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Minutes of the Ordinary Council Meeting held in the Council Chambers, 6 Paterson Street, Mundijong on Tuesday 26 April 2016. The Shire President declared the meeting open at 7.00pm and welcomed Councillors, staff and members of the gallery and acknowledged that the meeting was being held on the traditional land of the Gnaala Karla Booja and paid his respects to their Elders past and present.

1. Attendances and apologies (including leave of absence):

In Attendance:

Councillors: J Erren Presiding Member
S Piipponen
D Atwell
K Ellis
D Gossage
S Hawkins
M Rich
B Urban

Officers: Mr A Hart Acting Chief Executive Officer
Mr G Allan Director Engineering
Mr A Schonfeldt Director Planning
Ms K Bartley Acting Director Corporate and Community
Ms K Peddie Executive Assistant to the CEO (Minute Taker)

Leave of Absence: Nil

Apologies: Mr R Gorbunow
Cr J See

Observers: Nil

Members of the Public – 19

Members of the Press – 1

2. Response to previous public questions taken on notice:

No questions were taken on notice at the Ordinary Council Meeting held on 11 April 2016

3. Public question time:

Public question and statement time commenced at 7.01pm

Ms L Brazier, PO Box 80, Mundijong, WA, 6123

In the Community News – 19th April there was an article stating that outer-suburb councils have joined together to call on the Federal Government to contribute to the Funding our Future campaign – we as a Shire seemed absent.

Question 1

Are we part of this group?

Response:

The Shire is a member of the National Growth Area Alliance.

Question 2

And if not as one of the fastest growing Shires in the state, why not?

Response:

The President was invited and accepted, however another pressing matter stopped him from being present.

Mrs M Cala, 49 Phillips Road, Karrakup, WA, 6122

Questions in relation to OCM062/04/16

Question 1

In your agenda it states that the Department of Water has concerns with the modelling undertaken by the proponent's hydrologist. The Department of Water and local experience support the likelihood of a flood event at much less than 100 years. Given the low lying nature of the land, it's propensity for flooding and that it is part of the overflow for the Oakland Drain; and the expanse of hardstand and roof structures proposed; what kind of stormwater disposal can, in reality cope with these conditions without impacting on neighbouring properties.

Response:

It is expected that Rainwater Tanks and/or landscaped gardens would be feasible options for managing the increased surface run-off from the additional impervious areas. The storage and use of rainwater for in-house and garden use will reduce the volume of run-off discharged to receiving waters. This can be implemented through the urban water management plan condition within the approval.

Question 2

Will the style of architecture and landscaping proposed meet the expectations of 'Rural Use'? Or will it be an oasis of a style at odds with this rural area.

Response:

The building style as detailed in the floor plans and elevations indicates a style similar to normal buildings which are found in rural and urban areas within the Shire.

Question 3

Lot 282, which neighbours Lot 7 was required to have a 2 metre high pad for the house; and although the agenda is at pains to say most of the development is not habitable; logic dictates that much of the proposed development will be elevated above natural ground level to a greater or lesser degree to address flooding. Will Council fully explore the implications of the anticipated fill prior to approval so that there are no unrealistic expectations which may lead to compromises once development commences.

Response:

The level fill level is discussed in the Conclusion section of the attached Flood Management Plan (the Plan). The Plan indicates that all buildings excluding the storage area should be filled to 18.1m AHD to allow for a 0.5m free board. This means that the area around the buildings would require a sand pad / fill of 1.25m -1.50m above the natural ground level.

With regards to the potential impact on neighbouring properties as a result of the fill the Plan includes the following: "the proposed development on Lot 7 will result in a rise in 100 year ARI flood level of only 0.01 to 0.02m. This small rise is due to the fact that the proposed buildings will only obstruct a very small proportion of the total flow area in the 100 year ARI flood."

Therefore the buildings will be developed on top of 1.25m-1.5m of fill and will only have a 0.01m to 0.02m rise in flood levels when a 1 in 100 year flood occurs. This risk and associated impacts are considered acceptable.

Mr WJ Kirkpatrick, 77 Mead Street, Byford, WA, 6122

Under documents supplied by the Shire under Freedom of Information.

Question 1

The bank statement for the credit card issued to Alan Hart states that on the 4 April 2014 that he paid a sum of \$640.00 to Midvale Discount Tyres. Why is the Director of Finance purchasing tyres which should be Engineering, which vehicle did the tyres go on to and when was this vehicle disposed of?

Response:

The Director Corporate and Community purchased these for his Shire supplied vehicle. The vehicle was disposed of July 2014.

Question 2

The same bank statement shows a sum of \$957.00 being paid to Big Rock Toyota on the 25 February 2014. What was this for and which vehicle was it for and when was this vehicle disposed of and why is the Director of Finance using his credit card when it is an Engineering Issue?

Response:

This was for the towbar on the CEO's vehicle. This vehicle was disposed of March 2015. The Director Corporate and Community is able to purchase such items as required for the Fleet as it is under the work policy for Council, Engineering do not look after light fleet matters, this is the responsibility of Corporate and Community Services.

Question 3

The temporary safety fence beside the compensating basin in Olsen Gardens was removed last Thursday exposing the general public to a dangerous situation with the probability of a severe fall happening. When is the Council going to ensure that this safety hazard is removed while it may conform to Australian Standards it certainly conflicts with the Shire's duty of care requirements as set out in the duty of care legislation? As this is a major public congregating area and will be for the foreseeable future.

Response:

Based on our preliminary investigation the civil designers have highlighted that, in accordance with NCC 2015 Building Code of Australia, barriers to prevent falls are required if the trafficable surface is 1m or more above the surface beneath. The actual height difference at this location at Olsen Gardens is noted as being less than 1m. However, it is the Shire's intention to incorporate a barrier / balustrade as part of landscape design for this area and will follow this up with the Developer.

4. Public statement time:

Ms L Brazier, PO Box 80, Mundijong, WA, 6123

On Wednesday 13 April 2016 I attended the Shire's Local Planning presentation for Stakeholders – there were many major landowners represented from Byford through to Mundijong/Whitby.

I was extremely disappointed in the conduct and the missed opportunities by the Shire President and the Councillors at this function. On introduction to the evening there was no identification of the other Councillors in the room by making them stand up so we knew who was who and Councillors – you were not wearing your name tags.

It was the State's Planning Department back in the 1980's that identified this area for urban expansion - not the developers. It is the developers that are going to deliver it – so when you have them in the room together - there was a huge opportunity to build relationships and network – that opportunity was missed.

Secondly in your introduction you stated that the Councillors had seen the presentation the previous night and you talked it up – great – I am glad I made the effort to attend for 3.5 hours – until you sat down behind me and made what I perceived to be a derogative comment on the first presenter and then proceeded to talk through her presentation until you thankfully left the workshop. Not very professional and does not give me a positive feeling that you, as the Shire's representative and leader really wants to work collaboratively with those that are going to deliver our future Shire.

That is not the first time I have stood before Council and addressed your poor attitude towards developers, the last was many years ago and it saddens me that whilst the Councillors have changed – the attitude has not and it struck me that as one of the presenters identified, from the last census figures that we as a Shire are in a very low socio-economic area and are averagely educated – so it would stand to reason that some of us within this room and around the table would fall into some of those categories and maybe that is one of our problems.

Our community and what we are going to like in the future is in your hands – god help us and at the moment you as Councillors seem to be extremely dysfunctional. You are elected members to govern the Shire and set our direction and policies – you should not be here for your own agendas.

You are deemed by your positions to be leaders of our community – with that comes responsibilities. So around this table you are welcome to agree to disagree – that is the legacy our past and current diggers have given us. I don't really care if you don't like each other but when you are out and about in our Shire you set an example by greeting and fare welling each other. What I witnessed at the ANZAC Day service was disrespectful. It is well known over the history of this Shire that Councillors have not got on with each other but never have I witnessed them not extend basic common courtesy to each other in public – you have sunk to a new low.

So as Councillors I ask you might consider the following values:

- Willingness to be changed
- To be humble
- To be welcoming
- To be responsible

Finally, President Erren, if you cannot thank me without using a condescending tone like you use to other members of the gallery – then I would rather you simply call upon the next item of business.

Mr WJ Kirkpatrick, 77 Mead Street, Byford, WA, 6122

I find it disturbing and disappointing the lack of support for the residents of The Glades in Byford.

I have been watching the development of the area around Olsen Gardens and the new restaurant being constructed there.

Imagine my disappointment when I saw the temporary fencing along the side of the compensating basin being removed. This was installed as there was a dangerous situation there with the potential for a member of the public falling over the edge of an unprotected wall. Remember that this is a compensating basin and may well have a quantity of water in it at different times that may pose a drowning hazard to a young child. Especially if they may be in shock after falling over the edge after substantial fall.

The failure to act on this issue may make the Council liable under the duty of care legislation by which they are bound. LGIS have stated that there may become doubt in insurance cover in the event of an accident if the Shire is acting contrary to the duty of care legislation and they are aware of the danger by leaving this area unprotected by a proper railing.

This area was designed to be a relaxation area for the residents of this portion of the suburb of Byford. With shops currently under construction along with alfresco dining in the pleasant area of the lake.

It may be strange to some members of the Council that it will also have a licensed restaurant for which you will not have to pay a membership fee. The area is also designed to hold street markets with power towers in situ along the street.

