasibility study into alternate water use/reuse strategies for Mundijong and Serpentine.	Jarrahdale is in urgent need of an upgrade to utilities infrastructure immediately so that employment generating industries can be established. It is quote clear that employment generation and development is dependent upon essential services. Funding is required to investigate the options of alternate water use or water reuse systems that could be installed at Mundijong and Serpentine.

7	Preservation and retention of Mundijong-Jarrahdale railway line.	The SJ Shire is seeking a commitment of funding from the State Government to undertake a feasibility study on the retention and reservation of the Mundijong-Jarrahdale railway line due to its heritage value.
8	Continuation of the provision of a passenger rail service between Bunbury and Perth. The State Government should seek to make the (mining) Industry fund a realignment of the freight rail network.	The State Government is proposing to reduce the 'Australind' passenger rail service between Bunbury and Perth. The SJ Shire is poorly serviced by public transport, particularly passenger rail, yet is on the cusp of major urban growth in Byford and Mundijong. The passenger rail service reduction proposed is in direct conflict with the State Governments' position on Network City. The State Government has indicated that due to a marked increase in freight rail, the rail line cannot sustain both freight and passenger rail, without major up-grading works. By electing to downgrade passenger services on the line, the Government is placing a greater priority on freight over people. The SJ Shire is totally opposed to any reduction to passenger rail service and seeks a commitment from the State Government that this will not occur.
9	Whitby Hostel Future and the creation of a park reservation and public access to the Whitby Falls.	The SJ Shire is receptive to the location of a mental health facility within the Shire. Council supports the continuation of the facility at Whitby. The SJ Shire seeks the State Government to retain the hostel facility at Whitby, but consider a complimentary arrangement where a park reservation is created and public access is established to the Falls.
10	Jandakot Airport	The PDC and local governments establish a common position in relation to the proposed relocation of the Jandakot Airport.
11	Mineral Sand Mining	A commitment be given by the State Government that no mineral sand mining will be permitted within the SJ Shire.
12	Funding for demand analysis to establish an Employment Generating Park at Cardup.	The SJ Shire is seeking a commitment of matching funding from the State Government to assist with the preparation of environmental and demand analysis studies

CGAM005/07/06 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Price seconded Cr Wigg

That the following table of regional priorities be communicated to the Peel Development Commission and the Peel Area Consultative Committee with a view of incorporating them into the Regional Priorities Plan:

PRIORITY	DESCRIPTION OF PROPOSAL	COMMENTS
1	Extension of Tonkin Highway to Orton Road for completion by 2008.	The SJ Shire would like to see the construction of Tonkin Highway to Orton Road by 2008, as a funding partnership between the State and Commonwealth governments.
2	Funding for the development of the Mundijong/Whitby Structure Plan	The Mundijong/Whitby Structure Plan (MWSP) is a critical planning document that must be completed prior to development, to ensure orderly planning is in place. The SJ Shire is seeking matching funding (\$150k) from the State to assist with the compilation of the MWSP, which will allow for the orderly planning and sustainable development of the Mundijong/Whitby Urban Cell.
3	Funding for Community Facilities and Services Plan compilation and implementation.	The Community Facilities and Services Plan (CFSP) is a strategic document that will assist in the identification, planning, provisioning, positioning and funding of key infrastructure and services within the SJ Shire to meet future population growth requirements. The SJ Shire is seeking matching funding (\$50k) from the State Government to assist with the development of the CFSP.
4	Funding for Strategic Planning Studies – Local Planning Strategy and Town Planning Scheme.	The Local Planning Strategy (LPS) and the Town Planning Scheme (TPS) No.3 are strategic planning studies that are required to be done to ensure the orderly planning and development within the SJ Shire. The SJ Shire is seeking matching funding (\$137k) from the State Government to assist with the development of the LPS and TPS.
5	Implementation of a rail service to Byford by 2007, with the provision of complementary bus to rail linking service from Mundijong, Jarrahdale and Serpentine by 2007. Implementation of a rail service to Mundijong by 2009.	Reliable rail services to Byford by 2007, and then Mundijong by 2009 will provide a fundamental link to public transport in line with the planned urban growth at these centres. The provision of public transport will facilitate sustainable development of the Byford and Mundijong urban cells, as well as maximizing the use of the public rail transport facility with the provision of a bus to rail link service.
6	Improved water and other utilities infrastructure to Jarrahdale immediately. Funding for a feasibility study into alternate water use/reuse strategies for Mundijong and Serpentine.	Jarrahdale is in urgent need of an upgrade to utilities infrastructure immediately so that employment generating industries can be established. It is quite clear that employment generation and development is dependent upon essential services. Funding is required to investigate the options of alternate water use or water reuse systems that could be installed at Mundijong and Serpentine.
7	Preservation and retention of	The SJ Shire is seeking a commitment of

