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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET MUNDIJONG ON MONDAY 25TH JULY, 2005. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.05PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

1. ATTENDANCE & APOLOGIES:

IN ATTENDANCE:

COUNCILLORS: JE Price Presiding Member
AW Wigg
WJ Kirkpatrick
THJ Hoyer
JC Star
KR Murphy
EE Brown
IJ Richards
JA Scott

OFFICERS: Ms J Abbiss Chief Executive Officer
Mr M Beaverstock Director Asset Services
Mrs E Cox Acting Director Corporate Services
Ms C Eldridge Acting Director Sustainable Development
Mr Cary Green Manager Corporate Services
Mr Brad Gleeson Manager Planning & Regulatory Services
Mrs S Langmair Minute Secretary

APOLOGIES: Cr DL Needham

GALLERY: 0

2. PUBLIC QUESTION TIME:

2.1 Response To Previous Public Questions Taken On Notice

Peter Hector, Mundijong

Q Re Lot 54 and the Cheese Factory he is in process of applying for a rural subdivision. If the Department of Environment is satisfied that the odour report does not require further modelling will Council accept this?

A Staff from the Planning and Environmental Health Services Teams have met with the landowner to discuss the Council's requirements regarding the need for odour modelling as part of the formal assessment of Amendment 141 (Lot 54 Randell Road, Mardella). The landowner was advised that an odour modelling investigation is required of the dairy and cheese factory by a suitably qualified consultant. This information has been required in order for the Shire to be satisfied that any further subdivision and development in the area would not be adversely affected by odours. Officers would recommend that the current odour report is not sufficient even if it was considered acceptable by the Department of Environment

3. PUBLIC STATEMENT TIME:

Public Statement Time commenced at 7.07 pm.

Cr John Price, Deputy Shire President

We are in a state of shock at the tragic death of young Andrew Anstey last Friday. For those of us who knew Andrew, he was bright, enthusiastic and well mannered. Sadly, Andrew was a victim of the challenges and stresses on many people inflicted by Diabetes. The untold story over the past few days, is how well he was looked after by his foster carers and their commitment to help him fight the disease. While many of us feel a personal loss, our hearts go to our friends Denyse and Lorraine, family members and Andrew's many friends. Councillors and Staff of the Serpentine Jarrahdale Shire.

Our thanks to the many volunteers and emergency service personnel who assisted in the search for Andrew.

Public Statement Time concluded at 7.08 pm.

4. PETITIONS & DEPUTATIONS:

Nil

5. PRESIDING MEMBER REPORT:

The Presiding Member drew Councillors attention to Professor Putman's public speaking engagements during Local Government Week including a public lecture on the 10th August at Burswood Resort Convention Centre - details can be obtained via the Western Australian Local Government Association website.

6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

Cr Hoyer declared a financial interest in item SD09/07/05 as an occasional employee of one of the objectors.

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

7.1 Ordinary Council Meeting – 27th June, 2005

COUNCIL DECISION

Moved Cr Star seconded Cr Wigg

That the minutes of the Ordinary Council Meeting held on 27th June, 2005 be confirmed with a correction to Declaration of Interest by Cr Jan Star in item SD087/06/05 which was an interest of impartiality as a family friend of the owner and not a financial interest.

CARRIED 9/0

7.2 Special Council Meeting – 5th July, 2005

COUNCIL DECISION

Moved Cr Star seconded Cr Murphy

That the minutes of the Special Council Meeting held on 5th July, 2005 (*attachment SCMJuly2005*) (E05/3634) be confirmed.

CARRIED 9/0

REPORTS OF COMMITTEES:

COUNCIL DECISION

Moved Cr Wigg seconded Cr Star

That the order of business be changed so that item CGAM004/07/05 Budget 2005/2006 be considered before item SD004/07/05 to allow Cr Richards to leave the meeting early as he was unwell.

CARRIED 9/0

CGAM004/07/05 BUDGET 2005/2006 (A1281)	
Proponent:	Local Government Act 1995
Officer:	Elizabeth Cox – A/ Director Corporate Services
Signatures Author:	
Senior Officer:	
Date of Report	13/07/05
Previously	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995
Delegation	Council

In Brief
To recommend to Council to adopt the proposed 2005/2006 statutory budget.

Background

Section 6.2 of the Local Government Act 1995 requires local governments to prepare an annual budget not later than 31st August in each financial year. Each local government is to prepare and adopt the budget in the form and manner prescribed and by absolute majority.

In the preparation of the budget the local government is to have regard to the contents of the forward financial plan accepted under section 5.58 and is to prepare a detailed estimate for the current year of;

1. The expenditure by the local government,
2. The revenue and income, independent of general rates, and
3. The amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue.

The budget is to incorporate;

1. Particulars of the estimated expenditure to be incurred by the local government;
2. Detailed information relating to the rate and service charges which will apply to land within the district, including the estimated amount to be yielded by the rate and the rate of interest to be charged by the local government on unpaid rates and service charges;
3. The fees and charges proposed to be imposed;
4. The particulars of borrowings and other financial accommodation proposed;
5. Details of the amounts to be set aside in, or used from, reserve accounts and the purpose for which they are to be used;
6. Particulars of proposed land transactions and trading undertakings; and
7. Such other matters as prescribed.

Sustainability Statement

This budget provides a balance of services and improvement projects for the community. It demonstrates the allocation of scarce resources in an efficient and effective manner to provide the outcomes expected by the community and considers the forward financial plan 2005 – 2015 adopted by Council in May 2005.

Statutory Environment:

Section 6.2 of the Local Government Act 1995 requires local governments to adopt a budget prior to 31 August each financial year.

Policy/Work Procedure Implications:

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

Financial Implications:

The proposed budget is presented as a balanced budget at the end of the year. The rates increase provides the minimum requirement from the community to fund all of the services provided within the document.

Strategic Implications:

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

1. Provide recreational opportunities.
2. Develop good services for health and well being.
3. Retain seniors and youth within the community.
4. Respect diversity within the community.
5. Value and enhance the heritage character, arts and culture of the Shire.

Objective 3: High level of social commitment

Strategies:

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

2. Environment

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

Strategies:

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

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

Strategies:

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

3. Economic

Objective 1: A vibrant local community

Strategies:

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

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

Strategies:

1. Improved freight, private and public transport networks.
2. Consider specific sites appropriate for industry /commercial development.

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.
3. Regularly update information services and IT capacity to support programs and projects.
4. Balance resource allocation to support sustainable outcomes.

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Required: Yes

Differential Rate Submissions

The intention to undertake differential rating was advertised in accordance with Council resolution CGAM091/06/05. Public comment period closes on Friday 22 July 2005. At the time of writing this report no submissions had been received.

Comment:

The budget has been developed in accordance with the Forward Financial Plan adopted by Council in May, 2005 (CGAM076/05/05). The proposed budget presented this year has been based on a 6% general rate increase and provides for a surplus of \$3,584.

A hard copy of the Draft 2005/2006 Budget and Schedule of Fees and Charges are included with the attachments and marked CGAM004/07/05.

The following is a summary of the more relevant points in relation to this document;

General Purpose Funding

Rates

A general 6% increase has been applied in accordance with the workshop and differential rate advertisement. This figure is compatible with the increase projected in the Forward Financial Plan.

WA Local Government Grants Commission Grant

Advice was received from the Commission detailing the notional grants to be provided for 2005/2006. A General Financial Assistance grant and untied road grants have been included in the budget for the 2005/2006 year.

Governance

A community facility reserve has been established, consisting of developer contributions of \$300/lot, for an estimated 300 lots in this financial year, totalling \$90,000. A matching contribution from Council will also be added to the reserve.

An amount of \$15,000 for a feasibility study on age demographics has been included in this years budget and is offset by a grant for this amount.

Funding for a new information technology officer as per the people plan recommendation has been included in the budget. Funds have been included for the GIS system symbology development.

Funding of \$25,000 has been obtained and carried forward to progress a community indicator pilot program as part of the community development programme. A substantial component of this grant has been allocated to the employment of a part time community development officer.

A sum of \$12,000 was obtained in 2004/2005 for a Crime prevention programme. This has been carried forward and included in the programmes for the forthcoming year.

Emergency Services

The emergency services levy will provide \$308,827 towards volunteer fire brigade operations and \$48,300 for state emergency services operations. Council provides a contribution towards Brigade operations for the funding shortfall from the ESL grant.

Community Amenities

The waste budget includes the 100% waste strategy requirements. The rubbish charge has been decreased by \$15 to \$170.00 per service. A second service including GST will be \$185 per additional service. There has been an allocation for two green waste collections and one hard waste collection.

As per the forward financial plan an allocation of \$55,000 has been provided in this area for Serpentine Jarrahdale Landcare, located in the Protection of the Environment section. A further provision of \$30,000 has been provided for environmental activities and projects.

Planning projects for the year are the Town Planning Scheme Review, \$124,000, Mundijong Structure Plan \$52,000 (as provided in the forward financial plan) and Townscape planning for the Mundijong Linear Park project \$2,000 and Serpentine Forum entry statement works \$1,000. In Byford the projected developer contributions for area A is expected to be \$488,000, area B \$55,000 and area C \$186,000. These contributions are taken for administration, road upgrading and new regional roads (west), district public open space, multiple use corridors and streetscape and roads (east).

Recreation and Culture

A provision of \$35,000 has been carried forward to re-roof the Mundijong Hall. \$10,000 has been provided for a replacement fence for the Serpentine Hall Reserve. An amount of \$30,000 has been included for the Mundijong Skate Park and \$100,000 has been included

for installation of reticulation at the Serpentine Sports Reserve. An amount of \$12,000 has been provided for the upgrade of the kitchen at Clem Kentish hall.

Grant funding was received to upgrade the Peel Horse and Pony Dressage arena at Serpentine Reserve, and replace the scoring and public address system for the Light Weight Motorcycle Club.

An amount of \$210,000 has been allocated to the Recreation Centre management costs which is under contract with the YMCA. \$80,000 of this amount was been carried forward from savings made in 2004/2005.

An amount has been included for the upgrade of the Mundijong pavilion change rooms as per the Forward Financial Plan. Council's contribution (one third) of \$7,250 consists of \$5,000 brought forward from 2004/2005 and the balance provided in the 2005/2006 budget.

An amount of \$10,000 has been provide to replace the windows with security grills at the Byford change rooms and \$5,000 to replace the front verandah.

Transport

All construction works provided under the forward financial plan have been included. The Blackspot funding of \$325,000 and Roads to Recovery allocation of \$349,162 assist in the provision of these works. A direct grant of \$102,426 from Main Roads WA was received for road maintenance.

A road safety improvement fund has been set up for the intersection of Kargotich and Mundijong Road, traffic management works for Briggs Road and other road safety works throughout the district.

Major road works will be carried out at the corner of Nicholson and Thomas Roads. Further works will be carried out at Lightbody, Jarrahdale, Stanley, Elliott, Orton Roads and Adonis Street. A further \$50,000 has been allocated for the further construction of Bridle Trails as per the Forward Financial Plan. A sum of \$100,000 has been allocated for the paths programme to be continued. An amount of \$100,000 has been allocated for an Asset management system to be purchased and implemented.

Major asset purchases for this financial year include a patch truck , front end loader, tractor for parks and gardens, crane for SJ23, and new Diesel fuel meter.

Other Property and Services

The Jarrahdale Heritage Park expenditure is included in this section under Town Planning Schemes. The Local Government (Financial Management) Regulations 1996 provides for land development to be placed under this section. Approximately \$2.5 million is included in this area.

Reserve Transfers

The following Reserve Fund transfers are proposed with the budget presented for adoption;

Light Fleet and Plant Acquisition Reserve - This reserve will be used for the replacement of plant and light fleet. Transfers to reserve include vehicle leases.

Gravel Pit Reserve – An amount of \$20,000 has been placed in the budget for rehabilitation works, this money will be offset by a transfer from this reserve.

Tourism Reserve – The income from the lease of the sale yards and Serpentine Dam tearooms will be transferred into this reserve, an amount of approximately \$6,200. \$15,000 will be drawn from this reserve to finance tourism signage as per the tourism strategy.

Community Facilities Reserve – This reserve provides for additional community facilities. The Byford Subdivision developer contributions of \$90,000, received during the year, will be matched by an equal Council contribution and transferred to the reserve.

Developer Contribution Reserve - has been established to receive specific contributions from developers for the purposes of administration, roads, development of public open space. Contributions received will be transferred to the reserve.

Administration Building Reserve – The budget includes an allocation for additions to the administration building or the development of the new administration complex.

Emergency Services Reserve – Funds will be transferred to the reserve for works to be carried out following a community disaster.

Renewable Energy Reserve – The installation of the wind turbine at the Recreation Centre site will see the completion of the project. A transfer of \$18,000 will be transferred from the reserve to the Renewable Energy Project.

Road Reseals Reserve - Funds transferred from this reserve will provide for the second coat seal on Karnup Road. The second coat seal will not occur until later this year.

New Loans

The budget has included a new loan of \$2,100,000 for the construction of the new administration building as per the forward financial plan. The loan will be drawn over a fifteen year period. An interest only loan of \$1,017,000 has also been included for the Jarrahdale Heritage Park project as per the forward financial plan 2005 - 2015. The Jarrahdale Heritage Park Business Plan provides for this loan to be repaid in 2007/2008.

Forward Financial Plan Items

Many of the Plan items listed below have already been mentioned in this report.

<u>ITEM</u>	<u>LOCATION</u>	<u>PLAN AMOUNT</u>	<u>BUDGET AMOUNT</u>
Waste Management	Community Amenities	659,418	668,987
Contribution to Landcare Centre		55,000	55,000
Mundijong Structure Plan	Town Planning	52,000	52,000
Jarrahdale Heritage Park	Development of Assets	2,414,050	1,565,818
Town Planning Scheme Review	Town Planning	124,000	124,000
Mundijong Pavillion Change-rooms	Buildings on Reserves	160,000	168,000
Trails Maintenance	Public Parks	21,000	21,000
Townscape work	Parks and Gardens	35,000	11,000
Serpentine ground reticulation	Other Recreation and Sport	75,000	100,000
Recreation facility management	Other Recreation and Sport	210,000	210,000
Reserves Maintenance	Parks and Gardens	21,000	14,300
Peel region Marketing Strategy	Tourism and Area Promotion	11,000	11,000
Road construction	Transport	1,190,000	1,453,000
Road maintenance	Transport	1,492,000	1,389,020
Replacement of plant and vehicles	Transport	583,275	755,750

ITEM	LOCATION	PLAN AMOUNT	BUDGET AMOUNT
Purchase of admin land	Governance	100,000	100,000
Administration construction/ extension	Governance	2,000,000	2,000,000

Items Carried Forward

The following items have been brought forward from the previous year;

Mundijong Structure Plan \$52,000
 Town Planning Scheme Review \$124,000
 Family Fun Day \$3,000
 State Funding grant (JHP) \$25,000
 Regional partnerships (JHP) \$10,000
 Serpentine Reserve \$23,000
 Recreation Centre Management \$80,000
 Crime Prevention Grant \$12,000
 Community Indicators Program \$23,500
 Black Spot Funding Thoma/ Nicholson Rd \$238,000
 Byford Sport and Rec Donation \$2,079
 Mundijong re roof \$35,000
 Byford Peace Memorial \$8,000
 Jarrahdale Road Improvements \$90,000
 Recreation Centre Construction \$20,000
 Verge maintenance \$22,000
 Mundijong Change Rooms \$5,000
 Information Plan \$11,000
 Renewable energy project \$25,000
 Biodiversity grant \$3,000
 Population Health Profile 4,000

These carryovers total \$815,579.

Differential Rate Submissions

The advertising period for submissions relating to the Differential Rates does not close until 22 July 2005. No submissions or enquiries had been received by 13 July (the date this report was prepared). Should submissions be received by the 22 July a supplementary report will be presented to Council outlining the nature of the submissions. Should any changes to the draft budget be identified by committee, the outcome of these changes will be reported in a supplementary report to Council, identifying the impact of the changes on the draft budget.

Voting Requirements: ABSOLUTE MAJORITY

CGAM004/07/04 Committee/Officer Recommended Resolution:

**Moved Cr Hoyer seconded Cr Kirkpatrick
 In accordance with Section 6.36 of the Local Government Act 1995, and subject to Ministerial approval being granted, the following differential rates be imposed in the 2005/2006 statutory budget:**

DIFFERENTIAL RATE	PROPOSED 2005/2006		
	GRV RATE IN \$	UV RATE IN \$	MIN RATE
Rural Living - Special Rural		0.465	694

DIFFERENTIAL RATE	PROPOSED 2005/2006		
	GRV RATE IN \$	UV RATE IN \$	MIN RATE
Rural		0.45	694
Residential	8.06		563
Residential Vacant	16.629		646
Commercial	9.768		646
Public Purposes		0.71	694
Special Use	10.047		1,113
Special Residential	9.192		646
Special Residential Vacant	23.512		646
Light Industrial	15.215		646
Units- Rowley Rd	9.635		471
Caravan Parks	8.463		5,989
Intensive Farming Rural		0.656	694
Mining Tenement		1.142	694
Light Industry/Residential Comp	15.215		694

2. Rate Concessions

Rate Concession of 31% be applied to rural rate category properties satisfying the Farmland Concession criteria.

Rate Concession of 50% be applied to rural rate category properties satisfying the Conservation Concession Criteria under the 1994 Rural Strategy.

3. Discount on Rates

Council grants a 3% discount on rate payments fully paid on or before the 12th September 2005 for the 2005/2006 financial year.

4. Service Charge

A Bushfire Levy Service Charge not be imposed in the 2005/2006 statutory budget in accordance with section 6.38 of the Local Government Act 1995.

5. Fees and Charges

The fees and charges provided within the 2005/2006 statutory budget be adopted.

6. Due dates for rate instalment payments

The due dates for rate instalment payments for the 2005/2006 statutory budget be:

Full Payment discount	12 th September 2005
1 st Instalment	12 th September 2005
2 nd Instalment	15 th November 2005
3 rd Instalment	12 th January 2006
4 th Instalment	15 th March 2006

7. Interest rates and administration charge for instalment payments

An administration charge of \$5.00 be applied to instalment payments and an interest charge of 5.5% be applied in the 2005/2006 statutory budget.

8. Accrual of interest on overdue rates

Penalty interest of 11% per annum be applied to overdue rates in the 2005/2006 statutory budget.

9. Accrual of interest on outstanding debtors

Interest of 11% per annum be applied to overdue debtors in the 2005/2006 statutory budget.

10. Fees, expenses and allowances for Council members

The fees, expenses and annual allowances to be paid to members of Council in the 2005/2006 statutory budget be as follows:

Presidents Annual Sitting Fee	\$14,000
Deputy President Annual Sitting Fee	\$ 9,000
Councillor Annual Sitting Fee (per councillor)	\$ 7,000
Reimbursement of Telecommunications	\$ 5,500
Reimbursement of Travel Allowance (Total)	\$12,000

11. 2005/2006 Budget

The 2005/2006 Municipal Budget, as presented, be adopted.

12. Ministerial Approval for Differential Rate

The Chief Executive Officer seeks Ministerial approval for the adopted differential rates subject to any public submissions received during the advertising period.

13. Authority to call tenders

- (a) The Chief Executive Officer be delegated authority to invite tenders for works and services in the statutory 2005/2006 budget, where required in accordance with the provisions of the Local Government Act 1995 and Council's Purchasing Policy CSP2.
- (b) The Chief Executive Officer be delegated authority to specify selection criteria for all tenders called in accordance with 13a above.

AMENDMENT:

Moved Cr Richards seconded Cr Star

To amend point 11 – page 103 of the 2005/2006 Budget is amended as follows:

RC016 Elliott Road – (deleted)

RC003 Watkins Road - \$75,000

RC007 Karnup Road - \$364,945

CDA100 Main Roads WA - \$269,668

CDA100 Contributions - \$128,334

After debate the presiding person then put the amendment which was

CARRIED 9/0

The presiding person then put the amended motion

CGAM004/07/04 COUNCIL DECISION

In accordance with Section 6.36 of the Local Government Act 1995, and subject to Ministerial approval being granted, the following differential rates be imposed in the 2005/2006 statutory budget:

DIFFERENTIAL RATE	PROPOSED 2005/2006		
	GRV RATE	UV RATE	MIN
	IN \$	IN \$	RATE
Rural Living - Special Rural		0.465	694
Rural		0.45	694
Residential	8.06		563
Residential Vacant	16.629		646
Commercial	9.768		646
Public Purposes		0.71	694
Special Use	10.047		1,113
Special Residential	9.192		646
Special Residential Vacant	23.512		646
Light Industrial	15.215		646
Units- Rowley Rd	9.635		471
Caravan Parks	8.463		5,989
Intensive Farming Rural		0.656	694
Mining Tenement		1.142	694
Light Industry/Residential Comp	15.215		694

2. Rate Concessions

Rate Concession of 31% be applied to rural rate category properties satisfying the Farmland Concession criteria.

Rate Concession of 50% be applied to rural rate category properties satisfying the Conservation Concession Criteria under the 1994 Rural Strategy.

3. Discount on Rates

Council grants a 3% discount on rate payments fully paid on or before the 12th September 2005 for the 2005/2006 financial year.

4. Service Charge

A Bushfire Levy Service Charge not be imposed in the 2005/2006 statutory budget in accordance with section 6.38 of the Local Government Act 1995.

5. Fees and Charges

The fees and charges provided within the 2005/2006 statutory budget be adopted.

6. Due dates for rate instalment payments

The due dates for rate instalment payments for the 2005/2006 statutory budget be:

Full Payment discount	12 th September 2005
1 st Instalment	12 th September 2005
2 nd Instalment	15 th November 2005

3rd Instalment **12th January 2006**
4th Instalment **15th March 2006**

7. Interest rates and administration charge for instalment payments

An administration charge of \$5.00 be applied to instalment payments and an interest charge of 5.5% be applied in the 2005/2006 statutory budget.

8. Accrual of interest on overdue rates

Penalty interest of 11% per annum be applied to overdue rates in the 2005/2006 statutory budget.

9. Accrual of interest on outstanding debtors

Interest of 11% per annum be applied to overdue debtors in the 2005/2006 statutory budget.

10. Fees, expenses and allowances for Council members

The fees, expenses and annual allowances to be paid to members of Council in the 2005/2006 statutory budget be as follows:

Presidents Annual Sitting Fee	\$14,000
Deputy President Annual Sitting Fee	\$ 9,000
Councillor Annual Sitting Fee (per councillor)	\$ 7,000
Reimbursement of Telecommunications	\$ 5,500
Reimbursement of Travel Allowance (Total)	\$12,000

11. 2005/2006 Budget

The 2005/2006 Municipal Budget, as presented, be adopted to include:

Page 103 of the 2005/2006 Budget is amended as follows:

RC016 Elliott Road – (deleted)
RC003 Watkins Road - \$75,000
RC007 Karnup Road - \$364,945
CDA100 Main Roads WA - \$269,668
CDA100 Contributions - \$128,334

12. Ministerial Approval for Differential Rate

The Chief Executive Officer seeks Ministerial approval for the adopted differential rates subject to any public submissions received during the advertising period.

13. Authority to call tenders

- (a) The Chief Executive Officer be delegated authority to invite tenders for works and services in the statutory 2005/2006 budget, where required in accordance with the provisions of the Local Government Act 1995 and Council's Purchasing Policy CSP2.
- (b) The Chief Executive Officer be delegated authority to specify selection criteria for all tenders called in accordance with 13a above.

CARRIED 9/0 ABSOLUTE MAJORITY

CGAM004/07/04 SUPPLEMENTARY INFORMATION:

The budget has been modified to provide for minor changes identified during the final shaping of the document. These include the updating of the actual expenditure for 2004/2005 which has impacted in the final figures. A further modification was required to the grants with the late notification of a grant for the additions to the Serpentine Fire Brigade building and the creation of the Recreation Centre Management fund approved by Council but not captured within the budget. None of these changes have affected the amount required to be raised from rates.

One objection was received relating to property A145100. The owners of the property registered their disapproval at the increase in the rate in the dollar. It is unfortunate that the information they operated under was flawed. In the year 2004/2005 the rate for rural land was 0.5400 cents in the dollar compared to 2005/2006 proposed rate for rural land of 0.4500 cents in the dollar. The property is also registered for farmland concession which permit a further rate reduction as the property attracts a 31% concession of the rural rate. In the year 2004/2005 the rate for farmland concession was 0.3726 cents in the dollar compared with the proposed budget rate for farmland concession for 2005/2006 of 0.3105 cents in the dollar. The rate in the dollar for this property has decreased and the objection is dismissed on the grounds that the ratepayer was forming their opinion on a misunderstanding by not taking into account the 31% farmland concession. The owners of the property will be informed of Council's decisions after the meeting.

The modified document as attached, has been copied and bound for members.

Council Note: The Committee/Officers Recommended Resolution was changed in part 11 to amend page 103 of the 2005/2006 Budget as detailed in the Council Decision.

Cr Richards left the meeting at 7.19pm and did not return.

SD004/07/05 BYFORD URBAN STORMWATER MANAGEMENT STRATEGY DEVELOPER GUIDELINES – ADOPTION OF GUIDELINES (A0827-02)		
Proponent:	Serpentine Jarrahdale Shire	In Brief
Owner:	N/A	
Officer:	Carlie Eldridge - Acting Director Sustainable Development	The Byford Urban Stormwater Strategy was adopted in September 2003 as the guiding document for stormwater management within the Byford urban cell.
Signatures Author:		
Senior Officer:		
Date of Report	27 June 2005	The need for technical guidelines for the implementation of the strategy by developers was identified and the guidelines have been completed.
Previously	N/A	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	It is recommended that the Byford Urban Stormwater Management Strategy Developer Guidelines be adopted.
Delegation	Council	

Background

The Byford Urban Stormwater Strategy was adopted by Council in September 2003 after extensive development and consultation with staff and state agencies was undertaken. The Strategy was incorporated into the final Byford Structure Plan and has since been incorporated into subsequent local structure plans for Byford.

It was identified, upon completion of the strategy, that there was a need for a number of actions to be undertaken to ensure successful on-ground implementation of the strategy including the developer guidelines.