Now that all this is about to come to fruition we have the Council allowing a dangerous situation to be developed.

Are some Councillors waiting on the developer of the estate, that is LWP, to do what was described in the local paper on a previous occasion as networking that came in the form of free concert tickets to the value of about \$500.00 each to a number of Councillors.

This Council may not be happy that this community has made an effort to make this a pleasant area to live in and seems to have lost the power of Big Brother.

The Council have the power to make the developer put substantial railings along this wall to match up with the rest of the railings around the lake. When will it do this? It will be too late once the area is accepted by the Shire as finished. The cost of putting this right will have then to be borne by the ratepayers. But it will improve the profit line for the developer.

Public question and statement time concluded at 7.16pm

5. Petitions and deputations:

Nil

6. President's report:

I attended both the ANZAC Day service in Byford and Serpentine on Monday and was very proud to see such a wonderful turnout. Everybody enjoyed themselves, the weather held out and there was a great community spirit amongst those that attended.

As part of the Shire's locality funding, we assisted the Byford Progress Association to add a new piece of art to South Western Highway. Charlie Knox, a well-known traffic inspector during the early 1900's has been honoured in this new artwork. This is the 9th artwork in the Byford collection, all by the artist Len Zuks and they each represent different aspects of our Shire. A walking tour is being designed at the moment, but keep your eye out for Charlie next time you're driving along South Western Highway.

A series of Workshops were held recently as part of the Vision 2050 for the Shire of Serpentine Jarrahdale. Presented by keen and knowledgeable parties, the workshops were very interesting and detailed. Good discussions were had by all on various topics such as agricultural and equine industries, eco-tourism, creating liveable communities and disruptive technologies such as driverless cars. Wider community consultation will be undertaken in May and June.

The Free Verge Plant program is on again. Residents are eligible to apply for herbicide and native seedlings to manage and beautify their verges in both the rural and urban areas of the Shire. Contact Landcare SJ for further details.

7. Declaration of Councillors and officers interest:

Councillor Atwell declared a financial interest in item OCM063/04/16 as he is the part owner of property in West Mundijong and will leave the meeting while this item is discussed.

8. Receipt of minutes or reports and consideration for recommendations:

8.1 Ordinary Council Meeting – 11 April 2016

COUNCIL DECISION

Moved Cr Urban, seconded Cr Hawkins

That the minutes of the Ordinary Council Meeting held on 11 April 2016 be confirmed (E16/3013).

CARRIED UNANIMOUSLY

8.2 Special Council Meeting – 14 April 2016

COUNCIL DECISION

Moved Cr Rich, seconded Cr Ellis

That the minutes of the Special Council Meeting held on 14 April 2016 be confirmed (E16/3020).

CARRIED UNANIMOUSLY

9. Motions of which notice has been given:

OCM062/04/16	Lot 7 Kargotich Road, Oldbury - Proposed Place of Public Worship and Caretakers Dwelling (P03500/01)
Author:	Helen Maruta – Senior Planning Officer
Senior Officer:	Andre Schonfeldt -Director Planning
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Proponent: Sahibzada Fateh Singh Jee Inc.
 Date of Receipt: 27 February 2015
 Lot Area: 3.55ha (portion of Lot 7)
 Town Planning Scheme No. 2 Zoning: 'Rural'
 Metropolitan Region Scheme Zoning: 'Rural'

Introduction:

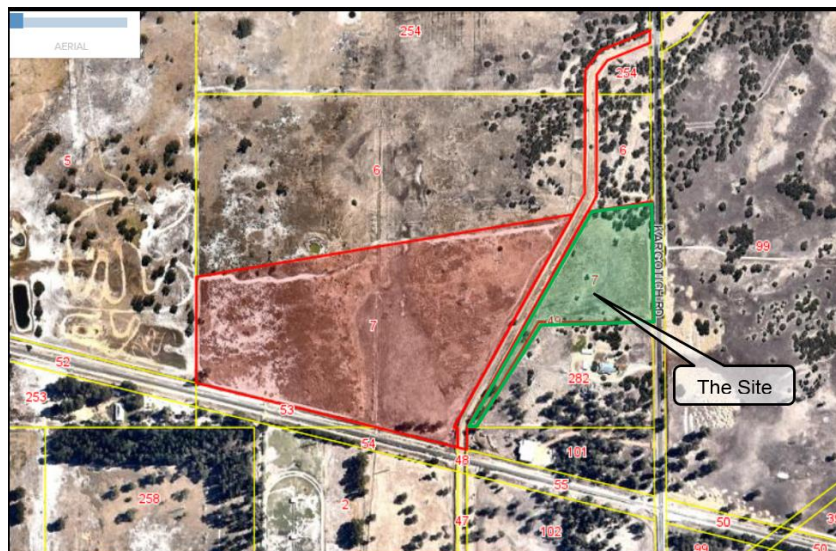
A planning application dated 27 February 2015 has been received for a proposed place of public worship and single dwelling to permit the development of a Sikh Temple at Lot 7 Kargotich Road, Oldbury.

At the Ordinary Council Meeting (OCM) of 26 October 2015, Council resolved to defer the application as follows:

“..for the Chief Executive to allow traffic management matters and recent information received from the Department of Water regarding the flooding risks and drainage matters to be investigated fully”

The application is being presented to Council as the Shire’s officers are satisfied with the additional information provided by the applicant addressing traffic management and drainage matters. A flood management plan and road widening concept plan have been submitted in that regard.

Further to the officer’s report to the OCM of 26 October 2015, this report recommends that the public place of worship and single dwelling be approved subject to appropriate conditions.



Background:

Existing Development:

The site is vacant and has a total area of 19.25ha which is split into two separate land parcels by an open Water Corporation drain. There is no direct access from Kargotich Road to the portion of Lot 7 to the west of the drain and therefore the proposed development is currently restricted to the eastern portion. The site has a 207.51m frontage to Kargotich Road.

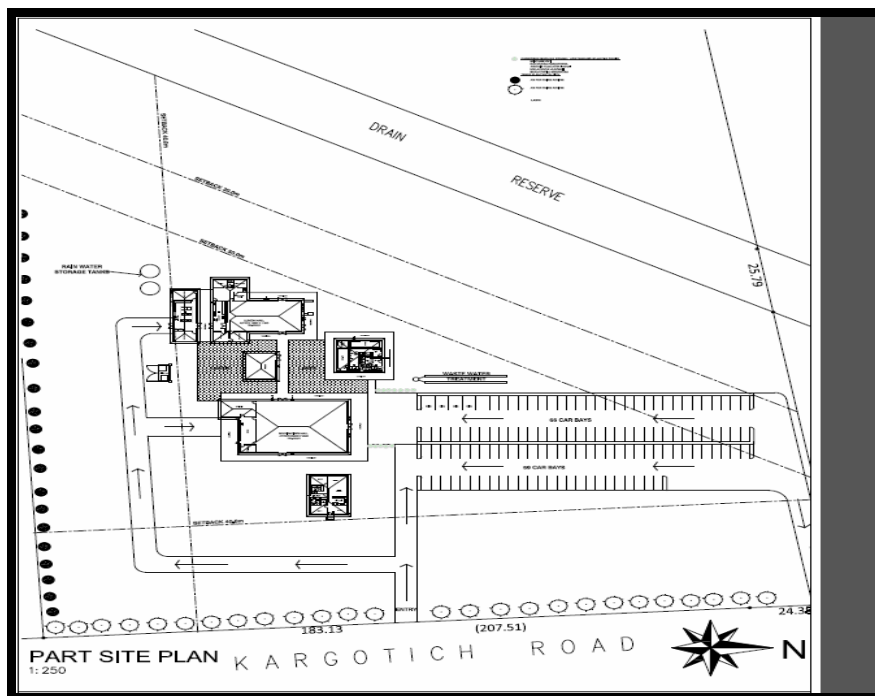
Proposed Development:

The proposal includes a series of single storey buildings which form the temple compound, including a meditation hall and library (approximately 460m²), lunch hall (approximately 180m²), kitchen (19.8m²), amenities block (132m²), and caretakers dwelling (140m²). A sealed car parking area comprising of 125 bays is proposed to be located to the north of the temple compound and set back in excess of 40 metres from Kargotich Road.

The proposal proposes access via a centrally located ingress point from Kargotich Road which connects to the internal access arrangement proposed on-site. An area of existing vegetation in the north-east corner of the site will be cleared to facilitate the construction of the egress driveway. Under clause 7.13.4(c) (vii) of Town Planning Scheme No. 2 (TPS 2), vehicle access to a property falls within the exemptions of tree preservation. The clearing will however be off-set by landscaping which is proposed along the site frontage to Kargotich Road.

The temple will be used for meditation sessions, religious/spiritual congregation and celebrations and educational sessions. The temple is proposed to have a maximum capacity of 500 people. Initially it is likely that the temple will only attract 10 to 15 people during weekday morning periods, 15 to 25 people during weekday evening periods, 15 to 30 people on Saturdays and 25 to 80 people on Sundays.

The applicant has indicated that the maximum capacity of 500 people is likely to only occur on special occasions and will only be achieved after 10 to 15 years of the Sikh Temple being in operation.



Site Plan

Relevant Previous Decisions of Council:

OCM210/10/15 – Council deferred determination of the planning application to allow traffic management and drainage matters to be further investigated.

