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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET MUNDIJONG MONDAY 25<sup>th</sup> August, 2003. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.00 PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

**1. ATTENDANCES & APOLOGIES**

**PRESENT:** Crs DL Needham ..... Presiding Member  
JC Star  
JA Scott  
KR Murphy  
AW Wigg  
JE Price  
AJ Simpson  
WJ Kirkpatrick  
THJ Hoyer

**APOLOGIES:** Cr IJ Richards ..... Leave of Absence  
Mr M Beaverstock ..... Director Asset Services

**IN ATTENDANCE:** Mr D Price ..... Chief Executive Officer  
Mr G Dougall ..... Director Corporate Services  
Ms J Abbiss ..... Director Sustainable Development  
Mr B Coelho ..... Acting Director Asset Services  
Mrs S Langmair ..... Minute Secretary

**GALLERY: 1**

**2. PUBLIC QUESTION TIME:**

2.1 Response To Previous Public Questions Taken On Notice

**3. PUBLIC STATEMENT TIME:**

**4. PETITIONS & DEPUTATIONS:**

**5. PRESIDENT'S REPORT:**

**6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:**

Cr Price declared an interest in Item C001/08/03 2003 National General Assembly of Local Government as Cr Price is the member attending and recipient of Council funds.

**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 – 28<sup>th</sup> July, 2003

**COUNCIL DECISION**

Moved Cr Price seconded Cr Simpson  
That the minutes of the Ordinary Council Meeting held on 28<sup>th</sup> July, 2003 be confirmed.  
CARRIED 9/0

7.2 Corporate Services Committee Meeting – 11<sup>th</sup> August, 2003

**COUNCIL DECISION**

Moved Cr Simpson seconded Cr Star

That the minutes of the Corporate Services Committee Meeting held on 11<sup>th</sup> August, 2003 be received.

CARRIED 9/0

Cr Price declared an interest (member attending the conference and recipient of Council funds) and left the meeting at 7.06pm.

C001/08/03 2003 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (A0435)		
Proponent	Council	In Brief  Council to approve Cr Price's attendance at this years conference in Canberra
Officer	D.E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	22 July 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

Council has received the program and registration for the 2003 National General Assembly of Local Government to be held in Canberra from the 23 to 26 November this year.

Councillors' have been provided with the relevant information, and Cr Price has indicated his interest in attending given he will be on the east coast of Australia at the time the conference is on.

Councillor Star and Cr Needham attended last years National General Assembly of Local Government.

**Comments**

This years conference is titled "Forging our Future – Local Governance Towards 2020". A copy of the program is available from the Chief Executive Officer's Personal Assistant. Cr Price has indicated that he will be able to attend this years conference and would only require Council to meet the cost of a single air ticket from Canberra back to Perth plus accommodation and meals during the conference.

**Sustainability Statement**

The conference theme and information which has been received suggests attendees will consider the impact of likely demographic, political and economical change on local government and will examine actions local governments may be able to examine and that they may be able to take, to forge the kinds of future that will best serve our Councils and communities.

**Statutory Environment:** Not applicable

**Policy Implications:** Council Policy CSP 25 "Council Training, Development and Conference Attendance" states the following;

*In any instances where training, development or conferences attendance, by both Councillor/s or staff involves interstate travel, and this is not identified specifically in the budget, then Council will need to approve the attendance at such training, development or conferences.*

*It is the responsibility of the Councillor or Officer to ensure that conference papers and/or a brief report are made available to other members of Council after attendance.*

**Financial Implications:**

Council has included in the 2003/2004 budget funds (\$4,500) to allow two (2) representations to Canberra. One of these representations would be part of any Peel delegation visit to Canberra by either the Shire President or Chief Executive Officer (\$2,250), the other is available to be used for this request if Council agree (\$2,250).

Cost of early bird registration for full conference attendance is \$725.00.

The lowest quote for a one-way conference airfare from Qantas, who have been appointed the official airline for the forum, from Canberra to Perth is \$500.

The conference literature has accommodation rates. The average nightly rate for a single room is \$140. It is suggested that a \$40 per day meals allowance be made also for the duration of the conference.

**Strategic Implications:**

Key Result Area 4 of the 2003 Strategic plan "Governance" – Identify and implement best practice in all areas of operation.

**Community Consultation:**

Not applicable

**Voting Requirements:**

Normal

**Officer Recommended Resolution**

1. Council agrees to the registration of Cr Price to attend the 2003 National General Assembly of Local Government to be held in Canberra from the 23 to 26 November.
2. Council agrees to meet the cost of a single return (Canberra-Perth) airfare to enable Cr Price's attendance at the 2003 National General Assembly of Local Government.
3. Council agrees to pay Cr Price an allowance of three (3) nights accommodation (\$140 per night for the nights 23, 24 and 25 November) and a meal allowance (\$40 per day 23, 24, 25 and 26 November) whilst attending the 2003 National General Assembly of Local Government.

**CRC001 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Hoyer seconded Cr Wigg

1. Council agrees to the registration of Cr Price to attend the 2003 National General Assembly of Local Government to be held in Canberra from the 23 to 26 November.
2. Council agrees to meet the cost of a single return (Canberra-Perth) airfare to enable Cr Price's attendance at the 2003 National General Assembly of Local Government.
3. Council agrees to pay Cr Price an allowance of four (4) nights accommodation (\$140 per night for the nights 23, 24, 25 and 26 November) and a meal allowance (\$40 per day 23, 24, 25 and 26 November) whilst attending the 2003 National General Assembly of Local Government.

CARRIED 8/0

Cr Price was not present and did not vote and joined the meeting at 7.07pm.

Committee Note: The Officers Recommendation was changed with an additional nights accommodation added to the recommendation due to Cr Price being unable to get a suitable flight from Canberra to Perth on the 25 November 2003.

C004/08/03 WRITE OFF OF LEGAL CHARGES AND INTEREST (P03173)		In Brief
Proponent	Mr. And Mrs. Vallow	The owners of A119060 have requested that the legal charges and interest that have accrued against their rate assessment be written off. This is due to the owners claiming they never received their rate notice or overdue notice. The owner claims she rang the Council 18 months ago with her change of address. No change of address request has been found on our records. It is recommended that the legal charges and interest be written off.
Officer	Vicki Delbridge - Rates	
Signatures - Author:		
Senior Officer:	Raymond Pryce – Senior Finance Officer	
Date of Report	05/08/03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

The owners of A119060 have requested that the legal charges and interest that they have incurred on their rate assessment be written off. They have stated that they informed the Council by telephone approximately 18 months ago of their change of address to their property address. They have stated that they never received their rate notice or any other correspondence from Council and therefore are not liable for the legal fees or the interest that has accumulated on their assessment. There are no change of address request on our records.

**Comments**

There is no documented evidence to prove whether or not the owners did in fact telephone the Council with their new address. To keep accurate records it has been the practice for the last three years, of Building Services to enclose a copy of our standard change of address notification form with all notification of building licences for dwellings. This form is also used for over the phone changes and general requests.

The facts of this request cannot be proved nor disproved and therefore Council approval is sought to write the late payment costs off against this assessment raises in the 2002/2003 financial year.

<b><u>Statutory Environment:</u></b>	Local Government Act 1995
<b><u>Policy Implications:</u></b>	No policy implications
<b><u>Financial Implications:</u></b>	Will be a maximum of \$201.90 being \$159.70 in legal fees and \$42.20 of interest for the 2002/03 financial year.
<b><u>Strategic Implications:</u></b>	None
<b><u>Community Consultation:</u></b>	None
<b><u>Voting Requirements:</u></b>	<b>ABSOLUTE MAJORITY</b>

**CRC004 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Star seconded Cr Simpson  
It is recommended that Council write off the legal fees and the interest of \$201.90 for A119060.  
**CARRIED 9/0 ABSOLUTE MAJORITY**

7.3 Asset Services Committee Meeting – 11<sup>th</sup> August, 2003

**COUNCIL DECISION**

Moved Cr Simpson seconded Cr Kirkpatrick  
That the minutes of the Asset Services Committee Meeting held on 11<sup>th</sup> August, 2003 be received.  
**CARRIED 9/0**

AS009/08/03 LANDSCAPING WORKS ON MEDIAN STRIP, SOUTH WESTERN HIGHWAY, BYFORD (A0864)		
Proponent	Byford Townscape Committee	In Brief <i>The Byford Townscape Committee has proposed the modification of the vegetation on the median strip on South Western Highway, Byford to increase visibility to the future site of the Bendigo Bank. It is recommended that this proposal be approved.</i>
Officer	Brett Dunn	
Signatures - Author:		
Senior Officer:		
Date of Report	24/07/03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

The Byford Townscape Committee have proposed that vegetation on the median strip adjacent to the Byford Districts Country Club be modified so as to increase visibility to the future site of the Bendigo Bank.

As the median is within a road reserve under the care and control of Main Roads, approval for works will be required from that Authority.

**Comments**

The modification to existing vegetation on the median strip would involve the replacement of medium sized “shrubby” plants (that obstruct view) and planting smaller shrubs that will not grow over 1m in height. Larger trees are to be retained so as to create a “visible window” streetscape to ensure the Bendigo bank can be seen by south-bound traffic on South Western Highway.



An overview of the proposed works will be provided by the Byford Townscape Committee at the commencement of the Asset Services Committee Meeting.

It is recommended that Council endorse modifications to the median strip by the Byford Townscape Committee.

### **Sustainability Statement**

The proposal is economically beneficial to both the Byford Districts Country Club and the future Bendigo Bank.

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** Nil

**Strategic Implications:**

**1. People and Community**  
*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.

**3. Economic**  
*Objective 1: A vibrant local community*  
Strategies:  
1. Attract and facilitate appropriate industries, commercial activities and employment.  
*Objective 3: Effective management of Shire growth*  
Strategies:  
1. Enhance economic futures for Shire communities.

**Community Consultation:** Proposal has originated from the Byford Townscape Committee

**Voting Requirements:** Normal

### **Officer Recommended Resolution:**

Moved Cr Simpson seconded Cr Hoyer that Council endorses proposed modifications to the median strip to be carried out by the Byford Townscape Committee, subject to approval from Main Roads W.A.

### **CRAS009 COUNCIL DECISION/Committee Recommended Resolution/Alternative Motion**

Moved Cr Simpson seconded Cr Scott

1. That Council acknowledge and thank the Byford Townscape Committee for their presentation.
2. That Council arrange a meeting between Main Roads WA, Council and the Byford Townscape Committee as soon as possible to progress the redesign and redevelopment of the South Western Highway through the Byford townsite and this matter be referred back to Asset Services September 2003 Committee meeting.

CARRIED 9/0

**Committee Note:** The Officer Recommendation was changed as the committee considers the project scope should be broadened to encompass Nettleton Road through to Thomas Road.

**Council Note:** A minor amendment to the Committee Recommendation to ensure the matter was dealt with quickly and referred back to the Asset Services Committee.

AS010/08/03 KEYSBROOK WASTE TRANSFER STATION (RS0002)		
Proponent	Shire of Serpentine Jarrahdale	In Brief  <i>Council is requested to approve the closure of the Keysbrook Waste Transfer Station and provide alternative services to residents.</i>
Officer	Mick Beaverstock Director Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	31 July 2003	
Previously	AS003/07/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

At its meeting of 14 July 2003, the Asset Services Committee considered an agenda item in which it was recommended that the Keysbrook Waste Transfer Station remain open and officers pursue the feasibility of the introduction of a Local Law to prohibit the illegal dumping of refuse. It was resolved that this matter be deferred to allow the preparation of a report which presented options for the closure of the facility and alternative waste disposal services for the Keysbrook community.