PRIORITY	DESCRIPTION OF PROPOSAL	COMMENTS
	Mundijong-Jarrahdale railway line.	funding from the State Government to undertake a feasibility study on the retention and reservation of the Mundijong-Jarrahdale railway line due to its heritage value and potential future use.
8	<p>Continuation of the provision of a passenger rail service between Bunbury and Perth.</p> <p>The State Government should seek to make the (mining) Industry fund a realignment of the freight rail network.</p>	<p>The State Government is proposing to reduce the 'Australind' passenger rail service between Bunbury and Perth. The SJ Shire is poorly serviced by public transport, particularly passenger rail, yet is on the cusp of major urban growth in Byford and Mundijong. The passenger rail service reduction proposed is in direct conflict with the State Governments' position on Network City. The State Government has indicated that due to a marked increase in freight rail, the rail line cannot sustain both freight and passenger rail, without major up-grading works. By electing to downgrade passenger services on the line, the Government is placing a greater priority on freight over people. The SJ Shire is totally opposed to any reduction to passenger rail service and seeks a commitment from the State Government that this will not occur. The Shire is particularly concerned about the potential deletion of the commuter service that exists for Serpentine Jarrahdale residents.</p>
9	Whitby Hostel Future and the creation of a park reservation and public access to the Whitby Falls.	<p>The SJ Shire is receptive to the location of a mental health facility within the Shire. Council supports the retention and upgrading of the facility at Whitby. The SJ Shire seeks the State Government to retain the hostel facility at Whitby, but consider a complimentary arrangement where a park reservation is created and public access is established to the Falls.</p> <p>The shire requests to be consulted fully by the State Government on any future planning alternatives for the mental health facility in SJ.</p>
10	Jandakot Airport	The Serpentine Jarrahdale Shire opposes the proposal for a new airport development on the southern boundary of our Shire due the deleterious effect on the amenity and use of the area.
11	Mineral Sand Mining	A commitment be given by the State Government that no mineral sand mining will be permitted within the SJ Shire.
12	Funding for demand analysis to establish an Employment Generating Park at Cardup.	The SJ Shire is seeking a commitment of matching funding from the State Government to assist with the preparation of environmental and demand analysis studies

CARRIED 8/0

Committee Note: The Officer's Recommended Resolution was changed to allow the Committee to make minor amendments to the comments in points 5, 7, 8, 9, 10.

8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Council Note: Item OCM01/07/06 OFFER TO PURCHASE PORTION OF RESERVE 30867 was considered after item SD006/07/06.

OCM01/07/06 OFFER TO PURCHASE PORTION OF RESERVE 30867 (A1118) (RS0136)		
Proponent:	Serpentine Jarrahdale Grammar School Inc.	In Brief 1. Council reaffirm to the SJ School Board its full support for the establishment of a secondary educational facility in Mundijong; 2. Council not proceed with the proposal to divest the Administration and Civic Centre to the SJ Grammar School Board; 3. Council adopt the position of retaining the current location for the Shires' Administration and Civic Centre for the long term; 4. Advise the School Board of its decision to decline the offer; 5. Council continue to facilitate negotiations with the Serpentine Jarrahdale Grammar School Board to identify and secure a site for its permanent establishment.
Owner:	Crown/Serpentine Jarrahdale Shire	
Officer:	Darren Long – Acting CEO	
Signatures Author:		
Senior Officer:		
Date of Report	17 th July 2006	
Previously	CGAM134/04/06; 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 1995.	
Delegation	Council	

Cr Star left the meeting at 8.25pm and returned at 8.26pm

COUNCIL DECISION

Moved Cr Kirkpatrick seconded Cr Wigg

The meeting be closed to members of the public at this point to allow Council to discuss agenda item OCM02/07/06 because the matter is of a confidential nature.