The objectives of the guidelines are:

The developer guidelines for the Byford Structure Plan area will allow the Shire to implement the Byford Urban Stormwater Management Strategy and address the following objectives:

- * Summarise the Byford Urban Stormwater Management Strategy capturing the key points required by developers, engineers and planners to both undertake the works and to assess the works
- * Outline the water quantity and quality objectives and criteria the Shire will require developers to meet (as per the Byford Urban Stormwater Management Strategy)
- * Outline water re-use options (subdivisions and lot scale) that may assist developers in meeting water quality and quantity targets
- * Outline the fill requirements the Shire will require developers to meet for stormwater and groundwater management (as per Byford Urban Stormwater Management Strategy)
- * Detail monitoring requirements for developers to meet water quality objectives and criteria as set out in the Byford Urban Stormwater Management Strategy
- * Detail plant species available to achieve water quality objectives and planting regimes required to achieve this
- * Provide a system of comparing water sensitive design techniques available to achieve water quality objectives that will assist in developers meeting water quality and quantity targets

A copy of the Guidelines is with the attachments marked SD004.1/07/05.

Sustainability Statement

Effect on Environment: The Byford Urban Stormwater Management Strategy was prepared for the Shire to deal with stormwater management for the Byford Structure Plan area. Stormwater management is based on water sensitive urban design and the strategy sets out water quality and quantity objectives and criteria to be met. This strategy is best-practice urban water management and the developer guidelines provide practical technical information to ensure the implementation of the strategy.

Resource Implications: The stormwater strategy and developer guidelines aim to reduce the amount of water used on site and also addresses efficient reuse and management of water reuse in the urban development zone. The guidelines provide detailed technical information on how this can be achieved.

Use of Local, renewable or recycled Resources: The strategy or guidelines cannot specify the source of resources but outline a sustainable water management approach.

Economic Viability: The stormwater strategy aims to reduce the ongoing costs related to water quality and quantity management that arise through urban development. Well designed and implemented water sensitive design water management systems reduce water quality issues in the long term and also water quantity issues and subsequent engineering costs.

Economic Benefits: The use of water sensitive design does not necessarily create economic benefits through employment but provides economic benefits through reducing the potential future costs for water management.

Social – Quality of Life: The sustainable planning and implementation of urban developments, in particular water quality and quantity, improves the quality of life for

residents in the areas as well as those within the receiving water catchment, the Peel Harvey.

Social and Environmental Responsibility: The developer guidelines aim to be socially and environmentally responsible through providing clear technical information on how to achieve water quality and quantity requirements of the Byford Urban Stormwater Management Strategy.

Social Diversity: The guidelines do not disadvantage any social groups.

Statutory Environment: Not Applicable

Policy/Work Procedure Implications: Byford Urban Stormwater Management Strategy

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

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

1. People and Community

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

Strategy:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.

2. Environment

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

Strategies:

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

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:

Required: No

Comment:

The developer guidelines provide technical information on how to implement the Byford Urban Stormwater Management Strategy. These guidelines will be important in ensuring on-ground works are implemented to meet the Shire's objectives.

It is recommended that the Byford Urban Stormwater Management Strategy Developer Guidelines be endorsed.

Voting Requirements: Normal

SD004/07/05 COUNCIL DECISION/Committee/Officer Recommended Resolution

**Moved Cr Star seconded Cr Hoyer
The Byford Urban Stormwater Management Strategy Developer Guidelines be endorsed by Council as attached at SD004.1/07/05.
CARRIED 8/0**

SD006/07/05 PROPOSED MINOR CHANGES TO ADOPTED LOCAL STRUCTURE PLAN - LOTS 1, 2 AND 63 LARSEN AND THOMAS ROADS, BYFORD (A0710)		
Proponent:	Gray and Lewis Land Use Planners	In Brief The proponent has requested Council consider two minor changes to the adopted Local Structure Plan ("LSP") for Lots 1, 2 and 63 Larsen and Thomas Roads, Byford. As these minor changes are not considered to materially alter the intent of the adopted LSP or Byford Structure Plan, they are recommended for approval by Council
Owner:	Byford Central Pty Ltd (Lots 1 and 2) & WJ and VG Hicks (Lot 63)	
Officer:	Andrew Trosic - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	19 July 2005	
Previously	P047/12/04	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Council	

Owner: Byford Central Pty Ltd (Lots 1 and 2)
WJ & VG Hicks (Lot 63)

Owner's Address: c/- Mr S Formica, 7 Winchester Road, Bibra Lake WA 6163
Lot 63 Larsen Road, Byford WA 6122

Applicant: Gray & Lewis Land Use Planners

Applicant's Address: Suite 5, 2 Hardy Street, South Perth 6151

Date of Receipt: 7 July 2005

Advertised: NA

Submissions: NA

Lot Area: 65.2282ha (total)

L.A Zoning: Urban Development

MRS Zoning: Urban and Urban Deferred

Byford Structure Plan: Residential (R20); Neighbourhood Node; Multiple Use Corridor; Drainage Basin; Future Roads; Neighbourhood Park; District Recreation; Traffic and Pedestrian Movement Network

Rural Strategy Policy Area: NA

Rural Strategy Overlay:	NA
Municipal Inventory:	NA
Townscape/Heritage Precinct:	NA
Bush Forever:	NA
Date of Inspection:	Various

Background:

At its meeting held on 20 December 2004, Council resolved (P047/12/04) to adopt the Local Structure Plan (“LSP”) for Lots 1, 2 and 63 Larsen and Thomas Roads, Byford (“subject land”). The subject land is within the ‘Urban Development’ zone of Byford, and is subject to the district planning framework established under the Byford Structure Plan (“BSP”) to guide the future urbanisation of the area. The LSP was adopted by Council in accordance with the process established by Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 (“Scheme”), and provides the further detailed planning to achieve subdivision and development of the subject land in line with the district planning framework of the BSP.

In recognising the need to maintain a responsive structure plan capable for improvement through change, clause 5.18.4 of the Scheme provides for a process by which minor changes to adopted structure plans can occur in a timely manner. Clause 5.18.4.1 of the Scheme specifically states:

“The local government may adopt a minor change to or departure from a Structure Plan if, in the opinion of the local government, the change or departure does not materially alter the intent of the Structure Plan.”

The proponent has now requested Council consider two minor changes to the adopted LSP for the subject land. These are:

- i. Recoding from R30 to R20 the land in the south east corner of the site, at the intersection of Alexander Road and Larsen Road; and
- ii. Changing the note on the adopted LSP regarding the intersection of Thomas Road and Alexander Road.

With regard to i., there is no compelling planning justification for the provision of smaller R30 coded lots in this isolated area of the subject land. Such can be better provided adjacent to neighbourhood nodes or areas of public open space, as opposed to being relatively isolated and fronting a busy local access road as is currently the case. Accordingly, this minor change is recommended for approval by Council.

With regard to ii., the current note states that no vehicle connection of Alexander Road to Thomas Road is permitted. This is proposed to be changed to:

“Vehicular connection between Thomas Road and Alexander Road may be permitted subject to suitable intersection design and treatment to the satisfaction of the Shire of Serpentine-Jarrahdale, Main Roads WA and Western Australian Planning Commission. This must suitably address the status of Thomas Road as an important regional road, and the proximity of the intersection to the adjacent railway and South Western Highway further on.”

This change is supported as it provides for potential vehicle connection between Alexander Road and Thomas Road to be considered, subject to suitable intersection design. This option is recommended to be maintained so that a further vehicle access point to Thomas Road may be provided to help limit non-local traffic being forced through the adjacent residential area in order to access Thomas Road. Accordingly, this minor change is recommended for approval by Council.

A copy of the adopted LSP showing the proposed minor changes is with attachments marked SD006.1/07/05.

Sustainability Statement:

As per the previous Council report referred to in the background of this report. The minor changes are aligned with the objectives of both the adopted LSP and BSP, and furthermore are considered to represent an improvement to the current design for the area. This is through providing an appropriate residential density abutting Larsen Road, and allowing the option for vehicle connection between Alexander Road and Thomas Road to be considered into the future. The minor changes are hence recommended for approval by Council.

Statutory Environment:

Town Planning and Development Act 1928
Shire of Serpentine-Jarrahdale Town Planning Scheme
No. 2

**Policy/Work Procedure
Implications:**

Byford Structure Plan
Byford Urban Stormwater Management Strategy
Draft Liveable Neighbourhoods Operational Policy
(Edition 3)

Financial Implications:

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

Strategic Implications:

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

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

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

Strategies:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.
2. Develop compatible mixed uses and local employment opportunities in neighbourhoods.
3. Design and develop clustered neighbourhoods in order to minimise car dependency.
4. Foster a strong sense of community, place and belonging.
5. Protect built and natural heritage for economic and cultural benefits.

2. Environment

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

Strategies:

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

3. Economic

Objective 1: A vibrant local community

Strategy:

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

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

Strategy:

1. Improved freight, private and public transport networks.

Objective 3: Effective management of Shire growth

Strategy:

1. Enhance economic futures for Shire communities.

4. Governance

Objective 3: Compliance to necessary legislation

Strategy:

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

Community Consultation:

Required: No

Comment:

The two minor changes proposed to the adopted LSP are recommended for support on the basis that they represent an improvement to the design for the area. With regard to the first proposed change, there is no compelling planning justification for the provision of smaller R30 coded lots in the isolated south east corner of the subject land abutting Larsen Road. In accordance with contemporary planning principles, such smaller lots can be better provided adjacent to neighbourhood nodes or areas of public open space, as opposed to being relatively isolated and fronting a busy local access road.

With regard to the second proposed change, this is supported as it provides for potential vehicle connection between Alexander Road and Thomas Road to be considered, subject to suitable intersection design. This option is recommended to be maintained so that a further vehicle access point to Thomas Road may be provided into the future to help in limiting non-local traffic being forced through the adjacent residential area in order to access Thomas Road.

These two proposed changes are hence recommended for approval.

Voting Requirements:

Normal

SD006/07/05 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Scott seconded Cr Star

1. Council, in accordance with clause 5.18.4.1 of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2, adopts the following two minor changes to the Local Structure Plan for Lots 1, 2 and 63 Larsen and Thomas Roads, Byford;
 - a) Recoding from R30 to R20 the land in the south east corner of the site, at the intersection of Alexander Road and Larsen Road;
 - b) Changing the note on the Local Structure Plan regarding the intersection of Thomas Road and Alexander Road as follows:

“Vehicular connection between Thomas Road and Alexander Road may be permitted subject to suitable intersection design and treatment to the satisfaction of the Shire of Serpentine-Jarrahdale, Main Roads WA and Western Australian Planning Commission. This must suitably address the status of Thomas Road as an important regional road and the proximity of the intersection to the adjacent railway and South Western Highway further on.”

2. Council, in accordance with clause 5.18.4.2(a) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2, forwards within 10 days to the Western Australian Planning Commission a copy of the two adopted minor changes to the Local Structure Plan and a request for approval by the Western Australian Planning Commission.

CARRIED 8/0

SD007/07/05 DRAFT PLANNING POLICY NO. 14 – EXTRACTIVE INDUSTRY LICENCES (A0773)		
Proponent:	Serpentine Jarrahdale Shire	<p>In Brief</p> <p>Council adopted a Planning Policy for determining the length of extractive industry licences.</p> <p>Since the adoption of the draft the policy consultation has been undertaken with all extractive industry operators within the Shire.</p> <p>It is recommended that Council supports the amendments proposed to the policy resulting from consultation with the industry.</p>
Owner:	N/A	
Officer:	Carlie Eldridge – Acting Director Sustainable Development	
Signatures Author:		
Senior Officer:		
Date of Report	29 June 2005	
Previously	SD074/05/05	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

At the May 2005 Ordinary Council meeting, the Council adopted the draft planning policy - PP14 Extractive Industry Licences - Draft Policy. The policy sets out a clear approach to determining the length of a licence based on compliance with the previous licence conditions. This system aims to provide certainty and also incentives for operators to manage their sites in accordance with their licence conditions.

Since adoption of the policy, consultation has been undertaken with all extractive industry operators within the Shire.

A copy of the policy with proposed amendments marked is with the attachments marked SD007.1/07/05.

Sustainability Statement

Effect on Environment: The aim of the policy is to provide an incentive to extractive industry operators to manage their site well and to prevent it from having a detrimental long term impact on the environment through site management and rehabilitation.

Resource Implications: The policy aims to ensure that resources both of the land and also the human resources of the operators and the Shire are managed well to achieve effective outcomes and to focus on areas of non-compliance. This aims to have a long term goal of compliance by all operators.

Use of Local, renewable or recycled Resources: The policy relates only to the extractive industry operations within the Shire and is part of the Shire's vision to manage the environment sustainably.

Economic Viability: The policy will not incur additional costs but may actually free up Officer time to focus on being proactive with the industry and also working with operators who are non-compliant.

Economic Benefits: Well run extractive industries are a benefit to the Shire in demonstrating that industry can manage their land in an environmentally responsible manner.

Social – Quality of Life: Well managed extractive industries will improve the quality of life for residents who live in close proximity to the sites by having no detrimental impacts, for example through noise, dust or water quality impacts.

Social and Environmental Responsibility: The policy aims to provide a positive incentive based approach to land management relating to extractive industries and offer a level of certainty to the operators in regards to approvals and audits. The policy has arisen from working with operators in the mediation process at the State Administrative Tribunal.

Social Diversity: The proposal does not disadvantage any social groups and does provide for diversity in our community.

Statutory Environment: Local Government Act 1995
Local Law – Extractive Industries 1995

Policy/Work Procedure Implications: Draft New Planning Policy No14 – Extractive Industry Licences

Financial Implications: The new policy will not have any direct cost to Council. The policy, if successful in improving site management, may reduce Officer's time spent working with operators on compliance allowing a more strategic and proactive focus. If we are able to reach agreement on the licence length with the current appeals, reduced costs would result from proceeding with a full hearing at the State Administrative Tribunal.

Strategic Implications: This proposal relates to the following Key Sustainability Result Areas:-
2. Environment
Objective 1: Protect and repair natural resources and processes throughout the Shire
Strategies:
3. Encourage protection and rehabilitation of natural resources.
4. Reduce water consumption.
5. Reduce green house gas emissions.
6. Value, protect and develop biodiversity.
Objective 2: Strive for sustainable use and management of natural resources
Strategies:
1. Implement known best practice sustainable natural resource management.
2. Respond to Greenhouse and Climate change.
3. Reduce waste and improve recycling processes
3. Economic
Objective 3: Effective management of Shire growth
Strategies:
1. Enhance economic futures for Shire communities.

2. Represent the interests of the Shire in State and Regional planning processes.
3. Integrate and balance town and rural planning to maximise economic potential.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

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

Objective 3: Compliance to necessary legislation

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.
2. Develop a risk management plan.

Community Consultation:

The draft policy adopted by Council in May 2005 was sent to all extractive industry operators within the Shire for comment. The operators were also invited to attend a workshop on 30 June 2005 to discuss any areas of concern and areas for improvement within the draft policy. The meeting was positive in support of the policy as it gave clear direction and a level playing field for all operators as well as taking a proactive approach to management. Following the meeting the issues raised were considered by Officers and changes were made to improve the policy. These proposed changes were again sent to the operators that attended the meeting to ensure the intent had been captured.

Workshop Comments:

Points System

All operators agreed that 0 points was too high for a 5 year licence and that 0-1 or 0-2 points was more reasonable and achievable whilst still setting a very high standard of site management.

It was also presented that there are areas within a licence that are similar or related where these conditions are interrelated and of a similar nature then non-compliance points will only be given to the main cause of the non compliance.

Officer's Recommendation

It is agreed that a minimum compliance of 0-2 points could still set a very high standard of site management whilst allowing for some flexibility in minor non-compliance where the overall approach had been of a high standard. It is recommended that the points system be adjusted to as follows:

0-2 points	5 years
3-5 points	3 years
6-10 points	1 year
11+	6 months

Note: In areas of non-compliance relating to one issue which has a number of licence conditions the points will only be allocated to the main cause of the non-compliance not areas that cannot be compliant due to the main non-compliance.

Process for review of assessment against policy- add new section

Audits are to be undertaken in May and October each year. May audits are only required for 6 and 12 month licences. The following additional information is proposed to be added to the policy for clarification of process:

May Audits – Audit Only

1. Letter sent to operator advising of site inspection minimum 2 weeks prior with audit assessment sheet attached
2. Site Audit undertaken by Planning and Environmental Officers against current extractive industry licence and planning approval
3. Operators sent a letter advising of any non-compliances within 2 weeks of site audit and given due dates for remediation of areas of non-compliance

October Audits – Audit and Assessment of Licence lengths (where licence renewals are due)

1. Letter sent to operator advising of site inspection minimum 2 weeks prior with audit assessment sheet attached
2. Site Audit undertaken by Planning and Environmental Officers against current extractive industry licence and planning approval
3. Assessment for length of licence undertaken in accordance with PP14 using audit results completed
4. Draft Assessment including recommendation of licence length sent to operator by 7 November for comment
5. Comments due back from operators by 21 November
6. Mediation between Operator and Officers if there is disagreement undertaken and option given to Operator to attend December Concept Forum to present issue to Council
7. Item put to December Ordinary Council Meeting for decision on licence length with both Officers' recommendation and any comment provided on audit and assessment results from the Operator

Table 2 comments

- A better definition of non compliance is required in regards to areas of community concern
- Community concerns must be validated as non compliances
- Needs to take into account number of breaches
- Needs to take into account that some management actions can only occur at specific times of the year

Some suggestions for Table 2 were provided and discussed at the meeting as detailed below:

Category	Community Concern	Compliance History	Consequence
<i>Minor (1)</i>	<i>Little valid community concern within the past two years</i>	<i>Compliance not exceeding two points on any site audit in the past five years, and/or one major non-compliance All issues remedied</i>	<i>Minimal environmental impacts would result</i>
<i>Major (5)</i>	<i>Valid community concern within the past two years, by affected households/ persons at up to three per year</i>	<i>Compliance exceeding two points on up to three occasions, or more on any site audit in the past five years and/or 1-3 major non-compliances All compliance remedied</i>	<i>OK</i>
<i>Critical (10)</i>	<i>Valid community concerns by affected households/ persons at more than three per year in the past two years</i>	<i>Compliance exceeding five points on more than three occasions, during site audit in the past five years and/or greater than three major non-compliances and/or one critical non-compliance. All compliance remedied</i>	<i>OK</i>

Table 3 comments

Refine table to better clarify definitions of non-compliance and establish clear reporting mechanisms. Some suggestions for Table 3 were provided and discussed at the meeting as detailed below:

Conditions	Critical (10)	Major (5)	Minor (1)
Plans required, etc OK	OK Add Requests for plans have been ignored	Plans submitted over 30 days late	Plans submitted between 1 and 30 days late but are of acceptable standard or Plans submitted on time but are still not of an acceptable standard
Site reporting, etc	No notification of a critical or major non-compliance received late within five working days and/or no written report within one month. Follow up reports not received	No email or fax communication of critical or major non-compliance as soon as practicable after occurrence and discovery. Notification of a critical or major non-compliance received late within five working days and/or written report received after five days. Follow up reports not received	Email or fax communication of critical or major non-compliance as soon as practicable after occurrence and discovery Follow up reporting tardy
Site operations, etc	Few efforts made to rectify critical or major non-compliances. Deadlines have been ignored without explanation or communication Minor non-compliances ignored Little or no action by the next site audit ... etc	Efforts have been made to rectify critical or major non-compliances but they are late, or are less than effective Actions have been taken but not by the deadlines, with no communication or explanations to Shire Action on minor non-compliances is tardy, some are ignored ... etc	All possible efforts made to rectify the critical or major non-compliances but solution is not permanent Some minor non-compliances have not been resolved within satisfactory time frames ... etc
Rehabilitation	No attempt at revegetation or critical areas of visual and dust management Revegetation unsuccessful on past areas and no attempt has been made to rectify the situation Rehabilitation plans and licence conditions not complied with	Rehabilitation has been undertaken but has not been successful. Attempts at remediation have been minimal Rehabilitation was not undertaken or commenced within the required time frames	Rehabilitation has been undertaken but has not been successful Commencement has occurred within time frames (does not include rehabilitation where genuine attempts have been made to solve the problem)
Community concern	Valid community concerns by affected households/ persons at more than three per year in the past two years	Valid community concern within the past two years, by affected households/persons at up to three per year	Little valid community concern within the past two years
Compliance history	Compliance exceeding five points on more than three occasions, during site audit in the past five years and/or greater than three major non-compliances and/or one critical non-compliance All compliance remedied	Compliance exceeding two points on up to three occasions, or more on any site audit in the past five years and/or 1-3 major non-compliances All compliance remedied	Compliance not exceeding two points on any site audit in the past five years and/or one major non-compliance All issues remedied

Officer's Recommendation - Table 2 & 3

The community concern area was redefined in Table 2. Community concerns must be validated as non-compliances, a system will be established with the customer service team for recording of complaints. It is acknowledged that some management actions can only occur at specific times of the year and this will become part of the training for auditors.

Refer to the attached policy marked SD007.1/07/05 with tracked changes to operators concerns and suggestions.

General Comments

- Training should be given to auditors within Council on extractive industries
- There needs to be a clear process for mediation between Operators and Shire Officers prior to Council reports being considered to prevent needing to go the Tribunal on many issues.
- There needs to be an acceptance in the auditing process of the timeframes it takes to complete some reports and works in extractive industries.
- There needs to be the establishment of a customer complaints system which validates complaints relating to non-compliance and these need to be communicated to the Operators to allow for these issues to be addressed.
- Six month licences provide a timeframe that makes it difficult for Operators to address areas of non-compliance
- Consistency needs to be provided in Officers' audits and assessment of extractive industries.

Comment:

Planning Policy Changes

APPROVAL PROCESS FOR DOCUMENTS REQUIRED IN LICENCE CONDITIONS:

4. *Plans will not be accepted for assessment within 3 months of the licence renewal date.*

The time for plans to be sent to the Shire has been changed from 2 to 3 months prior to licence renewal. This has been adjusted to allow for earlier audits in October to provide adequate time for mediation to occur between Officers and Operators if required over an area of disagreement on an audit and assessment for licence length. This is in response to the request from all Operators for more realistic timeframes for review of audit results, draft licence conditions and proposed length of licence.

Mediations

There are four appeals which have commenced and are all in mediation at present. Since the adoption of the policy and also a length of licence to mediate on with all four Operators, two of these Operators have at mediation disputed their assessments and requested 5 year licence lengths based on their compliance as well as a review of the policy by all Operators. The two Operators are NLG Sands and Hanson. The sites cannot be fully audited as many of the licence conditions are under appeal and therefore an audit would not give a true reflection of current compliance. Detailed discussion of these sites is listed below based on November 2004 audit results:

Extractive Industry Appeals – Non Compliance Assessment

Lot 1304 Coyle Road, Oldbury – NLG Sands

EXTRACTIVE INDUSTRY LICENCE	AUDIT COMMENT	NON COMPLIANCE CATEGORY
4. Prior to 1 November 2004, the proponent shall submit a Quarry Management Report and Plan for review by Council. The Plan shall demonstrate the extent of compliance or non-compliance with all conditions of this Extractive Industry License and as a minimum, include the following information: (List as per licence)	Operator indicated that all this information is on the original application 8 months prior. A follow up discussion with the licensee indicated that he considered the planning approval documentation that was submitted 8 months ago to be adequate. The Shire explained that the condition related to a report being submitted with current status and actions undertaken	MINOR
14. The proponent shall control declared and environmental weeds throughout the site, to the satisfaction of the Director Sustainable Development.	The control of weeds is not satisfactory. Only one plant of the castor oil plant was observed, the other weeds were environmental pasture grasses	MINOR
TOTAL – 2 POINTS	RECOMMENDED:	3 YEAR LICENCE

At mediation it was presented by NLG that they had submitted the requested information of a Quarry Management Report and Plan for review by Council. A review of records indicates that this document was submitted later than the due date but prior to renewal of the licence.

Based on this, the only outstanding non-compliance is weed management. NLG has provided information relating to their current weed management approach for the site. The weed management approach is set out in the Operator's overall site management plan submitted as part of the planning approval. The current weed management approach is considered in accordance with the approved weed management plan and includes annual spraying to manage smaller weeds and hand removal of larger weeds.

As only one minor non-compliance was recorded for 2004 and the Operators have addressed this issue in alignment with the Shire Officers' recommendations to undertake spraying in addition to the weed removal already being undertaken it is recommended that a 5 year licence be offered in mediation.

Lot 202 South Western Highway, Whitby – Hanson Construction Materials

An inspection was undertaken on 6 September 2004, revealing that all of the conditions on the Extractive Industry Licence dated 2 January 2004 have been complied with.

The only issues of note are related to conditions on the Planning Approval dated 3 September 2002. Officers believed these would be completed in 2005. One relates to screening which will be achieved as the revegetation grows and the other is a study of Black Cockatoos on site.

It was presented to Council that the Operators are offered a three year licence instead of a five year licence because, although the Operators were compliant with their licence, it is noted that the 2004 licence had limited conditions and the 2005 licence was more comprehensive to be aligned with requirements of operators across the Shire.

It was resolved by Council at the May 2005 Ordinary Council Meeting that a three year licence be offered during mediation. At mediation the company indicated that they had been compliant and in accordance with the policy and should receive a 5 year licence.

As Hanson has a good record of compliance over a long period of time, has demonstrated a commitment to working with the Shire on achieving good site management and outcomes and has been assessed against a policy which provides a level playing field for all operators, it is recommended that a 5 year licence be offered during mediation.

It is recommended that Council endorse the revised recommended licence lengths for the two operators who are in mediation with the Shire at present so that these can be used within the mediation process to achieve a positive outcome for both the Shire and the Operators.

Voting Requirements: Normal

SD007/07/05 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Hoyer seconded Cr Kirkpatrick

1. Council adopts the Planning Policy No. 14 – Extractive Industry Licences as follows:

PP14 EXTRACTIVE INDUSTRY LICENCES

APPLICATION

The extractive industry licence policy applies to all extractive industries within the Shire as defined in the *Extractive Industries Local Law 1995*.