### **Comments**

The Shire's Waste Contractors have undertaken a site inspection of 35 properties not currently included in the waste service and advise that all but 14 are accessible to a kerbside collection.

A number of possible options to provide an alternative waste service to these 14 properties were discussed at July 2003 Asset Services Committee. The preferred option is a locked bin compound only accessible to authorised residents. These compounds are typically placed near major roads in close proximity to the properties being serviced, however the relative remoteness of the area would be conducive to illegal dumping at the compound sites by others.

To provide an equivalent service to these properties, 14 general waste and 14 recycling bins would be required at the compound. The large number of bins would be both unsightly and a potential manual handling risk when being accessed by residents and contractors. It is therefore preferable to utilise bulk bins for this purpose and it is proposed that 2 general waste and 2 recycling be provided.

To utilise passive surveillance and minimise the opportunity for illegal dumping at the compound site, it is recommended that the bulk bins be located opposite the Keysbrook General Store in Elliott Road adjacent to existing bulk recycling bins. It should be noted that there have been very few problems with the recycling bins in terms of illegal dumping or contamination of the bins with non-recyclables.

A trial period is proposed in which two bulk general waste bins will be relocated from the current Waste Transfer Station to the new site. For domestic waste purposes, provision of two bins should be more than sufficient for unserved properties within the Shire and also the Yamba Estate in the Shire of Murray.

The bin use will be monitored over the trial period with the intention of reducing the service to a single bulk general waste bin. The volume of refuse removed from the current Waste Transfer Station warrants 4 bulk bins as other types of waste are regularly deposited and it is expected that this will not occur in the new location.

On relocation of the bins to this site, new bins will be requested so as to minimise the aesthetic impact at this location. If illegal dumping occurs in or around these bins then a locked compound will be constructed. It is also proposed to restrict access to the existing Waste Transfer site through the installation of fencing and a gate.

### **Sustainability Statement**

Provision of a waste service to residents is a requirement of Local Government, however this should be done in a manner which minimises the risk of environmental and visual pollution through illegal dumping.

**Statutory Environment:** Health Act

**Policy Implications:** Nil

**Financial Implications:** Relocation of bins to opposite the Keysbrook General Store should result in reduced waste service operating costs. Minor expenditure will be required for fencing and a gate at the existing Waste Transfer site and this cost will be absorbed into current operational budget allowances.

**Strategic Implications:** Key Sustainability Result Areas  
**1. People and Community**  
*Objective 1: Good quality of life for all residents*  
Strategies:  
2. Develop good services for health and well being.

**Community Consultation:** Nil

**Voting Requirements:** Normal

### **Officer Recommended Resolution:**

Moved Cr Hoyer seconded Cr Scott

1. The Keysbrook Waste Transfer Station be closed and made non-accessible.
2. Two (2) general waste bulk bins be provided at the reserve opposite the Keysbrook General Store and their use monitored by officers. In the event that illegal dumping or inappropriate use of the bins occurs, the matter is to be referred to Council for alternative service options.
3. The following properties being included in the kerbside collection service:

<u>Assessment No.</u>	<u>Street</u>	<u>Locality</u>
A12900.....	Baden Road .....	Keysbrook
A43455.....	Baden Road .....	Keysbrook
A5700.....	Baden Road .....	Keysbrook
A45000.....	South Western Highway .....	Keysbrook
A41701.....	South Western Highway .....	Keysbrook
A41702.....	South Western Highway .....	Keysbrook
A41202.....	South Western Highway .....	Keysbrook
A43600.....	South Western Highway .....	Keysbrook
A44300.....	South Western Highway .....	Keysbrook
A43102.....	South Western Highway .....	Keysbrook
A42107.....	South Western Highway .....	Keysbrook
A44600.....	Chatfield Road.....	Serpentine

- |          |       |                  |       |            |
|----------|-------|------------------|-------|------------|
| A41400   | ..... | Chatfield Road   | ..... | Serpentine |
| A396534  | ..... | Butter Gum Close | ..... | Serpentine |
| A396541  | ..... | Butter Gum Close | ..... | Serpentine |
| A57800   | ..... | Yangedi Road     | ..... | Keysbrook  |
| A58100   | ..... | Yangedi Road     | ..... | Keysbrook  |
| A58200   | ..... | Yangedi Road     | ..... | Keysbrook  |
| A57400   | ..... | Yangedi Road     | ..... | Keysbrook  |
| A57301SR | ..... | Yangedi Road     | ..... | Keysbrook  |
| A57300   | ..... | Yangedi Road     | ..... | Keysbrook  |
4. Residents not included in the kerbside collection service, and the Shire of Murray, be advised that the existing facility is to be closed (including the reasons for the decision) and that an alternative general waste and recycling service is to be provided in the reserve opposite the Keysbrook General Store.

**CRAS010 COUNCIL DECISION/Committee Recommended Resolution/Alternative Motion**

Moved Cr Hoyer seconded Cr Kirkpatrick

1. The current Keysbrook station remain open subject to further negotiations with all stakeholders.
2. The following properties being included in the kerbside collection service:

<u>Assessment No.</u>	<u>Street</u>	<u>Locality</u>
A12900	.....	Baden Road
A43455	.....	Baden Road
A5700	.....	Baden Road
A45000	.....	South Western Highway
A41701	.....	South Western Highway
A41702	.....	South Western Highway
A41202	.....	South Western Highway
A43600	.....	South Western Highway
A44300	.....	South Western Highway
A43102	.....	South Western Highway
A42107	.....	South Western Highway
A44600	.....	Chatfield Road
A41400	.....	Chatfield Road
A396534	.....	Butter Gum Close
A396541	.....	Butter Gum Close
A57800	.....	Yangedi Road
A58100	.....	Yangedi Road
A58200	.....	Yangedi Road
A57400	.....	Yangedi Road
A57301SR	.....	Yangedi Road
A57300	.....	Yangedi Road

3. The 14 residents that will not have a new roadside service be consulted on options that go toward an outcome that does not require the existence of a transfer station at Keysbrook
4. The Shire of Murray be advised that an alternative waste disposal location will be required for residents of Yamba.

CARRIED 9/0

Committee Note: The recommendation was changed to try and find an alternative option in an effort to remove illegal dumping at the existing transfer station

AS014/08/03 COMPENSATION BASIN – L102 WINDMILL DRIVE, SERPENTINE (P00833)		
Proponent		In Brief  <i>To advise committee of information on the position of Lot 102 Windmill Drive compensation basin.</i>
Officer	Cr Needham	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Cr Needham advised that the neighbours of L102 Windmill Drive, Serpentine sent a letter with submission into Council due 8 August 2003.

#### **AS014 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Wigg seconded Cr Price that the Director Asset Services provide a status report to the September Committee meeting on the letter and submission sent by neighbours of Lot 102 Windmill Drive, Serpentine, and the development, especially the fencing, levelling of sides, public liability and any health issues.  
CARRIED 9/0

#### 7.4 Strategic Management Committee Meeting – 18<sup>th</sup> August, 2003

#### **COUNCIL DECISION**

Moved Cr Hoyer seconded Cr Scott

That the minutes of the Strategic Management Committee Meeting held on 18<sup>th</sup> August, 2003 be received.

CARRIED 9/0

SM007/08/03 UPDATE ON DISPOSITION OF COUNCIL PROPERTY (A1165)		
Proponent	Chief Executive Officer	In Brief  Update Council on the disposition of Council property and to obtain additional delegation to Chief Executive Officer to enable the disposition of property not sold via initial auction or tender.
Officer	D E Price - Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	11 August 2003	
Previously	SM014/09/02, SM039/02/03, SM041/02/03, SM045/02/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

#### **Background**

Council authorised the Chief Executive Officer to appoint a real estate agent and to dispose of a number of properties in accordance with the Local Government Act 1995, at their September 2002 and February 2003 meetings:

SM014/09/02 - Woodlot Subdivision, Cnr Jarrahdale and Kingsbury Drive, Jarrahdale.  
SM039/02/03 - Anstey Street, Mundijong  
SM041/02/03 - Karbro Drive (Lees Pit), Cardup  
SM045/02/03 - Millars Road Cottages, Jarrahdale

## **Comments**

The Chief Executive Officer placed a public advertisement in a local newspaper seeking quotations from interested local Real Estate Agents to undertake the disposition of various Council properties over a twelve (12) month period.

Following a review of submissions received against the criteria specified, Heritage Country Real Estate, Jarrahdale was appointed in April 2003.

Council are provided with an update on what properties have now been disposed of:

- a) Anstey Street, Mundjong - sold by auction for \$122,000 (Market Valuation/Reserve price \$102,000 achieved).
- b) Lot 809 Millars Road - sold by auction for \$94,000 (Market Valuation/Reserve price \$92,000 achieved)

Lot 810 Millars Road - sold by auction for \$95,000 (Market Valuation/Reserve price \$95,000 achieved)

Lot 811 Millars Road - sold by auction for \$94,000 (Market Valuation/Reserve price \$94,000 achieved)

Lot 812 Millars Road - not sold by auction (Market Valuation/Reserve price not achieved)

In each instance, the Chief Executive Officer has nominated the market valuation as determined by a licensed valuer as the reserve price. This will continue to be the practice in any future dispositions relating to this item.

Lot 812 Millars Road did not sell at auction on Saturday 9 August. This property and any other property that does not sell by auction or tender as per section 3.58(2)(a) of the Act, now becomes exempt from this provision in accordance with the Local Government (Functions and General) Regulations 1996 Part 6 Miscellaneous 30(2).

This provision states that a disposition of property is an exempt disposition, if the property is disposed of within six (6) months after it has been put out for public auction/tender, in accordance with Section 3.58(2)(a) of the Act, but either no bid is made/tender received, or any bid does not reach a reserve price fixed by the local government/or tender is unacceptable.

When this situation occurs, the property will be placed with the appointed real estate agent for ordinary sale. Therefore, to assist in disposal of any property which may not be sold by auction or tender and is placed into the hands of the agent for normal sale, Council will need to provide delegation and direction to the Chief Executive Officer to accept or decline any offers which may be made.

*s5.43 "Limits on delegations to the Chief Executive Officer," part (d) states the following:*

*"A local government cannot delegate to a Chief Executive Officer any of the following powers or duties " acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph."*

It is suggested that Council determines the following amounts:

- 1) an amount of not more than 10% below the Market Valuation/Reserve price of any property which Council is not initially able to dispose of by either auction or tender in accordance with s3.58 "Disposing of Property".

- 2) any amount equal to or above the Market Valuation/Reserve price of any property which Council is not initially able to dispose of by either auction or tender in accordance with s3.58 “Disposing of Property”.

**Sustainability Statement** Not applicable

**Statutory Environment:** Local Government Act 1995

**Policy Implications:** Not applicable

**Financial Implications:** Council has included income from the disposition of Woodlot Subdivision, Cnr Jarrahdale and Kingsbury Drive, Jarrahdale, Lot 0 Karbro Drive (Lees Pit), Cardup, Millars Road Cottages, Jarrahdale and Anstey Street, Mundijong in the 2003/2004 budget.

**Strategic Implications** The disposition of these properties is reflected in Key Result Area 3 “Economic Development Objective 3: Effective Management of Shire Growth.

**Community Consultation:** As per the requirements of s3.58 of the Local Government Act and the Local Government (Functions and General) Regulations 1996 Part 6 Miscellaneous 30(2)

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

**CRSM007 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Price seconded Cr Kirkpatrick that

A) Council notes the report on disposition of property.