CARRIED 8/0

Members of the gallery left the meeting at 8.26pm.

OCM02/07/06		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:	Acting Chief Executive Officer – Darren Long	
Signatures Author:		
Senior Officer:		
Date of Report	21 st July 2006	
Previously	OCM11/09/05 OCM037/04/06	
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

OCM02/07/06 COUNCIL DECISION/Officer Recommendation

Moved Cr Price seconded Cr Star

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 Council approves the Variation of Contract document as provided by Councils solicitors;
- b) To expedite the finalisation of the Variation of Contract document, the Acting Chief Executive Officer is authorised to require or agree to any further variations to the Contract which the Acting 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
- c) Pursuant to subclause (b), the Acting 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 8/0 ABSOLUTE MAJORITY

The meeting was re-opened to the public at 8.28pm.

9. CHIEF EXECUTIVE OFFICER'S REPORT

OCM03/07/06 INFORMATION REPORT			
Proponent	Acting Chief Executive Officer		In Brief Information Report for the month of July, 2006.
Officer	Darren Long – Acting Chief Executive Officer		
Signatures - Author:			
Senior Officer:			
Date of Report	20 th July, 2006		
Previously			
Disclosure of Interest			
Delegation	Council		

OCM03.1/07/06 COMMON SEAL REGISTER REPORT – JUNE, 2006 (A1128)

The Common Seal Register Report for the month of June, 2006 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked [OCM03.1/07/06](#) (E02/5614)

OCM03.2/07/06 POLICY FORUM – July, 2006 (A0429/05)

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

ITEMS FOR PRELIMINARY DISCUSSION	
1.	Farmland Concession Review
2.	Regional Priorities Workshop
3.	Budget Workshop (II)
4.	High School Options
5.	Darling Downs
6.	Cardup Christian Community Church

OCM03.3/07/06 REQUEST FOR LEAVE OF ABSENCE – CR KIRKPATRICK – AUGUST, 2006 (A0906)

In the attachments marked [OCM03.3/07/06](#) (IN06/8230) is a letter from Cr Kirkpatrick requesting leave of absence from Council meetings for the month of August 2006.

OCM03.4/07/06 LOCAL GOVERNMENT NATIONAL REPORT – 2004-05 REPORT ON THE OPERATION OF THE LOCAL GOVERNMENT (FINANCIAL ASSISTANCE) ACT 1995 (A0087-03)

The Department of Transport and Regional Services have produced a report “Local Government National Report – 2004-05 Report on the Operation of the *Local Government (Financial Assistance) Act 1995*. This report is located in the Councillors Lounge Library.

OCM03.5/07/06 PEEL HARVEY CATCHMENT COUNCIL (INC) – LETTER SEEKING LOCAL GOVERNMENT REPRESENTATION (A0309)

In the attachments marked [OCM03.5/07/06](#) (IN06/7348) is a letter from the Peel Harvey Catchment Council (Inc) inviting nominations from Local Government representatives to the Peel Harvey Catchment Council Board.

OCM03.6/07/06 SMALL BUSINESS CENTRE PEEL - BUSINESS BUILDERS PROGRAM 2006 (A0839-06)

In the attachments marked [OCM03.6/07/06](#) (IN06/7253) is a letter from the Small Business Centre Peel advising that they have received funding of \$250,000 to deliver skills training and mentoring to small business operators. The Business Builders Program will expose small business operators in the Peel Region to training resources.

OCM03.7/07/06 PEEL 2020 PARTNERSHIP MEETING MINUTES – 12TH JULY, 2006 (A0134)

The Minutes of the Peel 2020 Partnership Meeting held on 12th July, 2006 are with the attachments marked [OCM03.7/07/06](#) (IN06/8266).

OCM03.8/07/06 LETTER FROM MINISTER FOR LOCAL GOVERNMENT & REGIONAL DEVELOPMENT – PROPOSED AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1995 (A0108-02)

In the attachments marked [OCM03.8/07/06](#) (IN06/8118) is a letter from the Minister for Local Government & Regional Development advising of the progress of two bills; Local Government (Official Conduct) Amendment Bill 2005 and Local Government Amendment Bill 2006, through Parliament.