Community / Stakeholder Consultation:

The application was advertised in accordance with clause 6.3 of TPS 2 whereby four (4) objections were received. Refer to item OCM 210/10/15 and attachment OCM062.4/04/16 for information relating to the summary of objections, officer's comments and applicant's justification which has been duly addressed.

Statutory Environment:

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Metropolitan Regional Scheme (MRS): the site is zoned 'rural' under the MRS
- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2: the site is zoned 'rural' under the Shire's TPS 2.
- Rural Strategy 2013 Review: the site is within the within the Rural Enterprise Policy Area under the Shire's Rural Strategy

Financial Implications:

There are no direct financial implications regarding this matter.

Alignment with our Strategic Community Plan:

3.1	Urban Design with Rural Charm
3.1.2	Provide appropriate amenities and accommodation for the Shire's growing population of youth and seniors.

The Shire's Strategic Community Plan defines rural charm by maintaining the localities rural character and providing facilities that serve the community's needs. Given the specific locational context of the site in proximity to the future West Mundijong Industrial Area, it is considered that the proposal will provide a facility for the community with built form elements than maintain the rural character.

Planning Assessment:

In response to Council's request for additional information relating to traffic management and drainage matters the following planning assessment has been undertaken in response to additional relevant information provided addressing the outstanding matters.

The full planning assessment can be viewed and considered as part of item OCM210/10/15 of OCM 26 October 2015.

Furthermore, the Shire's officers have completed a comprehensive assessment of the proposal in accordance with section 67 of the *Planning and Development Regulations (Local Planning Schemes) 2015*, the assessment can be viewed as part of attachment OCM054.2/04/16.

Land Use:

The subject site is zoned 'Rural' under the Shire's TPS 2. The purpose and intent of the rural zone is to "allocate land to accommodate a full range of rural pursuits and associated activities conducted in the Scheme area". In determining whether this application is capable of approval under TPS 2 it is first necessary to consider the appropriate land use classification for the proposal with reference to the definitions provided for in Appendix 1 of TPS 2.

The Shire's officers classify the proposal as a place of worship which is defined by TPS 2 as follows:

“Public Worship - Place of - means land and buildings used for the religious activities of a church but does not include an institution for primary, secondary, or higher education, or a residential institution”.

The proposed development of a Sikh Temple falls within this definition. In the rural zone a public place of worship is an SA use, which means that Council may at its discretion, permit the use after notice of the application has been given in accordance with CI 6.3 of TPS 2.

Drainage:

The subject area falls within the Oaklands Drainage Catchment in the Mundijong Drainage District, a rural drainage system. The Oaklands Main Drain traverses the subject site. Given the large amount of hardstand proposed on site including roof structures, generation of a considerable amount of runoff is expected and as such treatment of stormwater needs to be properly managed.

In this regard the applicant has a Flood Management Plan prepared by JDA Hydrologists who have modelled the impact of post development flood levels. The report indicates that a majority of the lot is affected by flooding during major river flows such as the 1 in 100 year Annual Exceedance Probability (AEP). The report was referred to the Department of Water who provided the following comments:

“The Department has assessed the Lot 7 Kargotich Road, Oldbury Flood Water Management Plan (JDA, 2015). Although the Department of Water has some concerns with the modelling undertaken by JDA, the proposed development is not considered likely to adversely impact flood levels in the surrounding areas. We again bring to your attention that a 10% Annual Exceedance Probability flood (i.e. a flood with a 10% chance of occurring in any given year) may overflow the eastern bank of Oaklands Main Drain in this area and isolate the development with shallow flood water. A 1% AEP flood is expected to isolate the development (350 m away from safety) with floodwaters 0.75 – 1.0 m deep. Given this is not a habitable premises the development is considered acceptable to the Department.”

Shire technical officers are satisfied with the information provided and recommends that the applicant prepare a water management plan to be approved prior to the commencement of site works. As such, a condition has been imposed requiring the applicant/owner to provide a water management plan to the satisfaction of the Shire.

Traffic Management:

With regards to the traffic management matters the proponent provided a set of preliminary concept design drawings for road widening, traffic islands and turning lanes to facilitate access to the site as part of the initial application. The preliminary concept designs also included details of the proposed slip lane construction and removal of the third crossover to the service road which is now accessed from an internal driveway.

Shire technical officers have further reviewed the initial concept design diagrams and are satisfied with the level of detail provided and have deemed the concept designs acceptable; therefore no further request was made to the applicant to provide additional information.

The implementation of the road widening for Kargotich Road by the proponent in accordance with the final plans will be required prior to the commencement of operations, should Council resolve to support the proposed development. The detailed designs and engineering drawings will be required to be submitted for approval by the Shire's Engineering department who have been working closely with the proponent. In addition, the applicant is required to undertake a traffic management plan by a suitably qualified consultant to assess the safety implications of the egress point on Kargotich Road. Accordingly, the additional plans

required by the Shire's Engineering department have been conditioned as part of the officers recommendation.

Options and Implications:

With regard to the determination of the application for planning approval under TPS 2, Council has the following options:

Option1: Council may resolve to approve the application subject to conditions.

The approval of the application will result in the establishment of a community facility in proximity to the future Mundijong-Whitby Urban Cell which will complement the future desired commercial and light industrial uses of the Rural Enterprise Policy Area as identified within the Shire's Rural Strategy 2013 Review.

Option 2: Council may resolve to refuse the application.

Option 1 is recommended.

Conclusion:

Shire officers consider that the proposed Sikh Temple is appropriate for this location within the Rural zone under TPS 2 and the Rural Enterprise Policy Area under the Rural Strategy given the proximity to the future Mundijong-Whitby Urban Cell development area.

It is considered that the rural character and amenity of the area will be preserved through appropriate building construction and the use of perimeter landscaping. It is recommended that the development application be approved subject to appropriate conditions.

Attachments:

- [OCM062.1/04/16](#)–Site Plan (E16/3010)
- [OCM062.2/04/16](#)– Floor Plans and Elevations (IN15/17748)
- [OCM062.3/04/16](#)– Road Widening Concept Plan (IN15/17746)
- [OCM062.4/04/16](#)– Summary of Submissions (IN15/17745)
- [OCM062.5/04/16](#)– Flood Management Plan (E16/2665)
- [OCM062.6/04/16](#)– Consideration of Section 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (E16/2827)
- [OCM062.7/04/16](#)– Council Resolution – Ordinary Council Meeting (CR15/136)

Voting Requirements: Simple Majority

Councillor Atwell foreshadowed he would move a new motion to refuse the item if the motion under debate is lost.

OCM062/04/16 COUNCIL DECISION / Officer Recommendation:

Moved Cr Piipponen, seconded Cr Urban

That Council approves the application submitted by Sahibzada Fateh Singh Jee Inc. for a Place of Public Worship as indicated on the approved plans and does not relate to any other development on Lot 7 Kargotich Road, Oldbury, subject to the following conditions:

- 1. If the development is not substantially commenced within a period of two (2) years from the date of this approval, the approval shall lapse and be of no further effect.**
- 2. No signs are to be displayed in the road reserve adjacent to the site at any time.**

3. All storm water shall be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourse and drainage lines is not permitted.
4. All existing native trees and / or revegetated areas on the subject lot shall be retained and shall be protected from damage prior to and during construction unless part of this or a separate planning approval.
5. Prior to the commencement of works the landowner shall submit and have approved by the Director Planning a detailed schedule of colours and finishes for all buildings.
6. Prior to the commencement of works a notification pursuant to section 70A of the *Transfer of Land Act 1893* is to be placed on the certificate of title and included on the diagram or plan of survey. The notification is to state as follows:
 - a. The land is located within the 1000 metre buffer area to the future West Mundijong Industrial Area and as such may be subject to associated off-site impacts from industrial land uses including noise, smoke, dust, odour, vibration and light.
 - b. The Caretakers Dwelling is to be used in accordance with the definition contained within Town Planning Scheme No. 2 (as amended) which is a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site. The Caretaker's Dwelling is to be constructed with an internal floor area not exceeding 100m².
7. Prior to the commencement of works the landowner shall submit and have approved by the Director Planning a set of floor plans and elevation plans for the Caretaker's dwelling.
8. Prior to the commencement of works the landowner shall submit and have approved by the Director Engineering a Lighting Plan.
9. Prior to the commencement of works the landowner shall submit and have approved by the Director Engineering a geotechnical report prepared by a suitably qualified professional.
10. Prior to the commencement of works the landowner shall submit and have approved by the Director Engineering a Landscape and Vegetation Management Plan.
11. Prior to the commencement of works the landowner shall submit and have approved by the Director Planning a Bushfire and Emergency Management Plan, and thereafter implemented.
12. Prior to the commencement of works the landowner shall submit and have approved by the Director Engineering an Urban Water Management Plan prepared by a suitably qualified professional, and thereafter implemented.
13. Prior to the occupation of any part of the development, the landowner shall provide 125 car parking bays in accordance with the approved plans.
14. Prior to occupation of any part of the development, the landowner shall design and construct (at his own cost) to the satisfaction of the Director Engineering a left turn deceleration lane and left turn acceleration lane on Kargotich Road.
15. Prior to the occupation of any part of the development, the landowner shall widen the southbound carriageway of Kargotich Road to the satisfaction of the Director Engineering.
16. Prior to the occupation of any part of the development, the vehicle parking area, access ways, crossover, turning lanes and road widening shall be designed,

constructed, sealed, kerbed, drained, line marked to the satisfaction of the Director Engineering.