- B) 1) Council delegates authority to the Chief Executive Officer to dispose of any of the following properties - Woodlot Subdivision, Cnr Jarrahdale and Kingsbury Drive, Jarrahdale; Karbro Drive (Lees Pit), Cardup; Millars Road Cottages, Jarrahdale, which Council is unable to dispose of the property by either public auction or tender.
- 2) The delegated amount to which the Chief Executive Officer can act on each occasion is to be equal to or above market valuation or not more than 10% below the Market valuation as established by a licensed valuer.

**CARRIED 9/0 ABSOLUTE MAJORITY**

SM008/08/03 INFORMATION REPORT		
Proponent	Chief Executive Officer	<b>In Brief</b>  Information Report.
Officer	D.E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	8 August 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

SM008.1/08/03 RESPONSE TO MINIMUM CODE OF CONDUCT REVIEW PROPOSAL (A0031)

**Included with this agenda as Attachment [SM008.1-08-03.doc](#)** is the response to the Western Australian Local Government Association in regard to their list of considerations for the review of the code of conduct. This response was put together as a result of a workshop held with seven councillors and the Director Corporate Services on 28 July 2003.

SM008.2/08/03 COMMON SEAL REGISTER REPORT – JULY 2003 (A1128)

**The Common Seal Register Report for the month of July 2003 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked [SM008.2-08-03.doc](#)**

SM008.3/08/03 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – SOUTH EAST METRO ZONE MINUTES 30 JULY 2003 (A0163-06)

**The Minutes of the South East Metro Zone Meeting held on 30<sup>th</sup> July 2003 are with the attachments marked [SM008.3-08-03.doc](#).**

SM008.4/08/03 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – PEEL ZONE MINUTES 31 JULY 2003 (A1164))

**The Minutes of the Peel Zone Meeting held on 31<sup>st</sup> July 2003 are with the attachments marked [SM008.4-08-03.tif](#).**

SM008.5/08/03 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – STATE COUNCIL SUMMARY MINUTES AUGUST 2003 (A1164)

**The Summary Minutes of the State Council Meeting held on 6<sup>th</sup> August 2003 are with the attachments marked [SM008.5-08-03.doc](#).**

#### **CRSM008 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Wigg seconded Cr Kirkpatrick that the Information Report to 11 August 2003 be received.

CARRIED 9/0



SM009/08/03 <b>CONFIDENTIAL ITEM</b> - PROFESSIONAL INDEMINITY CLAIM No 605238 (A0686-05)		
Proponent	Chief Executive Officer	<b>In Brief</b>  Confidential Item
Officer	D.E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	14 <sup>th</sup> August 2003	
Previously	SM042/04/01, SMO15/08/01, SM033/11/01	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

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

Moved Cr Kirkpatrick seconded Cr Hoyer that in substitution for the delegation of authority in this matter given by Council initially in November 2001 and renewed in May 2003, the Council delegates authority to the Chief Executive Officer to resolve this matter in the manner he considers appropriate after consultation with the President and Deputy President.  
**CARRIED 9/0 ABSOLUTE MAJORITY**

7.5 Planning Development & Environment Committee – 18<sup>th</sup> August, 2003

**COUNCIL DECISION**

Moved Cr Murphy seconded Cr Price  
That the minutes of the Planning Development & Environment Committee Meeting held on 18<sup>th</sup> August, 2003 be received.

**CARRIED 9/0**

P011/08/03 PROPOSED SINGLE RESIDENTIAL BUILDING (SHED) - LOT 53 MARSH COURT, JARRAHDAL (P03668/02)		
Proponent	Multi-Metal Constructions	<b>In Brief</b>  That Council conditionally approves an application dated 2 May 2003 for a shed on Lot 53 Marsh Court, Jarrahdale.
Officer	Daniel Stevens – Contract Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	15 July 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Owner:	B D Bethell & J D Wrack
Owner's Address:	Lot 53 (26) Marsh Court, Jarrahdale
Applicant:	Multi-Metal Constructions
Applicant's Address:	4 Burn Road, Armadale
Date of Receipt:	2 May 2003
Advertised:	Yes
Submissions:	None
Lot Area:	1.9999 HA
L.A Zoning:	Special Rural (7)
MRS Zoning:	Rural
Byford Structure Plan:	Not applicable
Rural Strategy Policy Area:	Rural Living B

Rural Strategy Overlay:	Not applicable
Municipal Inventory:	Not applicable
Townscape/Heritage Precinct:	Not applicable
Bush Forever:	Not applicable
Date of Inspection:	17 June 2003

### **Background**

Council received an application for a shed on Lot 53 Marsh Court. The proposal initially involved several variations to Local Planning Policy 17 – Residential and Incidental Development within Serpentine-Jarrahdale Shire. A front setback of 3 metres in lieu of 20 metres and a side setback of 7 metres in lieu of 10 metres were proposed. The shed was also to have a floor area of 216 square metres in lieu of the maximum permissible floor area of 200 square metres.

The Shire later received amended plans, with the front setback being increased to 13 metres and the side setback being increased to 10 metres. The floor area of the shed was reduced to 162 square metres by deleting the lean to. Hence, the only variation now sought is a reduction of the front setback from 20 metres to 13 metres. The site has an existing shed in the general proximity of the proposed shed. This is to be removed as part of the application. The proposed shed is to house a horse float and a boat.

### **Comments**

It would be very difficult for the applicant to further setback the shed as areas immediately to the North of the proposed site drop off sharply and have granite outcrops and Jarrah trees. There are possible alternative sites for the shed that are relatively flat to the North (rear) of the property, which is located further down into the valley. The applicants do not wish to locate the shed in these areas as they feel that it would be impossible to tow a horse float or boat up the steep gradient of their unsealed track. Most of the flat area towards the rear of the block is used for a horse arena.

### **Materials**

The proposed shed is to be constructed with Colourbond Eucalyptus walls and a Zinalume roof. As the proposal is not located in the 'seen area' as defined in Council's Local Planning Policy – Landscape Protection, the zinalume roof is permissible.

### **Landscape Protection Policy**

The above policy requires that development of buildings:

*“Be sited and constructed to take advantage of the topography and the vegetation to limit visual intrusion.”*

The proposed siting of the shed has been selected as it is the only available flat site on the lot. The other flat portion of the lot is occupied by a horse arena. All other areas have constraints due to the gradient of the land, vegetation and granite outcrops.

The policy also requires that:

*“Additional tree planting will be required in accordance with Council's Information Note PS03 - Landscaping and Revegetation.”*

The 3 metre front setback of the original proposal eliminated the possibility of screening the shed with vegetation. The revised setback of 13 metres provides sufficient room for a fire break as well as revegetation for the purposes of screening the shed from the road.

### Neighbour Consultation

The proposal has been advertised to neighbours for a period of 21 days. Advertising closes on 19<sup>th</sup> August 2003. To date, no objections have been received. As the community consultation period finishes after Committee, the item has been recommended to be dealt with at Council to allow for officers to advise of any negative comments received and prevent the applicant from having to wait until the next Council meeting.

### Environment

The proposed location of the shed requires little or no earth working and no trees need to be removed.

### Emergency Management

If the shed were to be screened from view of the road there would be adequate room for a fire break.

### Sustainability Statement

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

The proposed shed will not involve the clearing of native vegetation, but does not propose any measures to enhance the environment.

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

It is considered that the application will not minimise resource use compared to traditional development approaches.

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

It is uncertain whether the proposal will use locally available or produced resources.

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

It is considered that the proposal will be economically viable in the way that incorporates its external costs.

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

The application has been advertised to surrounding landowners.

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

It is considered that the proposal will not disadvantage any social groups.

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

No.

### Statutory Environment:

Town Planning and Development Act 1928  
(as amended), Town Planning Scheme No.2

### Policy Implications:

The proposed shed involves a variation to the acceptable development standards prescribed in Local

Planning Policy 17 – Residential and Incidental Development within Serpentine-Jarrahdale Shire.

**Financial Implications:** Not applicable

**Strategic Implications:** *Objective 2: Formation of Active Partnerships to progress key programs and projects*  
Strategies  
1 Improve coordination between Shire, community and other partners.

**Community Consultation:** The application has been advertised to surrounding landowners.

**Voting Requirements:** Normal

**CRP011 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Wigg seconded Cr Scott that Council approves an application dated 2 May 2003 for a Single Residential Building (Shed) on Lot 53 Marsh Court, Jarrahdale subject to the following conditions:

1. A building licence is to be obtained prior to the commencement of development.
2. Screening with vegetation of the shed is to be carried out in accordance with Council's Information Note PS03 – Landscaping and Revegetation by 30 September 2004 and maintained thereafter.
3. No direct discharge of storm water into watercourses or drainage lines.
4. Only materials identified in the schedule of materials, colours and finishes, dated 6 August 2003 are to be used in the construction of the shed.

CARRIED 9/0

P012/08/03 PROPOSED OFFICE DEVELOPMENT - LOT 4 & 5 SOUTH WESTERN HIGHWAY, (P05169/02)		<b>In Brief</b> To grant approval to construct a 175m <sup>2</sup> office for an accountancy business. The business is located adjacent to the existing residence.
Proponent	Elizabeth Bonker	
Officer	Brad Gleeson – Manager Planning & Regulatory Services	
Signatures - Author:		
Senior Officer:		
Date of Report	7 August 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Owner: Elizabeth Bonker  
 Owner's Address: 13 White Gum Rise, Byford  
 Applicant: Elizabeth Bonker  
 Applicant's Address: 13 White Gum Rise, Byford  
 Date of Receipt: 23 April 2003  
 Advertised:  
 Submissions: Three submissions received.  
 Lot Area:  
 L.A Zoning: Commercial  
 MRS Zoning: Urban  
 Byford Structure Plan: Highway Commercial  
 Rural Strategy Policy Area: N/A

Rural Strategy Overlay: N/A  
Municipal Inventory: N/A  
Townscape/Heritage Precinct: N/A  
Bush Forever: N/A  
Date of Inspection: 6 August 2003

### **Background**

In 1996, approval was granted for a Home Occupation – Accountancy Office. The business operates from a garage attached to the dwelling that has been converted into an office.

### **Comments**

An application has been received to construct a 175m<sup>2</sup> office building for use by the business. The office is located at Lot 5 and is contiguous with the house on the adjoining Lot 4. An amalgamation of the two lots will be necessary to accommodate the overall redevelopment of the property.

***A copy of the site and elevations plans are with the attachments marked [P012.1-08-03.tif](#).***

A new car parking area with 11 parking bays is provided. Upon the completion of the new office building and relocation of the business to this building, the existing garage will be demolished.

***A copy of the letter dated 12 May 2003 that the applicant has provided advising of the reasons for seeking to construct a new office building on the property is with the attachments marked [P012.2-08-03.tif](#).***

In Town Planning Scheme No. 2 an office is a “P” use in the Commercial zone provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions imposed by Council in granting planning consent. Delegated Authority has been granted to the Director Sustainable Development for all “P” uses subject to compliance with the Scheme requirements, however the proposal is referred to Council for consideration due to the proximity of the development to Beenyp Brook.

The subject land is included in the Highway Commercial zone in the draft Byford Structure Plan. The lots also contain an area identified for Conservation in the draft Byford Structure Plan.

### **Office**

The building has been designed to allow for the staging of the development. Upon completion of the new office, the business will relocate into the new building and the garage will be demolished. A verandah is included on the front elevation of the building to improve the visual appearance of the building.