OCM03/07/06 COUNCIL DECISION/Officers Recommended Resolution

Moved Cr Wigg seconded Cr Price

1. The Information Report to 20th July, 2006 is received.
2. Cr Kirkpatrick be granted leave of absence from Council meetings held in August 2006.

CARRIED 8/0

10. URGENT BUSINESS:

11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:

12. CLOSURE:

There being no further business, the Presiding Member closed the meeting at 8.29pm.

13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

SD001/07/06 BUILDING INFORMATION REPORT		
Proponent:	N/A	In Brief
Owner:	N/A	
Officer:	Jason Robertson - Principal Building Surveyor	Information report
Signatures Author:		
Senior Officer:		
Date of Report	03.07.06	
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	

SD001/07/06 COMMITTEE DECISION/Officer Recommended Resolution

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

SD002/07/06 HEALTH INFORMATION REPORT		
Proponent:	N/A	In Brief
Owner:	N/A	
Officer:	Tony Turner - Principal Environmental Health Officer	Information report
Signatures Author:		
Senior Officer:		
Date of Report	5.07.06	
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	

SD002/07/06 COMMITTEE DECISION/Officer Recommended Resolution

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

SD0004/07/06 PROPOSED SHOPPING CENTRE – LOTS 10 & 11 SOUTH WESTERN HIGHWAY AND LOT 104 LARSEN ROAD, BYFORD (P0009/03)		
Proponent:	Meyer Shircore & Associates	In Brief Application for construction of a shopping centre on the above property comprising 7610m ² of retail floorspace and 950m ² of ancillary uses (Fast food, Convenience Store and Health Studio) being a total floor area of 8560m ² . It is recommended that the application be refused, as a Shopping Centre is a use not permitted in the Showroom/Warehouse zone under Town Planning Scheme No. 2.
Owner:	Byford River Pty Ltd	
Officer:	Meredith Kenny - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	6 July 2006	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM046/05/04	

SD004/07/06 COMMITTEE DECISION/Officer Recommended Resolution:

A. That the application for approval to commence development for a Shopping Centre on Lots 10 and 11 South Western Highway and Lot 104 Larsen Road, Byford be refused for the following reasons:

1. The development by virtue of the proposed intended uses and the proposed gross leasable area (8560m²) is deemed to fit within the land use classification of a Shopping Centre, defined in Appendix 1 of Town Planning Scheme No. 2 as follows:

Shopping Centre - means a group of shops, service offices and general offices and related activities, the group being in excess of 5000 square metres gross leasable area, developed as an integrated unit together with the required onsite parking facilities.

A Shopping Centre is an "X" use in the Showroom/Warehouse zone and therefore is prohibited in that zone and the Council does not have any power under the Town Planning Scheme No. 2 to approve a use in a particular zone that is prohibited in that zone.

2. The proposed Shopping Centre is not consistent with the purpose and intent of the Showroom/Warehouse Zone, as set out in clause 5.7.1 of the Shire of Serpentine Jarrahdale's Town Planning Scheme No. 2, as the development does not have low traffic generating characteristics and will not predominantly provide for a range of commercially oriented uses that deal in goods of a bulky nature.
3. The proposed Shopping Centre is not consistent with the purpose and intent of the Highway Commercial zone as defined in the Byford Structure Plan by virtue of the retail uses proposed.
4. The proposed Shopping Centre would undermine the planned hierarchy of centres within the Byford urban area as the development site is not within either the Town Centre or Neighbourhood Centre zones as proposed in the Byford Structure Plan.
5. The proposed Shopping Centre could adversely affect the economic viability of existing, approved and planned commercial centres within the Byford urban area. This could result in a deterioration in the level of service to the local community or undermine public investments in infrastructure and services.