OBJECTIVES:

The objectives of this policy are:

1. To provide incentive for good management of extractive industries within the Shire in accordance with extractive industry licence conditions.
2. To provide a level of certainty to extractive industry licence holders on the licence approval and audit process.
3. To set a process for determining the level of non compliance with licence conditions to be applied in determining the length of the extractive industry licence.
4. To set a process for determining audit review timeframes.
5. To set a process for reviewing of documents required under licence conditions to be undertaken by Shire officers.

LENGTH OF LICENCE

The initial licence issued to an extractive industry upon receiving planning approval to commence will be one year. The length of licence where the licence is being renewed will be determined through a compliance system.

Compliance System

Audits are undertaken by Shire staff to review compliance with extractive industry licence conditions. During audits areas of non compliance are recorded. These areas of non compliance will be determined to be minor, major or critical as per this policy and assigned points accordingly. The length of licence will be calculated on the total number of non compliance points accumulated at the most recent audit undertaken in the six months prior to licence renewal. Points achieved in a previous audit will be added to the total score if there has been no action to become compliant or work towards a solution on this issue.

Non Compliance Points:

The points for each category of non compliance are:

- Critical: 10 points
Major: 5 points
Minor: 1 point

Length of Licence:

The length of licence will be determined by the total score of non compliance as follows:

- 0- 2 points: 5 year licence
- 3-5 points: 3 year licence
- 5-10 points: 1 year licence
- 11 or more points: 6 month licence – this must be resolved by Council

Category of Non Compliance

Scoring of non compliance against conditions will be determined by one of two systems. Firstly some conditions will have to be placed on the licence as a critical, major or minor category at the time the extractive industry licence is approved. This is the score non compliance will receive for these conditions. The categorisation of these conditions will be determined as per table 2. Other conditions will not have a category placed against them as it is the severity and number of non compliances that will affect the rating. These will be determined at the time of audit using Table 3.

TABLE 2

CATEGORY	COMMUNITY CONCERN	COMPLIANCE HISTORY OF OPERATOR	CONSEQUENCE
MINOR (1)	None or little valid community concern within the past 2 years on this issue	No major or critical non compliance relating to this issue in the past 5 years and all issues remedied	No significant environmental impacts would occur from non compliance
MAJOR (5)	Valid community concern within the past 2 years by up to 10 affected residents	Major or critical non compliance history relating to this issue in the past 5 years but all issues have been remedied	Significant environmental impacts would occur from non compliance that could be remedied in the short term (1 month)
CRITICAL (10)	Valid community concern has been raised and significant concerns have been demonstrated to the Shire within the past two years by more than 10 affected residents a year	Non compliance history relating to this issue in the past 5 years which exceeds 3 major non compliances or one critical non compliance and has been remedied or any non compliance that has not been remedied	Significant environmental impacts would occur from non compliance that could not be remedied in the short term (1 month)

TABLE 3

CONDITION	CRITICAL (10)	MAJOR (5)	MINOR (1)
PLANS REQUIRED	No plan submitted for	Plans submitted over 30 days late	Plan submitted prior to commencement of site

CONDITION	CRITICAL (10)	MAJOR (5)	MINOR (1)
eg vegetation, landscape, water, noise, dust	approval and 3 months has passed since first licence and site works commence or due date as specified in licence conditions. Requests ignored for plans		works for approval or due date as specified in licence conditions but not of approval standard at present OR Plans submitted between 1-30 days late
SITE OPERATIONS Requirements relating to site operations eg water quality testing, blasting notification, dust management	No notification to the Shire within 5 working days of confirmation of critical or major non compliance and/or no written report within one month with evidence to satisfy the Executive Manager Strategic and Community Planning that measures have been undertaken to prevent a recurrence	Notification to the Shire within 5 working days of confirmation of critical or major non compliance and written report within one month with evidence to satisfy the Executive Manager Strategic and Community Planning that measures have been undertaken to prevent a recurrence	Notification to the Shire within 24 hours of confirmation of critical or major non compliance and written report within 5 working days with evidence to satisfy the Executive Manager Strategic and Community Planning that measures have been undertaken to prevent a recurrence
SITE MANAGEMENT & OPERATIONS Requirements relating to site management eg watercourses, weed management	Non compliance occurred and no remedial action undertaken by next audit or no notification of breach of licence condition received for critical or major non compliances	Non compliance occurred and not remediated or no commencement of actions to remedy if long term approach, required within 12 weeks of non compliance occurrence OR no communication and reporting on remediation being undertaken provided to the Shire on a major or critical non compliance	Non compliance occurred but remediated or commence actions to remedy if long term approach required within 4 weeks of occurrence and this is supported in writing to the Shire
REHABILITATION eg revegetation, site stabilisation	Revegetation not completed in accordance with approved plans and licence conditions or	Revegetation not completed in accordance with approved plans and licence conditions but	Revegetation not being completed within proposed timeframe but has been commenced in accordance with approved plans. This

CONDITION	CRITICAL (10)	MAJOR (5)	MINOR (1)
	revegetation not commenced or there has been no effort to rectify areas of failed revegetation	report submitted to the Shire with a plan of action and timeframe commitment to complete required works	excludes where genuine attempts to undertake revegetation has occurred but failed and is being replanted at the next appropriate planting season.

Licence Conditions Approval

The proposed licence conditions will be drafted and sent to the operator prior to them being presented to Council for adoption. The proposed licence conditions will be sent to the operator with a minimum of three weeks to comment. These comments will be taken into consideration in determining or recommending the licence approval.

AUDITS

The frequency of full site audits is determined by the risk of the operation as established in the assessment of the length of the licence.

TOTAL AUDIT SCORE	LENGTH OF LICENCE	FREQUENCY OF SITE AUDITS
0-2	5 years	1/year - Every 12 months
3-5	3 years	1/year - Every 12 months
6-10	1 years	2/year - Every 6 months
11+	6 months	2/year - Every 6 months

The operator will be notified of an audit by the Shire officers with at least two weeks notice. The Shire will provide the operator at the time of notification of the audit a copy of the audit table which they will be audited against. This will allow the operator 2 weeks to provide or seek any clarification on any areas listed in the audit. The process for audits is detailed below:

1. Compliance Audit Only (May for 6 and 12 month licences and October for 3 and 5 year licences).
2. Letter sent to operator advising of site inspection minimum 2 weeks prior with audit assessment sheet attached.
3. Site audit undertaken by planning and environmental officers against current extractive industry licence and planning approval.
4. Operators sent a letter advising of any non compliances within 2 weeks of site audit and given due dates for remediating areas of non compliance.

Audit and Assessment of Licence lengths (October)

1. Letter sent to operator advising of site inspection a minimum 2 weeks prior with audit assessment sheet attached.
2. Site audit undertaken by planning and environmental officers against current extractive industry licence and planning approval.
3. Assessment for length of licence undertaken in accordance with PP14 using completed audit results.
4. Draft assessment including recommendation of licence length sent to operator by 7 November for comment.
5. Comments due back from operators by 21 November.
6. Mediation between operator and officers undertaken if there is disagreement and option given to operator to attend December Concept Forum to present issue/s to Council.

- 7. Item put to December Ordinary Council Meeting on the length of the extractive industry licence for decision with both officers recommendation and any comment provided on audit and assessment results from the operator.**

APPROVAL PROCESS FOR DOCUMENTS REQUIRED IN LICENCE CONDITIONS:

- 1. Where documents are required to be submitted by a date as set out in licence conditions, the Shire will acknowledge receipt of those documents within 5 working days and will assess the documents within 3 months of receipt.**
 - 2. Further information or modifications may be requested from the Shire which will also be assessed within 3 months of receipt.**
 - 3. Where documents are acknowledged as being received by the Council but are not assessed within 3 months of receipt they will be deemed to be approved.**
 - 4. Plans will not be accepted for assessment within 3 months of the licence renewal date.**
- B. Council resolves the following extractive industry licence length can be used in the mediation of the current appeals relating to the following sites:**
- 1. Lot 1304 Coyle Road, Oldbury – NLG Sands – 5 year licence**
 - 2. Lot 202 South Western Highway, Whitby – Hanson Construction Materials – 5 year licence.**

CARRIED 8/0

SD008/07/05 PROPOSED UPGRADING OF FIRE FIGHTING FACILITIES, ROADWAY & CAR BAYS - LOT 108 (#18) TURNER ROAD, BYFORD (P01301/02)		
Proponent:	A. Scott Hambley	In Brief The applicant seeks approval for the upgrading of fire fighting facilities, a new roadway and three (3) new car bays on the subject lot. It is recommended that the application be conditionally approved.
Owner:	WA Baptist Hospital & Homes Trust Inc.	
Officer:	M Daymond – Planning Officer	
Signatures Author:		
Senior Officer:		
Date of Report	7 July 2005	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Owner: WA Baptist Hospital & Homes Trust Inc
 Owner's Address: PO Box 1067, Canning Bridge WA 6153
 Applicant: A. Scott Hambley Architect
 Applicant's Address: 137 Gobby Road, Keysbrook WA 6126
 Date of Receipt: 14 April 2005
 Advertised: 4 – 26 May 2005 to Government Agencies
 Submissions: 2 submissions received
 Lot Area: 3.5521 ha
 L.A Zoning: Public & Community Purposes
 MRS Zoning: Urban
 Byford Structure Plan: Public Purposes
 Rural Strategy Policy Area: Not Applicable
 Rural Strategy Overlay: Not Applicable
 Municipal Inventory: Not Applicable
 Townscape/Heritage Precinct: Not Applicable
 Bush Forever: Site 321

Date of Inspection: 24 June 2005

Background

An application has been submitted to Council for extensions to the existing Graceford Hostel on Turner Road, Byford. The original application includes the proposed development of a new car parking area, 16 new rooms, a new common area, three (3) new car bays on the eastern side of the property, an extended roadway and upgrades to existing fire fighting facilities.

An initial assessment of the proposal with Council staff and representatives from State Government Agencies have revealed the need to split the application into two separate areas so that approvals can be issued whilst more complex matters are being resolved. As the proposed upgrading of the fire fighting is for facilities that are currently non compliant with the Building Code of Australia, this is being presented to Council for approval as a matter of urgency. The extended roadway and the three (3) new car bays on the eastern side will also form part of the recommended approval.

A copy of the site plan is with attachments marked SD008.1/07/05.

Sustainability Statement

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

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

Economic Viability: Although the proposal will result in the removal of some existing vegetation, it is considered that the application will be economically viable in a way that incorporates its external costs. The installation of the fire tanks will improve the quality of life for residents at the hostel as there will be guaranteed fire fighting equipment on site should any emergency arise.

Economic Benefits: There will not be any economic benefits to the community as a result of this application.

Social – Quality of Life: The proposal may improve the quality of life for residents at the Hostel by ensuring that adequate fire fighting facilities are on site for emergency purposes.

Social and Environmental Responsibility: The Council has a social responsibility to the residents of Graceford Hostel to ensure that they can be adequately protected from any fire issue that may arise. This will be covered through the development of the fire water tanks.

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

Statutory Environment:

Metropolitan Region Scheme
Town Planning Scheme No.2
Statement of Planning Policy No.2 – The Peel-Harvey
Coastal Plain Catchment
The proposal was advertised in accordance with clause
6.3.1 of the Scheme and referred to the Department of
Environment, Bush Forever and CALM for comment.
Western Australian Planning Commission determination
of the application is required in accordance with Section

20 of the Western Australian Planning Commission Act 1985.

Policy/Work Procedure Implications:

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

Financial Implications:

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

Strategic Implications:

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

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

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

Strategies:

Objective 3: High level of social commitment

Strategies:

2. Build key community partnerships.

2. Environment

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

Strategies:

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

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

Strategies:

1. Implement known best practice sustainable natural resource management.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

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

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

Strategies

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

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

The application was referred to the Department of Environment (DoE), Bush Forever and the Department of Conservation and Land Management (CALM) for comment as the proposal is located with a conservation category wetland, a bush forever site and abuts a Metropolitan Region Scheme (MRS) Parks and Recreation reserve. Comments were received from DoE and Bush Forever with no comments being provided by CALM.

Response from Government Agencies

Bush Forever

Bush Forever identifies regionally significant bush land for protection. Assessment of any proposal that may affect a Bush Forever site should recognize and show due consideration of the high conservation values of the site. The subject land is located within Bush Forever site 321 – Brickwood Reserve and adjacent bush land.

The development proposed will require clearing of some regionally significant bush land, however the Bush Forever Office is satisfied that the proposed location of the fire water tanks is suitable. The Bush Forever Office understands that the Shire will negotiate with the proponent to ensure that the road is designed to avoid large habitat trees where possible.

Department of Environment (DoE)

Development within a Resource Enhancement Wetland

The proposed fire water tanks and extended roadway are located in an area that has been identified as a Resource Enhancement Wetland (REW). The DoE may be prepared to consider the proposed water tanks in the wetland area. However, the DoE does not support the proposed extended roadway because of the fragmentation of the vegetation it will cause. The proposed additional firebreak on the eastern side of the water tank is also not supported due to the fragmentation of the vegetation.

Furthermore, the DoE would like to offer the following advice:

Water Tanks

The DoE is prepared to consider the installation of water tanks within the REW. However, the DoE's preference would be for the tanks to be located west of the proposed access track, thereby utilising the access track as a firebreak.

Officer Comment

Zoning & Site Factors

The subject property is zoned 'Public and Community Purposes' under Council's Town Planning Scheme No.2 and 'Urban' under the Metropolitan Region Scheme (MRS). The lot also abuts a 'Parks and Recreation' Reserve as identified under the MRS.

As previously mentioned the subject site is also contained within Bush Forever Site No.321 and contains a Resource Enhancement Wetland as identified by the DoE.

A copy of the site plan showing the location of the Bush Forever Site and wetlands is with attachments marked SD008.2/07/05.

Current Situation at Graceford Hostel

The existing Emergency Services and fire fighting facilities at Graceford Hostel are currently non compliant with the Building Code of Australia for fire protection of Aged Care facilities. As such there is a high risk to life and property should an emergency situation arise. The proposed locations for all of the fire equipment facilities, including the road way, are the most feasible and operationally efficient locations for emergency services. The current infrastructure requires an urgent upgrade to be fully operational in order to adequately protect the residents of the Graceford Hostel.

It is a matter of high priority that the upgrading to the current fire facilities and road way be approved by Council.

Proposal

New Roadway

The applicant proposes to construct a new roadway linking the existing car parking area on the eastern side of the property with Gordin Way. The road will eventually be able to be used for Fire and Emergency Service vehicles as a means of easily accessing the property and the proposed fire tanks. This road way will be constructed to the specifications and satisfaction of the Shire.

Fire Water Tanks

Two fire water tanks are proposed to be constructed on the eastern edge of the property. These tanks are required to be constructed in order to adequately cater for the fire and emergency service requirements for the site. The upgrading of the fire facilities will also require the installation of a new hydrant, water pump shed and fire hydrant booster.

Three (3) Car Parking Bays

As the proposed car parking bays on the eastern side of the property are located next to the beginning of the new road way, it is considered that they should be included in the assessment for the road way and the fire facilities. The location of the car bays will result in minimal clearing of existing vegetation and can be fully assessed by the DoE through the issuing of a clearing permit.

The bays comply with Shire specifications.

Impact on Existing Vegetation

As stated by the DoE and Bush Forever Office, the proposed roadway and fire water tanks will result in the clearing of existing vegetation within a Bush Forever site and Resource Enhancement Wetland. The applicant was advised on site that the impact of the proposed development of the existing vegetation will be thoroughly assessed by the DoE as a clearing permit will be required to be obtained under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

Although the DoE will issue a clearing permit for the removal of vegetation, Council still needs to be assured that the proposed application and location of the tanks results in the least existing vegetation disturbance.

The applicant will be advised that a clearing permit will need to be obtained from the DoE prior to the commencement of any site works.

Response for Government Agencies

The comments provided by the Bush Forever Office are considered to be acceptable for the proposed development. The tanks are to be in a location that has predominantly been cleared of existing vegetation and the position of the road way can be finalised to ensure minimal impacts on existing vegetation. However, the comments as provided by the DoE are not accepted as they have objected to the construction of the road way and have recommended that the tanks be located on the western side of the access track.

The fire water tanks should not be located on the western side of the road way and should be approved in the current location for a number of reasons. Firstly, the current proposed location will actually result in the removal of less vegetation than if the tanks were on the western side. The western side of the road way is covered by numerous large and mature trees whereas the eastern location will only result in the removal of a few shrubs and ground covers. Secondly, the proposed location is the most direct and feasible route to the hydrants and water pump from an Emergency Services perspective. Thirdly, if the tanks were located on the western side of the road way the existing drain would run between the road and the tanks and therefore would not be accessible by Emergency Services vehicles. The proposed location is the best in terms of ease of access.

In terms of the proposed road, the road needs to be constructed as emergency service vehicles need to be able to enter the site and access the tanks easily. The track that is currently there is not adequate to cater for these vehicles and thus the upgrading and construction of the road way needs to occur.

Bush Fire Requirements

The provision of fire and emergency services facilities at the Hostel is currently non compliant with the Building Code of Australia. The upgrade to the fire system is required urgently as there is a risk to the health and well being of the residents if the upgrades cannot be undertaken.

If approved, the installation of the tanks will subsequently require a firebreak to be installed. As the tanks are located in the most viable and accessible location on the property, up against the eastern boundary of the lot, the firebreak cannot be installed on Lot 108 and will need to be put on the eastern side of the tanks on the adjoining reserve.

Crown land is no longer exempt from the requirement to install firebreaks.

Western Australian Planning Commission (WAPC) Determination

As the comments from the DoE are not accepted as their recommendations are not feasible from a planning and emergency services perspective, the WAPC will be required to determine the application in accordance with the Delegated Powers conferred to Council in accordance with Section 20 of the *Western Australian Planning Commission Act 1985*. Part (b) of Schedule 1 of these Delegated Powers specifically states:

“Where the recommendation provided by the public authority specified in the delegation notice is not acceptable to the local government the application, together with the recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the local government, shall be referred immediately to the Commission for determination.”

Referral to the WAPC for determination forms part of the recommended resolution to Council.

Conclusion

The current emergency services and fire facilities at Graceford Hostel are non compliant with the Building Code of Australia. These need to be upgraded as a matter of urgency as there is a possible risk to the health and well-being of the residents of the hostel. The proposed upgrades as shown on the development plans are to the satisfaction of Council's Community Emergency Services Manager and will bring the Hostel into compliance with Building Code. Although the development of the fire facilities, road way and car bays will result in the removal of regionally significant vegetation as identified by Bush Forever and the DoE, this impact will be assessed by them under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* through issuing a clearing permit.

The recommendations as provided by the DoE are not supported nor accepted in the context of the proposed development. The application therefore needs to be referred to the WAPC for determination under Section 20 of the *Western Australian Planning Commission Act 1985*. It is recommended that Council resolve to conditionally approve the installation of the fire facilities, road way and car bays and that the application be referred to the WAPC for determination.

Voting Requirements: Normal

Committee/Officer Recommended Resolution

- A. The proposed extended road way, upgrading of fire facilities and three (3) car bays on Lot 108 (#18) Turner Road, Byford be approved subject to the following conditions:
1. Development to be in accordance with the plans attached to and forming part of this approval.
 2. Only the development shown in red on the approved plans is subject to this approval. Further approvals will need to be obtained for any further proposed development on site.
 3. Construction of the road way and car parking area are to be to the specifications and satisfaction of the Shire.
 4. The proposed culvert is to be designed and constructed to the satisfaction of the Shire.
 5. Storm water runoff from the proposed car parking area and road way shall be managed to the satisfaction of the Shire.
 6. Upgrading of the fire and emergency services infrastructure is to be to the satisfaction of Council's Community Emergency Services Manager.
 7. Landscaping and revegetation works are to be undertaken around all proposed development to the satisfaction of the Shire.
 8. The final alignment of the roadway shall be confirmed on site to the satisfaction of the Shire.

Advice Notes:

1. This decision issued by the Serpentine Jarrahdale Shire does not remove any responsibility the proponent may have in relation to protecting areas of bush land significance (known as *Bush Forever*) on or within proximity of their property. If any occurrences of *Bush Forever* are present or within proximity, further information should be obtained from the Department for Planning and Infrastructure - Bush Forever Office.
2. This decision issued by the Serpentine Jarrahdale Shire does not remove any responsibility the proponent may have in obtaining a vegetation clearing permit under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*, from the Department of Environment. Further information should be obtained from the Department of Environment.

3. This decision issued by the Serpentine Jarrahdale Shire does not remove any responsibility the proponent may have in obtaining approval from the Department of Environment for any works which may impact on any wetland on or within proximity of their property. Further information should be obtained from the Department of Environment.
- B. The application be referred to the Western Australian Planning Commission (WAPC) for determination under Section 20 of the Western Australian Planning Commission Act 1985.

SD008/07/05 COUNCIL DECISION

Moved Cr Star seconded Cr Murphy

- A. The proposed extended road way, upgrading of fire facilities and three (3) car bays on Lot 108 (#18) Turner Road, Byford be approved subject to the following conditions:

1. Development to be in accordance with the plans attached to and forming part of this approval.
2. Only the development shown in red on the approved plans is subject to this approval. Further approvals will need to be obtained for any further proposed development on site.
3. Construction of the road way and car parking area are to be to the specifications and satisfaction of the Shire.
4. The proposed culvert is to be designed and constructed to the satisfaction of the Shire.
5. Storm water runoff from the proposed car parking area and road way shall be managed to the satisfaction of the Shire.
6. Upgrading of the fire and emergency services infrastructure is to be to the satisfaction of Council's Community Emergency Services Manager.
7. Landscaping and revegetation works are to be undertaken around all proposed development to the satisfaction of the Shire.
8. The final alignment of the roadway shall be confirmed on site to the satisfaction of the Shire.
9. Firebreak not to be installed in the Reserve without further consideration by Council.
10. The Grasstree to be relocated to a site decided by the Director Asset Services.
11. The roadway to be three (3) metres width and sealed.

Advice Notes:

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

4. **impact on any wetland on or within proximity of their property. Further information should be obtained from the Department of Environment. Council must be aware of the requirements of the Environmental Protection Biodiversity Conservation Act.**

- B. The application be referred to the Western Australian Planning Commission (WAPC) for determination under Section 20 of the Western Australian Planning Commission Act 1985.**

CARRIED 8/0

Council Note: The Committee/Officers Recommended resolution was changed by the addition of Condition 9,10 and 11 and Advice Note 4, to Part A – after visiting the site and to be assured of maximum protection of vegetation.

Cr Hoyer declared a financial interest in item SD009/07/05 as an occasional employee of one of the objectors and left the meeting at 7.31pm.

SD009/07/05 PROPOSED STABLES, DRESSAGE & TRAINING ARENA – LOT 22 (#28) COLLEGE COURT, SERPENTINE (P02253/01)		
Proponent:	Dykstra & Associates	In Brief The applicant seeks planning approval for stables, dressage & training arena. It is recommended that the application be conditionally approved.
Owner:	G & S Price	
Officer:	M Daymond – Planning Officer	
Signatures Author:		
Senior Officer:		
Date of Report	27 May 2005	
Previously	NA	
Disclosure of Interest	Cr Hoyer	
Delegation	Council	

Owner: G & S Price
 Owner's Address: 28 College Court, Serpentine
 Applicant: Dykstra & Associates
 Applicant's Address: Unit 6, 2954 Albany Highway, Kelmscott
 Date of Receipt: 23 February 2005
 Advertised: 5 April – 6 May 2005
 Submissions: 4 submissions from neighbours and government agencies
 Lot Area: 4.4811 ha
 L.A Zoning: Special Rural
 MRS Zoning: Rural
 Byford Structure Plan: N/A
 Rural Strategy Policy Area: Rural Living B
 Rural Strategy Overlay: N/A
 Municipal Inventory: N/A
 Townscape/Heritage Precinct: N/A
 Bush Forever: N/A
 Date of Inspection: 25 May 2005

Background

The application for stables, dressage and training arena was originally presented to Council for approval on 27 June 2005. At this meeting an new motion was moved to reduce the number of horses from 10 to six and delete condition 9 of the original motion. The new motion was lot 5/2 and required absolute majority. The application is presented to July Council for determination.

The applicant seeks planning approval from the Shire for the establishment of stables, a dressage and training arena and the keeping of horses on the subject property.

Extracts of the development application as submitted by Dykstra & Associates are as follows:

Overview:

The application proposes an equestrian facility with stables, dressage and training arena and pastured paddock areas for a maximum of ten (10) horses. The landowners intend to breed and train their own horses for performance in dressage and eventing competitions.

The key land uses and development depicted on the Development Plan include:

Allocation of eight (8) irrigated paddocks for the keeping of horses;

A post and rail fenced area of 60 x 20m to be allocated for international sized dressage arena;

A stable of suitable size (20 x 20m) to house ten (10) horses and store associated machinery and equipment.

A copy of the Development Site Plan and Stable Plans are with attachments marked SD009.1/07/05.

Siting & Design:

The development and land use arrangements have been designed with an emphasis on protecting and enhancing the visual appearance of the land from College Court, protecting the rural residential amenity of adjoining properties, reflecting existing developments and structures on site and recognising different levels of land capability on the site.

The existing and proposed buildings will have adequate setbacks and screening from the College Court frontage.

Management Plan:

Pasture Types

Four of the fenced paddocks closest to College Court are currently irrigated, and the remaining four non-irrigated paddocks will be irrigated as part of this proposal, with the intent of providing a substantial yearly food supply for the horses.

Pasture Management & Maintenance

To prevent overgrazing, paddocks will be subjected to one night's grazing every two days and horses will be stabled 36 hours over a 48 hour period during the summer months. During winter, horses will graze during the day and be stabled every night. Irrigated pastures will be fertilised and seeded on a regular basis.

Waste & Manure Management

Manure from stables and all pastures is to be collected on a regular basis and is to be taken off site or used on site as fertiliser where required. Manure is stockpiled on a suitable hardstand surface and covered with plastic for a short period to allow composting to occur and to keep the manure dry. Once the manure has been composted it is used to fertilise pasture.

Dust Management

The training area will be topped with crushed limestone to a depth of 100mm. A sprinkler system is to be installed within the dressage and training arena to prevent wind blown dust.