17. Prior to the occupation of any part of the development, the landowner shall submit and have approved by the Director Engineering a Traffic Management Plan prepared by a suitably qualified professional, and thereafter implemented.
18. Prior to the occupation of any part of the development, the landowner shall install an approved effluent disposal system.
19. Prior to the occupation of any part of the development, the landowner shall submit and have approved by the Director Planning a Noise Management Plan prepared by a suitably qualified professional, and thereafter implemented.
20. Prior to the occupation of any part of the development, the landowner shall provide a water supply of minimum capacity of 120,000 litres to the satisfaction of the Director Planning.

Advice Notes:

1. The landowner is advised this is a planning approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements.
2. With regard to condition (11) the water supply shall be fitted with a minimum 50mm or 75mm Ball Valve and a 50mm female Camlock fitting with a blanking cap. Access to this outlet must be within 6 metres on hardstand to facilitate fire appliance use. This coupling and valve shall be installed and maintained in a correct operating condition at all times at the landowner's expense.

LOST 0/8

OCM062/04/16 COUNCIL DECISION / Foreshadowed Motion:

Moved Cr Atwell, seconded Cr Rich

That Council refuses the application submitted by Sahibzada Fateh Singh Jee Inc. for a Place of Public Worship as indicated on the plans on Lot 7 Kargotich Road, Oldbury, for the following reason:

1. Concerns raised regarding the location of the buildings in relation to the flood prone areas.
2. Potential impacts on neighbouring and upstream properties as a result of the proposed fill and additional flood risk.

CARRIED UNANIMOUSLY

Councillor Atwell declared a financial interest in OCM063/04/16 and left the Chambers at 7.37pm while the item was discussed.

OCM063/04/16	Scheme Amendment No. 187 – West Mundijong Industrial Area – Various Lots from Rural and Farmlot to Urban Development & Development Contribution Plan (SJ1533)
Author:	Rob Casella – Senior Strategic Planner
Senior Officer/s:	Andre Schonfeldt –Director Planning
Date of Report:	5 April 2016
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act 1995</i>

Proponent: Shire of Serpentine Jarrahdale
 Owner: Various
 Land Area: Approx. 448.81ha
 Town Planning Scheme No 2 Zoning: Farmlot & Rural
 Metropolitan Region Scheme Zoning: Rural

Introduction:

The purpose of this report is for Council to consider a requested modification to the Plan of Scheme Amendment No.187 to rezone various lots from Rural & Farmlot to Urban Development as well as a modification to the Development Contribution Items applicable to the future industrial precinct.

Background:

At the Ordinary Council Meeting (OCM) held on 23 November 2015, Council resolved to initiate Scheme Amendment 187 for the purpose of advertising. Subsequently, the Environmental Protection Authority (EPA) advised that an assessment of the proposal could not be undertaken until the amendment area is modified to ensure it is consistent with the Metropolitan Region Scheme (MRS).

The inconsistency related to the eastern boundary alignment of the proposed rezoning. The diagram below illustrates the Council initiated amendment area and the EPA requested modified amendment area that requires adoption by Council prior to advertising.

The modification relates to an approximate 150m strip of land to remain in the Rural zone, as identified in the MRS amendment. At OCM held on 22 February 2016, Council endorsed a submission on the MRS amendment requesting that the Department of Planning zone the rural strip to 'Railways' under the MRS and appropriately designate the correct alignment of the railway corridor in the 'Railways' reserve to appropriately accommodate the future infrastructure.



Council Endorsed Amendment Map

EPA Amendment Map

Diagram 1 – Modified Amendment Map

Additionally, a modification to the Scheme text has been made to include an additional item within the Development Contribution Plan to be incorporated into the scheme.

The proposed item relates to the railway corridor with the proportional equitable contribution towards land acquisition and construction of the freight rail realignment.

As the scheme amendment involves a development contribution component, the proposed amendment is to be processed as a complex amendment under the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regs) as the amendment proposes to identify a development contribution area and seeks to have approved a development contribution plan, as in accordance with Regulation 34(e) under the complex amendment heading.

Relevant Previous Decisions of Council:

OCM161/03/13 – Council considered the technical investigations to support the MRS amendment, adopted the DSP and supporting technical investigations for advertising with the MRS amendment, resolved to formally request the WAPC to progress an MRS amendment to rezone the area to Industrial and resolved to notify landowners of Council's decision.

OCM246/11/15 – Council adopted Scheme Amendment No.187 for the purposes of advertising, following referral to the EPA and receiving no objection.

Community / Stakeholder Consultation:

Following initiation of the scheme amendment, the Shire will be required to advertise the amendment document, following receipt of the Commission, in accordance with r38(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Comment:

Scheme Amendment Map

Scheme Amendment no.180 was initiated by Council for the purpose of advertising prior to the publication of the MRS amendment for the West Mundijong Industrial Area. Subsequently, the DoP advertised a proposed plan which did not include an approximate 150m corridor along the eastern side of the future industrial area. The EPA determined that the proposed Scheme Amendment did not constitute a valid application until such time as the proposal was consistent with the MRS. A letter detailing the EPA's comments is contained within the Attachments.

The Shire has since had the modification made and the EPA have determined that an assessment is not required, however provided the following recommendations:

1. *The proposed scheme text for future structure planning be modified to include the provision of ecological corridors to reflect vegetation and wetland values within the amendment area.*
2. *The inclusion of a 50 metre buffer around the Conservation Category Wetland unless a site specific study is undertaken and recommends a revision of this buffer distance.*
3. *Preparation of a Noise Management Strategy in consultation with the Department of Environment Regulation in regards to the development of industries that are prescribed premises under the EP Act.*
4. *The Department of Planning and the Shire of Serpentine Jarrahdale liaise to ensure that subsequent stages of planning ensure that development is consistent with the outcomes of the Perth and Peel Green Growth Plan for 3.5 million.*

In response to the EPA's recommendations, the Shire has amended the Scheme Amendment Report to include a statement requiring future structure planning to include provisions of ecological corridors to reflect vegetation and wetland values within the area.

The request for a 50m buffer around the Conservation Category Wetland will be addressed as part of the District Structure Plan (DSP) prior to advertising.

In regards to the request for a noise management strategy, the Shire has carried out a noise impact assessment as part of the DSP process and designed the industry land uses accordingly, with light industrial land uses located to reduce potential conflict / buffer requirements from sensitive land uses surrounding the subject site.

The EPA's advice on ensuring the consistency with the Green Growth Plan and Perth and Peel at 3.5 million has been acknowledged and progressed accordingly.

Development Contribution Item

In August 2011, Council resolved to adopt the final Mundijong-Whitby District Structure Plan. As part of the approval an illustration of the potential freight realignment was shown outside of the Mundijong townsite. The potential realignment was identified parallel with the future Tonkin Highway extension.

At its Ordinary Council Meeting held on 11 March 2013, Council resolved to adopt the Draft District Structure Plan for West Mundijong (WMDSP) for the purpose of advertising. The WMDSP identifies a rail reserve along the eastern boundary of the amendment area, indicating support for the future freight rail reserve to be constructed.

In addition to Councils supporting documentation the rail realignment is identified in the state planning framework contained within the *Draft Southern Metropolitan Sub-Regional Structure Plan 2009*.

As part of the development contribution plan, the Shire has included an item within the proposed scheme amendment to include contributions towards any land acquisition, earthworks, and construction, associated drainage, grade separated rail crossings, utility removal/relocation/insertion, and administration, design and management costs associated with the freight rail realignment.

Under State Planning Policy 3.1 – Development Contributions for Infrastructure, it permits contribution plans to collect funds for the purpose of acquiring land for railway reserves. Therefore the proposed item is consistent with SPP3.1.

The realignment of the freight rail will provide greater long-term opportunities for industrial operations by connecting Mundijong with commercial port, rail and airport infrastructure in Perth, the South West and Mid-West Regions. This strategic positioning of freight and industrial land uses, serviced by multiple road freight routes that service the Perth Metro and greater extents of Western Australia (Tonkin Highway / Forrest Highway and Perth-Darwin

Highway / Brand Highway) will likely be serviced by a future intermodal facility within the West Mundijong Industrial area. This will ensure improved access to greater transport infrastructure and processing facilities, providing more cost effective transport options for Western Australian agricultural commodities and goods.

The realignment of the freight rail to the west of the Tonkin Highway reservation will also allow the Mundijong townsite to develop to its most efficient capacity by improving accessibility through the Mundijong locality.

On balance, the matters concerning the proposed freight rail realignment and intermodal terminal are long term strategic considerations. The further particulars associated with the realignment and intermodal terminal need to be attended to by the DoT at further detailed levels of planning. Shire officers are of the understanding that landowners would like to develop the land for general and light industry purposes in the short to medium term. As outlined in the DSP, irrespective of the timing or occurrence of the freight rail realignment, industrial development is feasible at West Mundijong.

Statutory Environment:

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Town Planning Scheme No. 2

Financial Implications:

The Shire has received significant financial assistance from the state government which has enabled the Shire to progress the technical investigations for West Mundijong. Shire officers are providing on-going updates to the state government in regard to the studies, expenditure and progression of the project. It is recommended that the Shire continue to progress this project with funding from external sources, assist through budgeted funding where possible and provide in kind, contribution through ongoing project management.