The building is located on the southern boundary of the Lot 5. A 3.5 metre high parapet wall will be constructed on this boundary with a length of approximately 22 metres. The Scheme permits a masonry parapet wall along a lot boundary in a commercial zone.

### **Car parking**

Seven visitor car parking bays are provided in front of the building adjacent to South Western Highway. This parking area includes one disabled parking bay. The existing crossover for the office will be closed and new crossover constructed.

An access driveway between the new office and the residence will provide access to the rear of the property and to a staff parking area with 4 bays.

Town Planning Scheme No. 2 requires the provision of 5 parking bays for this development, however 11 bays are provided. The applicant advises that the business has 4 employees and that 7 parking bays are needed for visitors during the peak times of the business.

### Services

Reticulated sewerage is available at the northern boundary of the property (Byford Tavern). The development will need to be connected to the reticulated sewerage system to the satisfaction of the Water Corporation and the Shire's Health Service.

Details relating to the disposal of stormwater for the development are not provided. It is recommended that the development incorporate the use of a permeable pavement to allow stormwater to infiltrate into the soil, where possible. However, a detailed drainage plan will need to be prepared for approval by the Engineering Service and meet the objectives of the Shire's Byford Stormwater Strategy. Direct disposal of stormwater into Beenyup Brook will not be permitted.

### Advertising

The proposal has been advertised to surrounding landowners and Main Roads WA for comment. Main Roads WA advises that they support the proposal subject to a number of standard conditions.

The Byford Tavern is located on the northern boundary and the landowner supports this proposal. The landowner to the south of the property had raised concerns about the impact of the parapet wall along the boundary and potential to block sunlight into their house. After discussions with the applicant and the Manager, Planning and Regulatory Services, the adjoining landowner has advised that they now support the proposal.

### Environment

The land is located at a lower level than South Western Highway and has a gradual slope towards the rear of the property. Beenyup Creek traverses the south western corner of the property and the land falls away steeply to the watercourse. A portion of the natural valley along the watercourse will need to be filled at the rear of the office to accommodate a section of the car park.

The creekline is identified in the draft Byford Structure Plan as an area of conservation protection. Any development on this property should be consistent with the Structure Plan and ensure that the environmental qualities of the watercourse are protected from inappropriate development, such as filling or clearing of fringing vegetation.

### Byford Detailed Area Plan

One of the objectives of completing the Byford Detailed Area Plan will be to establish design guidelines for the commercial areas within the Byford Structure Plan. As this project has only recently commenced, officers are unable to compare the proposed materials and form to any endorsed position or policy of Council. The tilt up structure and bullnosed verandah were discussed with the Manger Sustainability Unit who advised that in her opinion the design and materials were in keeping with the area.

### Emergency Management

It is considered that the Office will not have a direct impact on emergency vehicle access or management of the site.

### Suggested modifications

The overall concept of a small office on this property is supported. It is not expected that the parapet wall along the property boundary will adversely affect the amenity of the adjoining residential landowner. It is considered essential this wall is painted or clad in appropriate materials to the satisfaction of the adjoining landowner and the Shire.

A number of modifications are recommended to the plan in order to:

1. Remove the need for any filling in the valley adjacent to the watercourse; and
2. Improve the visual amenity of the development along the front boundary and increase the amount of landscaping.

***The modifications to the plan to achieve the above objectives are shown on the attached modified site plan marked [P012.3-08-03.tif](#).***

The changes involve:

- \* the removal of the two parking bays adjacent to the Highway and increasing the width of the landscaping area by 2.5 metres. A total of 5 visitor bays instead of 7 car parking bays are provided.
- \* The five car parking bays at the rear are redesigned to avoid the need to fill a portion of the watercourse. There is sufficient land at the rear of the residence that could be used as a parking area.

### Conclusion

It is recommended that the proposal for an office on the subject lots be granted planning approval subject to the modifications outlined above. The approval will also be subject to a number of conditions including connection of the development to reticulated sewerage, amalgamation of the two lots, provision of modified site plans and details being submitted relating to signage details and a schedule of colours and materials.

### **Sustainability Statement**

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

The application proposed filling a portion of the edge of Beenyup Brook for the purpose of a carpark, which is not supported. The carparking at the rear of the office can be relocated to an alternate location at the rear of the residence to avoid the need for any filling along the watercourse.

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

This is a standard development application for a commercial building. Conditions will be included on the approval relating to the disposal of stormwater, protection of the watercourse and landscaping.

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

Not applicable.

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

It is considered that this proposal can meet this objective.

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

The application was referred to adjoining landowners for comment.

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

Not applicable.

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

Yes as it caters for an expanding local business.

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

**Policy Implications:** Draft Byford Structure Plan

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

**Strategic Implications:** This proposal relates to the following Objectives of Key Result Area – People and Community in Council's Strategic Plan, which is:

*Plan and develop towns and communities based on principles of sustainability  
A vibrant local community*

**Community Consultation:** The proposal was referred to two adjoining landowners for comment with both landowners supporting the proposal.

**Voting Requirements:** Normal

### **Officer Recommended Resolution**

Council grants approval for an application dated 23 April 2003 for an Office on Lots 4 and 5 South Western Highway, Byford subject to the following conditions:

#### PREREQUISITE TO THE ISSUE OF A BUILDING LICENCE

1. Amalgamation of Lots 4 & 5 South Western Highway into one lot.
2. Development to be generally in accordance with the plan entitled Site Plan/ Floor Plan as received by Council on 23 April 2003 but modified to incorporate the following modifications as shown on **attachment P012.3/08/03** (dated 7 August 2003):
  - a) removal of the two parking bays adjacent to the Highway and replacement with landscaping;
  - b) removal of the parking area at the rear of the office building and replacement with landscaping;
  - c) provision of five parking bays at the rear of the residence; and
  - d) details of any signage on the building and on the property: to the satisfaction of the Director Sustainable Development.
3. Notwithstanding the detailed specifications required to be submitted for a building licence approval, a separate schedule of colour and texture of the building materials shall be submitted and approved to the satisfaction of the Director Sustainable Development prior to the commencement of any work or use authorised by this approval. The walls, roof, windows and other dominant features of the building are to be non reflective and/or painted in a colour of natural or earth tonings to compliment the natural surroundings and/or adjoining developments and be approved by the adjoining landowner (P).



4. All stormwater is to be disposed of within the confinements of the property. This shall be achieved by either soakwells or spoon drains and the grading of driveways and paved areas onto lawns or landscape areas preventing direct discharge of stormwater onto the road, neighbouring properties or Beenyup Brook. Relative to this condition, all earthworks and/or associated drainage shall be in accordance with plans and specifications submitted to and approved by Director Asset Services. (E)
5. The applicant shall prepare to the satisfaction and specification of the Director Asset Services, and thereafter implement, a stormwater management plan, which utilises water sensitive urban design principles to achieve the Water Quality-Related Design Objectives for Byford in Table 4.3 of the Byford Urban Stormwater Management Strategy. (E)
6. A landscape plan must be submitted (in triplicate) to Council's Planning Service and approved. For the purpose of this condition a detailed landscape plan shall be drawn to 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 lawn and paved areas to be established;
  - c) Any natural landscaped area to be retained; and
  - d) Those areas to be reticulated or irrigated or demonstrated to be designed using water sensitive principles (P).

#### ONGOING CONDITIONS

1. The vehicle parking access(s) and crossover(s) shall be designed, constructed, sealed, kerbed, drained, line marked and thereafter maintained in accordance with the approved plan and specification to the satisfaction of the Director Asset Services prior to the occupation of the development for the use hereby permitted. (E)
2. One disabled bay and statutory signs located convenient to the building entrance and with a minimum width of 3.2 metres, to be provided to the satisfaction of the Director Asset Services and Director Sustainable Development.
3. Parking bays shall be designed and constructed to accord with the dimensions specified in Appendix 11 of Town Planning Scheme No. 2. (P)
4. Access onto the site from South Western Highway shall be restricted to that shown on the plan approved by Council and Main Roads WA. The existing northern crossover to the property shall be closed to the satisfaction of Main Roads WA and Director Asset Services. (E)
5. The provision of 10 on site car parking bays, in a location to the satisfaction of the Director Sustainable Development.
6. Revegetation/ landscaping shall be implemented in accordance with Condition 6 and thereafter maintained within 3 months of practical completion of works to the satisfaction of the Director Sustainable Development.
7. The development shall be designed and constructed to allow access and facilities for people with disabilities in accordance with the Building Code of Australia 1996 D3 and AS1428.1 (B).
8. The development being connected to reticulated sewerage to the satisfaction of the Water Corporation and Council's Health Service.
9. Any outdoor display lighting or security light shall be located or shielded so that no additional light is cast on adjoining land or distract traffic. (P)
10. No filling of the watercourse is permitted. (H)
11. The location and colour of external fans, air conditioners and the like shall be to the satisfaction of Council and installed to prevent loss of amenity to the area by its appearance, noise, emission or otherwise. (P)
12. If the development, subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without further approval being sought and obtained from Council. (P)
13. The carport being demolished upon completion of the office building (P)

Advice Notes:

1. A building licence must be applied for and issued by Council before any work commences on the site. (B)
2. Any activity with the South Western Highway road reserve must be approved by Main Roads WA and the Director Asset Services and would include no clearing/pruning or road side vegetation to be undertaken without approval. (E)
3. The building is not to be occupied until a Certificate of Classification has been issued by Council. A person who uses or occupies, or permits the use or occupation, of a building without a Certificate of Classification in contravention of Building Regulation 20(4) or 22 is guilty of an offence. (B).
4. Prior to the removal of any structure a demolition licence shall be obtained from Council pursuant to the Building Regulations 1989. (B)

#### **CRP012 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Hoyer seconded Cr Star that Council grants approval for an application dated 23 April 2003 for an Office on Lots 4 and 5 South Western Highway, Byford subject to the following conditions:

#### **PREREQUISITE TO THE ISSUE OF A BUILDING LICENCE**

1. Amalgamation of Lots 4 & 5 South Western Highway into one lot.
2. Development to be generally in accordance with the plan entitled Site Plan/ Floor Plan as received by Council on 23 April 2003 but modified to incorporate the following modifications as shown on **attachment P012.3/08/03** (dated 7 August 2003):
  - a) removal of the two parking bays adjacent to the Highway and replacement with landscaping;
  - b) removal of the parking area at the rear of the office building and replacement with landscaping;
  - c) provision of five parking bays at the rear of the residence; and
  - d) details of any signage on the building and on the property:  
to the satisfaction of the Director Sustainable Development.
3. Notwithstanding the detailed specifications required to be submitted for a building licence approval, a separate schedule of colour and texture of the building materials shall be submitted and approved to the satisfaction of the Director Sustainable Development prior to the commencement of any work or use authorised by this approval. The walls, roof, windows and other dominant features of the building are to be non reflective and/or painted in a colour of natural or earth tonings to compliment the natural surroundings and/or adjoining developments and be approved by the adjoining landowner (P).
4. All stormwater is to be disposed of within the confinements of the property. This shall be achieved by either soakwells or spoon drains and the grading of driveways and paved areas onto lawns or landscape areas preventing direct discharge of stormwater onto the road, neighbouring properties or Beenyup Brook. Relative to this condition, all earthworks and/or associated drainage shall be in accordance with plans and specifications submitted to and approved by Director Asset Services. (E)
5. The applicant shall prepare to the satisfaction and specification of the Director Asset Services, and thereafter implement, a stormwater management plan, which utilises water sensitive urban design principles to achieve the Water Quality-Related Design Objectives for Byford in Table 4.3 of the Byford Urban Stormwater Management Strategy. (E)
6. A landscape plan must be submitted (in triplicate) to Council's Planning Service and approved. For the purpose of this condition a detailed landscape plan shall be drawn to 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 lawn and paved areas to be established;
  - c) Any natural landscaped area to be retained; and