Drainage Swale

A seasonal drainage swale traverses the land in an east-west direction at the rear of the paddock nearest to the southern boundary. The swale will be fenced on both sides to restrict access by the horses. Wash down water from stables and manure storage areas will be contained and managed on site via the use of the proposed landscape nutrient stripping detention basin.

Further, stables and manure storage areas are well set back from the swale and stormwater generally will be collected via soak wells located on the property.

Vegetation

Horses will be fenced in pastured areas away from existing trees and bushland. The property boundary is fenced also to avoid stock from entering the site. Tree planting is proposed in appropriate locations throughout the property and all fencing will consist of a post and two rail arrangement.

Horse Management

A horse in training and work, plus selected breeding horses (up to a total of ten [10]) will be stabled at night and turned out to paddocks during the day. Horses will be provided with supplementary feed of chaff, grain and hay twice daily.

Sustainability Statement

Effect on Environment: If the land is managed in accordance with the submitted Stock Management Plan then it is considered that the impact on the environment will be minimal. The applicant has obtained a Groundwater Licence from the Water and Rivers Commission to irrigate 2 hectares of the property. This will help to maintain the pasture in the paddocks and will help to suppress dust.

The proposed practice of hand feeding the horses in the paddocks reduces the amount of vegetative cover eaten and the continual rotation of the horses into different paddocks ensures that the paddocks have a chance to regenerate. Under the Planning Guidelines for Nutrient and Drainage Management within Council's Rural Strategy relating to the stabling of horses, the current use of the property falls under Class 2. This requires the applicant to have a strong understanding of horse management. This is demonstrated in the management plan.

The proposal may have an impact on the underground aquifers through nutrient discharge on the property which may in turn affect the adjoining Organic Spring Water Bottling Company. This issue will require further investigation to demonstrate there will not be an adverse impact prior to commencement of construction and use.

Resource Implications: It is considered that there are no resource implications associated with the proposal as the subject lot is already serviced and has a licence from the Water and Rivers Commission to draw groundwater for the purpose of irrigation.

Use of Local, Renewable or Recycled Resources: It is considered that the proposal may use locally available and produced resources for the operation of the horse activities on the property.

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

Economic Benefits: If contamination of the underground aquifer occurs through nutrient discharge on the property, then the adjoining Organic Spring Water Bottling Company may be impacted.

Social – Quality of Life and Social and Environmental Responsibility: It is considered that the proposal will not impact dramatically on the quality of life for surrounding residents.

The only issue that may arise relates to the possible contamination of the underground aquifer through nutrient discharge. This issue will require further investigation to demonstrate there will not be an adverse impact prior to commencement of construction and use.

It is considered that the proposal will be environmentally responsible if managed in strict accordance with the Stock Management Plan.

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

Statutory Environment: Town Planning & Development Act 1928
Shire of Serpentine Jarrahdale Town Planning Scheme No.2

Policy/Work Procedure Implications: Shire of Serpentine Jarrahdale Rural Strategy 1994 – ‘Planning Guidelines For Nutrient management’
SPP No.2 – The Peel-Harvey Coastal Plain Catchment

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

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

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

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

Strategy:

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

Objective 3: High level of social commitment

Strategies:

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

2. Environment

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

Strategies:

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

3. Economic

Objective 1: A vibrant local community

Strategy:

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

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

Strategy:

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

4. Governance

Objective 1: An effective continuous improvement program

Strategy:

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

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

Strategy

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

Objective 3: Compliance to necessary legislation

Strategy:

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

Community Consultation:

Although not a legislative requirement under the Scheme, the proposal was referred to adjoining landowners for comment for a period of three (3) weeks. The application was also referred to the Department of Environment, the Bush Forever Office and Main Roads WA as the lot abuts South Western Highway. Two submissions from neighbours were received as well as comments from the Department of Environment and Main Roads WA. No comments were received from Bush Forever.

Affected Property	Summary of Submission	Officer's Comment	Action (Condition/ Support/ Dismiss)
A3500	<p>Concerned for the following reasons: That the amount of watering proposed will lower the local water table.</p> <p>We have already had one bore run dry when the water bottling plant began operation nearby.</p>	<p>The Water & Rivers Commission has issued a groundwater licence to the applicant to irrigate up to 2ha of pasture. On the licence it states that "should the licensee's draw adversely affect the aquifer or other users in the area, the Water & Rivers Commission may reduce the amount that may be drawn". Any effects on the groundwater levels or on surrounding properties will be managed by the Water & Rivers Commission and not the Shire.</p>	<p>Comments noted</p>
A7700	<p>Concerned for the following reasons: We are very concerned about contamination such a proposal may inflict on the fragile environment of our location.</p> <p>Most of our concern is about manure and urine contamination of the soil along with chemical residues left by the maintenance and treatment</p>	<p>Nutrient discharge from the proposal into the environment is a valid concern. The Department of Environment has requested that the flooring of the stables be constructed of concrete to prevent nutrients leaching into the ground. Furthermore, conditions can be imposed stipulating when and how manure is to be disposed of.</p> <p>Council's Environmental Health</p>	<p>Comments noted. Appropriate conditions can be placed on the approval to address these concerns.</p>

Affected Property	Summary of Submission	Officer's Comment	Action (Condition/Support/Dismiss)
	<p>of such an industry over time.</p> <p>Considering the nature of our business (bottling of organic spring water) we would object to the proposal unless Council can adequately demonstrate to us that such a venture would not affect our livelihood now or in the future.</p>	<p>Officer visited the property with the submitter to discuss a few of the contamination issues. The Health Officer's comments are listed later in the report.</p> <p>Part of the recommendation to Council will be that the risk of contamination is assessed/established before any approval is issued to the applicant.</p>	

Comments from Government Agencies

Department of Environment:

The Department of Environment has assessed the proposal and has no objections subject to the following conditions:

1. *Impervious Stable Floor*

The Department of Environment recommends that the entire stable floor should be concrete. The Department of Environment does not support the use of crushed limestone, for a stable designed for 10 horses, as an impervious floor.

2. *Water Quality Monitoring*

The Department of Environment recommends that Water Quality Monitoring be conducted twice yearly with the results provided to the Department of Environment Mandurah. The proponent should be required to install groundwater monitoring bores on the east and west side of the property, in line with the proposed Landscape Nutrient Stripping Detention Swale, to determine the quality of groundwater entering and exiting the subject property.

The Department of Environment also provided an advice note relating to the need to obtain a licence to abstract groundwater. The applicant has already obtained this licence.

Main Roads WA:

The proposed development is acceptable to Main Roads subject to the following conditions being imposed:

- 1 *No earthworks shall encroach onto the South Western Highway reserve.*
- 2 *No stormwater drainage shall be discharged onto the South Western Highway reserve.*
- 3 *No vehicle access shall be permitted onto the South Western Highway reserve.*
- 4 *The applicant shall make good any damage to the existing verge vegetation within the South Western Highway reservation.*
- 5 *Redundant driveways shall be removed and the verge and its vegetation made good at the applicant's cost.*

The conditions that are recommended by the Department of Environment and Main Roads WA are included in the Officers Recommendation.

Officer's Comment:

Stocking Rates:

According to the Land Resources Map, the soil type on the property is F2b – Ridge Hill Shelf (foothills). This soil type covers the entire property.

Recommended stocking rates for the above mentioned soil type is 10DSE/ha on dry pasture and 25DSE/ha on irrigated pasture. Based on the Irrigation licence from the Water and Rivers Commission and the information contained within the Stock Management Plan, approximately 1.93 ha of the land will be irrigated with 0.96 ha remaining dry. The rates are as follows:

0.96ha of dry pasture = $0.96 \times 10 = 9.6\text{DSE}$
1.93ha of irrigated pasture = $1.93 \times 25 = 48.25\text{DSE}$

Total = 57.85 DSE = 5.8 horses.

If the applicant wants 10 horses then they need to be stabled for x hours per day.

$X = 24 - [24 * (5.8/10)]$
X = 10.08 hours

The calculation shows that the land can sustain 5.8 horses if grazing 100% of the time. If the applicant is seeking to keep 10 horses on the property, then they will need to be stabled for a minimum of 11 hours out of each 24 hour period.

Although above the general recommended stocking rate, 10 horses can be kept on the property if stabled 11 hours a day and the land irrigated in accordance with the Licence to take Water and the Stock Management Plan.

Town Planning Scheme No.2:

The subject lot is zoned 'Special Rural' under Council's Town Planning Scheme No.2. Within the scheme, the proposed use fits the definition of a 'Rural Use'. A 'Rural Use' is defined as follows:

Rural Use - means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:

- (i) the growing of vegetables, fruit, cereals, or food crops except for domestic purposes;
- (ii) the rearing or agistment of goats, sheep, cattle, or beasts of burden;
- (iii) the stabling, agistment or training of horses, or other ungulates;
- (iv) the growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens;
- (v) the sale of produce grown solely on the lot.

The proposed use of the land for the keeping, breeding, training and stabling of horses complies with part (iii) above. A 'Rural Use' is classified as an 'AA' use within the scheme which means that Council may, at its discretion, permit the use.

Within the Scheme, Special Provision 6.1 of the 'Summerfields Estate' states that "no building shall be constructed within 80 metres of the South Western Highway". The location of the proposed stables complies with this requirement.

The proposed use complies with the requirements under Council's Town Planning Scheme No.2.

Rural Strategy:

Within the Rural Strategy, the subject lot is identified as 'Rural Living B'. An objective of the Rural Living zone is:

- RL8. To provide opportunities for, and control over, rural enterprises conducted in association with rural living, for example:
- Craft, cottage and tourist industries;
 - Truck parking, landscape supplies, and nurseries;
 - Horse management and riding school activities; and
 - Home based light industry.

As such, stables are identified as a 'desirable' use within the Rural Living zone.

It is, therefore, considered that the proposed use complies with the intent of the Rural Living zone.

Appendix 4 of the Council's Rural Strategy – 'Planning Guidelines for Nutrient Management', refers to a three-class system which has been developed by Council to assist in administering the approval process. The classes are based on the intensity of stocking and the purpose for which stock is kept.

The proposal to stable 10 horses on the subject property is only for private use and is over the recommended stocking rate for dry pasture. The proposal for keeping of stock on the subject land is a Class 2 application. Class 2 proposals for keeping of stock are defined as follows in the Planning Guidelines For Nutrient Management:

Class 2 *"The keeping of stock at above the general recommended stocking rate determined by the Council, or any specific rate as may be struck by the Council for a specific lot, but not for the "purposes of trade, commercial reward or gain"*

The following is stated in Clause 3.2 of the Planning Guidelines for Nutrient Management:

"Stables under CLASS 2

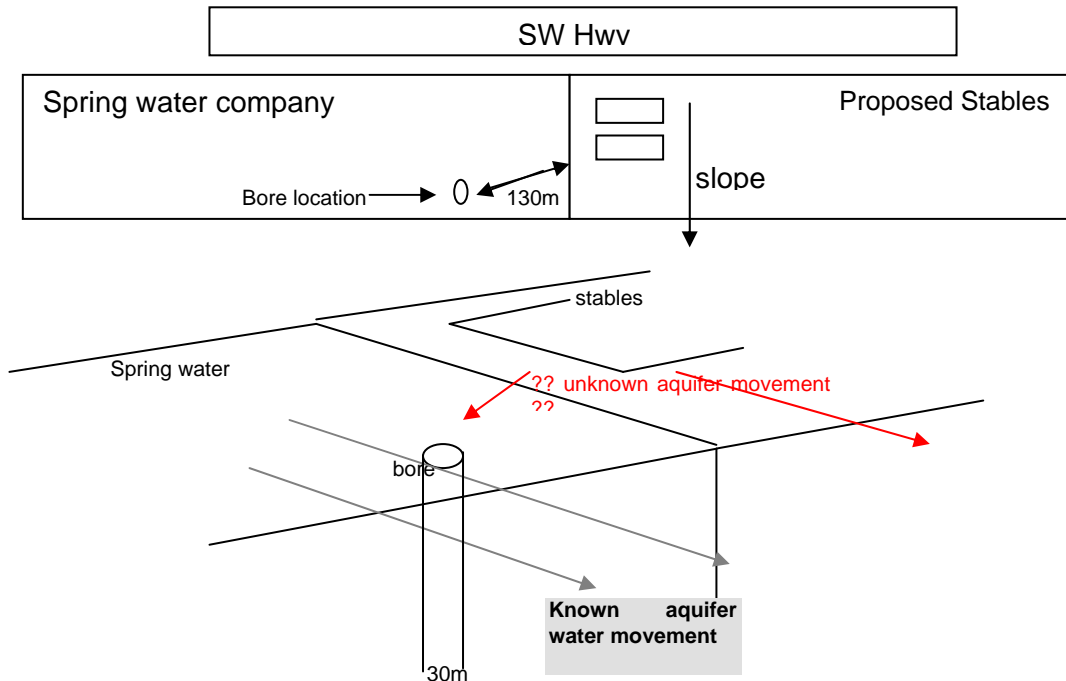
Planning approval will only be given in exceptional circumstances where the lot owner demonstrates a high level of competence and understanding of stock management and the potential for nutrient losses, and a management plan to the satisfaction of Council".

It is considered that the applicant has submitted a satisfactory management plan that details exactly how the land will be managed. However, insufficient information has been provided to assess the impacts on the adjoining Organic Spring Water bottling company. It is recommended that further investigation into the possible contamination of the adjoining properties occur prior to any approval being granted.

Environmental Health Comments:

Comments from Council's Environmental Health Officer in respect to the possible contamination of the adjoining Organic Spring Water Bottling Company are as follows:

Representation of the Site (not exact block shapes)



Area of interest	Officer Comments
Impacts from contaminates (nutrients and chemical) into underground aquifer.	Due to the unknown circumstances relating to the nature of the aquifer it is impossible to confirm that the stables will not influence the spring water quality.
Risk of Nutrients affecting water quality:	Low risk, due to the nature of the soils and the distance over which the nutrients would travel (over 100m horizontal separation).
Likelihood of Nutrients affecting water quality:	It is unlikely that the aquifer would flow across the slope of the land but is not impossible to assume and given the soil type and horizontal separation it would be extremely unlikely to occur. (this can be reinforced by scientific evidence from CSIRO (Simon Toze) in nutrient transport in aquifers)
Councils responsibility:	<i>To enforce Section 129 & 130 of the Health Act 1911 which states:</i> S129 Pollution of water Supply – Any person who pollutes a water supply or catchment...commits offence S130 Riparian rights - Whenever the pollution of any water supply becomes or is likely to become injurious to health, the local government shall, for the purpose of preventing such pollution, have within its district the rights of a riparian proprietor, and may enforce such rights by proceeding in any court of competent jurisdiction against the person in default, and may generally prevent the pollution of water.
Risk of Chemical contaminants affecting water quality:	There is some evidence to suggest that chemical contaminants can remain in suspension through aquifers for greater than the existing setbacks. The risk can be assumed to be high given that the unknown situation with the flow direction in the aquifer.

Area of interest	Officer Comments
Likelihood of Chemical contaminants affecting water quality:	<p>It is likely if the aquifer flows in the direction of the spring water bore, across the contours, (worst case scenario) that contamination will occur.</p> <p>It is unlikely if the aquifer flows in the direction of the natural slope of the land that any contamination will occur at all.</p>
Councils responsibility:	To enforce Section 129 & 130 of the Health Act 1911

Recommendation

That the applicant engage a consultant to demonstrate that there will be no adverse impact on the underground aquifer.

The above recommendation is supported to ensure that no contamination of the aquifer will occur through the keeping of ten (10) horses on the property.

Conclusion

The proposed use of the land complies with the requirements as stipulated under Council's Town Planning Scheme No.2 and the Rural Strategy as it is a use which can be approved within the Special Rural zone. The Management Plan as submitted by the applicant is adequate and details how each aspect of the land will be managed. Furthermore, the number of horses that have been applied for can be adequately accommodated on the property if they are stabled for part of the day and managed in accordance with the submitted Management Plan.

Generally an application such as this one can be approved relatively easily with a list of standard conditions that are imposed on all horse and stable applications. However, the presence of the Organic Spring Water Bottling Company on the northern boundary of the subject lot poses a number of concerns. The application briefly details how nutrients and waste on site are to be managed through regular disposal and a proposed landscaped nutrient stripping detention basin. Through a thorough assessment of the application and site visits to the property, it is not certain whether or not the underground aquifers will be contaminated through the proposed uses of the land.

Therefore, subject to the applicant providing evidence that the use will not contaminate underground water resources or adversely impact on the current approved use of the adjoining property, the application for Lot 22 College Court, Serpentine is recommended for approval.

Voting Requirements: **ABSOLUTE MAJORITY**

Officer Recommended Resolution:

- A. The applicant is to provide quantitative evidence and independent certification from a suitably qualified and experienced professional that the proposed use will not impact the underground aquifers in respect of both water quality and water quantity to the satisfaction of the Director Sustainable Development.

- B. Subject to compliance with A. above, the Director Sustainable Development is granted delegated authority to approve the application for stables and a dressage and training arena on Lot 22 (#28) College Court, Serpentine subject to the following conditions:
 - 1 A building licence is required to be obtained prior to the commencement of any development (including earthworks).

- 2 Horses are to be kept and land managed in accordance with the management plan attached to and forming part of this approval.
- 3 The stables are to be constructed of new materials.
- 4 The stables are not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant legislation.
- 5 No direct discharge of stormwater into watercourses or drainage lines.
- 6 All stormwater runoff from roofs and hardstand areas to be disposed of on-site.
- 7 Only materials and colours as identified on the approved plans are to be used in the construction of the structure unless the prior written approval of the Shire is obtained.
- 8 A maximum of ten (10) horses are permitted to be kept on the property.
- 9 Stock are to be stabled a minimum of eleven (11) hours out of each twenty-four (24) hour period.
- 10 Manure from paddocks is to be collected twice weekly and either taken off site or composted in a fly proof container with an impermeable base and covered to prevent rainwater access.
- 11 The paddocks are to be irrigated as required to maintain a pasture coverage of at least 95 percent year round.
- 12 Stock are to be kept out of any paddock that is partially or completely inundated with water.
- 13 All chemicals associated with the care of the land and stock are to be stored as to eliminate the possibility of spillage onto permeable surfaces.
- 14 All existing drainage lines and areas are to be fenced off from stock.
- 15 All fencing shall be of post and rail or post and wire unless otherwise approved by the Shire.
- 16 The stable is to be constructed with a concrete floor that shall contain all wash-down water and runoff and direct it to an alternative treatment unit for effluent disposal.
- 17 Disposal of hard and liquid wastes is to be in accordance with Health Local Law 1999 – Part 6, Division 2 – ‘Keeping of Large Animals’ (attached).
- 18 The proponent is to install groundwater monitoring bores on the east and west side of the property near the boundary and undertake water quality monitoring of these bores for total nitrogen, nitrate, nitrite, ammonia, electrical conductivity, orthophosphate and phosphorous every six months as a minimum and provide the results to the Department of Environment.
- 19 All trees and vegetation are to be fenced off from stock prior to the commencement of use.
- 20 All declared and environmental weeds are to be eliminated from the lot.
- 21 All revegetation works are to be fenced to prevent access by stock.
- 22 No earthworks shall encroach onto the South Western Highway reserve.
- 23 No stormwater drainage shall be discharged onto the South Western Highway reserve.
- 24 No vehicle access shall be permitted onto the South Western Highway reserve.
- 25 The applicant shall make good any damage to the existing verge vegetation within the South Western Highway reservation.
- 26 Redundant driveways shall be removed and the verge and its vegetation made good at the applicant’s cost.

Advice Note:

- 1 In relation to condition 18, the proponent is required to install groundwater monitoring bores on the east and west side of the property to determine the quality of groundwater entering and exiting the subject property. Please contact the Department of Environment in Mandurah on 9550 4222 for further information.

NEW MOTION:

- A. The applicant is to provide quantitative evidence and independent certification from a suitably qualified and experienced professional that the proposed use will not impact the underground aquifers in respect of both water quality and water quantity to the satisfaction of the Director Sustainable Development.
- B. Subject to compliance with A. above, the Director Sustainable Development is granted delegated authority to approve the application for stables and a dressage and training arena on Lot 22 (#28) College Court, Serpentine subject to the following conditions:
- 1 A building licence is required to be obtained prior to the commencement of any development (including earthworks).
 - 2 Horses are to be kept and land managed in accordance with the management plan attached to and forming part of this approval.
 - 3 The stables are to be constructed of new materials.
 - 4 The stables are not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant legislation.
 - 5 No direct discharge of stormwater into watercourses or drainage lines.
 - 6 All stormwater runoff from roofs and hardstand areas to be disposed of on-site.
 - 7 Only materials and colours as identified on the approved plans are to be used in the construction of the structure unless the prior written approval of the Shire is obtained.
 - 8 A maximum of six (6) horses are permitted to be kept on the property.
 - 9 Manure from paddocks is to be collected twice weekly and either taken off site or composted in a fly proof container with an impermeable base and covered to prevent rainwater access.
 - 10 The paddocks are to be irrigated as required to maintain a pasture coverage of at least 95 percent year round.
 - 11 Stock are to be kept out of any paddock that is partially or completely inundated with water.
 - 12 All chemicals associated with the care of the land and stock are to be stored as to eliminate the possibility of spillage onto permeable surfaces.
 - 13 All existing drainage lines and areas are to be fenced off from stock.
 - 14 All fencing shall be of post and rail or post and wire unless otherwise approved by the Shire.
 - 15 The stable is to be constructed with a concrete floor that shall contain all wash-down water and runoff and direct it to an alternative treatment unit for effluent disposal.
 - 16 Disposal of hard and liquid wastes is to be in accordance with Health Local Law 1999 – Part 6, Division 2 – ‘Keeping of Large Animals’ (attached).
 - 17 The proponent is to install groundwater monitoring bores on the east and west side of the property near the boundary and undertake water quality monitoring of these bores for total nitrogen, nitrate, nitrite, ammonia, electrical conductivity, orthophosphate and phosphorous every six months as a minimum and provide the results to the Department of Environment.
 - 18 All trees and vegetation are to be fenced off from stock prior to the commencement of use.
 - 19 All declared and environmental weeds are to be eliminated from the lot.
 - 20 All revegetation works are to be fenced to prevent access by stock.
 - 21 No earthworks shall encroach onto the South Western Highway reserve.
 - 22 No stormwater drainage shall be discharged onto the South Western Highway reserve.
 - 23 No vehicle access shall be permitted onto the South Western Highway reserve.

- 24 The applicant shall make good any damage to the existing verge vegetation within the South Western Highway reservation.
- 25 Redundant driveways shall be removed and the verge and its vegetation made good at the applicant's cost.

Advice Note:

- 1 In relation to condition 18, the proponent is required to install groundwater monitoring bores on the east and west side of the property to determine the quality of groundwater entering and exiting the subject property. Please contact the Department of Environment in Mandurah on 9550 4222 for further information.

LOST 2/4

Committee Note: The Officer Recommended Resolution was amended by changing condition 8 to a maximum of six horses instead of ten horses and deleting condition 9 relating to the number of hours stock should be stabled.

FORESHADOWED MOTION

Cr Murphy foreshadowed that he would move an addition to Condition 15 if the motion under debate was defeated.

SD009/07/05 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Star seconded Cr Murphy

A. The applicant is to provide quantitative evidence and independent certification from a suitably qualified and experienced professional that the proposed use will not impact the underground aquifers in respect of both water quality and water quantity to the satisfaction of the Director Sustainable Development.

B. Subject to compliance with A. above, the Director Sustainable Development is granted delegated authority to approve the application for stables and a dressage and training arena on Lot 22 (#28) College Court, Serpentine subject to the following conditions:

- 1 A building licence is required to be obtained prior to the commencement of any development (including earthworks).
- 2 Horses are to be kept and land managed in accordance with the management plan attached to and forming part of this approval.
- 3 The stables are to be constructed of new materials.
- 4 The stables are not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant legislation.
- 5 No direct discharge of stormwater into watercourses or drainage lines.
- 6 All stormwater runoff from roofs and hardstand areas to be disposed of on-site.
- 7 Only materials and colours as identified on the approved plans are to be used in the construction of the structure unless the prior written approval of the Shire is obtained.
- 8 A maximum of ten (10) horses are permitted to be kept on the property.
- 9 Stock are to be stabled a minimum of eleven (11) hours out of each twenty-four (24) hour period.
- 10 Manure from paddocks is to be collected twice weekly and either taken off site or composted in a fly proof container with an impermeable base and covered to prevent rainwater access.
- 11 The paddocks are to be irrigated as required to maintain a pasture coverage of at least 95 percent year round.

- 12 Stock are to be kept out of any paddock that is partially or completely inundated with water.
- 13 All chemicals associated with the care of the land and stock are to be stored as to eliminate the possibility of spillage onto permeable surfaces.
- 14 All existing drainage lines and areas are to be fenced off from stock.
15. All fencing shall be of post and rail or post and wire unless otherwise approved by the Shire. No plastic rails will be accepted.
- 16 The stable is to be constructed with a concrete floor that shall contain all wash-down water and runoff and direct it to an alternative treatment unit for effluent disposal.
- 17 Disposal of hard and liquid wastes is to be in accordance with Health Local Law 1999 – Part 6, Division 2 – ‘Keeping of Large Animals’ (attached).
- 18 The proponent is to install groundwater monitoring bores on the east and west side of the property near the boundary and undertake water quality monitoring of these bores for total nitrogen, nitrate, nitrite, ammonia, electrical conductivity, orthophosphate and phosphorous every six months as a minimum and provide the results to the Department of Environment.
- 19 All trees and vegetation are to be fenced off from stock prior to the commencement of use.
- 20 All declared and environmental weeds are to be eliminated from the lot.
- 21 All revegetation works are to be fenced to prevent access by stock.
- 22 No earthworks shall encroach onto the South Western Highway reserve.
- 23 No stormwater drainage shall be discharged onto the South Western Highway reserve.
- 24 No vehicle access shall be permitted onto the South Western Highway reserve.
- 25 The applicant shall make good any damage to the existing verge vegetation within the South Western Highway reservation.
- 26 Redundant driveways shall be removed and the verge and its vegetation made good at the applicant’s cost.