Organisation	Amount received to date
Peel Development Commission (PDC)	\$18,000
Department of Planning (DoP)	\$115,500
Department of Agriculture & Food WA (DAFWA)	\$22,000
Total	\$155,500

Alignment with our Strategic Community Plan:

Objective 2.3	Financial Diversity
Key Action 2.3.2	Encourage commercial investment in the Shire that positively impacts the natural environment.
Objective 4.1	Local Economy
Key Action 4.1.1	Target and engage sustainable, environmentally and socially responsible industries and businesses.

Options and Implications:

Council has the following options when considering the request to initiate the scheme amendment:

Option 1: Council may resolve to initiate the scheme amendment for advertising.

Initiation of the Scheme amendment will inevitably support the future development of the West Mundijong Industrial Precinct, a strategically located employment hub for the future growth of the Shire's population and local and regional economy.

Option 2: Initiate an amendment to TPS 2 with modifications.

If Council request to modify the scheme amendment document prior to initiation, it will substantially delay the initiation of the scheme amendment in seeking adoption.

Option 3: Not initiate an amendment to TPS 2.

By not initiating the scheme amendment, Councillors will be contradicting its support for the Metropolitan Region Scheme amendment adopted in March 2013.

Option 1 is recommended.

Conclusion:

Upon advice of the EPA, the proposed Scheme Amendment area has been amended to reflect the cadastral boundaries of the MRS amendment proposal to ensure consistency across the planning framework.

Additionally, modifications have been made to the amendment to include an additional item in the associated Development Contribution Scheme to ensure a suitable funding contribution to the realignment of the Kwinana Freight Rail to facilitate the strategic importance attributed to the industrial park on a state level.

Attachments:

- [OCM063.1/04/16](#) – Modified Draft Scheme Amendment No. 187 Documentation (IN16/5519)
- [OCM063.2/04/16](#) - Draft West Mundijong Industrial Area DSP with Appendices (E15/5707)
- [OCM063.3/04/16](#) - Environmental Protection Authority Response to Scheme Amendment (IN16/107)
- [OCM063.4/04/16](#) – Environmental Protection Authority Submission (IN16/3147)

Voting Requirements: Simple Majority

OCM063/04/16 COUNCIL DECISION / Officer Recommendation:

Moved Cr Rich, seconded Cr Piipponen

That Council pursuant to Section 75 of the *Planning and Development Act 2005 (as amended)* and regulation 58 of the *Planning and Development (Local Planning Schemes) Regulations 2015* proceed to advertise amendment no. 187 without modification, to the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 by:

1. Acknowledging that the amendment is complex for the reason that it proposes to establish a development contribution area and plan as per r 34(e) of the *Planning and Development (Local Planning Schemes) Regulation 2015*.
2. Amending the Scheme text as follows:
 - a. Reclassifying the following land parcels from the 'Rural' & 'Farmlet' zone to the 'Urban Development' zone in West Mundijong:
 - i. Part Lot 99 Kargotich Road (near intersection Kargotich Road)
 - ii. Lot 38 Bishop Road (Cnr Kargotich Road)
 - iii. Lots 1680, 525 & 405 Bishop Road
 - iv. Lots 2, 6, 9 8, 7 & 402 Scott Road
 - v. Lot 4 Sparkman Road
 - vi. Lot 2 Kargotich Road
 - vii. Lots 11 & 1255 Mundijong Road
 - viii. Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12 Pure Steel Lane
 - b. Deletion of the 'Area of Natural Beauty' designation from Lot 1680 and Lot 405 Bishop Road & Lot 7 and Lot 402 Scott Road.

- c. Replacement of item No. 33 in ‘APPENDIX 7 - SCHEDULE OF PLACES OF NATURAL BEAUTY, HISTORIC BUILDINGS AND OBJECTS OF HISTORICAL OR SCIENTIFIC INTEREST’ with: *MANJEDAL BROOK From its source east of Nettleton Road along its length to the extension of Tonkin Highway.*
- d. Including portion of Lot 7 and Lot 402 Scott Road & Portion of Lot 405 Bishop Road in the ‘Public Open Space’ reserve with the balance of the parcels within the ‘Urban Development’ zone as delineated on the Scheme Amendment map as detailed above.
- e. Modification to ‘APPENDIX 9 - DEVELOPMENT AREAS’ by inclusion of the following development area:

Ref No.	Description of Land	Provisions
DA 6	<ul style="list-style-type: none"> a) Part Lot 99 Kargotich Road (near intersection Kargotich Road) b) Lot 38 Bishop Road (Cnr Kargotich Road) c) Lots 1680, 525 & 405 Bishop Road d) Lots 2, 6, 9 8, 7 & 402 Scott Road e) Lot 4 Sparkman Road f) Lot 2 Kargotich Road g) Lots 11 & 1255 Mundijong Road h) Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12 Pure Steel Lane 	<ol style="list-style-type: none"> 1. Land use to be in accordance with the ‘Light Industry’ and ‘General Industry’ zone as varied by an endorsed structure plan prepared pursuant to Part 16 of the Deemed Provisions. 2. Compliance with a district structure plan and consequential local structure plans prepared in accordance with Part 16 of the Deemed Provisions and the guidelines prepared by the Western Australian Planning Commission for Structure Plans. 3. In addition to the considerations outlined in Part 16 of the Deemed Provisions, the structure plan is to have regard to the following factors: <ul style="list-style-type: none"> -Proposed extension of Tonkin Highway -Possible realignment of the Kwinana Freight line -Provision of a possible intermodal facility if found feasible by the Department of Transport Conservation of Manjedal Brook -Preparation and implementation of a noise management strategy to the satisfaction of the Office of Environmental Protection which is cognisant of proposed and existing sensitive uses including those existing uses contained within the structure plan area -Provision of ecological corridors reflecting district drainage patterns 4. Compliance with a Development Contribution Plan prepared in accordance with clause 9.3 of the Scheme.

- f. Modifying ‘APPENDIX 10 - DEVELOPMENT CONTRIBUTION PLANS’ by including the following development contribution area:
 - i. Adding the following text into Appendix 10 of the Scheme:

**‘Appendix 10B – West Mundijong Development Contribution Area –
Scheme Development Contribution Plan**

Development contribution area name	West Mundijong
Reference number on Scheme Map(s)	DCA 2
Boundary of development	Refer Scheme Map(s)
Items	<p>Mundijong Road:</p> <ul style="list-style-type: none"> a) <i>Land required to achieve the proposed 40 metres road reserve;</i> b) <i>Earthworks for the whole road reserve;</i> c) <i>The construction and upgrade of one carriageway;</i> d) <i>Associated drainage works including water sensitive measures;</i> e) <i>Traffic control devices including two sets of traffic lights, intersection treatments incorporating slip lanes and associated works;</i> f) <i>Shared paths;</i> g) <i>Utility removal, relocation and insertion; and</i> h) <i>Associated costs including design, administration, and management.</i>
	<p>Kargotich Road:</p> <ul style="list-style-type: none"> a) <i>Land required to achieve the proposed 30 metres road reserve;</i> b) <i>Earthworks for the whole road reserve;</i> c) <i>Complete road construction based on a single lane split carriageway with central median.</i> d) <i>Associated drainage works including water sensitive measures;</i> e) <i>Traffic control devices including intersection treatments incorporating slip lanes and associated works;</i> f) <i>Shared paths;</i> g) <i>Utility removal, relocation and insertion; and</i> h) <i>Associated costs including design, administration, and management.</i>
	<p>Bishop Road New:</p> <ul style="list-style-type: none"> a) <i>Land required to achieve the proposed 30 metres road reserve;</i> b) <i>Earthworks for the whole road reserve;</i> c) <i>Complete road construction based on a single lane split carriageway with central median.</i> d) <i>Associated drainage works including water sensitive measures;</i> e) <i>Traffic control devices including one set of traffic lights, intersection treatments incorporating slip lanes and associated works;</i> f) <i>Shared paths;</i> g) <i>Utility removal, relocation and insertion; and</i> h) <i>Associated costs including design, administration, and management.</i>

	<p>North-South Spine Road:</p> <p>a) Land required over and above a standard 20 metre road reserve to achieve the required road width of 30 metres;</p> <p>b) Earthworks for the whole road reserve;</p> <p>c) Complete road construction based on a single lane split carriageway with central median.</p> <p>d) Associated drainage works including water sensitive measures;</p> <p>e) Shared paths;</p> <p>f) Utility removal, relocation and insertion; and</p> <p>g) Associated costs including design, administration, and management.</p>
	<p>Land for drainage:</p> <p>All land required for district drainage purposes.</p>
	<p>Freight Rail Realignment</p> <p>a) Land required to achieve the proposed 40m rail reservation;</p> <p>b) Earthworks for the whole rail reserve;</p> <p>c) The construction of the rail infrastructure;</p> <p>d) Associated drainage works including water sensitive measures;</p> <p>e) Grade separated rail crossings;</p> <p>f) Utility removal, relocation and insertion; and</p> <p>g) Associated costs including design, administration, and management.</p>
	<p>Administrative:</p> <ul style="list-style-type: none"> • All estimated future costs associated with administration planning and development in West Mundijong, including: • Planning studies; • Traffic studies; • Drainage studies • Road design costs; • Borrowing costs (including interest and principal loan repayments); and • Scheme Management Costs (including administration and management of the DCA)
Contribution methodology	<ul style="list-style-type: none"> • Per hectare or square metre basis.
Period of operation	20 years
Priority and timing of infrastructure provision	Refer development contribution plan report'

ii. Amending the Scheme Map(s) by including West Mundijong Industrial Area within the DCA 2 development contribution area special control area, as indicated on the Scheme Amendment map.

g. Amending the Scheme Maps accordingly.