- d) Those areas to be reticulated or irrigated or demonstrated to be designed using water sensitive principles (P).
- e) Revegetation of the creekline with local indigenous riparian species
- f) Use of shade trees in the carparking area

#### ONGOING CONDITIONS

1. The vehicle parking access(s) and crossover(s) shall be designed, constructed, sealed, kerbed, drained, line marked and thereafter maintained in accordance with the approved plan and specification to the satisfaction of the Director Asset Services prior to the occupation of the development for the use hereby permitted. (E)
2. One disabled bay and statutory signs located convenient to the building entrance and with a minimum width of 3.2 metres, to be provided to the satisfaction of the Director Asset Services and Director Sustainable Development.
3. Parking bays shall be designed and constructed to accord with the dimensions specified in Appendix 11 of Town Planning Scheme No. 2. (P).
4. Access onto the site from South Western Highway shall be restricted to that shown on the plan approved by Council and Main Roads WA. The existing northern crossover to the property shall be closed to the satisfaction of Main Roads WA and Director Asset Services. (E)
5. The provision of 10 on site car parking bays, in a location to the satisfaction of the Director Sustainable Development.
6. Revegetation/ landscaping shall be implemented in accordance with Condition 6 and thereafter maintained within 3 months of practical completion of works to the satisfaction of the Director Sustainable Development.
7. The development shall be designed and constructed to allow access and facilities for people with disabilities in accordance with the Building Code of Australia 1996 D3 and AS1428.1 (B).
8. The development being connected to reticulated sewerage to the satisfaction of the Water Corporation and Council's Health Service.
9. Any outdoor display lighting or security light shall be located or shielded so that no additional light is cast on adjoining land or distract traffic. (P)
10. No filling of the watercourse is permitted. (H)
11. The location and colour of external fans, air conditioners and the like shall be to the satisfaction of Council and installed to prevent loss of amenity to the area by its appearance, noise, emission or otherwise. (P)
12. If the development, subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without further approval being sought and obtained from Council. (P)
13. The carport being demolished upon completion of the office building (P)
14. The fence between the development and the creekline is to be maintained to provide a physical separation of the two areas at all times.

#### Advice Notes:

1. A building licence must be applied for and issued by Council before any work commences on the site. (B)
2. Any activity with the South Western Highway road reserve must be approved by Main Roads WA and the Director Asset Services and would include no clearing/pruning or road side vegetation to be undertaken without approval. (E)
3. The building is not to be occupied until a Certificate of Classification has been issued by Council. A person who uses or occupies, or permits the use or occupation, of a building without a Certificate of Classification in contravention of Building Regulation 20(4) or 22 is guilty of an offence. (B).
4. Prior to the removal of any structure a demolition licence shall be obtained from Council pursuant to the Building Regulations 1989. (B)

CARRIED 9/0

**Committee Note:** The Officer Recommended Resolution was altered to ensure the creekline was revegetated and protected by a fence as well as shade trees being planted in the carparking area.

P013/08/03 PROPOSED AMENDMENTS TO LOCAL PLANNING POLICY NO. 13 - WOODLOT SUBDIVISION DESIGN GUIDELINES – JARRAHDAL (A1147)		
Proponent	Shire of Serpentine - Jarrahdale	<b>In Brief</b>  Local Planning Policy No. 13 has been adopted. In developing the subdivision one change has been considered and 2 points of clarification.  This report is for approval of the change and the clarification points.
Officer	Carlie Eldridge - Sustainable Development Project Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	7 August 2003	
Previously	P221/02/03, P195/12/02	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

The Woodlot design guidelines have been adopted and the subdivision is being prepared for sale.

### **Comments**

Clause 9.3 of Town Planning Scheme No. 2 relating to procedures for making and amending a Local Planning Policy (LPP) states:

*“A Local Planning Policy shall become operative only after the following procedures have been completed:-*

- a) *The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, the subject and nature of the Policy and in what form and during what period (being not less than 21 days) submissions may be made.*
- b) *The Council shall review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.*
- c) *Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.*
- d) *Where, in the opinion of the Council, the provisions of any Policy affects the interests of the WA Planning Commission, a copy of the policy shall be forwarded to the Commission*
- e) *The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.*
- f) *Any amendment or addition to a Policy shall follow the procedures set out in a) to d) above.”*

### **Proposed change and clarifications to the Guidelines**

The first proposed change to the LPP relates to fencing. The LPP currently states:

**“3.3.4.3** *No boundary fences are permitted, properties can be marked by posts on corners of boundary to adjacent properties.”*

The proposed change is to allow for fencing along the external boundary of the entire subdivision for safety on the road frontage and for boundary definition for safety alongside the State Forest and Munda Biddi trail frontage.

The proposed new clause is as follows:

*“3.3.4.3 No boundary fences are permitted between properties. Properties can be marked by posts on corners of boundary to adjacent properties. Boundary fencing to the street frontage and the state forest boundary interface is permissible as a 1.2m post and rail to street frontage and 1.2m post and wire to the state forest interface.”*

The second proposed change/clarification to the LPP is in regards to building envelopes at present the LPP states:

*“3.3.1.1 Buildings are only permissible to be constructed within the designated 350m<sup>2</sup> building footprint envelope as shown on Figure 1.”*

The intent of the building envelopes shown in Figure 1 is to show approximately the best location for building envelopes. The envelopes are to be a maximum of 350sqm and can be in any shape to allow flexibility in the design and to allow for the best design and sustainability outcome. To achieve this the clause requires some clarification as follows:

*“3.3.1.1 Buildings are only permissible to be constructed within the 350m<sup>2</sup> building footprint area. Figure 1 shows approximate locations for siting of buildings on each lot. The 350sqm area allowable for buildings can be any shape to allow flexibility in the design of the building. The written approval of Council is required to substantially vary the location of the building envelope.”*

The third proposed change/clarification to the LPP is in regards to sewerage treatment is to add to 3.4.4 the following:

*“Septic tanks are not acceptable within the subdivision. ATU systems will be integrated within the site.”*

This is a clarification of the acceptable effluent treatment systems for the subdivision. Septic systems would need to have inverted leach drains located above the ground if they were to be used in accordance with this policy which requires no excavation. This would be aesthetically unappealing and also use a large amount of the approved 350sqm building area.

The fourth proposed change to the LPP is in regard to the requirement for no airconditioners. It is recommended that the requirement be as follows:

*“3.4.3.2 Air conditioners are not permitted”* be altered to a scorecard initiative.

This change is recommended for a number of reasons, namely market acceptance, compliance and outcome.

The intention of this requirement was to ensure good building design that was not energy intensive in its operation.

The use of energy efficient airconditioners in a sustainable manner in combination with a passive solar house should be energy efficient, and can be more efficient than having items such as fan heaters.

There is also the issue of compliance. Officers are unable to ‘police’ this issue without gaining entry to peoples homes and other household items that are less efficient could be used but are not the subject of restriction under this policy. Discussions have also been held regarding market acceptability where there are principles and passive solar requirements

that will achieve energy efficient design. Initial feedback from various sources involved in the subdivision has not been positive with respect to this requirement.

**A copy of Local Planning Policy No. 13 is with the attachments marked [P013.1-08-03.doc](#).**

### **Sustainability Statement**

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

The guidelines aim to minimise environmental damage to the site through a range of site sensitive and sustainable building requirements that affect both the sites ecology and also resource use. The requirements go far beyond minimum standard requirements for residential site and building design.

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

The requirements in the guidelines will result in resources being minimised during and post construction. The amount of land that can be developed has been restricted to 550m<sup>2</sup> and there is to be very limited cut and fill on site only where it is required for the building support posts and a minor amount for paved areas. The building designs are to be based on solar passive design reducing the energy consumption of buildings on the site from the average house and water and energy efficiency requirements and initiatives are included to reduce resource consumption. The guidelines should achieve reduced resource consumption in all facets compared to traditional development approaches.

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

The design guidelines support the use of locally produced materials and there is the opportunity to achieve scorecard points by using locally manufactured materials.

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

The cost of the building construction under these guidelines may increase costs compared to minimum acceptable building design and construction standard in WA. In the running of these buildings they should be cheaper through the reduction of both energy and water consumption.

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

The guidelines aim to be socially and environmentally responsible through achieving a higher standard of building design which uses fewer resources in construction and operation. The guidelines through restricting clearing and protection of remaining bushland are protecting and valuing the bushland and associated ecology. Community participation will be through the local planning policy advertising process where the community can comment and have input into the amendments to the guidelines.

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

The proposal does not disadvantage any social groups.

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

The proposal to amend the design guidelines for the Woodlot does not directly influence long term employment or economic benefit to current and future residents of the Shire. However,

retaining the bushland ecology on these sites may maintain or raise property values in the long term, and enhance interest in further development of this type in the area.

**Statutory Environment:** Town Planning and Development Act 1928 (as amended)  
Town Planning Scheme No. 2

**Policy Implications:** Local Planning Policy No 13

**Financial Implications:** ATU systems are more expensive to install and maintain than septic systems although septic systems would have used a large amount of the 350sqm available for the house effectively reducing the house size and capital value.

**Strategic Implications:** This design guideline relate to the Shires vision:

Key Sustainability Result Areas

1 People and 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.

2 Environment

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

Strategies:

1 Increase awareness of the value of environmental requirements towards sustainability.

3 Encourage protection and rehabilitation of natural resources.

4 Reduce water consumption.

5 Reduce green house gas emissions.

6 Value, protect and develop biodiversity.

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

Strategies:

1 Implement known best practice sustainable natural resource management.

2 Respond to Greenhouse and Climate change.

3 Reduce waste and improve recycling processes

4 Governance

*Objective 1: An effective continuous improvement program*

Strategies:

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

2 Promote best practice through demonstration and innovation

**Community Consultation:** Town Planning Scheme No. 2 provides the following process for consultation in the adoption of a local planning policy:

A Local Planning Policy shall become operative only after the following procedures have been completed:-

- a) The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, the subject and nature of the Policy and in what form and during what period (being not less than 21 days) submissions may be made.
- b) The Council shall review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.
- c) Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.
- d) Where, in the opinion of the Council, the provisions of any Policy affects the interests of the WA Planning Commission, a copy of the policy shall be forwarded to the Commission
- e) The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.
- f) Any amendment or addition to a Policy shall follow the procedures set out in a) to d) above.

**Voting Requirements:** Normal

**Officer Recommended Resolution**

Council resolves to adopt for advertising the modifications to Local Planning Policy No. 13 - Woodlot Subdivision Jarrahdale Design Guidelines in accordance with clause 9.3(b) of Town Planning Scheme No. 2 as follows:

- 3.3.1.1 Buildings are only permissible to be constructed within the 350m<sup>2</sup> building footprint area. Figure 1 shows approximate locations for siting of buildings on each lot. The 350sqm area allowable for buildings can be any shape to allow flexibility in the design of the building. Written approval by Council is required to substantially vary the location of the building envelope.
- 3.3.4.3 No boundary fences are permitted between properties. Properties can be marked by posts on corners of boundary to adjacent properties. Boundary fencing to the street frontage and the state forest boundary interface is permissible as a 1.2m post and rail to street frontage and 1.2m post and wire to the State Forest interface.
- 3.4.4.3 Septic tanks and leach drains are not acceptable within the subdivision. ATU systems will be integrated within the site.
- “3.4.3.2 Air conditioners are not permitted” is to become a scorecard initiative and deleted as a mandatory requirement.