Advice Note:

- 1 In relation to condition 18, the proponent is required to install groundwater monitoring bores on the east and west side of the property to determine the quality of groundwater entering and exiting the subject property. Please contact the Department of Environment in Mandurah on 9550 4222 for further information.

CARRIED 6/1 ABSOLUTE MAJORITY

Committee Note: The Officer Recommended Resolution was amended to add a clarification to condition 15 that plastic rails are not acceptable because in the long term they can become unsightly as they are prone to warping.

Cr Kirkpatrick voted against the motion.

Cr Hoyer returned to the meeting at 7.35pm.

SD010/07/05 EXTRACTIVE INDUSTRY MID-YEAR COMPLIANCE INSPECTION – LOT 422 KING ROAD, OLDBURY (P00659/04)		
Proponent:	Cook Industrial Minerals Pty Ltd	In Brief To inform and update Council on the compliance with the extractive industry licence conditions issued to Cook Industrial Minerals on 23 December 2004.
Owner:	As Above	
Officer:	M Daymond - Planning Officer	
Signatures Author:		
Senior Officer:		
Date of Report	6 July 2005	
Previously	P053/12/04	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Owner: Cook Industrial Minerals
 Owner's Address: 21 Cutler Road, Jandakot 6164
 Applicant: As above
 Applicant's Address: As above
 Date of Receipt: 12 November 2004
 Advertised: Not applicable
 Submissions: Not applicable
 Lot Area: 20.5 hectares
 L.A Zoning: Rural
 MRS Zoning: Rural
 Byford Structure Plan: Not applicable
 Rural Strategy Policy Area: Raw Materials Extraction
 Rural Strategy Overlay: Not applicable
 Municipal Inventory: Not applicable
 Townscape/Heritage Precinct: Not applicable
 Bush Forever: Not applicable
 Date of Inspection: 28 June 2005

Background

Western Australian Planning Commission approval

The Department for Planning and Infrastructure granted planning approval on 13 August 1991 for the extractive industry under the Metropolitan Region Scheme. This approval was valid for a period of 5 years expiring on 13 August 1996.

No further planning approvals under the Metropolitan Region Scheme have been lodged by the applicant or granted by the WA Planning Commission for the extractive industry on the property since 1991.

Shire Planning approval

Planning approval was issued by the Shire under the Town Planning Scheme to the landowner on 19 September 1996. This approval was valid for a period of 5 years expiring on 19 September 2001.

No further planning approvals under the Town Planning Scheme have been lodged for the extractive industry on the property since 2001.

Licence

An Extractive Industry licence was issued to Cook Industrial Minerals for the extraction of sand on the subject lot on 23 December 2004. The licence expires on 31 December 2005.

An inspection of the property and associated activities was undertaken recently by Council Officers to ensure that the conditions as stipulated on the licence are being complied with.

A copy of the current extractive industry licence is with attachments marked SD010.1/07/05.

Appeal

The owner subsequently lodged an appeal on 20 January 2005 with the State Administrative Tribunal under section s377(5) of the Local Government (Miscellaneous Provisions) Act 1960, against conditions 3, 4, 10, 13-16 and 20 imposed on their licence. The Shire responded to the grounds of the appeal lodged by Cook Industrial Minerals on 8 February 2005.

The application for appeal is in the process of mediation with Cook Industrial Minerals to resolve the wording of the licence conditions.

Sustainability Statement

Effect on Environment: The area to be extracted has generally been cleared of vegetation.

Resource Implications: The proposal will extract a large volume of sand over the life of the extractive industry. Although the proposal does not specify any specific measures to minimise resource use, there is no water on site. There is the potential for fuel to be used for the operation of the machinery.

Use of Local, renewable or recycled Resources: The proposal will extract locally available materials within the Shire, which will then mostly be exported from the Shire.

Economic Viability: The extraction of sand has the potential to significantly alter the existing landscape, reduce the visual amenity of the area and reduce biodiversity on the subject land.

Economic Benefits: The operation has the potential to create employment for residents in the Shire.

Social – Quality of Life, Social and Environmental Responsibility and Social Diversity: The extractive operations may impact upon the community if the operations do not comply with statutory approvals and licence conditions.

Statutory Environment:

Metropolitan Region Scheme
Town Planning and Development Act 1928
Town Planning Scheme No.2
Shire of Serpentine-Jarrahdale Extractive Industry Local Law

Policy Implications:

Extractive Industry Planning Policy. The objectives of this policy are:

1. To provide incentive for good management of extractive industries within the Shire in accordance with extractive industry licence conditions.

2. To provide a level of certainty to extractive industry licence holders on the licence approval and audit process.
3. To set a process for determining the level of non-compliance with licence conditions to be applied in determining the length of extractive industry licence.
4. To set a process for determining audit review timeframes.
5. To set a process for reviewing of documents required under licence conditions to be undertaken by Shire Officers.

Financial Implications:

It is considered that there will not be any direct financial implications to Council as a result of this reporting.

Strategic Implications:

1. People and Community

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

Strategy:

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

2. Environment

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

Strategies:

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

3. Economic

Objective 1: A vibrant local community

Strategy:

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

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

Strategy:

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

Objective 3: Effective management of Shire growth

Strategy:

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

4. Governance

Objective 3: Compliance to necessary legislation

Strategy:

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

Community Consultation:

Not applicable

Comments:

An inspection of the property was undertaken on 28 June 2005. As a number of the conditions imposed on the licence are currently under appeal, these will not be reported on. Most of the conditions on the licence are fully compliant with a number that are partially compliant. The following is a summary of the operator's conditions of that licence not under appeal that have partially been complied with.

Condition 8 - Storage of Hazardous Chemicals

The Environmental Officer states:

The tank stand is not bollarded but is within a fenced compound with locked gates. There are some concerns about whether the tank would jet fuel beyond the perimeter of the basin or sump although the company representative did not think that this would happen. No other chemicals are stored on site.

The only issue that needs to be addressed is to ensure that in the event of a fuel leak that fuel does not spill outside of the perimeter of the basin. It is recommended that Council Officers continue to liaise with the applicant to ensure that this issue is adequately addressed. Furthermore, advice from the Department of Environment will be able to confirm whether the current method of storage is an appropriate standard in all respects.

Condition 11 – Register of Accidental Contamination

The Environmental Officer states:

The licensee does not have a log book on site. However, a log book is kept at the Jandakot site of this company and no incidents have occurred during the last 6 months. In future, letters to the operators notifying of an audit should specify that all relevant log books should be made available for the inspection.

It is recommended that Shire Officers advise the operator that all log books shall be made available for inspection at the next site audit.

Condition 18 – Dieback Hygiene Measures

The Environmental Officer states:

The company representative indicated that vehicles do not leave the pit area. However, large fire breaks had been done recently and it was not clear whether a hygiene process had been followed prior to undertaking this work.

It is recommended that Shire Officers continue to liaise with the operator should any dieback problems arise.

Conclusion

There are only three conditions on the current Extractive Industry Licence that are not under appeal which have only been partially complied with. In regard to addressing these three conditions, it is recommended that Shire Officers work with the operator in relation to fuel storage and dieback hygiene management and maintaining a log book on site for any contamination issues.

As planning approval from the Shire and the Western Australian Planning Commission have both expired for Lot 422 King Road, Oldbury an application to commence development needs to be lodged immediately by the landowner. The planning application will subsequently need to be presented to Council for approval.

Voting Requirements: Normal

SD010/07/05 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Star seconded Cr Brown

- 1. Council notes and endorses the report addressing the mid-year compliance inspection for Lot 422 King Road, Oldbury.**
- 2. Council writes to the landowner advising of the areas of non-compliance with the Extractive Industry Licence and setting deadlines for the completion of the outstanding conditions.**
- 3. A Metropolitan Region Scheme Form 1 'Application for Approval to Commence Development' is to be submitted to Council for Development Approval by 31 August 2005.**
- 4. The landowner be advised that an extractive industry licence in December 2005 will not be issued until planning approvals are achieved.**

CARRIED 8/0

SD011/07/05 INITIATION OF SCHEME AMENDMENT (WITH SUPPLEMENTARY INFORMATION) – LOT 224 (#1025) ORTON ROAD, OAKFORD (P04619)		
Proponent:	Development Planning Strategies	In Brief
Owner:	D'Orazio Holdings Pty Ltd & Daprato Holdings Pty Ltd	Request for Council to initiate a scheme amendment to rezone the subject lot from 'Rural' to 'Rural Living A' under the provisions of Town Planning Scheme No. 2. Rezoning is required to allow the subdivision of the land into 17 lots of 2ha and 1 lot of 3.5ha with further subdivision possible. It is recommended that the rezoning be initiated.
Officer:	M Daymond – Planning Officer	
Signatures Author:		
Senior Officer:		
Date of Report	5 July 2005	
Previously	SD092/06/05	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Owner:	D'Orazio Holdings Pty Ltd & Daprato Holdings Pty Ltd
Owner's Address:	Lot 41 Forrest Road, Jandakot WA 6164
Applicant:	Development Planning Strategies
Applicant's Address:	PO Box 8088, Subiaco East WA 6008
Date of Receipt:	15 April 2003
Advertised:	Not applicable
Submissions:	Not applicable
Lot Area:	39.92 ha
L.A Zoning:	Rural
MRS Zoning:	Rural
Byford Structure Plan:	Not applicable
Rural Strategy Policy Area:	Rural Living A
Rural Strategy Overlay:	Roadsides Conservation Overlay
Municipal Inventory:	Not applicable
Townscape/Heritage Precinct:	Not applicable
Bush Forever:	Not applicable
Date of Inspection:	September 2004

Background

The application to rezone the above parcel of land was presented to Council on 27 June 2005 for initiation. At this meeting it was resolved as follows:

“SD092/06/05 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Murphy seconded Cr Star

Item SD092/06/05 be deferred to the July Sustainable Development Committee meeting.

Committee Note: *The Officer Recommended Resolution was amended as there was concerns that this development has to incorporate a public access way (PAW) along the northern edge and protection of the wetland is not sufficiently addressed in the current subdivision guide plan.”*

It was requested by Council that a number of issues be investigated further prior to the amendment being initiated. These issues relate to the location of the northern pedestrian access way (public access way) and bridle trail, the protection of the low point on the property and the subdivision overlay boundary on the 3.5ha lot.

These issues and the response by the applicant will be discussed in the comments section of this report.

Sustainability Statement

Effect on Environment: Rezoning of the property to Rural Living A will enable the preservation, rehabilitation and enhancement of the property. Remnant vegetation can be protected and additional revegetation can be undertaken on the property. This will assist in biodiversity and enable the protection of existing animal habitats and provision of additional habitats.

The preparation and implementation of a drainage management plan will enable the protection of existing watercourses on the property. This will assist in reducing the potential for nutrient input from the property directly into the watercourse.

The proposal will enable controls to be placed on land uses able to be carried out on the land, which will provide additional protection for groundwater and surface water.

Resource Implications: Scheme water is not available in the area and rainwater tanks will be required when lots are developed for residential purposes.

The subject site is within the Mundijong Drainage District within which drainage outfalls from development are limited. As such, a drainage basin will be constructed prior to discharging to outfall drains.

Economic Viability/Benefits: The proposal will attempt to address its external costs through the preservation and enhancement of biodiversity (through revegetation, weed management) and reduction to land and waterway pollution (through better drainage management, the use of alternative systems for effluent disposal and the implementation of land use controls).

Social and Environmental Responsibility and Social Diversity: The rezoning and subsequent subdivision will enable improvement to the existing road network through road upgrading contributions. The larger lots will provide an alternative to the smaller lifestyle lots in the local area.

Also, the proposal addresses existing environmental concerns associated with grazing and the clearing of the land. It provides for a more sustainable use of the land whilst establishing a number of measures to reduce the impact of the increased population on the site.

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

The procedural requirements for initiating Scheme Amendments are provided within the Town Planning and Development Act and the Town Planning Regulations. At this stage of the amendment, it is the provisions relating to advertising and referral requirements for Scheme Amendments that must be adhered to as per Section 7 of the Town Planning and Development Act 1928 (as amended) as detailed below:

“7. Preparation of schemes

- (2) *Subject to subsection (2aa), a town planning scheme prepared or adopted, or an amendment to a town planning scheme prepared, by a local government shall --*
- (a) *After compliance with sections 7A1 and 7A2 in respect of that town planning scheme or amendment, be advertised for public inspection in accordance with the regulations; and*
- (b) *After advertisement under this subsection and compliance with sections 7A3 and 7A4 in respect of that town planning scheme or amendment, be submitted to the Minister for his approval.*
- (2aa) *A local government shall, before submitting a town planning scheme or amendment to the Minister under subsection (2)(b), make reasonable endeavours to consult in respect of the town planning scheme or amendment such public authorities and persons as appear to the local government to be likely to be affected by the town planning scheme or amendment.*

7A1. *Reference of proposed town planning schemes, and proposed amendments to town planning schemes, to Environmental Protection Authority.*

When a local government resolves to prepare or adopt a town planning scheme, or to prepare an amendment to a town planning scheme, under section 7, the local government shall forthwith refer the proposed town planning scheme or amendment to the EPA by giving to the EPA --

- (a) *written notice of that resolution; and*
- (b) *such written information about the town planning scheme or amendment as is sufficient to enable the EPA to comply with section 48A of the EP Act in relation to the town planning scheme or amendment”*

Policy/Work Procedure

Implications: LPP 4 – Revegetation
LPP 6 – Water Sensitive Design

Financial Implications: Not Applicable

Strategic Implications: This proposal relates to the following Key Sustainability Result Areas:-
2. Environment
Objective 1: Protect and repair natural resources and processes throughout the Shire
Strategies:
1. Increase awareness of the value of environmental requirements towards sustainability.
3. Encourage protection and rehabilitation of natural resources.
6. Value, protect and develop biodiversity.

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

Strategy:

1. Implement known best practice sustainable natural resource management.

3. Economic

Objective 1: A vibrant local community

Strategy:

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

Objective 3: Effective management of Shire growth

Strategy:

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

4. Governance

Objective 3: Compliance to necessary legislation

Strategy:

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

Community Consultation:

No community consultation has been carried out to date. However, if initiated, the scheme amendment will require advertising for a period of not less than 42 days.

Comment:

It is proposed to amend the Scheme by rezoning Lot 224 Orton Road, Oakford from 'Rural' to 'Rural Living A'. The proposed rezoning is consistent with the amendment to the Rural Strategy adopted by Council on 28 January 2003 that provided for Lot 224 to be incorporated within the 'Rural Living A' policy area.

Within the 'Rural Living A' policy area, land can be subdivided into lots with an area between 0.4 and 1.0 hectare. The rezoning is intended to facilitate the subdivision of the land into lots with a minimum size of 2.0 hectares with provision for future subdivision into 1.0 hectare lots when infrastructure services are available. This approach was adopted in 2003 by the Council and the Western Australian Planning Commission for adjoining Lot 220 Abernethy Road and Lot 1253 Orton Road, Oakford.

In addition to the zoning provisions incorporated in Town Planning Scheme N^o 2 (Clause 5.12) for the Rural Living A zone, specific zoning provisions and land uses permitted will be included in the Scheme as part of the rezoning proposal.

Planning Context

The subject land is zoned Rural in the Metropolitan Region Scheme and Town Planning Scheme N^o 2. The land to the west of the site is zoned 'Rural' with the land to the east and south zoned 'Rural Living A'.

Town Planning Scheme N^o 2 states the following objectives and scheme provisions for the Rural Living A zone:

- 5.12.1** *The purpose and intent of the Rural Living A and Rural Living B zones is described within the Council's Rural Strategy as amended and adopted by Council and the State Planning Commission dated April 1994.*

- 5.12.2** *The Rural Living A zone is intended to cater for rural residential development on a range of lots between 4,000 square metres to one hectare in accordance with the objectives and guidelines of the Rural Strategy.*
- 5.12.3** *The Rural Living B zone is intended to cater for rural-residential development and ancillary rural related uses on a range of lots between two hectares to four hectares in accordance with the objectives and guidelines of the Rural Strategy.*
- 5.12.4** *Notwithstanding sub clause 5.12.2 and 5.12.3 above, where land capability and site constraints dictate a larger lot size than one hectare (Rural Living A) or four hectares (Rural Living B) may be required.*
- 5.12.5** *Before including land within the Rural Living A and Rural Living B zones, the Council will require the owners or developers of the land to prepare a submission in support of its inclusion and any submission shall include those matters set down in sub-clause 5.9.3 of this Scheme.*
- 5.12.6** *Reticulated water supply shall be required for development on new lots under 2 hectares unless approved otherwise by the Council and the State Planning Commission. Where reticulated water is not required or the land is greater than 2 hectares a guaranteed rainwater supply of 90,000 litres will be required.*
- 5.12.7** *A description of the land included in the Rural Living A and Rural Living B zones together with land uses permitted and any special provisions relating to the land are set out in Appendix 4A and Appendix 4B respectively. Such uses will be dependent upon site survey and reference to land capability and other planning data.*
- 5.12.8** *There shall be a plan of subdivision entitled Subdivision Guide Plan for each specified parcel of land included in the Rural Living A and Rural Living B zones endorsed by the Shire Clerk and approved by the State Planning Commission.*

As identified by the approved Rural Strategy Review, the subject land is ideally suited to 'rural living' subdivision and development.

The applicant has stated that the rezoning of the subject land to 'Rural Living A' is justified for the following reasons:

- The site's close proximity to Byford;
- Much of the surrounding land has been or is in the process of being developed for 'Rural Living' purposes;
- 'Rural Living' subdivision will facilitate revegetation of the site both initially and over the longer term; and
- The site is located within close proximity to a number of regional and district roads and hence has high levels of accessibility to Armadale, Fremantle and the Perth CBD.

The following information is a summary of the scheme amendment report provided by the applicant in support of the proposal:

Location

The subject land is located approximately 5.8 kilometres from the Byford townsite on the corner of Orton and Kargotich Roads within the locality of Byford. The subject land has an area of 39.92 hectares.

Existing & Surrounding Land Uses

The land has been predominately cleared of native vegetation and is utilised for livestock grazing. A 60m wide power line easement traverses the middle of the property. In

accordance with Western Power policy, no parallel roads or buildings are permitted to be constructed within this easement.

Much of the land to the east, north and south has been subdivided into Special Rural allotments. Immediately to the south, the land has been identified in the Rural Living A policy area as part of the recent review of the Local Rural Strategy. To the west the land remains zoned Rural and is predominately used for rural pursuits.

Vegetation

The site has been predominantly cleared for the purposes of grazing livestock and hence there is little vegetation on site.

A copy of the aerial photograph is with the attachments marked SD011.1/07/05.

Remaining trees considered worthy of protection will be protected through the Shire of Serpentine-Jarrahdale Scheme [clause 5.12.9(k)], the proposed Special Provisions and appropriate conditions of subdivision approval relating to vegetation protection.

The proposal involves revegetation of the site including the use of tree belts to minimise the impact of the power lines and external roadways, and the use of wetland dependent species along the route of realigned farm drain to improve nutrient stripping of an existing drain.

Approval of the proposal will also enable strategic revegetation of the land that will:

- *Reduce the impact of internal and external infrastructure corridors upon residential development of the land;*
- *Rehabilitate a natural depression and exclude development from therein;*
- *Facilitate improvement to the management of stormwater through the land; and*
- *Improve the general aesthetics of the area.*

The Special Provisions outline a requirement for a landscaping plan to be prepared as a condition of subdivision approval. Landowners will also be encouraged to revegetate their properties. It is hoped that by encouraging revegetation that a greater sense of 'rural living' will be achieved.

Effluent Disposal

The subject site is remote from the Water Corporation's reticulated sewerage network with residential development therefore being dependent on the use of on-site effluent disposal systems. Site conditions are likely to require the use of alternative treatment units in order to meet the requirements of relevant authorities and these will be located within the sand pad of each residence.

Subdivision Guide Plan

This plan outlines:

- *The alignment of the existing power line easement;*
- *The proposed road network, lot layout and building envelope locations;*
- *The need for most envelopes to be raised in order to facilitate conventional housing construction;*
- *Areas required for water management including the adjacent Water Corporation controlled drainage reserve;*
- *Road widening required to facilitate legal access to lots fronting Orton Road;*
- *The proposed multiple use trail/strategic firebreak network; and*
- *The proposed areas of revegetation.*

A copy of the Subdivision Guide Plan is with the attachments marked SD011.2/07/05.

Road Pattern

The majority of lots are to be accessed by a cul-de-sac connecting to Orton Road. Four lots fronting Kargotich Road are to obtain vehicular access from Kargotich Road via dual crossovers, limiting the number of vehicular access points onto Kargotich Road to two.

Future subdivision will not compromise this design outcome, with the overlay design depicting ultimate use of each crossover by up to four dwellings utilising reciprocal rights-of-carriageway lodged on the title of portions of adjoining allotments.

Multiple Use Trails

A multiple use trail network has been identified on the guide plan in accordance with the network depicted in the Shire's Local Planning Policy No.9 (Trails Master Plan). A further link has been identified between the end of the proposed cul-de-sac and the future multiple use trail network that will be established upon the subdivision of Lot 1254 to the north.

These trails will double as a strategic firebreak network and will be placed into public ownership via dedication as pedestrian access ways. The only exception is west of the proposed cul-de-sac head, where a right of carriageway will be created over a privately owned battle-axe leg allowing on-going public access. The 10 metre width of the leg will easily accommodate the low volumes of traffic associated with each purpose.

Officer Comment

The current Subdivision Guide Plan shows the northern Public Access Way and Bridle Trail located entirely outside of the subject property running along the adjoining northern property. Comments from Council's Environmental Officer and Community Emergency Services Manager suggest that this public access way should be on Lot 224 Orton Road and link in with the trails on the adjoining block. However, under the Shire's Trail Master Plan, this trail is located entirely on the adjoining northern block absolving the need for the current rezoning application to construct this trail. The trail along the northern boundary will be constructed once the adjoining northern property is rezoned and subsequently subdivided.

The proposed multiple use paths are in accordance with the Shire's Trails Master Plan. It is a positive factor that most of the surrounding properties would have access to a continued multiple use trail which would provide opportunities for horse recreation, access for pedestrians and pushbike riders as well as emergency access. The location of the proposed bridle trails are considered satisfactory on the current Subdivision Guide Plan.

The accessway from the cul-de-sac head should not be placed partly over a privately owned battle-axe leg but rather relocated away from the battle-axe leg and retained under public ownership via dedication as a pedestrian accessway.

This will remove the need for any of the accessway to be constructed on privately owned land.

Building Envelopes

In accordance with Scheme requirements, a 2 000m² building envelope has been identified on each of the proposed allotments with setbacks complying with Council requirements.

Officer Comment

The proposed locations of the building envelopes on the lots affected by the Power Easement have been carefully chosen in order to make sure that there is no health risk to

prospective residents whose properties would be affected by the location of the power lines. Tree planting along the easement is also proposed to minimize the visual impact of the power lines.

Power Line Corridor

The subdivision layout has been designed around this constraint, with a key objective of the landscape plan being to minimise the visual impact on nearby building envelopes.

Fire Management

Strategic firebreaks will be constructed along the alignment of the multiple use trail network depicted on the Subdivision Guide Plan to the requirements of the Shire and the Fire and Emergency Service. The preparation of a Fire Management Plan is a requirement within the Special Provisions.

Officer Comment

The Shire's Community Emergency Services Officer has requested that the northern public access way/emergency access way be constructed to the cul-de-sac head with emergency access way gates constructed and with the access way gazetted. This view is supported.

Fill Requirements

Fill will be required on each subdivisional lot to provide proper foundation conditions for house construction, drainage and effluent disposal. Due to the soil conditions, which indicate that the water table is likely to be at the surface in winter, a minimum fill level of 1.2 metres above the natural surface level is recommended within each of the undeveloped building envelopes depicted on the Subdivision Guide Plan.

Drainage

The subject site is located within the Mundijong Drainage District within which drainage outfalls from developments are limited. A compensating basin is therefore needed prior to stormwater discharging to outfall drains. A compensating basin with a 2 000m² surface area and 1 600m³ capacity is to be constructed adjacent to the Kargotich Road drain.

Officer Comment

Drainage on the subject land is partially affected by the low point (depression) located towards the eastern edge of the property. This land has the potential to become inundated with water as the existing farm drain running across the property drains into this low point. Council Officers have previously suggested that this depression should be placed in an area of public open space in order to be managed effectively. An Officer recommendation was that this depression should be rehabilitated, a suggestion which has been addressed on the subdivision guide plan by way of being revegetated with wetland species. As there is no requirement by the subdivider to provide areas of public open space within Rural Living subdivisions, it is considered that Council may need an indication of how this depression is going to be maintained under private ownership. Although no specific indication of this management has been provided within the rezoning documentation, it is considered that the management techniques can be imposed at the subdivision stage. Also, the revegetation of the depression area will be included within the Landscape Management Plan as required within the proposed Special Provisions of the estate.

At the development stage, a minimum of 1200mm of fill will be required across the entire building envelope to ensure that all development is located an adequate distance above groundwater levels. Groundwater analysis on the block has confirmed that following winter rainfalls, it is anticipated that groundwater will perch on soil layers close to or at surface

level. The 1200mm of fill will ensure that development is adequately above ground water levels.

Servicing

Power services exist along Orton Road. Power will be extended up both the internal subdivisional road and Kargotich Road in order to service this development.

The Byford West telephone exchange is located in the north west corner of the intersection of Orton and Kargotich Roads. It is proposed that these services will be extended into the development in order to service the lots created.

The extension of the nearest reticulated water supply to the subject block is not economically viable at this point in time.

Officer Comment

It is a requirement of Council's Town Planning Scheme N^o 2 (clause 5.12.6) that where reticulated water is not required or the land is greater than 2 hectares, a guaranteed rainwater supply of 90,000 litres will be required. All the lots proposed are 2ha and above in size, so the above-mentioned requirement in regard to provision of rainwater supply would apply to the proposed subdivision. Council's Community Emergency Services Manager has stipulated the requirement for rain water supply to be 102,000 litres instead of 90,000 litres. This is to allow for 10,000 litres to be used for fire fighting purposes as part of the Fire Management Plan.