3. Forward 2 copies of Amendment 187 to Town Planning Scheme No. 2 to the Environmental Protection Authority for comment, pursuant to Section 81 of the Planning and Development act (2005) and to the Western Australian Planning Commission for information and, subject to no objections being received from the

Environmental Protection Authority and acknowledgement being received from the Western Australian Planning Commission, the amendment be advertised for public comment pursuant to Regulation 38(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 for a period of 60 days, to the satisfaction of the Shire.

- 4. Authorise Shire Officers to amend the Council endorsed West Mundijong District Structure Plan to reflect the EPA's recommendation for a 50m buffer around the Conservation Category Wetland prior to advertising.**

CARRIED UNANIMOUSLY

Councillor Atwell returned to the Chambers at 7.38pm

OCM064/04/16	Lot 9200 Abernethy Road, Byford – Proposed Local Development Plan (S148939)
Author:	Marcel Bridge – Planning Officer
Senior Officer:	Andre Schonfeldt -Director Planning
Date of Report:	4 April 2016
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Proponent: Megara
 Date of Receipt: 22 January 2015
 Lot Area: 37,928m²
 Town Planning Scheme No. 2 Zoning: 'Urban Development'
 Metropolitan Region Scheme Zoning: 'Urban'

Introduction:

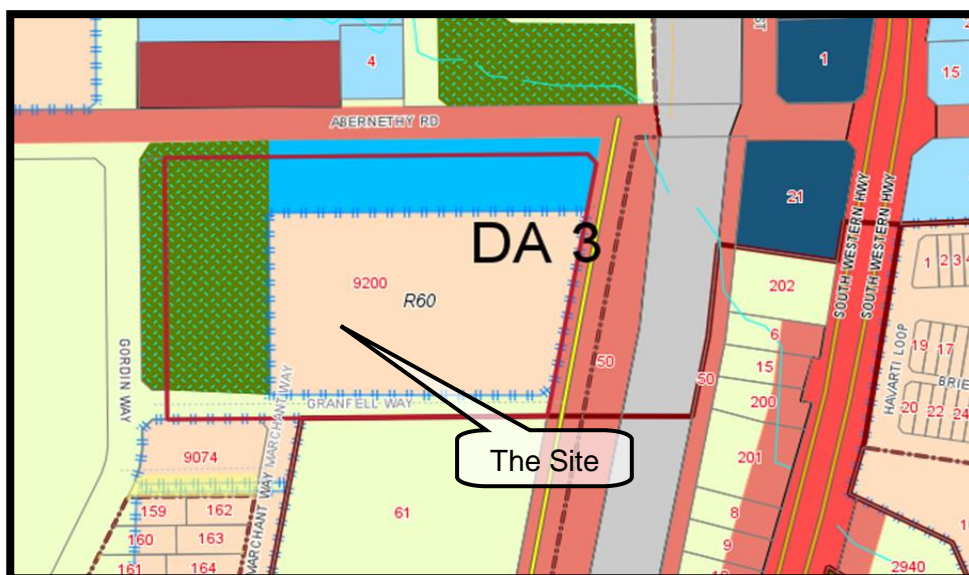
A planning application dated 20 January 2016 and received 22 January 2016 has been received for a proposed LDP for Lot 9200 (formerly lot 15) Abernethy Road, Byford.

The LDP has been assessed with regard to the *Planning and Development (Local Planning Schemes) Regulations 2015*, Western Australian Planning Commission (WAPC Framework for Local Development Plans 2015 and Residential Medium Density Codes Planning Bulletin 112/2015.

The applicant has sought variations to the open space requirements of the Residential Design Codes (R-Codes). In accordance with clause 7.3.2 of the R-Codes, the proposed open space variation cannot be varied by Council without prior approval from the WAPC. The Commission has provided comments supporting the proposed variation to open space.

The purpose of this report is for Council to consider a Local Development Plan (LDP) for Lot 9200 Abernethy Road, as Shire Officers do not have delegation to determine LDPs in accordance with P033D and P033S – Local Development Plans.

The report recommends that the Local Development Plan submitted be approved subject to minor modification as discussed within the report.



Locality Plan

Background:**Existing Development:**

The lot is currently vacant with one (1) hectare of vegetation to the western boundary of the site.

Proposed Development:

The Local Development Plan has been prepared in accordance with a conditional subdivision approval (S148939) issued by the WAPC on 11th February 2014.

The subdivision approval provides for a medium to high density estate that is to be subdivided into 74 green title single. As such, the lots are zoned residential R60 with approximate lot areas of 180m² and seven (7) commercial lots. The estate includes one (1) hectare of public open space which includes a wetland.

The original subdivision application approved lot sizes consistent with the average and minimum site area requirements of the R-Codes.



Arial Photo (Intramaps)

Relevant Previous Decisions of Council:

There is no previous Council decision relating to this application.

Community / Stakeholder Consultation:

In accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* clause 50 'Advertising of Local Development Plans' subclause 3 states that:

"despite subclause (1) the local government may decide not to advertise a local development plan if the local government is satisfied that the plan is not likely to adversely affect any owners or occupiers within the area covered by the plan or an adjoining area."

Shire officers consider that with the inclusion of the *Residential Medium Density (RMD) Codes – Planning Bulletin 112/2015 (R-MD)* standards in the proposed LDP is consistent with the intention and purpose of a local development plan to set out specific and detailed guidance for future development.

The proposed LDP is considered to be acceptable to facilitate proper and orderly planning and therefore officers deemed that advertising was not required in accordance with subclause 3 of the *Planning and Development (Local Planning Schemes Regulations 2015)*.

Statutory Environment:

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Western Australian Planning Commission Framework for Local Development Plans 2015
- State Planning Policy 3.1 - Residential Design Codes
- Residential Medium Density (RMD) Codes – Planning Bulletin 112/2015

Financial Implications:

There are no direct financial implications regarding this matter.

Alignment with our Strategic Community Plan:

Objective 3.1	Urban Design with Rural Charm
Key Action 3.1.1	Maintain the area's distinct rural character, create village environments and provide facilities that serve the community's needs and encourage social interaction

The Shire's Strategic Community Plan defines rural charm by maintaining the localities rural character and providing facilities that serve the community's needs.

The proposed local development plan is not in conflict with the Shire's Strategic Community Plan. The proposal will benefit the community by providing an affordable higher standard of living for those living on lots zoned R60 within the Town Centre.

Furthermore, the proposed LDP will not impact the rural charm of the Shire area as the proposal is within an urban context.

Planning Assessment:

The Shire's officers have assessed the proposal in accordance with the *Planning and Development Regulations (Local Planning Schemes) 2015*, the WAPC Framework for Local Development Plans, Residential and Medium Density Planning Bulletin and the State Planning Policy 3.1 Residential Design Codes.

The WAPC Framework for LDPs provides guidance as to how LDPs should be formatted and designed. The proposal is considered to comply with the design and layout requirements of the framework.

The proposed LDP has been assessed with regards to clauses 7.3.1 and 7.3.2 of the R-Codes, which outline the scope of changes which LDPs can facilitate. Clause 7.3.1 of the R-Codes permits variations to the following R-Codes requirements:

- Street setbacks;
- Lot boundary setbacks;
- Building height;
- Setback of garages and carport;
- Garage width;
- Street surveillance;
- Street walls and fences;
- Sight lines;
- Appearance of retained dwellings;
- Site works; and
- External fixtures; and aged and dependant person dwellings.

Clause 7.3.2 of the R-Codes states:

"Notwithstanding Clause 7.3.1, the local government may, with the approval of the WAPC, amend any other deemed – to – comply provision within the R-codes by means of a local

planning policy, local structure plan or local development where it can demonstrated to the satisfaction of the WAPC that the proposed amendment:

- *is warranted due to a specific need related to that particular locality or region;*
- *Is consistent with the objectives and design principles of the R-codes; and*
- *can be properly implemented and audited by the decision-maker as part of the ongoing building approval process.”*

Further to the above, the Department of Planning released the R-MD codes in 2015 which allow significant variations to the deemed-to-comply requirements of the R-Codes for LDPs. The R-MD codes requires local government to endorse the codes through a local planning policy to enable the provisions to have a statutory weight and can be applied to LDPs.

The Shire does not have a local planning policy endorsing the provisions of the R-MD codes and can therefore only refer to them to justify variations that are considered acceptable.

Open Space / Site Coverage:

In accordance with the R-Codes, lots zoned R60 require a minimum open space of 40% and minimum outdoor living area of 16m², respectively. The applicant is proposing a variation to open space, whereby the minimum open space for each lot is 25% (resulting in a 15% reduction). The LDP proposes to vary the outdoor living area requirement as per the R-MD codes detailed below in the Department of Planning’s comments.