**CRP013 Committee Recommended Resolution**

That Council resolves to adopt for advertising the modifications to Local Planning Policy No. 13 - Woodlot Subdivision Jarrahdale Design Guidelines in accordance with clause 9.3(b) of Town Planning Scheme No. 2 as follows:



- 3.3.1.1 Buildings are only permissible to be constructed within the 350m<sup>2</sup> building footprint area. Figure 1 shows approximate locations for siting of buildings on each lot. The 350sqm area allowable for buildings can be any shape to allow flexibility in the design of the building. Written approval by Council is required to substantially vary the location of the building envelope.
- 3.3.4.3 No boundary fences are permitted between properties. Properties can be marked by posts on corners of boundary to adjacent properties. Boundary fencing to the street frontage and the state forest boundary interface is permissible as a 1.2m post and rail to street frontage and 1.2m post and wire to the State Forest interface.
- 3.4.4.3 Septic tanks and leach drains are not acceptable within the subdivision. ATU systems will be integrated within the site.
- “3.4.3.2 Air conditioners are not permitted” is to become a scorecard initiative and deleted as a mandatory requirement.

### **AMENDMENT**

That no vegetation is to be cleared when any such fences are constructed.

The Presiding Member then put the amended motion was

### **CRP013 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Star seconded Cr Price

Council resolves to adopt for advertising the modifications to Local Planning Policy No. 13 - Woodlot Subdivision Jarrahdale Design Guidelines in accordance with clause 9.3(b) of Town Planning Scheme No. 2 as follows:

- 3.3.1.1 Buildings are only permissible to be constructed within the 350m<sup>2</sup> building footprint area. Figure 1 shows approximate locations for siting of buildings on each lot. The 350sqm area allowable for buildings can be any shape to allow flexibility in the design of the building. Written approval by Council is required to substantially vary the location of the building envelope.
- 3.3.4.3 No boundary fences are permitted between properties. Properties can be marked by posts on corners of boundary to adjacent properties. Boundary fencing to the street frontage and the state forest boundary interface is permissible as a 1.2m post and rail to street frontage and 1.2m post and wire to the State Forest interface. No vegetation is to be cleared when any such fences are constructed.
- 3.4.4.3 Septic tanks and leach drains are not acceptable within the subdivision. ATU systems will be integrated within the site.
- “3.4.3.2 Air conditioners are not permitted” is to become a scorecard initiative and deleted as a mandatory requirement.

CARRIED 9/0

Committee Note: The Officer Recommended Resolution was altered to include a requirement stating no loss of vegetation is to occur when boundary fences are constructed.

P014/08/03 PROPOSED REZONING – LOT 5 KARNUP ROAD, SERPENTINE (P02140/01)		
Proponent	The Planning Group	<b>In Brief</b>  The purpose of this report is to rescind the previous resolution of Council with respect to the subject rezoning application.  It is recommended that Council initiate an amendment to rezone the subject land subject to modifications.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	6 August 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Owner: W Hodgen  
 Owner's Address: 705 Karnup Road, Hopeland WA 6125  
 Applicant: The Planning Group  
 Applicant's Address: Mezzanine Level, Central Park  
 152-158 St Georges Terrace  
 Perth WA 6000

Date of Receipt: 12 December 2002  
 Advertised: Advertising to public and government agencies not required unless the Amendment is initiated by Council

Submissions: Not applicable  
 Lot Area: 12.28 hectares  
 L.A Zoning: Rural  
 MRS Zoning: Rural  
 Byford Structure Plan: Not applicable  
 Rural Strategy Policy Area: Farmlet Policy Area  
 Rural Strategy Overlay: Not applicable  
 Municipal Inventory: Not applicable  
 Townscape/  
 Heritage Precinct: Not applicable  
 Bush Forever: Not applicable  
 Date of Inspection: 25 February 2003

### **Background**

Council at its meeting held 24 March 2003 resolved the following with respect to a proposed rezoning of Lot 5 Karnup Road, Serpentine:

#### **“CRP238 COUNCIL DECISION/Committee Recommended Resolution**

*Moved Cr Needham seconded Cr Hoyer that Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), resolves to initiate an amendment to rezone Lot 5 Karnup Road, Serpentine, from “Rural” to “Farmlet”, subject to:*

- A. *The subdivision guide plan being amended to the satisfaction of Council to reflect the following modifications:*
1. *Nomination of revegetation areas (local species) on subdivision guide plan at the rate of 25% on each proposed lot at 600 stems per hectare and planted prior to clearance of subdivision in accordance with Council's Guidelines for Nutrient Management.*
  2. *A dual-use trail to be depicted on the subdivision guide plan along the entire length of the eastern and northern boundaries of the subject site.*
  3. *A notation to be placed on the subdivision guide plan stating that the existing dam located on the boundary between proposed lots 2 and 3 is to be filled with clean fill only, to the satisfaction of Council.*

4. *Building envelopes and effluent disposal areas for each lot to be identified on the subdivision guide plan.*

B. *The consultant preparing formal amending documentation which is to include the following Special Provisions and any other deemed appropriate by Council:*

1. *Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the Council.*

*Use classes permitted (P)*

*Single House  
Public Recreation  
Public Utility*

*Discretionary Uses (AA)*

*Ancillary Accommodation  
Home Occupation  
Rural Use  
Stables*

*All other uses are prohibited.*

*In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.*

2. *No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorous retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.*
3. *No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and driveways.*
4. *The subdivider shall, in accordance with the Subdivision Guide Plan, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of the lot(s) to a new owner.*
5. *The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.*
6. *On those lots that contain remnant vegetation, fences shall be erected to protect trees and other vegetation from damage by grazing livestock.*
7. *The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Fire Emergency Services Authority.*
8. *At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.*

9. *The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted, shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the application pasture types. Vegetation planted by the developer, and remnant vegetation must be fenced from grazing livestock in order to protect vegetation.*
10. *Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation of Western Australia By-Laws applying to underground water supply and pollution control.*
11. *The subdivider shall drain the land in accordance with the Subdivision Guide Plan. Those easements required by the Council shall be provided to Council free of cost at the time of subdivision to provide for the on-going maintenance of the drains.*

**CARRIED 8/0**

*Note: The Officer Recommended Resolution was altered by the Planning Committee by deleting special provision 9 which is no longer a standard provision in view of the Drainage Guidelines for Nutrient Management.”*

**A copy of the original Subdivision Guide Plan is with the attachments marked [P014.1-08-03.tif](#).**

## **Comments**

### Discussion

#### Multi Use Trail

Council's Manager Planning and Regulatory Services and Planning Officer met with the proponent to address some concerns held by the proponent with respect to Council's resolution. Concerns regarding the requirement for a dual-use trail to be depicted on the subdivision guide plan along the entire length of the eastern and northern boundaries of the subject site as per "Part A. (2)" of Council's resolution were raised by the proponent.

The concerns held by the proponent related to the point that the requirement to give up approximately 6656m<sup>2</sup> of the subject land (approximately 5.4% of the total lot) for public open space for the purposes of multi use trails would result in the lot sizes being reduced to below 4ha. The WA Planning Commission can approve a 5 percent variation to the minimum lot size requirement, however under the current proposed lot boundaries, proposed Lot 3 would be reduced to 3.66 hectares, which is an 8.5% variation to the minimum lot size requirement of 4 hectares.

Council's recommendation to acquire land along the eastern and northern boundaries of the subject lot for the purposes of a multi use trail is in line with "potential trails" as indicated on the maps that form part of Local Planning Policy No.9 – Multiple Use Trails within the Shire.

**A copy of the Trails Map is with the attachments marked [P014.2-08-03.tif](#).**

Council is presented with two options below, which may be chosen in order to address the above concern:

#### Option 1

Council requires a multi use trail to be depicted on the subdivision guide plan along the entire length of the eastern and northern boundaries of the subject site in accordance with Council's previous resolution on the 24 March 2003. Council could require the proposed boundaries to be realigned in order to balance the average of the lot sizes so as the three lots are around the 5% variation to the minimum lot size.

## Option 2

Council investigates the possibility of locating the portion of the proposed trail that runs along the eastern boundary of the subject lot on Council's reserve 27453 (Serpentine Golf Course), which abuts the subject land. This would avoid the need to construct the trail through an existing dampland area on the subject lot.

The subdivider would still be required to provide land along the northern and north-eastern boundary up to Beacham Road for the purposes of a dual-use trail.

## Recommendation

It is recommended that Option 1 be implemented. The Western Australian Planning Commission will be advised that Council supports the boundaries of the proposed lots be realigned in order to create lots with a minimum size of 3.8 hectares. This represents relaxation of the minimum lot size to allow for the provision of the multi use trail in the subdivision as public open space.

## Revegetation

The proponent was also required to nominate revegetation areas (local species) on the subdivision guide plan at the rate of 25% on each proposed lot at 600 stems per hectare and planted prior to clearance of subdivision in accordance with Council's Guidelines for Nutrient Management.

The applicant subsequently submitted a modified subdivision guide plan which depicted proposed areas of revegetation.

***A copy of the modified Subdivision Guide Plan is with the attachments marked [P014.3-08-03.pdf](#).***

Council's Environmental Officer has provided comment on the modified subdivision guide plan. The Environmental Officer's recommendations are listed below:

1. Wetland areas are located on the subject land and it would be a better environmental outcome if planting were to occur around the wetland areas on site in a "cluster design" in order to promote biodiversity and a better habitat for flora and fauna rather than just perimeter planting.
2. Further revegetation shall be planted on the eastern boundaries of proposed Lot 2 and Lot 3 and planting along the eastern and northern boundaries of proposed Lot 1.

Therefore, in accordance with the above, it is recommended that Council initiate the rezoning of the subject land, subject to a notation being placed on the subdivision guide plan which states the requirements for future revegetation planting prior to the clearance of subdivision. In addition, the subdivision guide plan shall be modified to indicate 25% of each lot is to be revegetated.

## Sustainability Statement

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

It is considered that planting of revegetation around the existing wetland areas of the lot would establish a wetland habitat for flora and fauna.

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

Not applicable.

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

Not applicable.

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

It is considered that the proposal will be economically viable in a way that incorporates its external costs.

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

The rezoning application, once initiated will be referred to pertinent government agencies, affected landowners and will be advertised in the local newspaper.

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

It is considered that the proposal will not disadvantage any social groups.

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

Not applicable.

**Statutory Environment:**

Town Planning and Development Act 1928  
Town Planning Scheme No. 2  
Scheme Amendment No. 109

**Policy Implications:**

Shire's draft Rural Strategy 1994 (as amended)  
Statement of Planning Policy No. 2  
Statement of Planning Policy No. 11

**Financial Implications:**

It is considered that there will be no direct financial implications to Council as a result of this application.