6. The layout, scale and design of the proposed development has the potential to adversely affect the amenity of George Street as it is contrary to the intended character of George Street as determined by the Council in the Byford Townsite Detailed Area Plan.
 7. The proposed Shopping Centre development is not consistent with the objectives for Commercial Areas as determined by the Council in the Byford Townsite Detailed Area Plan in that the character of the development is not relevant to Byford's heritage and the development will not create a landmark entrance to the Byford commercial area.
 8. The proposed Shopping centre does not comply with the requirements of the Byford Detailed Area Plan with regard to (but not limited to):
 - . Building height
 - . Design does not address all street frontages or street corners.
 - . Building design not in keeping with the existing and intended character of the Byford townsite.
 - . Retention of existing trees does not occur.
 - . Number of crossovers to the Highway is excessive.
 - . Location of car parking areas.
 - . Car Parking provision is deficient by 251 bays
 - . Roof signage to fast food outlet
 - . Exposure of service areas to public street
 - . Design and layout of development is not environmentally sustainable.
 9. The application is deficient with regard to the supporting information required for development applications of type as specified in State Planning Policy 4.2 Metropolitan Centres Policy for the Perth Metropolitan Region.
- B. The Western Australian Planning Commission be advised of Council's decision.
- CARRIED 7/0**

SD005/07/06 PROPOSED OVERSIZE ANCILLARY ACCOMMODATION - LOT 14 JARRAHDAL ROAD, JARRAHDAL (P03932)		
Proponent:	C Glands	In Brief Application for construction on the above property of Ancillary Accommodation that exceeds the maximum floor area and separation from the main dwelling specified under Building Policy 1 "Ancillary Accommodation and Rural Workers Dwellings". Floor area of 105m ² proposed. It is recommended that the application be approved.
Owner:	As above	
Officer:	Meredith Kenny - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	6 July 2006	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM046/05/04	

SD005/07/06 COMMITTEE DECISION/Officer Recommended Resolution:

- A. The application for the construction of Ancillary Accommodation on Lot 14 Jarrahdale Road, Jarrahdale be approved subject to the following conditions:
 1. Any occupier of the ancillary accommodation shall be a member of the family of the occupier of the main dwelling.
 2. A notification under Section 70A of the Transfer of Land Act is to be prepared by the Shire's Solicitors in a form acceptable to the

Department of Land Administration and lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot, prior to the issue of a Building Licence. This notification is to be sufficient to alert prospective landowners of the use restrictions of the ancillary accommodation as stipulated under Condition 1 of this approval. All costs associated with the fulfilment of this condition shall be met by the landowner.

3. A building licence is required to be obtained prior to the commencement of any development (including earthworks).
4. The specific approval of the Department of Health is required for effluent disposal prior to the commencement of development. Applications for effluent disposal apparatus are required to be submitted to the Council's Health Services and will then be forwarded on to the Department of Health.
5. The ancillary accommodation is 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. 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.
7. No direct discharge of stormwater into watercourses or drainage lines.
8. All stormwater runoff from roofs and hardstand areas to be disposed of on site.
9. No trees are to be removed unless the prior written approval of the Shire is obtained.
10. Only materials identified in the schedule of colours, materials and finishes attached to and forming part of this approval, are to be used in the construction of the Single House and ancillary accommodation unless the prior written approval of the Shire is obtained.

Advice Note:

1. That the Shire would not support any requests to subdivide the land as a result of a second house being constructed,

B. The site be considered for adding to the list of properties to be assessed during the next review of the Municipal Heritage Inventory in 2006/2007 by the Shire.

CARRIED 7/0

Committee Note: An Advice Note was added to the officer recommended resolution as a point of clarification with regard to subdivision of the land. The Presiding Member advised that this was a minor amendment which did not alter the intent of the officer recommended resolution.

SD008/07/06 DRAFT DETAILED AREA PLAN 4. FOR BYFORD CENTRAL RESIDENTIAL ESTATE (A0710)		
Proponent:	Gray and Lewis	In Brief
Owner:	Byford Central Pty Ltd	
Officer:	Meredith Kenny – Senior Planner	To consider a draft Detailed Area Plan setting out design requirements for the future development of four lots in Araucaria Boulevard that will back onto an area of public open space within the Byford Central subdivision.
Signatures Author:		
Senior Officer:		
Date of Report	8 May 2006	
Previously	SD147/06/06; SD135/05/06; SD095/02/06	
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	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.
Delegation	Committee – in accordance with resolution SM046/05/04	