Keeping of Stock

Soil testing of the subject lot has been undertaken as part of the Geotechnical assessment submitted with the rezoning report. The assessment highlights that the predominant soil type over the land is Sandy Clay of the Guildford Formation. Further investigation identifies the land as part of the Pinjarra Plain system with the soil type identified predominantly as P2a within the 'Stocking Rate Guidelines for Rural Small Holdings' document as published by the Department of Agriculture. This soil type corresponds with the stocking rate unit code SR5.1 and a recommended dry stocking rate of 0-2DSE/ha or 0-0.2 horses per hectare. The SR5.1 stocking rate unit code also states that an irrigated stocking rate is usually not suitable for depression and salty areas.

The low stocking rate associated with this particular soil type will make it difficult for any horses to be sustained on the land at all. If the land cannot be irrigated as it is deemed to be unsuitable, then on a property of size 1.8ha (excluding the 0.2ha of building envelope) with a dry stocking rate of 2DSE/ha, a single horse will need to be stabled for a minimum of 16 hours per day in order to be kept. Two horses will need to be stabled for a minimum of 20 hours per day. If the land is ever subdivided into 1ha parcels in accordance with the overlay, then the horses will need to be stabled for over 20 hours per day. This intense stabling is considered unsuitable and therefore, the keeping of horses and the construction of horse stables should not be permitted within this subdivision.

A copy of the Horse Stocking Calculation sheets are with the attachments marked SD011.3/07/05.

The largest lot shown on the Subdivision Guide Plan (3.5ha) may be able to sustain one or two horses based on the size of the block alone, however this block contains the depression as previously discussed. Therefore, the keeping of even one horse on this size block is unlikely to meet nutrient requirements due to the proximity of the depression area.

Although the keeping of horses is considered unsuitable on the subject parcel of land, the keeping of other animals (such as ponies, llamas, alpacas and goats) could be supported as the stocking rates for these animals are much lower.

Being a 'Rural Living A' estate proposal with the majority of lots just over 2ha, there is usually an expectation from the community that the keeping of horses would generally be permitted within these types of estates. Under Council's Town Planning Scheme N^o 2, clause 5.12.9 of the Rural Living A and Rural Living B zone ensures that the keeping of stock on the proposed lots comply with the stocking requirements of Agriculture WA and do not result in land degradation.

There are a couple of steps that can be taken in order to ensure that horses are not kept on these lots and that there is no misunderstanding for the prospective purchasers of the land who will expect to be able to keep horses on all the created lots within the estate. Firstly, a Special Provision can be included within the Scheme for this rezoning highlighting that horses are not permitted to be kept on any of the lots although other stock may be permitted at the discretion of Council. Secondly, a note can be placed on the subdivision guide plan also stating this. Although horses would not be permitted on the land, the proposed discretionary use class of 'stables' should remain within the Special Provisions of the estate. This is because 'stables' relates not only to the stabling of horses but also to the stabling of other ungulates.

Peel-Harvey Coastal Plain Catchment

The subject land is located within the Peel-Harvey Coastal Plain Catchment area making the issue of nutrient input and responsible land management even more important. Objectives of the policy are *"to ensure that changes to land use within the Catchment to the Peel-Harvey Estuarine system are controlled so as to avoid and minimise environmental damage"* and *"to prevent land uses likely to result in excessive nutrient export into the drainage system."*

Within the Rural residential policy provisions it also states that:

"the keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council. Animal stocking rates shall not exceed the stocking rates recommended by the Department of Agriculture for the pasture type for this policy area."

It is considered that by allowing horses to graze on the lots as shown on the Subdivision Guide Plan that the above objectives will be jeopardised. The subject land has a relatively high water table ensuring that waste management is of highest priority. Stocking rates for the land will not be complied with unless the horses are stabled for a minimum of 16 hours per day and this length of stabling time is considered excessive. Also, once the land is subdivided into 1 ha lots it will be considerably overstocked, conflicting with the guidelines for the Peel-Harvey Catchment area. It is considered that the land is not suited to the keeping of horses and thus needs to be a prohibited use under the proposed Subdivision Guide Plan.

Additional Information

At Council's meeting on 27 June 2005, three main issues were raised in regard to the proposed rezoning. These relate to a proposed subdivision overlay on one of the lots, the location of the northern public access way/bridle trail and the protection of the low point on the eastern side of the subject land. These issues and the response by the applicant is discussed below.

Proposed Overlay

The proposed Subdivision Guide Plan shows each lot to have a subdivision overlay boundary that will enable further subdivision to occur once the land is connected to scheme

water. Concern was raised regarding the proposed overlay boundary on the 3.5ha lot and it was requested that this overlay boundary be removed from the guide plan. It is considered that as the subject lot already contains a power easement at the front and a low point on the property that will be revegetated and that the area of possible development is already limited. Further subdivision of this lot will result in a building envelope that is literally sandwiched between lot boundaries, the power easement and the proposed area of revegetation.

It is recommended that the subdivision overlay boundary be removed from this lot and the lot remain 3.5ha in size without any possible potential of future subdivision taking place.

Northern public access way/bridle trail

The current Subdivision Guide Plan shows a bridle trail located on the adjoining northern property in accordance with the Trails Master Plan. Council has requested that an amendment to the Subdivision Guide Plan be investigated to show this proposed trail running along the northern boundary of Lot 224 Orton Road rather than on the land to the north. The inclusion of the trail onto Lot 224 will result in some of the lot boundaries having to be moved to ensure that the lots stay above the 2ha minimum. The provision of this trail will enable a direct linkage to Kargotich Road and a continuation of the bridle trail network prior to the northern subdivision being completed.

Low Point

Concern was raised regarding the low point on the property and the measures that are to be taken to ensure that this area is protected from surrounding development. It should be noted that the low point is not a wetland and is just an area on the property where the minor farm drain occasionally drains into. The applicant has detailed how this low area is to be revegetated with wetland species.

Response by Applicant

Additional Public Access Way Link

The applicant states:

We do not support relocation of the bridle trail identified within Lot 1254 on the Subdivision Guide Plan to within the northern boundary of this estate and consider such a request unreasonable given the following reasons.

- 1. The proposed subdivision guide plan included in our proposal already includes all of the links identified on the Shire's adopted Trail Master Plan and therefore complies with all aspects of that policy;*
- 2. It is not unusual for a road or trail system to be gradually linked together through staged subdivision of adjoining land holdings, as will occur upon the development of Location 1254, and*
- 3. To place the trail within Lot 224 will necessitate the removal of a number of existing trees as opposed to taking advantage of the existing firebreak located along the southern boundary on Lot 1254.*

In the interest of fairness, it also needs to be recognised that unlike other estates in the area, the lot yield and commercial viability of this development have already been impacted upon by:

- 1. The developer agreeing that an additional bridle link be provided between the end of the cul-de-sac head and Lot 1254;*
- 2. The developer agreeing to pursue access into the estate via Orton Road meaning that portions of the adjoining drainage reserve will need to be purchased;*

3. *A substantial portion of the property has already been taken up for public use once the easement associated with the power line is taken into consideration, in addition to the public access way links already provided;*
4. *Creating a designated drainage reserve that will be transferred into the ownership of the Crown rather than incorporating drainage facilities into private allotments;*
5. *The developer agreeing to revegetate a minor farm drain including setting development back from revegetation;*
6. *Having to undertake a wide range of detailed studies and respond to ongoing information from an ever changing group of Council Officers that has resulted in initiation of the amendment taking in excess of 2 years.*

On the above basis we therefore request that Council drop this modification and initiate the amendment with the subdivision guide plan in its current form.

Officer Comment

In regard to the location of the northern public access way/bridle trail, the applicant has raised a number of valid points in their argument. Firstly, the Trails Master Plan, as adopted by Council, shows the trail to be wholly contained within the adjoining Lot 1254 and thus is to be constructed when this land is subdivided. Secondly, the developer has already given up a substantial area of land to incorporate a drainage reserve, public access ways and the bridle trail along the eastern edge of the property and linking the end of the cul-de-sac to the proposed northern PAW. Furthermore, the relocation of the bridle trail into Lot 224 is likely to result in the removal of a significant area of native and locally significant vegetation along the boundary. The current location of the proposed trail along the existing firebreak on Lot 1254 will not result in the removal of any vegetation.

The construction of the eastern bridle trail in the subdivision will provide a north-south link from the bridle trail in the Mount Eden Lane subdivision through to Orton Road. Although it is recommended that the northern trail not be included in this subdivision guide plan but be developed in accordance with the Trails Master Plan at a later date when the land to the north is subdivided, a continual link will still be able to be created along the eastern edge of the subdivision.

Throughout the Shire there have been numerous Rural Living and Special Rural subdivisions that required bridle trails to be constructed in accordance with the Trails Master Plan. Each of these subdivisions formed part of a bigger picture to construct a bridle trail network that links in with other trails throughout the Shire. Whilst being subdivided, these lots were surrounded by land that had been identified as containing a proposed trail under the Master Plan and therefore would be developed through the subdivision of these land parcels. This subdivision guide plan is no exception to this. The current subdivision guide plan shows an eastern bridle trail linking Orton Road with the existing trail in Mount Eden Lane. Therefore, it is considered that there is no need for the trail in Lot 1254 to be constructed at this point in time.

Additional Landscape Detail (Low Point) and Subdivision Overlay

The applicant states:

We are concerned that Council is overestimating the environmental value of this area. The depression is not a natural wetland, being instead a man-made result of the farm drain, which would typically be discontinued and filled in upon further subdivision of the land for rural living purposes.

The intention to revegetate this area was agreed upon during discussions with Council Officers in an attempt to improve nutrient stripping of the existing low area and maintain a channel that would reduce pressure on the road stormwater drainage network.

With regard to the type of revegetation, the amendment provisions outline a commitment from the developer as a condition of subdivision approval to prepare a Landscape and Revegetation Plan based on the subdivision guide plan, including the planting of trees of a density and distribution to the satisfaction of Council.

The level of detail likely to be required by Council can be negotiated during the advertising period of the amendment and finalised when Council considers the amendment for final approval. Given that subdivision approval is still at least 9-12 months away, it is impractical for the developer to engage a Landscape Architect to prepare such a detailed plan at this point in time.

As for setback distances from the areas of revegetation, the proposed Amendment provisions preclude development from entering into or altering any of the planting established as part of the subdivisional works and (based on our experience with similar estates) it is safe to assume that the density of planting is unlikely to represent such a fire hazard as to warrant building envelopes being setback further than as depicted on the current subdivision guide plan.

On this basis we see no reason why the lot containing the depression could not ultimately be subdivided in accordance with the overlay plan of subdivision and therefore request its retention.

Officer Comment

It is considered that the applicant has adequately addressed the issue of the low point on the property and provided satisfactory solutions in which the low point and the farm drain will be revegetated and protected from development. The land will be subject to a condition of subdivision which will require a Revegetation and Landscape Plan to be prepared to the satisfaction of Council. The extract measures that will be undertaken by the subdivider will be agreed upon at this stage.

The subdivision overlay boundary on the proposed 3.5ha lot is recommended to be removed from the subdivision guide plan in order to better protect the existing low point. The removal of the overlay boundary will ensure that the lot remains as a 3.5ha super lot and cannot be subdivided in the future. The removal of the boundary will also ensure that there is adequate room around the power easement and the low point for development to occur.

Keeping of Horses

The applicant also provided comments in regards to the issue of prohibiting horses from being kept on the properties. The applicant states:

The inability of the land to meet Agriculture WA Stocking Rates for the keeping of horses is acknowledged and prospective purchasers of the lots created will be advised accordingly. Rather than impose a requirement for this to occur via a Memorial being placed on the Certificate of Title of each allotment however, we request that Council simply modify special provision 15 to specifically exclude the keeping of horses on the above basis. Given the vendor is already obligated by the Scheme to advise purchasers of the special provisions that relate to this land, we consider the need for a specific memorial to be placed on the Certificated of Title as an unnecessary burden in this instance.

Officer Comment

Although it will be a Special Provision in the scheme for this parcel of land that horses cannot be kept on any of the land allotments, the requirement for a notification to be placed on the certificates of title will further ensure that purchasers of the blocks are not buying them under false beliefs and that they are fully aware of the restrictions on the land. When the land is eventually subdivided there is usually a condition placed on the subdivision that

prospective purchasers are advised of the Special Provisions of Council's Town Planning Scheme. As this condition is usually met by placing a notification on the certificates of title of each land allotment anyway, it is not considered to be any extra work or cost to the developer to include wording on the notification stating that horses are not permitted to be kept.

It is therefore recommended that this requirement remain within the Special Provisions of the estate.

Conclusion

The proponents' proposal is considered to be consistent with the desired approach for Rural Living Areas as set out in the Rural Strategy. The subdivision guide plan prepared by the applicant indicates that the site will be developed in two stages. The first being an initial subdivision of 17 lots of approximately 2 ha in size and 1 lot of 3.5 ha. The second stage identifies how these 18 lots may be further subdivided when the relevant service infrastructure is available.

The initial amendment documentation was received by the Shire in April 2003. Since then, numerous discussions have been held with the applicant to produce the most recent documentation submitted in April 2005. Within the rezoning documentation there are a few textual changes that need to be undertaken as identified by Council Officers. These changes can be undertaken easily by the applicant and will not change the intent of the subdivision or the nature of controls imposed on development. Also, there are a couple of issues that have been discussed previously that will require further attention. Further work towards these issues will form part of the Officer recommendation.

Through an assessment of Council's concerns and the response provided by the applicant, the following is recommended:

1. The proposed public access way/bridle trail on the adjoining northern property is to remain in the location as shown on the subdivision guide plan as it is in accordance with the Shire's Trails Master Plan and will be constructed when the adjoining northern property is subdivided.
2. The subdivision overlay boundary on the 3.5ha lot is to be removed from the subdivision guide plan to ensure that this lot cannot be further subdivided in the future and that the low point is adequately protected;
3. The revegetation proposal along the farm drain and around the low point is considered to be acceptable.
4. Retain Special Provision 5 relating to the requirement to place notifications on each certificate of title advising that horses cannot be kept.

The proposed rezoning is compliant with the requirements under Council's Town Planning Scheme N^o 2 and the Rural Strategy. The land has been identified as 'Rural Living A' under the scheme to allow for a subdivision of this nature to occur. It is considered that the proposed Subdivision Guide Plan will produce a 'Rural Lifestyle' development in keeping with the recently subdivided Northerly Lane and Mount Eden Lane subdivision on adjoining properties.

Voting Requirements: Normal

SD011/07/05 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Hoyer (proforma) seconded Cr Star

A. The applicant be required to:

1. Modify the scheme amendment documents to reflect the textual provisions adopted by Council;
2. Modify the scheme amendment map to show the northern public access way constructed to the cul-de-sac head and contained entirely within public land. The accessway is not to be created over privately owned land;
3. Modify the scheme amendment map to remove the subdivision overlay boundary from the 3.5 hectare lot.

B. Subject to A above, to the satisfaction of the Manager Planning and Regulatory Services, Council pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended) the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 be amended as described below:

1. Rezoning Lot 224 Orton Road, Oakford from “Rural” to “Rural Living A”.
2. Amending the Scheme map accordingly.
3. Including Lot 224 Orton Road, Oakford in Appendix 4A – Rural Living A Zone and including the appropriate details in Appendix 4A of the Scheme as follows:

22.	<p>Lot 224 Orton Road, Oakford</p>	<p>1. Within the Rural Living A zone the following land uses are permitted, or are permitted at the discretion of the Council:</p> <p style="margin-left: 20px;">Use classes permitted (P) Single House Public Recreation Public Utility</p> <p style="margin-left: 20px;">Discretionary Uses (AA) Ancillary Accommodation Home Occupation Rural Use Stables (horses are prohibited)</p> <p style="margin-left: 20px;">All other uses are prohibited.</p> <p style="margin-left: 20px;">In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management 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.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an effluent disposal system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment, and with the base of the system or the modified irrigation area being the required distance above the</p>
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		<p>highest known water table.</p> <ol style="list-style-type: none">3. Topsoil stripping, proof rolling and elevation of the land with a minimum of 1.2 metres of free draining, engineered sand fill, will be required for the entire building envelope in order to achieve a suitable site classification and meet the requisite building and environmental requirements for residential development and effluent disposal within this estate.4. No indigenous vegetation shall be cleared, except where such vegetation is dead or diseased, or where the clearing is required for the purpose of firebreak, dwelling, outbuilding, fence, drainage system, driveway or to accommodate discretionary (AA) uses listed in Special Provision 1; prior to any such clearing, the developer of the estate/landowner shall seek and obtain the written consent of the Council.5. The subdivider shall place notifications on the certificates of title for each lot advising prospective purchasers that the keeping of horses is not permitted. The keeping of other stock shall be at the discretion of Council.6. The subdivider shall prepare and implement a Landscape/Revegetation Plan in accordance with the endorsed Subdivision Guide Plan for this estate including the planting of indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council, prior to the transfer of a lot(s) to a new owner.7. 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 of those trees and shrubs planted by the subdivider to the satisfaction of the Council.8. The subdivider shall prepare and implement a Fire Management Plan, including construction of the emergency access ways, the strategic firebreaks/multiple use network depicted on the endorsed Subdivision Guide Plan, water supplies and equipment and any other fire management requirements deemed necessary, to the specification and satisfaction of Council and the Fire and Emergency Services Authority of Western
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		<p>Australia.</p> <p>9. Notwithstanding the obligations of the subdivider under Clause 5.12.9(e) of the Scheme, the subdivider shall drain the land and provide detention areas generally in accordance with a Drainage Management Plan provided prior to the commencement of on-the-ground works to the satisfaction of Council and the Water Corporation. The Drainage Management Plan shall also include a Geotechnical Report. Building and effluent disposal sites of each proposed lot are to be detailed in the Drainage Management Plan. Any reserves or easements required to implement the plan shall be provided free-of-cost.</p> <p>10. 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, proposed pad level, existing trees and strands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>The site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p> <p>11. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Western Australian Planning Commission for whole or part of the area.</p> <p>12. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it and the requirements of clause 5.9.3.</p> <p>13. The Subdivision Guide Plan referred to in Clause 11 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, road works, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or</p>
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		<p>development of land to overcome problems which would occur, should the land be developed.</p> <p>14. Horses are prohibited. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture Western Australia for the applicable pasture types to a dry stocking rate of 2 DSE and irrigated stocking rates will not be entertained. Any approval to keep any grazing animal will require fencing of all remnant vegetation and planted vegetation by the landowners to the satisfaction of Council.</p>
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- C. The Amendment documentation be prepared in accordance with the standard format prescribed by the *Town Planning Regulations 1967*.
- D. The applicant be required to pay the planning fee of \$1 500 (the amount estimated by the Local Government (Fees) Regulations as the cost of Council dealing with the scheme amendment).
- E. The Amendment is, in the opinion of the Council, consistent with Regulation 25(2) of the *Town Planning Regulations 1967*, and upon receipt of the necessary amendment documentation, the Amendment be referred to the Environmental Protection Authority as required by section 7A1 of the Act, and on receipt of a response from the Environmental Protection Authority indicating that the Amendment is not subject to formal environmental assessment, be advertised for a period of 42 days in accordance with the *Town Planning Regulations 1967*. In the event that the Environmental Protection Authority determines that the Amendment is to be subject to formal environmental assessment, this assessment is to be prepared by the proponent prior to advertising of the amendment.
- F. Subject to the advice of the Environmental Protection Authority under section 48A of the Environmental Protection Act that the amendment not be assessed, advertise the amendment in accordance with the requirements of the *Town Planning Regulations 1967* (as amended) for not less than 42 days.

CARRIED 8/0

SD012/07/05 CONSIDERATION OF ADOPTION OF SCHEME AMENDMENT NO. 128 FOR FINAL APPROVAL (A1144)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Following advertising, amendment No. 128 to Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 is presented to Council for consideration of adoption for final approval. The amendment proposes to add a new clause 8.1(e) to the Scheme Text to enable Council to authorise any employee of the local government to enter any land, at all reasonable times and with such assistance as may be required, for the purposes of administering the provisions of part VI of the Scheme Text. It is recommended that the amendment be adopted for final approval without modification.
Owner:	N/A	
Officer:	Andrew Trosic - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	21 June 2005	
Previously	P196/12/02	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Owner: N/A
 Owner's Address: N/A
 Applicant: Shire of Serpentine-Jarrahdale
 Applicant's Address: 6 Paterson Street, Mundijong 6123
 Date of Receipt: 23 December 2002
 Advertised: Yes - 42 days
 Submissions: None
 Lot Area: N/A
 L.A Zoning: N/A
 MRS Zoning: N/A
 Byford Structure Plan: N/A
 Rural Strategy Policy Area: N/A
 Rural Strategy Overlay: N/A
 Municipal Inventory: N/A
 Townscape/Heritage Precinct: N/A
 Bush Forever: N/A
 Date of Inspection: N/A

Background:

Amendment No. 128 ("the amendment") to Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 ("the Scheme") was initiated by Council on 23 December 2002. The amendment proposes to add a new clause 8.1(e) to the Scheme Text to enable Council to authorise any employee of the local government to enter any land, at all reasonable times and with such assistance as may be required, for the purposes of administering the provisions of part VI of the Scheme Text.

In accordance with Council's resolution and the requirements of section 7A1 of the *Town Planning and Development Act 1928*, the amendment was referred to the Environmental Protection Authority to determine whether formal environmental assessment would be required. In response the Environmental Protection Authority advised that the amendment would not be subject to formal environmental assessment.

Following this the amendment proceeded to advertising for a period of 42 days in accordance with the *Town Planning Regulations 1967*. No submissions were received as a result of advertising.

As the purpose of the amendment is to expand upon the administrative provisions of the Scheme by introducing a power of entry related to the assessment of planning applications, it is recommended for adoption for final approval. The amendment will essentially enable Council to authorise any officer of the local government to undertake site inspections on land to which an application for planning consent has been submitted, without the need to arrange an inspection with the subject landowner. This will improve the operation and efficiency of the Scheme and the assessment of planning applications.

Sustainability Statement:

Resource Implications: The amendment is intended to facilitate the speedy determination of applications for planning consent by allowing a lawful site inspection to be carried out by authorised officers in all cases. When an application is received and acknowledged, an applicant/landowner will be advised in writing that it is Council's intention to carry out a site inspection for the purposes of determining the application. Applicants/landowners will still have the opportunity to contact Council to carry out a joint inspection if they wish to do so. However, for most applications it is envisaged that joint inspections will not have to occur and, therefore, having a lawful power of entry will enable a more speedy determination to take place. This will represent an improvement in the use of Council's resources and time.

Economic Viability: The amendment is considered to improve the economic viability of Council through enabling the more efficient determination of applications for planning consent. This will improve the use of both Council's resources and time and will ultimately help lower costs associated with the assessment of planning applications.

Economic Benefits: The amendment will add economic benefits to the Shire through the improved use of resources and time and through the lowering of costs associated with the assessment of planning applications.

Statutory Environment:

Town Planning and Development Act 1928
Town Planning Regulations 1967
Shire of Serpentine-Jarrahdale Town Planning Scheme
No. 2

Policy/Work Procedure Implications:

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

Financial Implications:

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

Strategic Implications:

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategy:

2. Develop good services for health and well being.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

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

2. Promote best practice through demonstration and innovation.
4. Balance resource allocation to support sustainable outcomes.

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

Strategy

2. Improve customer relations service.

Objective 3: Compliance to necessary legislation

Strategy:

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

Community Consultation:

The amendment was advertised for public comment for a period of 42 days in accordance with the requirements of the *Town Planning Regulations 1967*. The advertising period ran from 24 February 2005 to 14 April 2005, and no submissions were received.

Comment:

The current powers of the Scheme are included under clause 8.1. This states as follows:

8.1 POWERS OF THE SCHEME

The Council in implementing the Scheme has, in addition to all other powers vested in it, the power:

- (a) *to enter into any agreement with any owner, occupier or other person having an interest in the land affected by the provisions of the Scheme in respect of any matters pertaining to the Scheme;*
- (b) *to acquire any land or buildings within the district pursuant to the provisions of the Scheme or the Act;*
- (c) *to deal with or dispose of any land which it has acquired pursuant of the provisions of the Scheme or the Act in accordance with the law and for such purpose may make such agreements with other owners as it considers fit; and,*
- (d) *by its officers authorised by the Council for the purpose, at all reasonable times to enter any land for the purpose of ascertaining whether the provisions of the Scheme are being served.*

Clause 8.1(d) is specifically limited to the enforcement of Scheme provisions only and, therefore, does not apply in respect of administration of the Scheme, as is the case for inspections carried out in the assessment of applications for planning consent. The amendment, therefore, proposes to include a new clause 8.1(e) into the Scheme Text, to apply beyond just the enforcement of Scheme provisions. The new clause states as follows:

8.1(e) An employee of the local government authorised by the local government may, at all reasonable times and with such assistance as may be required, enter any land for the purpose administering the provisions of Part VI of the Scheme.

The amendment is intended to facilitate the speedy determination of applications for planning consent by allowing a lawful site inspection to be carried out by authorised officers in all cases.

Voting Requirements:

Normal

SD012/07/05 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Hoyer seconded Cr Star

1. Council notes that no submissions were received in respect of amendment No. 128 to Shire of Serpentine Jarrahdale Town Planning Scheme No. 2.
2. Council adopts for final approval without modification amendment No. 128 to Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 for the purposes of adding a new clause 8.1(e) to the Scheme Text as follows:
8.1(e) An employee of the local government authorised by the local government may, at all reasonable times and with such assistance as may be required, enter any land for the purpose administering the provisions of Part VI of the Scheme.
3. The amendment documentation be signed and sealed without modification and then submitted to the WA Planning Commission along with the steps taken to advertise the amendment with a request for the endorsement of final approval by the Hon. Minister for Planning and Infrastructure.