**Strategic Implications:**

Key Sustainability Result Areas

**1 People and Community**

*Objective 1: Good quality of life for all residents*

Strategies:

1 Provide recreational opportunities.

**2 Environment**

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

Strategies:

1 Increase awareness of the value of environmental requirements towards sustainability.

3 Encourage protection and rehabilitation of natural resources.

6 Value, protect and develop biodiversity.

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

Strategies:

1 Implement known best practice sustainable natural resource management.

**3 Economic**

*Objective 3: Effective management of Shire growth*

Strategies:

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

**Community Consultation:** Not applicable

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

**Committee/Officer Recommended Resolution**

1. Council seeks to rescind motion CRP238/03/03 of 23 March 2003 Ordinary Council Meeting.
2. Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), resolves to initiate an amendment to rezone Lot 5 Karnup Road, Serpentine, from “Rural” to “Farmlet”, subject to:
  - A. The subdivision guide plan being amended to the satisfaction of Council to reflect the following modifications:
    1. Nomination of indicative revegetation areas (local species) on subdivision guide plan at the rate of 25% on each proposed lot at 600 stems per hectare and planted prior to clearance of subdivision in accordance with Council’s Guidelines for Nutrient Management to the satisfaction of Council’s Environmental Officer.
    2. A notation to be included on the subdivision guide plan stating that nomination of revegetation areas is indicative only and a revegetation plan will be required as a condition of subdivision. Revegetation areas shall be in accordance with Council’s Guidelines for Nutrient Management and shall occur at the rate of 25% on each proposed lot at a minimum of 600 stems.
    3. A multi use trail to be depicted on the subdivision guide plan along the entire length of the eastern and northern boundaries of the subject site.
    4. A notation to be placed on the subdivision guide plan stating that the existing dam located on the boundary between proposed lots 2 and 3 is to be filled with clean fill only, to the satisfaction of Council.
    5. Building envelopes and effluent disposal areas for each lot to be identified on the subdivision guide plan.
    6. A notation to be placed on the subdivision guide plan stating that the location of building envelopes is nominal and shall be used as a guide only and is subject to further survey at the subdivision stage.
  - B. The consultant preparing formal amending documentation which is to include the following Special Provisions and any other deemed appropriate by Council:
    1. Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the Council.

Use classes permitted (P)  
Single House  
Public Recreation  
Public Utility

Discretionary Uses (AA)  
Ancillary Accommodation  
Home Occupation  
Rural Use  
Stables

All other uses are prohibited.

- In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.
2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorous retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.
  3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and driveways.
  4. The subdivider shall, in accordance with the Subdivision Guide Plan, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of the lot(s) to a new owner. The revegetation plan shall incorporate areas of wetland planting.
  5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
  6. On those lots that contain remnant vegetation, fences shall be erected to protect trees and other vegetation from damage by grazing livestock.
  7. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Fire Emergency Services Authority.
  8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.
  9. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted, shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the application pasture types. Vegetation planted by the developer, and remnant vegetation must be fenced from grazing livestock in order to protect vegetation.
  10. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation of Western Australia By-Laws applying to underground water supply and pollution control.
  11. The subdivider shall drain the land in accordance with the Subdivision Guide Plan. Those easements required by the Council shall be provided to Council free of cost at the time of subdivision to provide for the on-going maintenance of the drains.



### **REVOKING COUNCIL DECISION CRP238/03/03**

Moved Cr Murphy seconded Cr. Price, Cr Scott, Cr Hoyer  
Council supports proceeding with the intention to revoke resolution CRP238/03/03 of 23<sup>rd</sup> March 2003 Ordinary Council Meeting.  
CARRIED 9/0

### **CRP014 COUNCIL DECISION**

Moved Cr Hoyer seconded Cr Wigg that

1. Council revokes motion CRP238/03/03 of 23 March 2003 Ordinary Council Meeting.
2. Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), resolves to initiate an amendment to rezone Lot 5 Karnup Road, Serpentine, from "Rural" to "Farmlet", subject to:

A. The subdivision guide plan being amended to the satisfaction of Council to reflect the following modifications:

1. Nomination of indicative revegetation areas (local species) on subdivision guide plan at the rate of 25% on each proposed lot at 600 stems per hectare and planted prior to clearance of subdivision in accordance with Council's Guidelines for Nutrient Management to the satisfaction of Council's Environmental Officer.
2. A notation to be included on the subdivision guide plan stating that nomination of revegetation areas is indicative only and a revegetation plan will be required as a condition of subdivision. Revegetation areas shall be in accordance with Council's Guidelines for Nutrient Management and shall occur at the rate of 25% on each proposed lot at a minimum of 600 stems.
3. A multi use trail to be depicted on the subdivision guide plan along the entire length of the eastern and northern boundaries of the subject site.
4. A notation to be placed on the subdivision guide plan stating that the existing dam located on the boundary between proposed lots 2 and 3 is to be filled with clean fill only, to the satisfaction of Council.
5. Building envelopes and effluent disposal areas for each lot to be identified on the subdivision guide plan.
6. A notation to be placed on the subdivision guide plan stating that the location of building envelopes is nominal and shall be used as a guide only and is subject to further survey at the subdivision stage.

B. The consultant preparing formal amending documentation which is to include the following Special Provisions and any other deemed appropriate by Council:

1. Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the Council.

Use classes permitted (P)

Single House  
Public Recreation  
Public Utility

Discretionary Uses (AA)

Ancillary Accommodation  
Home Occupation  
Rural Use  
Stables

All other uses are prohibited.

In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.

2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorous retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.
3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and driveways.
4. The subdivider shall, in accordance with the Subdivision Guide Plan, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of the lot(s) to a new owner. The revegetation plan shall incorporate areas of wetland planting.
5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
6. On those lots that contain remnant vegetation, fences shall be erected to protect trees and other vegetation from damage by grazing livestock.
7. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Fire Emergency Services Authority.
8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.
9. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted, shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the application pasture types. Vegetation planted by the developer, and remnant vegetation must be fenced from grazing livestock in order to protect vegetation.
10. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation of Western Australia By-Laws applying to underground water supply and pollution control.
11. The subdivider shall drain the land in accordance with the Subdivision Guide Plan. Those easements required by the Council shall be provided to Council free of cost at the time of subdivision to provide for the on-going maintenance of the drains.

**CARRIED 9/0 ABSOLUTE MAJORITY**

P015/08/03 INFORMATION REPORT			
Proponent	Director Sustainable Development		<b>In Brief</b> Information Report.
Officer	Lisa Fletcher – Support Officer Sustainable Development		
Signatures - Author:			
Senior Officer:			
Date of Report	1 August 2003		
Previously			
Disclosure of Interest			
<b>Delegation</b>	<b>Council</b>		

P015.1/08/03 PLANNING SCHEME AMENDMENTS

**A copy of the Scheme Amendment Table is with the attachments marked [P015.1-08-03.doc](#).**

P015.2/08/03 DELEGATED AUTHORITY DETERMINATIONS

Date Issued	Development & Property	Delegated Authority No.
8/7/03	Patio – Lot 180 Paterson Street, Mundijong	PS 4
10/7/03	Patio – Lot 30 Brady Street, Jarrahdale	PS 5.3
10/7/03	Flat roofed patio & garage – Lot 62 Ray Close, Byford	PS 4
11/7/03	Flyscreen enclosure – Lot 25 Mader Road, Mundijong	PS 4
11/7/03	Single dwelling – Lot 552 Bruns Drive, Darling Downs	PS 11
16/7/03	Single dwelling – Lot 175 Livesey Street, Mundijong	PS 4
22/7/03	Patio – Lot 3 Brown Street, Byford	PS 4
22/7/03	Single dwelling – Lot 114 McNeil Grove, Jarrahdale	PS 11
22/7/03	Patio – Lot 3 Brown Street, Byford	PS 4
24/7/03	Carport & two patios – Lot 104 Jarrahdale Road, Jarrahdale	PS 11
28/7/03	Shed – Lot 99 Chestnut Road, Jarrahdale	PS 11
28/7/03	Single dwelling – Lot 166 Atkins Street, Jarrahdale	PS 11
30/7/03	Shed – Lot 91 Chestnut Road, Jarrahdale	PS11
30/7/03	Shed & retaining wall – Lot 587 Harwood Pass, Darling Downs	PS11
30/7/03	Patios – Lot 55 Butcher Road, Mundijong	PS 4
30/7/03	Swimming Pool - Lot 101 Marginata Parade, Jarrahdale	PS 11
31/7/03	Patio - Lot 92 Chestnut Road, Jarrahdale	PS 11
31/7/03	Garage – Lot 20 Old Brickworks Road, Byford	PS 4
31/7/03	Shed – Lot 247 Walters Road, Byford	PS 4
1/8/03	Grouped dwelling (second residence), extension to planning approval – Lot 242 & 245 Scrivener Road, Serpentine	PS – 5.2
4/8/03	Garage – Lot 7 Harris Place, Jarrahdale	PS 11
6/8/03	Shed – Lot 518 Bruns Drive, Darling Downs	PS 11

P015.3/08/03 BURNBRAE ORPHANAGE, NETTLETON ROAD, BYFORD (P04868)

**A copy of the correspondence dated 9 July 2003 from the Heritage Council of WA is with the attachments marked [P015.3-08-03.tif](#).**

P015.4/08/03 BURNBRAE ORPHANAGE, NETTLETON ROAD, BYFORD (P04868)

**A copy of the correspondence dated 17 July 2003 from the Department for Planning & Infrastructure is with the attachments marked [P015.4-08-03.tif](#).**

P015.5/08/03 APPEAL RE CHANGE OF USE FROM RESIDENTIAL TO CONSULTING ROOMS – LOT 105 SOUTH WESTERN HIGHWAY, BYFORD (P01632/01)

**A copy of the correspondence dated 10 July 2003 from the Town Planning Appeal Tribunal is with the attachments marked [P015.5-08-03.tif](#).**

P015.6/08/03 BALDWIN'S COTTAGE (P01395)

The National Trust has resolved to classify Baldwin's Cottage at Serpentine and enter it in the National Trust's List of Classified Heritage Places.

**A copy of the National Trust's Assessment Form is with the attachments marked [P015.6-08-03.tif](#).**

The statement of significance on the assessment exposition indicates why the Trust considers the area to be of heritage significance. The Trust hopes that this building will be conserved for the continued benefit of the community of the future.

P015.7/08/03 QUARTERLY REPORT – APRIL TO JUNE 2003 (A0899)

**A copy of the Sustainable Development Directorate Quarterly Report is with the attachments marked [P015.7-08-03.doc](#).**

Council is provided with the quarterly report from the Director Sustainable Development to the Chief Executive Officer for the April to June 2003 inclusive period. Councillors are encouraged to discuss any areas within the report that they would like clarification on with the Director.

P015.8/08/03 DRAFT MEMORANDUM OF UNDERSTANDING - EXPLORATION LICENCE 70/2495 (P05844)

**A copy of the final draft Memorandum of Understanding between the Ratepayers Association and Iluka Resources Limited is with the attachments marked [P015.8-08-03.DOC](#)**

The essential intent of this approach is to offer the applicant the opportunity to demonstrate their appropriateness, by recognising the issues of contemporary community and 'public interest' importance and to meaningfully include other decision makers into the consultative and processes loop.

As acknowledged by both parties, this MOU approach and all that it entails is setting a new standard, in line with some of the debate vested in the Keating Report recommendations.

P015.9/08/03 TIMELINE FOR BYFORD PLANNING PROJECTS (A1142 & A0769-07)

**A copy of the timeline for the Byford Detailed Area Plan is with the attachments marked [P015.9-08-03.tif](#).**

A timeline for the completion of the Byford Structure Plan is as follows:-

Notify affected landowners in writing	End of August 2003
Comment period	September 2003
Final adoption by Council	October 2003
Consideration by Western Australian Planning Commission	Unknown

**Officer Recommended Resolution**

That the Information Report to 14 August 2003 be received.