SD008/07/06 COMMITTEE DECISION/Officer Recommended Resolution

Council resolves that

- A. The plan shown on Detailed Area Plan 4 is to be modified so that a minimum 1.5 metre setback is provided between the building envelope and the southern street boundary of Lot 507.**
- B. Subject to A above, Detailed Area Plan 4. for Byford Central 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 plans:**

R-CODING

- 1. The Residential Design Code applying to these lots is R30.**

SCHEME AND RESIDENTIAL DESIGN CODE VARIATIONS

- 2. The Scheme and Residential Design Codes are varied as described in these notations.**
- 3. The requirements of the Scheme and Residential Design Codes shall be satisfied in all other matters however.**

DESIGN ELEMENTS

- 4. The following matters apply to the development of lots affected by the Detailed Area Plan:**
 - a) All houses and garages must be constructed within the nominated building envelope;**
 - b) At least one major opening to an indoor living area is to be installed on the northern elevation of a dwelling in order to maximise solar orientation;**
 - c) Houses are required to suitably address adjacent street frontages as indicated, as well as the adjacent area of public open space.**

ELEVATIONS, OUTDOOR LIVING AREAS

5. Houses shall have one or more major openings to a habitable room and an outdoor living area facing the public open space.
6. Access for utilities is to be from the street frontages of the lots only.

SETBACKS

7. Setbacks for development shall be in accordance with the following:
 - Rear setback: Minimum 4 metre setback for house.
 - Front setback: Minimum 3m setback for house and garage. Averaging of front setback is not permitted.
 - Side setback: Nil setback for garage to side boundary. Parapet walls may be developed along the southern side boundaries of Lots 504-506 but not Lot 507. Minimum 2 metre solar setback along northern side boundaries. Second storey setbacks to be in accordance with the Residential Design Codes.

GARAGES, VEHICULAR ACCESS & DRIVEWAYS

8. Garages shall be developed and access from Araucaria Boulevard only.
9. Garages shall be a maximum two car width only (maximum 6m external width).
10. Each house shall have a driveway and crossover completed prior to occupation of the house.
11. Maximum width of crossover shall be 6m.
12. All driveways and crossovers shall be brick paved or asphalt sealed.

FENCING

13. Fencing of lot boundaries abutting street and public open space shall be designed and constructed in accordance with clause 3.2.5A5 of the Residential Design Codes (open feature fencing);
14. Fencing of boundaries between lots is to be installed in accordance with the following standard:
 - a) All side boundary fencing 1.8m high and fully installed prior to occupation of the dwelling.

OUTBUILDINGS

15. A storeroom of 4m² floor area, shall be integrated into the dwelling (ie under the same roof) and constructed of the same materials. This room shall only be accessible from outside the dwelling.
16. No additional sheds or outbuildings are permitted on lots.

WASHING LINES & RUBBISH BINS

17. Clothes lines and rubbish bin storage must be screened from view of the street and public open space area by masonry walls or other methods of construction to match the materials used for the dwelling and with a height of 1.8 metres.

AIR CONDITIONING/COOLING UNITS & SOLAR HOT WATER SYSTEMS

18. 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;

19. 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.

NOTIFICATION TO PROSPECTIVE PURCHASERS

20. The developer is required to give prospective purchasers a complete copy of all the requirements of this Detailed Area Plan prior to Offer and Acceptance being made.

Advice Note:

1. Planning approval is not required for the construction of a dwelling on any lot within the area covered by the Detailed Area Plan (including lots with a land area less than 350 square metres) except where variations to the provisions of the Detailed Area Plan are sought.