The proposed open space variation requires approval by the Department of Planning in accordance with clause 7.3.2 of the R-Codes. As such the Shire sought determination from the Department of Planning. The following advice was provided:

“Although the Department maintains that Local Development Plans (LDP’s) should be used sparingly, with the RMD Codes to form the primary mechanism for varying deemed-to-comply standards, in this case it is acknowledged that an LDP is required as a condition of subdivision approval and that the Shire has yet to initiate a Local Planning Policy to allow implementation of the RMD Codes. To avoid any unnecessary delay the Department is be prepared to support an LDP which varies the open space requirements to be consistent with the relevant standards of the RMD Codes as follows:

An outdoor living area (OLA) with an area of 10% of the lot size or 20m², whichever is greater directly accessible from a habitable room of the dwelling and located behind the street setback area

At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin uncovered areas

The OLA to have a minimum 3 metre length or width dimension

Notwithstanding this advice, the Department would encourage the Shire to consider preparing a Local Planning Policy to allow implementation of the RMD Codes for future development sites where variations are deemed appropriate”.

The applicant has also provided the following justification relating to the proposed open space variation:

“The proponent has stated that the Village Reserve is a Town Centre subdivision within walking distance to shops, secondary and primary schools (where shared ovals are available), transport networks’ recreation areas and included almost 1ha of open space and wetland within the Estate.

To manage this style of living and the greater level of access to community facilities there is a reduction in overall open space on each lot, and due to narrow lot product there is also a reduction in widths and overall area required for outdoor living. To this end we note that the

internal face of the garage will remain open so that this can form part of the covered alfresco area if only one or no cars are parked in the garage.

This open space proposed 20% (not including the potential to use some garage as covered alfresco), this accords with that provided for at Woolandra Drive, where 25% was allowed on larger R50 lots and also next to a much small village centre, not a large Town Centre with a train and 1ha of open space.”

The Shire’s officers have considered the above comments from the Department and the applicant and assessed the open space and outdoor living area variations accordingly. The proposed variation to open space is common across LDPs within the Shire and appears to be used to address shortcomings of the R-codes, rather than providing an innovative design solution.

As detailed by the Department of Planning, LDPs should be used sparingly with the R-MD codes to form the primary mechanism for varying deemed-to-comply standards of the R-Codes. In this case it is acknowledged that the LDP has been prepared to satisfy a condition of subdivision approval granted by the commission on 11 February 2014 (WAPC 148939).

Variations to the open space requirements is to be considered against the design principles of clause 5.1.4 of the R-Codes, which states:

“Development incorporates suitable open space for its context to:

- reflect the existing and / or designed streetscape character or as outlined under the local planning framework;*
- provide access to natural sunlight for the dwelling*
- reduce building bulk on the site, consistent with the expectations of the applicable density code and or/as outlined in the local planning framework;*
- provide an attractive setting for buildings, landscape, vegetation and streetscape;*
- provide opportunities for residents to use space external to the dwelling for outdoor pursuits and access within/around the site; and*
- provide space for external facilities”*

The streetscape within the LDP is consistent with existing neighbourhood character, providing landscaped frontages, interactive street frontages and rear loaded laneway lots. The proposed reduction of open space will still allow housing design capable of accessing natural sunlight and ventilation. The lots are within close proximity to the 1ha public open space which provides an alternative place for future residents to recreate.

The outdoor living area variation is consistent with the requirements of the R-MD codes and will provide adequate outdoor space for future residents to recreate and space for external facilities. It is therefore considered the variation to open space complies with the relevant design principles of the R-Codes and the outdoor living area requirement complies with the provision of the R-MD codes as detailed by the Department.

In light of the above, it is considered the proposed variations to the open space and outdoor living areas are acceptable and likely to enhance the built form of the R60 lots. Accordingly, the variations are supported.

Lot Boundary Setbacks:

The applicant proposes to vary clause 6.1.4 relating to lot boundary setbacks (boundary walls) of the R-Codes. The R-Codes permits boundary walls being *“built up to a lot boundary, where it abuts a simultaneously constructed wall of equal or greater proportions; or a wall may be built up to one side lot boundary if it has a maximum height and average height as set out in Table 4 and a maximum length of two-thirds the length of this boundary”*, and the proposal proposes the following variation:

“Side: Nil ground floor setbacks to both sides for house and garage for a maximum length determined by the front and rear setback, Nil setback to second level on one side boundary

only. Minimum setback of 1m for secondary streets to corner lots (san Lots 18 and 27 where this may be nil”

The applicant has applied for this variation due to the lot widths being 6 metres, and designing a habitable dwelling complying with the lot boundary requirements of the R-Codes will not be achievable. Allowing boundary walls on both sides for the length of the lots, and to one side of the first floor will create a consistent row of ‘terrace’ style housing. This is considered a suitable housing design for residential R60 lots with 6 metre frontages.

The benefits of ‘terrace’ style housing is that it allows for useable internal and external living space whilst providing a consistent and aesthetically pleasing streetscape.

Notwithstanding the above, the Shire raises concern with respect to allowing a nil setback to one side boundary of the first floor, as there is no mechanism requiring the boundary wall to be built up against an adjoining lot boundary wall. The consequence of building a boundary wall on the first floor without an adjoining dwelling building up against it, will result in undue bulk on the streetscape and there is no mechanism for the shire to treat the façade of the wall to off-set the impact of the nil setback.

It is therefore recommended that the clause be amended as follows:

“Side: Nil ground floor setbacks to both sides for house and garage for a maximum length determined by the front and rear setback. Nil setback to the second level on one side boundary only, is permitted where the adjoining property will simultaneously construct a wall of equal or greater proportions abutting the boundary wall. Minimum setback of 1m for secondary streets to corner lots (san Lots 18 and 27 where this may be nil)”

The applicant has expressed their support of the amended requirement. Accordingly, the amended clause has been included in the officer’s recommendation.

Street Walls and Fences:

The applicant proposes to vary clause 6.2.1 of the R-Codes relating to street walls and fences, which allows *“front fences within the primary street setback area that are visually permeable to 1.2m above natural ground level”*, as follows:

“no fencing shall be permitted forward of the established building line”

The Shire’s strategic planning division has raised concerns with the requirement not permitting front walls and fences as it is considered that the future residents should have a right to construct a fence if desired.

Notwithstanding the above, it is considered that not permitting front walls and fences will provide a consistent streetscape within the LDP area. The dwellings are likely to be landscaped in lieu of a fence within the front setback area which will demarcate the dwelling to the primary street and provide an aesthetically pleasing streetscape.

Accordingly, the Shire’s officers support the proposed provision restricting the construction of front walls and fences within the LDP area.

Other Considerations:

The applicant proposes the following additional clauses to the R-Codes for the LDP area, as follows:

1. *“All dwellings abutting Public Open Space (POS) or Wetland shall be suitably designed and orientated to ensure passive surveillance of the POS or Wetland. Dwellings shall have one or more major openings to a habitable room or outdoor living area facing the POS.”*
2. *“Lots 70-74 to be setback up to 4m (so outdoor living is located at front for POS for surveillance”*

3. *“Vehicle Access to all dwellings must be provided from rear laneways to a double garage. No garages are permitted fronting the primary street.”*
4. *“Secondary Street setbacks being reduced to 1m”*
5. *“Rear: Minimum 0.5m Garage Setback”*
6. *“Access to commercial lots is limited to two crossovers to Abernethy and one to Soldiers, as per Byford Town Centre Design Guidelines. Cross access easements to be imposed through the Development Application process and Deposited Plans to facilitate an internal service road for commercial tenancy access.”*

Requirement 1 and 2 is to facilitate interaction with the public open space. This is considered acceptable as the residents will be able to take full advantage of the open space for recreational purposes whilst also providing passive surveillance to the public open space. Accordingly the requirements are supported.

Requirements 3 is to facilitate consistent streetscapes to the primary streets. The location of garages to the laneways is preferable as it will allow dwellings to be orientated to the primary street providing passive surveillance and interaction to the public domain. The location of garages to laneways is a consistent requirement within LDPs across the Shire. Accordingly the requirement is supported.

Requirement 4 relates to the setback of dwellings to the secondary street. Properties zoned residential R60 ordinarily require a one (1) metre setback to the secondary street, when located on a corner lot in accordance with the R-Codes. It is therefore considered this requirement is superfluous and should be deleted. Accordingly the officer's recommendation recommends this requirement be deleted.

Requirement 5 facilitates a consistent laneway streetscape and greater developable area of the subject lots. It is considered that the proposed 0.5 metre setback to the laneway is consistent with 'laneway' style development and will assist in creating better internal and external living areas for future dwellings by providing additional developable space. The Shire's Engineering Services raises no concerns with the reduced garage setback. Accordingly the requirement is supported.

Requirement 6 ensures that the access to the commercial lots is consistent with the Byford Town Centre Design Guidelines. The Shire's Engineering Services have raised no concerns and given that the requirement is consistent with the Guidelines the requirement is supported.

Options and Implications:

With regard to the determination of the application, Council has the following options:

Option 1: Council may resolve to approve the LDP.

The approval of the application is considered not to result in a negative impact on the amenity or character of the area.

Option 2: Council may resolve to refuse the LDP.

Refusal of the application may be contemplated by Council if consideration is given that the LDP does not comply with aspects of State Planning Policy 3.1 – Residential Design Codes, Western Australian Planning Commission Framework for Local Development Plans 2015 or the Residential Medium Density (RMD) Codes – Planning Bulletin 112/2015.

Option 1 is recommended.

Conclusion

The proposed LDP has been assessed with regards to the WAPC Framework for Local Development Plans 2015, R-Codes and the R-MD Codes.