CARRIED 8/0

SD014/07/05 PROPOSED SECURITY FENCING AROUND PART OF KARNET PRISON FARM – KINGSBURY DRIVE, SERPENTINE (P00575/03)		
Proponent:	Department of Justice	In Brief Proposal to construct security fencing around accommodation and administration facilities at Karnet Prison Farm. Approval is required by the Western Australian Planning Commission. It is recommended that the application be conditionally supported.
Owner:	CALM	
Officer:	Joanne Abbiss, Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	15 July 2005	
Previously	Concept Forum Briefing Note – 5 July 2005	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Owner: Crown – C/- Department of Land Information
 Owner's Address: PO Box 222, Midland WA 6936
 Applicant: Department of Justice
 Applicant's Address: 141 St Georges Terrace, Perth WA 6000
 Date of Receipt: 1 June 2005
 Advertised: Referred to CALM for comment
 Submissions: CALM
 Lot Area: 379 Ha.
 L.A Zoning: Public Purposes
 MRS Zoning: Public Purposes
 Byford Structure Plan: N/A
 Rural Strategy Policy Area: N/A
 Rural Strategy Overlay: N/A
 Municipal Inventory: N/A
 Townscape/Heritage Precinct: N/A
 Bush Forever: N/A
 Date of Inspection: 12 June 2005

Background

Following recent break-outs from minimum security prison farms in Western Australia, the Premier and the Minister for Justice decided it was necessary to prioritise the erection of security fencing and monitoring equipment around the accommodation, administration and recreation facilities at Wooroloo and Karnet prisons.

Karnet Prison is located on land within State Forest 22 that was leased to the DoJ by the Department of Conservation and Land Management (CALM). However, it should be noted that the current lease of the land to the DoJ from CALM has expired.

The proposed fencing will consist of 4.0 metre high steel mesh or steel grille fence with an additional 1.2 metre high anti-climb barrier on top. The fencing will be visually permeable. There will be a 4.0 metre wide “no-go” area inside the fence with security lighting, infrared or microwave motion detectors and digital camera surveillance equipment bordering the no-go area.

Sustainability Statement

Effect on Environment:

Some vegetation will be removed to enable the construction of the fence. The fence will be visible from Kingsbury Drive, a designated tourist drive, and has the potential to detract from the amenity of the area if not adequately screened.

Resource Implications & Use of Local, renewable or recycled Resources:

The proposal will represent a \$5.3 million investment on behalf of the State government which is a significant portion of State revenue allocated to address security at Karnet. The proposal may use locally available and produced resources for the installation of the fence.

Economic Viability & Benefits:

The proposal may provide some local economic benefits for the community during the construction phase of the development, if local contractors are used.

Social – Quality of Life, Environmental Responsibility and Diversity:

The proposal to install security fencing at the prison has not been the subject of any consultation with the local community. The construction of such a fence at a low security prison may lead to the community perception that it is the intention of the DoJ to house medium security prisoners at Karnet due to the current overcrowding in the Western Australian prison system.

Statutory Environment:

As the site is on land that is reserved under the Metropolitan Region Scheme (MRS) the application is required to be determined by the Western Australian Planning Commission (WAPC). Accordingly, the application has been referred to the WAPC and the Shire is required to make a recommendation with regard to the determination within 42 days of the date of the application.

Policy/Work Procedure

Implications:

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

Financial Implications:

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

Strategic Implications:

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

6. Ensure a safe and secure community.

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

Strategies:

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

2. Environment

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

Strategies:

3. Encourage protection and rehabilitation of natural resources.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Required: Yes.

CALM provided comment that they had no objection to the proposal and that the DoJ had liaised with them prior to submitting the application.

Comment:

When the Karnet Prison Farm was originally proposed many years ago there was extensive consultation with residents to ensure the community was accepting of the development of a minimum security facility in the district. Since that time the Serpentine Jarrahdale Shire has had a long and harmonious relationship with the Karnet Prison Farm, regularly utilising supervised work teams on council projects. The work teams have been an excellent way for prisoners to learn valuable skills, contribute to the development of the Shire and to assist in their rehabilitation back into society.

The proposal to erect a \$5.3 million security fence was presented to councilors at the Concept Forum meeting on 5 July 2005. Elected members raised the following questions and concerns:

1. Is the erection of the fence an indication of an intended change to the classification of the facility resulting in more dangerous prisoners being able to be held at Karnet?
2. How is the Department of Justice reconciling the philosophy of rehabilitation and integration back into the community, that the facility has previously operated under, by erecting a physical barrier accentuating the separation from the community?
3. Why are the prisoners considered safe to work out in the community during the day but required to be locked up at night?
4. How will the aesthetics of a 4 metre high fence with anti climb fittings on top be addressed, particularly when the Shire has invested in the development of the Serpentine Dam Tearooms and Kingsbury Drive as a tourist route?
5. What evidence was used by the Department of Justice to establish that a \$5.3 million fence would bring the intended results? What are the intended results?

Elected members requested that an urgent meeting be arranged between the Shire and Minister for Justice to gain a greater understanding of what was being proposed and the rationale for the decision. The Shire President and Chief Executive Officer attended a meeting on Thursday, 14 July 2005 with the Minister for Justice, Mr John D’Orazio.

It should be noted that the Minister agreed to the meeting at very short notice and gave the Shire representatives a large portion of his valuable time to discuss the questions and concerns that had been raised. During the meeting the Minister gave the following assurances:

1. The Shire would be provided with a written statement that it is now government policy that security fencing will be the new minimum standard for minimum security prisons throughout the State. Although this does not form part of any documented government policy at this time, the Minister stated that he would ensure that it would be captured, along with the results of the current Mahney enquiry, into written policy.
2. That the \$5.3 million dollar fence was in addition to an equivalent improvement in rehabilitation programs to be offered at Karnet and that the Minister was keen to see formal metal trades and other construction related qualifications being able to be gained by prisoners at the facility. Supervised work teams would still operate out in the community as they had previously.
3. That as a result of the Mahney enquiry, the assessment procedure for prisoners being accepted into Karnet would be more stringent and would probably result in “less dangerous” prisoners being held at Karnet.
4. That the Minister was willing to agree to significant screening of the fence to hide it from view from Kingsbury Drive.
5. The rationale for the fence was to prevent night escapes by prisoners, prevent contraband and unauthorised visitors as well provide increased security for prison guards when attending any night time incidents. Recent improvements in relation to decreased drug taking and escapes at Boronia prison, a minimum security female prison with security fencing, and examples from Victoria were cited as the main evidence on which this decision to invest \$5.3 million was based.
6. The Minister would arrange for Department of Justice staff to meet with community and elected members to assure them of the above points and in particular to assure them that this would not result in a change in the classification of the prison nor the type of prisoner that would be held there.

Conclusion

It is recommended that the Shire advise the WAPC that it conditionally supports the proposal for a security fence around the accommodation, administration and recreation areas at Karnet.

Voting Requirements: Normal

SD014/07/05 Committee/Officer Recommended Resolution:

Moved Cr Brown seconded Cr Scott

A. Subject to the Serpentine Jarrahdale Shire receiving written confirmation from the Minister for Justice that:

1. It is now government policy that security fencing will be the new minimum standard for minimum security prisons throughout the State and that this will form part of documented government policy.
2. The classification of Karnet prison and the type of prisoner held at Karnet will not increase as a result of the security fence being installed.
3. An equivalent investment in rehabilitation programs will be made at Karnet and supervised work teams would still operate.

4. As a result of the Mahney enquiry, the assessment procedure for prisoners being accepted into Karnet would be more stringent.
5. The Minister arranges for Department of Justice staff to meet with community and elected members to assure them of the above points.

The WAPC be advised that the application for construction of security fencing around the accommodation, administration and recreation areas of the Karnet Prison Farm on State Forrest 22, Kingsbury Drive, Serpentine is supported subject to the following conditions:

1. A valid lease exists between the Department of Justice and the Department of Conservation and Land Management for the land.
2. Screening vegetation is established between Kingsbury Drive and the security fence to the satisfaction of the Serpentine Jarrahdale Shire to ensure that the security fence is not visible from Kingsbury Drive.
3. The alignment of the fence to be determined with the aim of preventing the removal, destruction or damage of any healthy tree having at least one well defined stem or trunk of a height greater than 4 metres or diameter greater than 150mm measured at a height of 1.2 metres above the natural ground level or the removal, damage or destruction of any rare or endangered flora or fauna.
4. Security lighting to be hooded and positioned to avoid any light spill onto Kingsbury Drive.
5. This is a Planning Approval only and does not obviate the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the Council.
6. This Planning Approval does not obviate the responsibility of the applicant/owner to comply with any other requirement of Town Planning Scheme No. 2.

B. The Minister for Justice and the Superintendent of Karnet Prison be advised of Council's recommendation.

LOST 3/5

FORESHADOWED MOTION

During debate Cr Star foreshadowed that she would move a motion advising that it is premature to consider this application until the outcome of the Mahney Inquiry is known, if the motion under debate is defeated.

SD014/07/05 COUNCIL DECISION

Moved Cr Star seconded Cr Kirkpatrick

It is premature to consider this application until the outcome of the Mahney Inquiry is known and the Western Australian Planning Commission is advised that the Serpentine Jarrahdale Shire believes the fence is unnecessary if the Ministry for Justice correctly assesses their prisoners to be sent to Karnet Prison Farm so that it retains its status as a minimum security prison.

Without prejudice:

If the Western Australian Planning Commission is of a mind to approve this application the Serpentine Jarrahdale Shire provides the following recommendation:

A. Subject to the Serpentine Jarrahdale Shire receiving written confirmation from the Minister for Justice that:

1. It is now government policy that security fencing will be the new minimum standard for minimum security prisons throughout the State and that this will form part of documented government policy.
2. The classification of Karnet prison and the type of prisoner held at Karnet will not increase as a result of the security fence being installed.
3. An equivalent investment in rehabilitation programs will be made at Karnet and supervised work teams would still operate.
4. As a result of the Mahney enquiry, the assessment procedure for prisoners being accepted into Karnet would be more stringent.
5. The Minister arranges for Department of Justice staff to meet with community and elected members to assure them of the above points.

The WAPC be advised that the application for construction of security fencing around the accommodation, administration and recreation areas of the Karnet Prison Farm on State Forrest 22, Kingsbury Drive, Serpentine is supported subject to the following conditions:

1. A valid lease exists between the Department of Justice and the Department of Conservation and Land Management for the land.
2. Screening vegetation is established between Kingsbury Drive and the security fence to the satisfaction of the Serpentine Jarrahdale Shire to ensure that the security fence is not visible from Kingsbury Drive.
3. The alignment of the fence to be determined with the aim of preventing the removal, destruction or damage of any healthy tree having at least one well defined stem or trunk of a height greater than 4 metres or diameter greater than 150mm measured at a height of 1.2 metres above the natural ground level or the removal, damage or destruction of any rare or endangered flora or fauna.
4. Security lighting to be hooded and positioned to avoid any light spill onto Kingsbury Drive.
5. This is a Planning Approval only and does not obviate the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the Council.
6. This Planning Approval does not obviate the responsibility of the applicant/owner to comply with any other requirement of Town Planning Scheme No. 2.

B. The Minister for Justice and the Superintendent of Karnet Prison be advised of Council's recommendation.

CARRIED 7/1

Cr Scott voted against this motion.

SD015/07/05 INFORMATION ON COUNCIL'S WEBSITE (A0022)	
Proponent	
Officer	Cr Jan Star
Signatures - Author:	
Senior Officer:	
Date of Report	18 July 2005
Previously	
Disclosure of Interest	
Delegation	Council

In Brief
It is recommended that Council provides further information on its website relating to planning processes and declaration of interests.

SD015/07/05 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Star seconded Cr Wigg

1. Provides an explanation on its website for the reason why Council advertises and makes decisions on planning grounds.
2. Provides a definition on its website of impartiality and financial interest.

CARRIED 8/0

CGAM001/07/05 OVERSIZE VEHICLE APPLICATION TO SERVICE LOT 6 GOSSAGE ROAD, OLDBURY (A0512-03)	
Proponent:	Palcon Group
Owner:	Not applicable
Officer:	Bryce Coelho Manager Asset Services
Signatures Author:	
Senior Officer:	
Date of Report	5 July 2005
Previously	AS085/06/03 – 23 June 2003 AS007/08/04 – 9 August 2004 CGAM018/02/05 – 28 February 2005
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act
Delegation	Council

In Brief
A renewal application has been made by Palcon Group for Council consent to use long vehicle (road trains) to cart timber product to Lot 6 Gossage Road, Oldbury. Conditional consent is recommended.

Background

Council granted consent for Palcon Group in June 2003 and in August 2004 to the use of oversized permit vehicles (Pocket Road Trains) under 27.5 metres in length to transport timber product to the Inglewood Products located at Lot 6 Gossage Road. Conditional consent was granted by Council for a period of twelve (12) months for each application.

The permit approved in August 2004 to service this property will soon be expired.

Palcon Group has submitted a renewal application seeking Council consent to the use of oversized permit vehicles (Pocket Road Trains) under 27.5 metres in length to transport jarrah sawlogs and timber products to Inglewood Products located at Lot 6 Gossage Road, Oldbury.

The delivery schedules are generally carried out annually during the months of October to May. Approximately 5000 tonnes of forest product is to be delivered to Inglewood Products equating to approximately 2 trips per day.

After discussions with the applicant on the different routes available to access this property, the following route which is considered most suitable by shire officers, has been submitted by the applicant for the issuance of permit:

Destination: Inglewood Products – Lot 6 Gossage Road, Oldbury via Thomas Road (South Western Highway to Kargotich Road), Kargotich Road (Thomas Road to Gossage Road) and Gossage Road (Kargotich Road to Lot 6 Gossage Road).

A copy of the “Proposed Routes” is included with the attachments and marked [CGAM001-07-05.tif](#)

It should be noted that at its meeting of 13 September 2004 Council endorsed Thomas road for inclusion in the Notice Network for oversize vehicle use.

ROAD	SECTION	CONDITIONS
Thomas Road	South Western Highway to Hopkinson Road	No vehicles greater than 27.5m length School bus curfews to apply To be reviewed following opening of Tonkin Highway at Thomas Road
Thomas Road	Hopkinson Road to Western Boundary	No vehicles greater than 27.5m length School bus curfews to apply

As can be seen, Kargotich Road and Gossage Road are not included in the Notice Network for oversize vehicle use. Therefore any application to use oversize vehicle on these roads would require Council consent to obtain permits issued by Main Roads WA.

It should also be noted that Council granted conditional consent to Dawson Contracting in February 2005 for the use of oversize permit vehicles (Pocket Road Trains) under 27.5 metres in length to transport timber product to the Inglewood Products located at Lot 6 Gossage Road for a period of twelve (12) months.

Sustainability Statement:

Effect on Environment: The proposal would reduce Greenhouse Gas Emissions by allowing oversize vehicles to carry out this transport service. The use of medium size trucks would be minimized resulting in less vehicle trips.

Resource Implications: Properly managed permit vehicle operations would minimize road resource use.

Use of Local, renewable or recycled Resources: The proposal utilizes regionally available resources.

Economic Viability: The proposal is economically viable as the use of oversize vehicles can result in real cost savings of 25% of freight transport tonnage costs. A reduction in heavy vehicle numbers, combined with suitable axle configurations on oversized vehicles will assist in slowing the deterioration of road pavements through reduced loading.

This proposal should also not incur any ongoing costs or requirement of funding in the future for Council above routine maintenance.

Economic Benefits: Properly managed permit vehicle operations have potential sustainability benefits in reduced transport and road maintenance costs.

Social – Quality of Life: By creating endorsed heavy haulage routes, while retaining the ability to issue permits for other routes, the movement of freight vehicles can be controlled and, in the case of as-of-right vehicles, encouraged onto fit for purpose routes. This will assist in ensuring the local road network is safer for general traffic movements.

Social and Environmental Responsibility: Properly managed permit vehicle operations have potential sustainability benefits in reduced social impact from transport vehicles and reduced environmental emissions.

Social Diversity: This proposal does not directly affect any social or community groups.

Statutory Environment: Motor Vehicle Act and Regulations

Policy/Work Procedure Implications: Delegation *AS-3 B-double and Long Vehicle Permits* allows the Chief Executive Officer authority to grant or refuse approval for permits for roads in the district where current permits are in place.

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

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

2. Environment

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

Strategies:

5. Reduce green house gas emissions.

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.
2. Identify value-adding opportunities for primary production.

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

Strategies:

1. Improved freight, private and public transport networks.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Required: No

Comment:

Given Council has a position that it does not want to encourage the use of Kargotich Road as a heavy haulage through route, it is recommended that approval should still be given for a period of twelve months. This requires them to submit applications for any extension to the permit period, allowing officers to make a recommendation to Council based on the

performance of the operator during the previous permit period and any issues that may have arisen such as public complaints.

Voting Requirements: Normal

CGAM001/07/05 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Kirkpatrick seconded Cr Wigg

- 1. Consent be conditionally granted to the use of oversize vehicles (up to 27.5 metres in length) by Palcon Group for a period of twelve (12) months for access to Inglewood Products, Lot 6 Gossage Road, Oldbury:
via Thomas Road (South Western Highway to Kargotich Road), Kargotich Road (Thomas Road to Gossage Road) and Gossage Road (Kargotich Road to Lot 6 Gossage Road).**
- 2. Consent being subject to the following conditions:**
 - (i) Vehicle speeds on Kargotich Road to not exceed 90km/h;**
 - (ii) Vehicle speeds on Gossage Road to not exceed 60km/h;**
 - (iii) Vehicles are to operate during daylight hours only between Monday and Saturday;**
 - (iv) Vehicles are not to operate during school bus travel times;**
 - (v) Any application for extension to the permit(s) being referred to Council;**
 - (vi) Copies of permits, including truck and trailer registration numbers, as issued by Main Roads Western Australia are to be submitted to Council prior to the commencement of operations.**

CARRIED 8/0

CGAM002/07/05		CONTRACT C16/2004-05 SUPPLY OF TREE PRUNING SERVICE UNDER POWER LINES (A1275/09)
Proponent:	Shire of Serpentine Jarrahdale	In Brief Council is requested to correct a clerical error in the 9 May 2005 resolution for the award of Tender C16/2004-05 Supply of Tree Pruning Service Under Power Lines to Tree Care Pty Ltd.
Owner:	Not Applicable	
Officer:	Jason Elliott, Technical Officer	
Signatures Author:		
Senior Officer:		
Date of Report	5 th July 2005	
Previously	CGAM069/05/05	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The tender for the Supply of Tree Pruning Service Under Power Lines was awarded to Tree Care Pty Ltd at the 9 May 2005 Corporate Governance and Asset Management Committee Meeting for the period of 1 July 2005 to 30 June 2006 at the following schedule of rates.

Service Description	Tree Care
Three Man Team \$/hr	\$220.00
Four Man Team \$/hr	\$286.00
Five Man Team \$/hr	\$352.00
Elevated Platform \$/hr	\$66.00
Stump grinder \$/hr	\$132.00

Note; prices include GST

When tenders were called the term of contract specified in the Request for Tender document was 1 July 2005 to 30 June 2007, being a two year contract. This period was specified as it is becoming difficult to secure the services of contractors who are fully qualified and licensed to perform tree pruning works under power lines. By awarding a two year contract the Shire can secure a specialized service at a very competitive price with the assurance that this particular workload can be managed for the next two years.

When the Annual Supply Tenders were advertised in the West Australian Newspaper on the 19th March 2005, the 'Supply of Tree Pruning Service Under Power Lines' was listed separately and advertised for the period 1st July 2005 to 30th June 2007. The tender documentation stipulated a two year contract period and the subsequent offers received were based on a two year contract period. Unfortunately whilst collating the May 2005 Corporate Governance Asset Management Agenda, the contract period was incorrectly recommended as one year, that is from 1st July 2005 to 30th June 2006. This resulted in Tree Care technically being awarded a one year contract although their prices were based on a two year term.

Discussions were held with Tree Care to determine whether they would agree to a one year contract based on the prices submitted within the price schedule. However it was evident from the outset that unless the Shire agreed to a two year contract, Tree Care would withdraw its offer and declare the contract null and void. Tree Care advised that if the Shire could only offer a one year contract, Tree Care's prices would rise by approximately 15%.

It is recommended that Council correct the clerical error in the 9 May 2005 resolution and extend the contract by one year, that is for a period from 1st July 2005 to 30th June 2007.

Sustainability Statement

This tender will ensure that the Shire is provided with the best services required to complete the proposed works identified in the Forward Financial Plan. By seeking the services externally the Shire is able to utilize best practice opportunities in the market and maximize the productivity of the funds available to provide sound and sustainable Asset maintenance.

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

Effect on Environment: This will minimise environmental damage through best practice in its field.

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

Use of Local, renewable or recycled Resources: Use of local companies and resources thus supporting local business.

Economic Viability: This tender will ensure that the Shire is provided with effective services as required to complete the proposed works identified in the Forward Financial Plan. By seeking the services externally the Shire is able to utilize best practice opportunities in the market and maximize the productivity of the funds available to provide sound and sustainable Asset maintenance.

Economic Benefits: Use of local resources.

Social – Quality of Life Tenderers resources will be utilised to provide quality roads, water sensitive urban design, pedestrian footpaths & trails for the residents of our community.

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

Statutory Environment: Local Government Act 1995, Local Government Tender Regulations

Policy/Work Procedure Implications: Shire of Serpentine-Jarrahdale Purchasing Policy CSWP16. G16 Tender Process.

Financial Implications: Contained within the proposed 2005-06 & 2006-07 budget.

Strategic Implications: The proposal incorporates the following strategic implications:

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

6. Ensure a safe and secure community.

3. Economic

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

Strategies:

1. Improved freight, private and public transport networks.

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

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

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

Strategies

3. Develop specific partnerships to effectively use and leverage additional resources.

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Required: No

Comment:

The tender for the Supply of Tree Pruning Service Under Power Lines was advertised along with the Annual Supply Tenders to secure the services of fully qualified Western Power accredited contractors. Although only one tender was received, the rates offered were within the anticipated price range and therefore acceptable. Since the Supply of Tree Pruning Service Under Power Lines was advertised for the period 1st July 2005 to 30 June 2007, it will be appropriate to amend this correction from a period of one (1) year and accept a rescission motion for a period of two (2) years. Therefore it is recommended that the contract for the Supply of Tree Pruning Service Under Power Lines be amended to two years, that is, for the period 1st July 2005 to 30th July 2007.

Voting Requirements: ABSOLUTE MAJORITY

CGAM002/07/05 Committee/Officer Recommended Resolution:

1. Resolution CGAM069/05/05 be rescinded.
2. That Council accept the offer from Tree Care Pty Ltd for the Supply of Tree Pruning Service Under Power Lines at the following schedule of rates for the period 1st July 2005 to 30th June 2007 in accordance with the terms and conditions within Request for Tender C16/2004-05.

Service Description	Tree Care
Three Man Team \$/hr	\$220.00
Four Man Team \$/hr	\$286.00
Five Man Team \$/hr	\$352.00
Elevated Platform \$/hr	\$66.00
Stump grinder \$/hr	\$132.00

Note; prices include GST

CGAM002/07/05 COUNCIL DECISION

Moved Cr Star seconded Crs Murphy, Kirkpatrick and Wigg

That Council seeks to rescind Committee Decision CGAM069/05/05 from Committee Meeting held on 17th May 2005.

CARRIED 8/0 ABSOLUTE MAJORITY

CGAM002/07/05 COUNCIL DECISION

Moved Cr Star seconded Crs Murphy, Kirkpatrick and Wigg

That Committee Decision CGAM069/05/05 from Committee Meeting held on 17th May 2005 be rescinded.

CARRIED 8/0 ABSOLUTE MAJORITY

CGAM002/07/05 COUNCIL DECISION

Moved Cr Star seconded Cr Kirkpatrick

1. That Council accept the offer from Tree Care Pty Ltd for the Supply of Tree Pruning Service Under Power Lines at the following schedule of rates for the period 1st July 2005 to 30th June 2007 in accordance with the terms and conditions within Request for Tender C16/2004-05.

Service Description	Tree Care
Three Man Team \$/hr	\$220.00
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Five Man Team \$/hr	\$352.00

Elevated Platform \$/hr	\$66.00
Stump grinder \$/hr	\$132.00

**Note; prices include GST
CARRIED 8/0 ABSOLUTE MAJORITY**

Council Note: Item CGAM004/07/05 BUDGET 2005/2006 (A1281) has already been considered.

CGAM004/07/05 BUDGET 2005/2006 (A1281)		
Proponent:	Local Government Act 1995	In Brief To recommend to Council to adopt the proposed 2005/2006 statutory budget.
Officer:	Elizabeth Cox – A/ Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	13/07/05	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Council	

CGAM009/07/05 RATE DEBTORS REPORT (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the rates report as at 30 June 2005
Owner:	Not Applicable	
Officer:	V Tapp – Finance Officer - Rates	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

Nil

Sustainability Statement No Sustainability Statement

Statutory Environment: No Statutory Requirement

Policy/Work Procedure Implications: No Policy Implications

Financial Implications: No Financial Implications

Strategic Implications: No Strategic Implications

Community Consultation: No

Comment:

2004/2005 (As at 30 June 2005)			SAME PERIOD 2003/2004			TOTAL 2003/2004			
	RATES	RUBBISH	RATES	RUBBISH	RATES	RUBBISH			
	\$	/OTHER \$	/OTHER \$	/OTHER \$	/OTHER \$	/OTHER \$			
Outstanding 30 June 2004	\$270,342	\$87,605	\$516,329	\$56,217	\$516,329	\$56,217			
Deferred pensions 30/06/04	-\$79,525								
TOTAL	\$190,817								
Levied 2004/2005 – 1 July	\$4,528,304	\$740,199	\$4,178,191	\$658,427	\$4,178,191	\$658,427			
Bushfire Levy	\$0	\$0	\$103,306	\$0	\$103,306	\$0			
ESL	\$258,303		\$217,790		\$217,790				
Interim Rates	\$13,961		\$312		\$312				
Penalties	\$24,387		\$35,257		\$35,257				
Rates Receipts	-\$4,626,831	-\$712,351	-\$4,476,564	-\$627,039	-\$4,476,564	-\$627,039			
Bush Fire Levy Receipts	-\$6,712		-\$93,258		-\$93,258				
ESL Receipts	-\$252,729		-\$211,020		-\$211,019				
Less Deferred Pensions	-\$79,525		-\$79,525		-\$79,525				
Outstanding	\$169,276	\$119,761	\$328,196	\$95,580	\$190,817	\$87,605			
Instalment Owing		\$0		\$0		\$0			
Other Outstanding		\$169,276		\$328,196		\$0			
Total Outstanding		\$244,951		\$278,423		\$278,423			
Collection Percentages	Rates	Rubbish	Bushfire	Rates	Rubbish	Bushfire	Rates	Rubbish	Bushfire
	95.66%	86.05%	97.84%	94.64%	87.74%	90.27%	94.64%	87.74%	90.27%

	Pay Balance Owing As at	Number of Properties
Payment Arrangements (Direct Debits) Collection Agency – Dun & Bradstreet	\$66,790	78
- Payment Arrangements	\$1,287	1
- Summons Notice	\$0	0
- Summons	\$25,871	17
- Paid	\$0	0
- Warrant	\$16,415	9
- Judgement	\$0	0
Overdue Rates	\$55,475	84
Instalment Option 4 (four payments)	\$0	0
Interim Rates	\$0	0
Further Investigation/Possible Corrections	\$10,010	9
- Subject to Settlement	\$678	2
- Re-issued Notices	\$0	0
Pensioners – current year rates	\$47,680	91
Pensioners to be claimed or adjusted	\$12,049	
Minor balances (\$5 to \$99.99)	\$8,696	521
	\$244,951	812

Payment Arrangements

Of the 78 properties subject to payment arrangement, 33 are overdue for payment. Of these, 9 are behind by one payment and will be monitored, 7 are two payments behind and will receive demand notices, 17 are at least three payments behind and will be sent letters to explain that the arrangement has been forfeited and that payment in full is now due.