- C. Within ten days of the date of this resolution, a copy of the approved Detailed Area Plans 2. and 3. for the Byford Central estate 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

SD009/07/06 DRAFT DETAILED AREA PLAN – LOT 9000 THOMAS ROAD, BYFORD (REDGUM BROOK ESTATE STAGE 4) (S129301)		
Proponent:	Gray & Lewis	In Brief
Owner:	Thomas Road Developments	To consider a draft Detailed Area Plan setting out design requirements for the future development of the ‘Residential R30’ zoned lots within stage 4 of the Redgum Brook Estate subdivision. 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.
Officer:	M Daymond – Planning Officer	
Signatures Author:		
Senior Officer:		
Date of Report	6 July 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	Committee – in accordance with resolution SM046/05/04	

SD009/07/06 COMMITTEE DECISION/Officer Recommended Resolution:

- A. The Detailed Area Plan for proposed Lots 370-374, 376-380 and 388-392 within stage 4 of the Redgum Brook 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 following provisions being incorporated on the plan:

R CODING

1. The Residential Design Code applying to these Lots is R30

SCHEME & RESIDENTIAL DESIGN CODE VARIATIONS

2. The Scheme and Residential Design Codes are varied as described in these notations;
3. The requirements of the scheme and residential design codes shall be satisfied in all other matters however.

DESIGN ELEMENTS

4. The following matters apply to the development of lots affected by the Detailed Area Plan:
 - a) All houses and garages must be constructed within the nominated building envelope;
 - b) At least one major opening to an indoor living area is to be installed on the northern elevation of a dwelling in order to maximize solar orientation;
 - c) Houses are required to suitably address adjacent street frontages as indicated (excluding rear laneways), as well as the adjacent area of public open space.

ELEVATIONS, OUTDOOR LIVING AREAS & POSTAL ADDRESSES

5. Houses shall have one or more major openings to a habitable room and an outdoor living area facing the public open space area.
6. The postal street address is to be the street at the front of the dwelling and not the rear lane.
7. Access to utilities is to be from the rear laneway unless otherwise approved by Council.

SETBACKS

8. Setbacks for development shall be in accordance with the following:

Rear setback:	Minimum 1.5m setback for house. Minimum 1m setback for garage.
Front setback:	Minimum 4m setback for house (to allow suitable outdoor living area within front setback). Averaging of front setback is not permitted.
Side setback:	Nil setback for garage to side boundary. Parapet walls may be developed along both boundaries of Lots 377-379 but not Lots 376 or 380 in accordance with the Residential Design Codes. Parapet walls may be developed along southern side boundaries of Lots 370-373 and 388-391 but not Lots 374 or 392 in accordance with the Residential Design Codes. Second storey setbacks in accordance with the Residential Design Codes.

GARAGES, VEHICULAR ACCESS, DRIVEWAYS

9. Garages shall be developed and accessed from the adjacent rear laneways only.
10. Garages shall be a maximum two car width only (maximum 6m external width).
11. An alternative garage location may be approved along the adjacent rear laneway of Lots 371-373, 377-379 and 389-391 subject to design, placement and accessibility requirements being met to the Shire's satisfaction.
12. All vehicle access is to be from the adjacent rear laneway at all times;
13. Each house shall have a driveway and crossover completed prior to occupation of the house.

14. **Maximum width of crossover shall be 6m.**
15. **All driveways and crossovers shall be brick paved, asphalt sealed or other hard paving to the satisfaction of the Shire.**

FENCING

16. **Fencing within adjacent street frontages of lots (including rear laneways) shall be designed and constructed in accordance with clause 3.2.5A5 of the Residential Design Codes (open feature fencing).**
17. **All other fencing is to be installed in accordance with the following standards:**
 - a) **All side boundary fencing 1.8m high and fully installed prior to occupation.**

OUTBUILDINGS

18. **A storeroom of 4m² shall be integrated into the dwelling (ie under the same roof) and constructed of the same materials. This room shall only be accessible from outside the dwelling;**
19. **No additional sheds or outbuildings are permitted on lots.**

WASHING LINES, RUBBISH BINS

20. **Clothes lines and rubbish bin storage must be screened from view of the public domain by masonry walls or other methods of construction to match the materials used for the dwelling and with a height of 1.8 metres.**
21. **A paved bin pad is to be provided inside the lot abutting the boundary to the rear lane for pick up of bins by waste disposal contractors.**

AIR CONDITIONING/COOLING UNITS AND SOLAR HOT WATER SYSTEMS

22. **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;**
23. **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.**

Advice Note:

Planning approval is not required for the construction of a dwelling on any lot within the area covered by the Detailed Area Plan (including the lots within a land area of less than 350m²) except where variations to the provisions of the Detailed Area Plan are sought.