**CRP015 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Price seconded Cr Murphy that

1. The Information Report to 14 August 2003 be received.
2. A letter be sent to the Chair of the Town Planning Appeals Tribunal informing the Tribunal of Councils concerns at their apparent confusion in relation to the status of the Byford Structure Plan and seeking that these inaccuracies be removed or amended within the public record if possible.
3. A letter be sent to the Heritage Council of WA seeking a meeting to explain the rationale for their decision not to list Burnbrae Orphanage on the State Heritage Register.

CARRIED 9/0

Committee Note: The Officer Recommended Resolution was altered to include a letter being sent to the Town Planning Appeals Tribunal and the Heritage Council of WA in response to matters raised within the Information Report.

Council Note: Council Decision made a minor amendment to Part 3 clarifying that a meeting is to be sought to discuss this.

**8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**9. CHIEF EXECUTIVE OFFICER'S REPORT**

**10. URGENT BUSINESS:**

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

**12. CLOSURE:**

There being no further business the meeting closed at 7.38pm.

### 13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

#### 13.1 Corporate Services

C002/08/03 RIDING FOR DISABLED ASSOCIATION – USE OF RESERVE 46398 (RS0177)		
Proponent	Riding for Disabled Association	<b>In Brief</b> To provide in principle support to consider an agreement between Council and Riding for the Disabled Association but cannot guarantee a positive outcome of that consideration.
Officer	G.R. Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	04/08/03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

#### **CRC002 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Star seconded Cr Simpson:

1. The Riding for Disabled Association be advised that Council does support, in principle, the granting of an agreement for use of Reserve 46398 located on Lot 281 Gossage Road, Mundijong, subject to Department of Land Administration, WA Planning Commission & Council first granting the relevant approvals.
2. Upon the relevant approvals being granted, Council instructs their solicitors to prepare a lease agreement for Reserves 46398 at the Riding for Disabled Association cost and that the lease be referred back to Council for final approval.

CARRIED 5/0

C003/08/03 CHANGING THE METHOD OF VALUATION OF LAND (A0128)		
Proponent	Local Government Act 1995	<b>In Brief</b> To establish a working group of the presiding members of Council's standing committee to consider the methods of valuation of land for rating purposes review.
Officer	G.R. Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	04/08/03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

#### **CRC003 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Star seconded Cr Kirkpatrick:

A working group be established to review the methods of valuing land for the purpose of rating for the Shire of Serpentine-Jarrahdale. This working group be made up of Councillors' Murphy, Kirkpatrick, Needham, Hoyer and Star.

CARRIED 5/0

<b>C005/08/03 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)</b>		
Proponent	Director Corporate Services	<u>In Brief</u>  To confirm the creditor payments made during June and July.
Officer	Ray Pryce - Senior Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	06/08/03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

**CRC005 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Star seconded Cr Simpson:

Council notes the payments authorised and made by the Chief Executive Officer, exercising his delegated authority and detailed in the list of invoices for the months of June and July, presented to the Corporate Services Committee and to Council, per the summaries set out above include Creditors yet to be paid and in accordance with the Local Government (Financial Management) Regulations 1996.

CARRIED 5/0

<b>C006/08/03 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000(A0917)</b>		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the statement of debtors over \$1,000 as at 31 July 2003
Officer	Ray Pryce – Senior Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

**CRC006 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Star seconded Cr Simpson:

Council receive and note the report on Debtors accounts with a balance in excess of \$1,000 outstanding for 90 days or greater as at 31 July 2003.

CARRIED 5/0

<b>C007/08/03 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)</b>		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the sundry debtor balances as at 31 July 2003
Officer	Ray Pryce - Senior Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

**CRC007 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Kirkpatrick seconded Cr Wigg:  
Council receive and note the report on Sundry Debtor Outstanding Accounts as at 31 July 2003.  
CARRIED 5/0

<b>C008/08/03 RATE DEBTORS REPORT (A0917)</b>		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the rates report as at 30 June 2003
Officer	Ray Pryce – Senior Finance Officer - Rates	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

**CRC008 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Wigg seconded Cr Star:  
Council receive and note the report the Rate Debtors accounts as at 30 June 2003.  
CARRIED 5/0

<b>C009/08/03 INFORMATION REPORT</b>		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the information report to 30 July 2003
Officer	Various	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

**CRC009 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Star seconded Cr Simpson:  
The information report to 5 August 2003 be received.  
CARRIED 5/0



13.2 Asset Services

AS011/08/03 DOLEY ROAD, BYFORD – REQUEST TO UPGRADE TO SEALED STANDARD (R0179)		
Proponent	Mr & Mrs Elek 89 Doley Road, Byford	In Brief  <i>Council is requested to approve the upgrading the section of Doley Road, Byford to sealed standard.</i>
Officer	Mick Beaverstock Director Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	31 July 2003	
Previously	AS068/05/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – In accordance with Resolution SM054/05/03</b>	

**CRAS011 COMMITTEE DECISION/Officer Recommended Resolution:**

Moved Cr Simpson seconded Cr Hoyer:

1. That Council approves the upgrading of Doley Road to sealed standard from the existing seal to the northern boundary of 89 Doley Road, Byford or 100 metres length (whichever is the lower).
2. That prior to works commencing, an amount of \$1,800 is to be paid to the Shire by the owners of 89 Doley Road, Byford as a contribution to these works.
3. It be noted that this decision of Council has been assessed on its merits and does not set a precedent for future works or funding commitments within the Shire.

CARRIED 5/0

AS012/08/03 SERPENTINE JARRAHDAL E EMERGENCY SERVICES REVIEW STEERING GROUP (A0874-02)		
Proponent	Shire of Serpentine Jarrahdale	In Brief  <i>Council is requested to endorse the formation of a Steering Group to manage the Emergency Services Review and appoint a Council delegate to the Steering Group.</i>
Officer	Mick Beaverstock Director Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	31 July 2003	
Previously	AS035/02/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Committee in accordance with resolution SM054/05/03</b>	

**CRAS012 COMMITTEE DECISION/Officer Recommended Resolution:**

Moved Cr Wigg seconded Cr Hoyer

1. That Council endorses the formation of a Steering Group to manage the Serpentine Jarrahdale Emergency Services Review.
2. That membership of the Steering Group comprise of the Chief Executive Officer, Director Asset Services, Fire & Emergency Services Authority Executive Director Fire Services, Fire & Emergency Services Authority Regional Director State Emergency Services Metropolitan Region and an elected member of Council.
3. That Councillor Kirkpatrick be appointed as the Council delegate on the Serpentine Jarrahdale Emergency Services Review Steering Group.

CARRIED 5/0

<b>AS013/08/03 INFORMATION REPORT</b>		
Proponent		In Brief  <i>To receive the information report to the 30 June, 2003</i>
Officer		
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee in accordance with resolution SM054/05/03</b>	

**CRAS013 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Simpson seconded Cr Hoyer that the information report to the 31 July 2003 be received .  
CARRIED 5/0

13.3 Community & Recreation Development

<b>CRD03/08/03 TENDER C01-2003/04 MANAGEMENT OF THE DESIGN AND CONSTRUCTION OF THE SERPENTINE JARRAHDAL COMMUNITY RECREATION CENTRE (A0900)</b>		
Proponent	Shire of Serpentine-Jarrahdale	<u>In Brief</u>  Council is requested to award Contract C01-2003/04 for the Management of the Design and Construction of the Serpentine Jarrahdale Community Recreation Centre
Officer	Mick Beaverstock – Director Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	31 July 2003	
Previously	SM063/06/03; CRD01/07/01	
Disclosure of Interest		
<b>Delegation</b>	Committee – in accordance with resolution SM054/05/03	

**COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Murphy seconded Cr Wigg that Contract C01-2003/04 for the Management of the Design and Construction of the Serpentine Jarrahdale Community Recreation Centre (in accordance with the specification and conditions of contract nominated in Request For Tender C01-2003/04) be awarded to Thomson Marquis Project Management at the tendered lump sum price of \$53,400 (excluding GST), subject to confirmation that the project team nominated within the tender submission will be made available for the duration of the contract.  
CARRIED 5/0

CRD04/08/03 INFORMATION REPORT		
Proponent		<u>In Brief</u>  <i>Information Report</i>
Officer	John Stewart - Youth Liaison Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	01.08.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM054/05/03</b>	

COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Needham seconded Cr Wigg that Council accepts the July 2003 Information Report.  
CARRIED 5/0

13.4 Building Services

B03/08/03 INFORMATION REPORT		
Proponent	N/A	<u>In Brief</u>  Information report
Officer	Wayne Chant - Principal Building Surveyor	
Signatures - Author:		
Senior Officer:		
Date of Report	11.08.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM054/05/03</b>	

COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Price seconded Cr Wigg that Council accepts the July 2003 Information Report.  
CARRIED 5/0

13.5 Health Services

H02/08/03 <b>CONFIDENTIAL ITEM</b> LOT 20 (#20) BRADSHAW ROAD, BYFORD (P04362)		
Proponent	N/A	<u>In Brief</u> Recommend that Council issues a notice under S.135 of the Health Act 1911 requiring the dwelling to be uninhabited by 3 September 2003 and that Council issues notice under S.137 of the Health Act 1911 requiring the dwelling to be repaired by 3 December 2003.
Officer	Joanne Abbiss - Director Sustainable Development and Belinda Laing-Hughes - Environmental Health Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	10 August 2003	
Previously		
Disclosure of Interest	N/A	
<b>Delegation</b>	<b>Committee – in accordance with resolution SM054/05/03</b>	

**COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Scott seconded Cr Wigg that

- 1 Council resolves to issue a notice under Section 135 of the Health Act 1911 directing that the dwelling located at #20 (Lot 20) Bradshaw Road, Byford is not to be occupied for the purposes of human habitation after 3 September 2003.
- 2 Council resolves to issue a notice under Section 137 of the Health Act 1911 directing that the dwelling located at #20 (Lot 20) Bradshaw Road, Byford is to be repaired to a standard acceptable to the Principal Environmental Health Officer by 3 December 2003.

CARRIED 5/0

H03/08/03 INFORMATION REPORT		
Proponent	N/A	<u>In Brief</u> Information report
Officer	David Richards - Environmental Health Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	11.08.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM054/05/03</b>	

**COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Murphy seconded Cr Scott that Council accepts the information report for July 2003.

CARRIED 5/0

13.6 Planning Development & Environment

P010/08/03 EXISTING SINGLE RESIDENTIAL BUILDING (PATIO) – LOT 28 LARSEN ROAD, BYFORD (P01761/03)		
Proponent	Mr Hugh French	<b>In Brief</b>  An application was received for retrospective planning approval of a patio. It is recommended that the application be approved with standard conditions.
Officer	Daniel Stevens – Contract Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	15 July 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM054/05/03</b>	

**CRP010 Committee Decision/Officer Recommended Resolution**

Moved Cr Price, seconded Cr Wigg that it is recommended that the application to convert two existing pergolas to patios be approved retrospectively subject to the following conditions:

1. An application is to be lodged with Council's Building Services to ensure that the existing 'Single Residential' building (existing patio) complies with the requirements of the Building Code of Australia prior to 30<sup>th</sup> June 2003.
2. No direct discharge of storm water into watercourses or drainage lines.
3. The patio 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 to effluent disposal systems as required by legislation. If the effluent disposal system, septic tank and/or leach drain setbacks do not comply with relevant legislation, then they must be relocated to the satisfaction of Council's Health Service.

Advice Note:

1. Please contact Council's Health Services for setbacks and requirements to other effluent disposal systems.

CARRIED 5/0

I certify that these minutes were confirmed at the ordinary council meeting held on 22<sup>nd</sup> September, 2003

.....  
 Presiding Member

.....  
 Date