Collection Agency – Dun & Bradstreet

The total amount over the three year period we have been using Dun & Bradstreet as Council's collection agency, now referred for collection is 686 properties with total debts of \$856,090.20. There are currently 27 properties active with debts of \$43,573.00 that remain with Dun & Bradstreet.

Instalments

There are no instalments.

Interim Rates

There are no interim rates.

Further Investigation

There are 11 properties that need further investigation, 1 is a deceased estate and we are waiting to hear from the Executors. Others have had subdivisions processed on them but the records are showing outstanding amounts on the parent lot, or we are waiting on additional correspondence to process one of Council's concessions. There are 2 that the property has been sold and the ownership changed, these properties have had manual pension claims sent to State Revenue and we are waiting on the rebate. One property that had an outstanding amount owing has been sent to Council and has now had that amount written off.

Pensioners – Outstanding Claims

Investigation is continuing in consultation with State Revenue Department to resolve the outstanding rebate claims. Manual pension claims are being processed to reduce this outstanding amount.

Overdue

There are 84 overdue. Overdue letters will be sent to those that have not paid their rates, requiring them to either go onto a formal payment arrangement or to pay in full within two weeks of the date on the letter. If no reply is received, they will be forwarded to Council's collection agency.

Voting Requirements: Normal

Officer Recommended Resolution:

Council receive and note the report the Rate Debtors accounts as at 31 May 2005.

CGAM009/07/05 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Brown

Council receive and note the report the Rate Debtors accounts as at 31 May 2005. Congratulations to the Rates Officer on a fantastic achievement to reduce the outstanding rates from 13% down to 4.5% within the last 2 years.

CARRIED 8/0

8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

OCM01/07/05 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION 2005 ANNUAL GENERAL MEETING (A1164)		
Proponent:	Western Australian Local Government Association	In Brief Council delegates voting requirements for the 2005 Annual General Meeting of WALGA
Owner:	As above	
Officer:	J Abbiss – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	19 th July, 2005	
Previously	SM002/07/04; SM001/07/03 (A0163-06)	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

Agendas for the Western Australian Local Government Association (WALGA) Annual General Meeting to be held on 7th August, 2005 have been distributed.

A copy of the WALGA Agenda is with attachments marked OCM01.1/07/05 & OCM01.2/07/05 (IN05/7491 & IN05/7501)

Sustainability Statement

N/A

Statutory Environment:

Individual Association constitutions

Policy/Work Procedure

Implications:

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

Financial Implications:

There will be a cost associated with Councillors attending the local government week conference. Council has provided in the 2005-2006 draft budget funds to enable interested Councillors to attend the 2005 Local Government Week.

Strategic Implications:

There are no strategic implications

Community Consultation:

Required: No

Comment:

Provided at Attachments marked OCM01.1/07/05 & OCM01.2/07/05 (IN05/7491 & IN05/7501) is a copy the 2005 Annual General Meeting Agenda and Actions Taken on Results at AGM 8th August 2004.

The Serpentine Jarrahdale Shire under the single association structure has voting rights as a member of the South East Metropolitan Zone, Council's voting delegates (Councillors Star and Hoyer) will attend the 2005 Annual General Meeting on Sunday 7th August, 2005 at 12.50pm.

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

1. Community
 - 1.1 Regional Headworks Support
 - 1.2 Attraction and Retention of Rural GPs
 - 1.3 Election of Local Government Representatives to Development Commissions
2. Development
 - 2.1 Developer Contributions and Planning Fees
3. Governance
 - 3.1 Local Government Structural Reform
 - 3.2 Impact of Freedom of Information Applications
 - 3.3 Fire and Emergency Services Authority of WA – Vehicle Replacement Program for Fire Appliances
 - 3.4 Conduct of Local Government Elections
 - 3.5 Local Government Autonomy
 - 3.6 WA Local Government Grants Commission – Minimum Grants
 - 3.7 Local Government Administrative and Compliance Reporting Requirements
4. Transport
 - 4.1 Regional Road Group Funding
 - 4.2 Road Transport
5. Waste Management
 - 5.1 Resource Recovery Rebate Scheme
6. Urgent Business
 - 6.1 Landfill Levy and Strategic Waste Fund

Voting Requirements: Normal

OCM01/07/05 Officer Recommended Resolution:

Council delegates are to vote the following way on items on the 2005 Local Government Association Annual General Meeting Agenda:

1. Community
 - 1.1 Regional Headworks Support - Support or Not Support
 - 1.2 Attraction and Retention of Rural GPs - Support or Not Support
 - 1.3 Election of Local Government Representatives to Development Commissions - Support or Not Support
2. Development
 - 2.1 Developer Contributions and Planning Fees - Support or Not Support
3. Governance
 - 3.1 Local Government Structural Reform - Support or Not Support
 - 3.2 Impact of Freedom of Information Applications - Support or Not Support
 - 3.3 Fire and Emergency Services Authority of WA – Vehicle Replacement Program for Fire Appliances - Support or Not Support
 - 3.4 Conduct of Local Government Elections - Support or Not Support

- 3.5 Local Government Autonomy - Support or Not Support
- 3.6 WA Local Government Grants Commission – Minimum Grants - Support or Not Support
- 3.7 Local Government Administrative and Compliance Reporting Requirements - Support or Not Support

- 4. Transport
 - 4.1 Regional Road Group Funding - Support or Not Support
 - 4.2 Rail Transport - Support or Not Support

- 5. Waste Management
 - 5.1 Resource Recovery Rebate Scheme - Support or Not Support

- 6. Urgent Business
 - 6.1 Landfill Levy and Strategic Waste Fund - Support or Not Support

E Cox left the meeting at 8.10pm and returned and 8.10pm.

Moved Cr Hoyer seconded Cr Murphy to suspend standing orders 9.5, 9.6, 9.8 and 10.7.
CARRIED 8/0

Moved Cr Scott seconded Cr Wigg to reinstate standing orders 9.5, 9.6, 9.8 and 10.7.
CARRIED 8/0

OCM01/07/05 COUNCIL DECISION:

Moved Cr Hoyer seconded Cr Brown
Council delegates are to vote the following way on items on the 2005 Local Government Association Annual General Meeting Agenda:

- 1. Community
 - 1.1 Regional Headworks Support - Support
 - 1.2 Attraction and Retention of Rural GPs - Support
 - 1.3 Election of Local Government Representatives to Development Commissions - Support (alternative motion)

- 2. Development
 - 2.1 Developer Contributions and Planning Fees – Support

- 3. Governance
 - 3.1 Local Government Structural Reform - Support (composite motion)
 - 3.2 Impact of Freedom of Information Applications - Support
 - 3.3 Fire and Emergency Services Authority of WA – Vehicle Replacement Program for Fire Appliances - Support
 - 3.4 Conduct of Local Government Elections - Support
 - 3.5 Local Government Autonomy - Support
 - 3.6 WA Local Government Grants Commission – Minimum Grants - Support
 - 3.7 Local Government Administrative and Compliance Reporting Requirements - Support

- 4. Transport
 - 4.1 Regional Road Group Funding - Not Support
 - 4.2 Rail Transport - Support

- 5. Waste Management
 - 5.1 Resource Recovery Rebate Scheme - Support

6. Urgent Business

6.1 Landfill Levy and Strategic Waste Fund - Support

CARRIED 8/0

E Cox, C Eldridge, C Green and B Gleeson declared an interest in item OCM02/07/05 as it directly relates to their positions with the organisation and they left the meeting at 8.25pm.

OCM02/07/05 ORGANISATIONAL REVIEW (A1169)		
Proponent:	Joanne Abbiss – Chief Executive Officer	In Brief Council are requested to endorse the outcomes of the organisational review.
Owner:	Not applicable.	
Officer:	Joanne Abbiss – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	19 th July 2005	
Previously	CGAM060/04/05	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

In April 2005 Council endorsed the conduct of an organisational review. The Chief Executive Officer had presented a concept for organisational change that sought a less hierarchical structure focused on cross functional work teams. The teams would be established to meet defined outcomes developed by a strategic priorities and policies working group comprising elected members and senior staff.

Council's endorsement for the review was subject to comprehensive consultation with staff, a strategic priorities workshop being held between elected members and senior staff and the incorporation of the outcomes of the review of manager's remuneration and staff award and classification levels conducted by Equal Consulting. Temporary appointments were approved to fill vacant senior employee positions until the outcome of the review was determined.

CGAM60/04/05 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Hoyer seconded Cr Kirkpatrick

1. *Council endorses the temporary appointment of Carlie Eldridge to the position of Acting Director Sustainable Development until the 30th July 2005 subject to the terms and conditions of her current employment contract with a higher duties payment equivalent to an annual salary of \$82,000. All current delegations and authorities applicable to the position of Director Sustainable Development will apply to the Acting Director Sustainable Development position.*

2. *Council endorses the temporary appointment of Elizabeth Cox to the position of Acting Director Corporate Services until the 30th July 2005 subject to a salary of \$82,000 and such general terms and conditions not exceeding those that currently apply to the contract for that position as negotiated by the Chief Executive Officer. All current delegations and authorities applicable to the position of Director Corporate Services will apply to the Acting Director Corporate Services position.*

3. *The Chief Executive Officer is authorised to sign and place the common seal on the contract of employment negotiated under Part 2. of this resolution for the position of Acting Director Corporate Services.*
4. *Council endorses the conduct of a review of organisational priorities and structure utilising the draft concept outlined in attachments [CGAM060-04-05.doc](#) and [CGAM060.2-04-05.doc](#) subject to the following:*
 - (i) *a comprehensive consultation process being undertaken with all staff*
 - (ii) *a strategic priorities workshop being held between elected members and senior staff as outlined in this report*
 - (iii) *incorporation of the outcomes of the review of manager's remuneration and staff award and classification levels currently being conducted by Equal Consulting*
5. *Council formally thanks and acknowledges the contribution made to the Serpentine-Jarrahdale Shire by Mr Glen Dougall during his five (5) years of service to Council in the position of Director Corporate Services.*
6. *Council endorses a contribution of \$250 from MOC555 toward a gift or gift voucher in excess of the \$50 normally permitted under Council Policy CSP11 Payment to Employees in Addition to Contract or Award upon termination of his employment with the Serpentine Jarrahdale Shire and in accordance with section 5.50 of the Local Government Act 1995, in recognition of his service to Council during his period of employment.*
7. *This payment be advertised in accordance with the provisions of Council Policy CSP11 and section 5.50 of the Local Government Act 1995.*

CARRIED 7/0 ABSOLUTE MAJORITY

With the Director Corporate Services and Director Sustainable Development positions vacant, the Shire had a unique opportunity to review the organisational structure to ensure that it functions most efficiently and is capable of adapting to the significant growth that the Shire is experiencing. However, it was necessary to clarify with Council the priority outcomes to be delivered against each objective of the Shire's Strategic Plan to ensure the organization has the optimum alignment with these goals and is adequately resourced to deliver them.

It was anticipated that the review would take approximately three (3) months to complete and was to be conducted, where possible, using internal resources. An external facilitator was used for the two (2) day strategic priorities and policies workshop that was held off-site with elected members and senior staff on the 11th and 12th June 2005.

Day One was dedicated to defining prioritised outcomes against the objectives of the Shire's Strategic Plan and Day Two was spent determining the structure and positions required to deliver the outcomes.

Sustainability Statement

The review will ensure that the organization is best structured and resourced to deliver defined outcomes against the Shire's Strategic Plan which aims to achieve the social, economic and environmental sustainability of the Shire.

Statutory Environment:

s5.41(g) of the Local Government Act 1995 - Functions of the CEO requires the CEO to be responsible for the employment, management, supervision, direction and dismissal of other employees (subject to s5.37(2) in relation to senior employees)

s5.37 (2) of the Act requires the CEO to inform the Council of each proposal to employ or dismiss a senior employee and the Council may accept or reject the CEO's recommendation but if the Council rejects the CEO's recommendation, it is to inform the CEO of the reasons for its doing so.

Policy/Work Procedure Implications:

There will be a comprehensive review of delegations and policies required as a result of adopting the recommendations of the organisational review as this has been identified as an area for improvement.

Financial Implications:

All salary costs for existing, revised and new positions are accommodated within the current draft 2005/2006 budget allocations.

Strategic Implications:

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

1. Provide recreational opportunities.
2. Develop good services for health and well being.
3. Retain seniors and youth within the community.
4. Respect diversity within the community.
5. Value and enhance the heritage character, arts and culture of the Shire.
6. Ensure a safe and secure community.

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

Strategies:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.
2. Develop compatible mixed uses and local employment opportunities in neighbourhoods.
3. Design and develop clustered neighbourhoods in order to minimise car dependency.
4. Foster a strong sense of community, place and belonging.
5. Protect built and natural heritage for economic and cultural benefits.

Objective 3: High level of social commitment

Strategies:

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

2. Environment

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

Strategies:

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

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

Strategies:

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

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.
2. Identify value-adding opportunities for primary production.
3. Develop tourism potential.
4. Promote info-technology and telecommuting opportunities.

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

Strategies:

1. Improved freight, private and public transport networks.
2. Consider specific sites appropriate for industry /commercial development.

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.
2. Represent the interests of the Shire in State and Regional planning processes.
3. Integrate and balance town and rural planning to maximise economic potential.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

1. Identify and implement best practice in all areas of operation.
2. Promote best practice through demonstration and innovation.
3. Regularly update information services and IT capacity to support programs and projects.

4. Balance resource allocation to support sustainable outcomes.
5. Harness community resources to build social capital within the Shire.

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

Strategies

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

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Required: No

However, there was extensive community consultation involved in the development of the Shire's Strategic Plan and this report aims to ensure that the organization is best placed to deliver the community's objectives.

Comment:

The organisational review has assessed the Shire's capacity to deliver the vision and identified the areas for improvement that will need to be addressed in order for the vision to be realised.

The review was conducted with an appreciation of the challenges facing all local governments in the future as well as those specific issues that the Shire itself must face. The type of organisation required to survive in this future was also examined and a review of previous assessments and organisational direction was accomplished.

The outcomes of the strategic priorities, policies, partnerships and programs workshop session have been summarised and will be further refined by staff and presented back to Council for final endorsement. All stakeholders now have a much clearer understanding of the actions and priorities that will be delivered within the current capacity.

Enablers to the achievement of priorities were itemised and modifications to the People Plan were also agreed. A comprehensive analysis of the "traditionalist" and "transitionalist" views of stakeholders on the organisational structure was prepared with recommended changes for amendments for 2005/2006 were clearly listed.

Other areas for growth were analysed and recommendations for investigation and improvement in relation to communication, human resource management, delegated decision making and policy guidelines, financial planning, statutory requirements, managing community expectation and system and process improvements were made.

The areas of focus for the next year for organisational development were also established as well as an agreed action plan for the next 6 months that was workshopped with elected members and senior staff.

The outcomes of the entire review have been presented to staff and councillors by the Chief Executive Officer however elected members are encouraged to read the attached document.

A copy of the “Organisational Review June 2005” is with attachments marked OCM02/07/05

It is recommended that Council endorse the outcomes of the organisational review and the resolutions that will enable the recommendations to be implemented.

Voting Requirements: ABSOLUTE MAJORITY

OCM02/07/05 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Star seconded Cr Brown

1. Council agrees to establish a working group (the Director Corporate Services Recruitment Working Group) to assist the Chief Executive Officer with the recruitment of a Director Corporate Services.
2. Council appoints the Staff Matters Group members to work with the Executive on the Director Corporate Services Recruitment Working Group.
3. Council request the Director Corporate Services Recruitment Working Group
 - a) Undertake interviews with the short listed candidates recommended by the Executive team.
 - b) Recommend to Council at least two (2) preferred candidates for consideration, prior to Council making a final decision on whether to accept the Chief Executive Officer’s recommendation for the appointment to the position of Director Corporate Services.
4. Council endorse the draft contract for the position as attached at OCM02a/07/05 in accordance with Part 5 Administration, Division 4 “Local Government Employees” of the Local Government Act 1995.
5. Council agrees that upon part 3 of this decision being completed and Council agreeing on a preferred candidate for the position of Director Corporate Services by way of a Council resolution to that effect;
 - a) The Chief Executive Officer is authorised to negotiate with the preferred candidate a contract of employment for up to five (5) years in accordance with i) Part 5 Administration, Division 4 “Local Government Employees” of the Local Government Act 1995 and ii) the employment contract agreed to by Council under part 4 of this decision.
 - b) The Chief Executive Officer is authorised to sign and place the common seal on the contract of employment agreed between Council and the person appointed to the position of Director Corporate Services by resolution of the Council of the Serpentine Jarrahdale Shire.
6. Council endorses the extension of the temporary appointment of Elizabeth Cox to the position of Acting Director Corporate Services until the 30th September 2005 subject to a salary of \$82,000 and such general terms and conditions not exceeding those that currently apply to the contract for that position as negotiated by the Chief Executive Officer. All current delegations and authorities applicable to the position of Director Corporate Services will apply to the Acting Director Corporate Services position.
7. Council adopts the final report and recommendations contained in the “Organisational Review June 2005” subject to the following conditions:

- a) Council requests the Chief Executive Officer to progress the recommendations identified for implementation in 2005/2006 immediately and the remaining recommendations are to be considered as part of the 2006/2007 Strategic Prioritisation, Forward Financial Planning and Budget deliberations.
- b) Council agrees that the “Organisational Review June 2005” supercedes the recommendations of the “EQUAL 2005-2008 People Plan”.
- c) Council agrees to amend the reference to the " EQUAL 2005-2008 People Plan" in Delegated Authority AF22 “Staff Matters” be deleted and replaced with "Organisational Review June 2005".
- d) All current delegations and authorities applicable to the position of Director Sustainable Development will apply to the Executive Manager Strategic Community Planning and Executive Manager Planning and Regulatory Services positions.

CARRIED 8/0 ABSOLUTE MAJORITY

E Cox, C Eldridge, B Gleeson and C Green returned to the meeting at 8.29pm

9. CHIEF EXECUTIVE OFFICER’S REPORT

OCM03/07/05 INFORMATION REPORT		
Proponent	Chief Executive Officer	In Brief Information Report for the month of July 2005.
Officer	J Abbiss - Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	19 th July, 2005	
Previously		
Disclosure of Interest		
Delegation	Council	

OCM03.1/07/05 COMMON SEAL REGISTER REPORT – JUNE, 2005 (A1128)

The Common Seal Register Report for the month of June, 2005 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked OCM03.1/07/05. (E02/5614)

OCM03.2/07/05 EXECUTIVE OFFICER REPORT – JULY 2005 (A0436-05)

The Executive Officer report of priorities to 18th July, 2005 is with the attachments marked OCM03.2/07/05. (E05/3883)

OCM03.3/07/05 PEEL ECONOMIC DEVELOPMENT UNIT – MINUTES 23 JUNE, 2005 (A0839)

The Minutes of the Peel Economic Development Unit meeting held on 23rd June, 2005 are in the attachments marked OCM03.3/07/05 (E05/3510)

OCM03/07/05 COUNCIL DECISION/Officer Recommended Resolution

Moved Cr Hoyer seconded Cr Scott
The Information Report to 19th July, 2005 is received.
CARRIED 8/0

10. URGENT BUSINESS:

11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:

12. CLOSURE:

There being no further business the Presiding Member declared the meeting closed at 8.33pm.

13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

SD001/07/05 BUILDING INFORMATION REPORT		
Proponent:	N/A	In Brief Information report
Owner:	N/A	
Officer:	Wayne Chant - Principal Building Surveyor	
Signatures Author:		
Senior Officer:		
Date of Report	04.07.05	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM051/06/04	

SD001/07/05 COMMITTEE DECISION/Officer Recommended Resolution

**That Council accepts the June 2005 Building Information Report.
CARRIED 7/0**

SD002/07/05 HEALTH INFORMATION REPORT		
Proponent:	N/A	In Brief Information report
Owner:	N/A	
Officer:	Tony Turner - Principal Environmental Health Officer	
Signatures Author:		
Senior Officer:		
Date of Report	4.07.05	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM051/06/04	

SD002/07/05 COMMITTEE DECISION/Officer Recommended Resolution

**That Council accepts the Health Information Report for June 2005.
CARRIED 7/0**

SD003/07/05 COMMUNITY DEVELOPMENT INFORMATION REPORT		
Proponent:	Not applicable	In Brief Information report
Owner:	Not applicable	
Officer:	Carole McKee - Acting Manager Sustainable Communities	
Signatures Author:		
Senior Officer:		
Date of Report	1.07.05	
Previously	N/A	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM051/06/04	

SD003/07/05 COMMITTEE DECISION/Officer Recommended Resolution

That Council accepts the May and June 2005 Community Development Information Report.
CARRIED 7/0

SD005/07/05 BYFORD TOWNSITE DETAIL AREA PLAN AMENDMENT AREA CHANGES (A0890)		
Proponent:	Serpentine Jarrahdale Shire	In Brief The Byford Detail Area Plan was adopted by Council in December subject to conditions and a minor amendment was adopted in January 2005. Since the adoption of the DAP an error in the map indicating the area to which lots belong was identified. A strip of housing zoned rural residential in the Structure Plan was included in an R20 area. This report recommends an amendment of the Byford Townsite Detail Area Plan to align DAP with the Byford Structure Plan zoning.
Owner:	Not applicable	
Officer:	Carlie Eldridge – Acting Director Sustainable Development	
Signatures Author:		
Senior Officer:		
Date of Report	29 June 2005	
Previously	P031/11/04; P283/06/03; SD006/01/05	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.	
Delegation	Committee – in accordance with resolution SM051/06/04	

SD005/07/05 COMMITTEE DECISION/Officer Recommended Resolution

The Byford Townsite Detail Area Plan is amended to identify lots marked on *Attachment SD005.2/07/05* as Area D in alignment with the Byford Structure Plan.
CARRIED 7/0

SD013/07/05 PLANNING INFORMATION REPORT		
Proponent	Acting Director Sustainable Development	In Brief Information Report.
Officer	Lisa Fletcher – Support Officer Sustainable Development	
Signatures – Author:		
Senior Officer:		
Date of Report	1 July 2005	
Previously		
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM051/06/04	

SD013/07/05 COMMITTEE DECISION/Officer Recommended Resolution

The Planning Information Report to 11 July 2005 be received.
CARRIED 7/0

CGAM003/07/05 REVIEW OF SPEED LIMIT – KARNUP ROAD, HOPELANDS (R0007)		
Proponent:	Main Roads WA	In Brief Main Roads WA is seeking Council's support for of a speed zone change on Karnup Road.
Owner:		
Officer:	Jason Elliott, Technical Officer	
Signatures Author:		
Senior Officer:		
Date of Report	6 th July 2005	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.	
Delegation	Committee in accordance with resolution SM051/06/04	

CGAM003/07/05 COMMITTEE DECISION/Officer Recommended Resolution:

Council advises Main Roads Western Australia that it:

1. Supports the extension of the 70km/h speed limit from Walker Road to Punrak Road.
2. Does not support a reduction in the existing 110km/h speed limit from Punrak Road to the western boundary.

CARRIED 7/0

CGAM005/07/05 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent:	Director Corporate Services	In Brief To confirm the creditor payments made during 30 June 2005
Owner:	N/A	
Officer:	S. O'Meagher – Finance Officer	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM046/05/04	

CGAM006/07/05 COMMITTEE DECISION/Officer Recommended Resolution:

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

CGAM007/07/05 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the statement of debtors over \$1,000 as at 30 June 2005
Owner:	Not Applicable	
Officer:	Tracy Mladenovic – Finance Officer	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM046/05/04	

CGAM007/07/05 COMMITTEE DECISION/Officer Recommended Resolution:

Council receive and note the report on Debtors accounts with a balance in excess of \$1,000 outstanding for 90 days or greater as at 30 June 2005.
CARRIED 7/0

CGAM008/07/05 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the sundry debtor balances as at 30 June 2005
Owner:	Not Applicable	
Officer:	Tracy Mladenovic – Finance Officer	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM046/05/04	

CGAM008/07/05 COMMITTEE DECISION/Officer Recommended Resolution:

**Council receive and note the report on Sundry Debtor Outstanding Accounts as at 30 June 2005.
CARRIED 7/0**

CGAM010/07/05 INFORMATION REPORT		
Proponent:	Director Corporate Services	In Brief To receive the information report to 30 June 2005
Owner:	Not Applicable	
Officer:	Various	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM046/05/04	

CGAM010/07/05 COMMITTEE DECISION/Officer Recommended Resolution:

**The information report to 13 July 2005 be received.
CARRIED 7/0**