- 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

Committee Note: The Presiding Member agreed for an inclusion of a minor amendment to part 15 to clarify the intent of the clause that could be interpreted as being restrictive.

SD010/07/06 PLANNING INFORMATION REPORT		
Proponent	Executive Manager Planning & Regulatory Services	In Brief Information Report.
Officer	Lorelle Williams - Acting Support Officer Planning & Regulatory Services	
Signatures – Author:		
Senior Officer:		
Date of Report	3 July 2006	
Previously		
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM051/06/04	

SD010/07/06 COMMITTEE DECISION/Officer Recommended Resolution

**The Planning Information Report to 14 July 2006 be received.
CARRIED 7/0**

CGAM002/07/06 DARLING DOWNS MANAGEMENT COMMITTEE– MANAGEMENT OF DARLING DOWNS RESERVE (A0038-02)		
Proponent:	Darling Downs Management Committee	In Brief That Council formalise a course of action in relation to the ongoing maintenance and improvement of the Darling Downs Reserve and the role that the Darling Downs Management Committee assume in relation to the Reserve.
Officer:	Darren Long Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	10 July 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	Committee in accordance with resolution SM051/06/04	

CGAM002/07/06 COMMITTEE DECISION/Officer Recommended Resolution:

1. That Council hold discussions with the Darling Downs Management Committee with a view to negotiating with the Committee to continue to undertake the maintenance and development of the Darling Downs Reserve, and in return Council offer to fund the cost of the relevant public liability and personal accident insurance policies to protect the Committees' members. To compliment this arrangement, a peppercorn non-exclusive licence be drafted to reflect the maintenance role of the Committee in relation to the Darling Downs Reserve, including a clause to define Council's commitment to fund the ongoing costs of the relevant insurance policies;
2. Should the action in Point 1 not succeed, acknowledge the position stated by the Darling Downs Management Committee in relation to the Darling Downs Reserve and Council confirms it accepts all responsibility in maintaining the reserve; and

- 3. Council consider ways to fund the financial costs associated with maintaining the Darling Downs Reserve to a level expected by users, such as a Specified Area rate, should the action in Point 1 not succeed.**
CARRIED 7/0

CGAM006/07/06 MONTHLY FINANCIAL REPORT – JUNE 2006 (A0924/06)		
Proponent:	Local Government Act 1995	In Brief
Owner:		To receive the Monthly Financial Report as at 30 June 2006
Officer:	Casey Mihovilovich – Manager Finance Services	
Signatures Author:		
Senior Officer:		
Date of Report	06/07/06	
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	

CGAM006/07/06 COMMITTEE DECISION/Officer Recommended Resolution:

Council receives the Monthly Financial Report, as at 30 June 2006, in accordance with Section 6.4 of the Local Government Act 1995.
CARRIED 7/0

CGAM007/07/06 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent:	Director Corporate Services	In Brief
Owner:	N/A	To confirm the creditor payments made during June 2006
Officer:	S. O'Meagher – Finance Officer	
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	

CGAM007/07/06 COMMITTEE DECISION/Officer Recommended Resolution:

Council notes the payments authorised under delegated authority and detailed in the list of invoices for the month of June, 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

CGAM008/07/06 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 30 June 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	

CGAM008/07/06 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 30 June 2006.
 CARRIED 7/0**

CGAM009/07/06 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the sundry debtor balances as at 30 June 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	

CGAM009/07/06 COMMITTEE DECISION/Officer Recommended Resolution:

**Council receive and note the report on Sundry Debtor Outstanding Accounts as at 30 June 2006.
 CARRIED 7/0**

CGAM010/07/06 RATE DEBTORS REPORT (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the rates report as at 30 June 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	

CGAM010/07/06 COMMITTEE DECISION/Officer Recommended Resolution:

**Council receive and note the report the Rate Debtors accounts as at 30 June 2006.
CARRIED 7/0**

CGAM011/07/06 INFORMATION REPORT		
Proponent:	Director Corporate Services	In Brief To receive the information report to 30 June 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	

CGAM011/07/06 COMMITTEE DECISION/Officer Recommended Resolution:

**The information report to 5 July 2006 be received.
CARRIED 7/0**