As discussed within the report, the subject provisions within the LDP are appropriate, taking into the account the current zoning, built form and the predominant use of land within the approved subdivision. The proposal satisfies the overall design principles of the R-Codes, provisions of the R-MD codes and the Framework for LDPs and is supported by the Department of Planning.

Notwithstanding the above, the officers recommend the clause relating to secondary street setbacks be removed given it is consistent with the R-Codes and the clause relating to lot boundary setbacks (boundary walls) be amended to ensure the amenity of the streetscape is preserved.

Accordingly, the proposed LDP is recommended to be supported subject to appropriate modifications.

Attachments:

- [OCM064.1/04/16](#) – Amended Plans (E16/2707)
- [OCM064.2/04/16](#) – Development Application (IN16/1372)

Voting Requirements: Simple Majority

Officers Recommendation:

That Council approves the application submitted by Megara on Lot 9200 Abernethy Road, Byford in accordance with Clause 52(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following modifications:

1. The requirement ‘Secondary Street Setbacks to 1m’ is to be deleted.
2. The requirement relating to side setbacks shall be amended as follows:
 - a. *Side: Nil ground floor setbacks to both sides for house and garage for a maximum length determined by the front and rear setback. Nil setback to the second level on one side boundary only, is permitted where the adjoining property will simultaneously construct a wall of equal or greater proportions abutting the boundary wall. Minimum setback of 1m for secondary streets to corner lots (san Lots 18 and 27 where this may be nil)*

OCM064/04/16 COUNCIL DECISION / Amended Recommendation:

Moved Cr Piiponen, seconded Cr Rich

That Council approves the application submitted by Megara on Lot 9200 Abernethy Road, Byford in accordance with Clause 52(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following modifications:

1. The requirement ‘Secondary Street Setbacks to 1m’ is to be deleted.
2. The requirement relating to side setbacks shall be amended as follows:
 - a. *Side: Nil ground floor setbacks to both sides for house and garage for a maximum length determined by the front and rear setback. Nil setback to the second level on one side boundary only, is permitted where the adjoining property will simultaneously construct a wall of equal or greater proportions abutting the boundary wall. Minimum setback of 1m for secondary streets to corner lots (san Lots 18 and 27 where this may be nil)*
3. The requirement ‘The minimum open space requirement is 25%’ is to be deleted.

CARRIED UNANIMOUSLY

Council Note: Condition 3 was added to the Officers Recommendation

OCM065/04/14	Endorsement of a process to establish the 2050 vision as required by the Integrated Planning and Reporting Framework (E16/2841)
Author:	Deon van der Linde – Manager Planning
Senior Officer/s:	Andre Schonfeldt – Director Planning
Date of Report:	7 April 2016
Disclosure of Officers 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

Introduction

The purpose of this report is to seek Council's endorsement for the process to develop a 2050 vision for the local government area of the Shire of Serpentine Jarrahdale. The process is based on the Department of Local Government Integrated Planning and Reporting Framework and Guidelines (the Framework).

Council will be requested to support the proposed process to develop a 2050 Vision and call for nominations onto a Community Reference Group from representatives of the community within the following sectors: Community Groups and Non-for Profit Organisations; Environmental and Heritage Groups or Associations; Business, Industry and Developer Representatives; and Education Committees and Sporting Clubs.

Background:

The Department of Local Government Integrated Planning and Reporting Framework and Guidelines provides as follows:

All local governments are currently required to produce a plan for the future under S5.56 (1) of the Local Government Act 1995 (the Act). It is intended that regulations will be made under S5.56(2) of the Act to briefly outline the minimum requirements to achieve this.

This Integrated Strategic Planning Framework provides the basis for improving the practice of strategic planning in local government. It addresses the minimum requirements to meet the intent of the Act and outlines processes and activities to achieve an integrated strategic plan at the individual local government level.

There are three major parties to the development of an integrated strategic plan:

- 1. **The Community** – participates in a community planning process to determine major vision or intended big picture directions and also participates in regular reviews of those directions.*
- 2. **The Council** – signs off the Strategic Community Plan resulting from the community planning process, the four year reviews updating that plan, and the annual budget.*
- 3. **The Local government administration** – supports delivery of the Strategic Community Plan, the 4-yearly reviews, and annual budget through its corporate business planning.*

The Framework is represented in figure below. It requires at least two plans to be prepared by each local government every four years:

Figure 1.1



The Framework also outlines that there is not a single methodology to be applied by all local governments but simply an intention to guide local governments to a successful integrated strategic planning process, which, at its most simple, would deliver the following outcomes:

- *There is a long term strategic plan that clearly links the community's aspirations with the Council's vision and long term strategy.*
- *The local government has a Corporate Business Plan that integrates resourcing plans and specific council plans with the Strategic Plan.*
- *The Council has a clearly stated vision for the future viability of the local government area.*

In addition to the requirements of Local Government Act and subsequent regulations for local governments to develop the abovementioned plans, the Planning and Development Act 2005 and recent (Local Planning Scheme) Regulations 2015 requires local governments to review their Local Planning Schemes every 4 years. The Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS 2) will be 27 years old in August this year. Considering that almost 200 amendments have been made to TPS 2 it was recommended that a new scheme be prepared and Council on 11 April 2016 resolved to prepare such a new scheme.

As was outlined in the report to Council on 11 April 2016, in order to prepare a new scheme, the Shire has to prepare a Local Planning Strategy (LPS) first. The LPS is to consist of two parts with Part 1 including the longer term (10 to 15 year) vision and Part 2 including the background information to support the relevant land use and development strategies.

Additionally the State Government through the Perth and Peel @ 3.5 million and the Green Growth Plan have identified long term growth up to around 2050. Other Agencies such as the Peel development commission and Regional Development Australia have also taken longer term views to consider the significant infrastructure project proposed and identified in the area to support the expected economic and population growth.

As such Officers recommend Council prepare a longer term Vision for the shire up to 2050 as the first step in identifying a more holistic vision that includes the aspirations of the community and which gives an overview of what the area could look like when these longer term strategies come to fruition.

Relevant Previous Decisions of Council:

OCM057/04/16 - Preparation of Local Planning Scheme No. 3, Local Planning Strategy and Schedule of Preliminary Consultation.

Community / Stakeholder Consultation:

The proposed process will include significant community involvement through workshops, online surveys and media releases to ensure the community is aware of what is being proposed and to canvass their views and identify the community's aspirations. This is detailed further below.

Comment:

As outlined in the background section of this report it is recommended that a longer term vision be developed to kick off the development of the Strategic Community Plan and the Local Planning Strategy. The long term vision will be a separate document that aims to visually represent what the area is likely to look like should the current planning come to fruition, but will also explore some alternatives based on concepts and ideas from the community.

Proposal

The process proposed to develop the document can be summarized into the following three Stages:

1. The Vision
2. The Views
3. The Verdict

The following outlines briefly what each of the stages will entail:

1. The Vision (end of May – end of June 2016)

During this stage a consultant will develop up a draft vision based on past and present plans, projects and ideas through a desktop review. The consultant will undertake a workshop with Council and a Community Reference Group regarding alternative outcomes, projects and ideas. Once the alternatives have been developed a Draft Vision document will be presented to Council at a Policy Concept Forum before it will be released to the community for comment.

2. The Views (end of June – end of July 2016):

During this stage the consultant will canvas the broader community's views on "The Draft Vision" through online and hardcopy surveys. As part of this process the Consultants will do a presentation to the community at both Byford and Serpentine to launch feedback on The Draft Vision.

3. The Verdict (mid August 2016):

The outcomes of the Views stage will be summarised and key priorities or aspirations identified. The consultant will workshop with Council and the Community Reference Group outcomes before updating the final draft Vision document. Once completed the final Draft Vision will be presented to Council and after adoption presented to the Community.

Community Reference Group

It is recommended that Council establishes a Community Reference Group to participate throughout the whole process of developing the vision. Whilst there will be opportunity for

the whole community to participate at various stages of the process, it is recommended that Council call for nominations onto this group and that the group be restricted to no more than 40 people with 10 people representing each of the following sectors:

- Community Groups and Non-for Profit Organisations;
- Environmental and Heritage Groups or Associations;
- Business, Industry and Developer Representatives; and
- Education Committees and Sporting Clubs

It is considered that having a balanced Community group that represents all sectors of the community involved throughout the process will ensure that there is active participation in developing and scrutinizing the vision. Depending on the level of response and with guidance from Council it is recommended that the Group be established at the discretion of the Chief Executive Officer to allow the CEO opportunity to invite additional people if an area is under represented.

Key Dates

Currently a draft outline of key dates are as follows:

The Vision:

- 25 April – Report to Council to adopt this process
- 25 & 26 May – Visioning Workshop (Council & Community Reference Group)
- 20 June – Draft Vision Presentation (Council)

The Views:

- 22 & 23 June – Community Presentations to launch feedback on The Draft Vision
- 29 July – Surveys close

The Verdict

- 16 & 17 Aug – Review outcomes of Surveys (Council & Community Reference Group)
- 23 Aug – Final Draft Vision Presentation (Council)
- 30 Aug – Adopt Vision document
- 1 Sept – Present to the Community

Some changes may be dependent on the consultants availability.

Conclusion

It is recommended that Council supports the proposed process to develop a 2050 Vision and call for nominations onto a Community Reference Group from representatives of the community within the following sectors: Community Groups and Non-for Profit Organisations; Environmental and Heritage Groups or Associations; Business, Industry and Developer Representatives; and Education Committees and Sporting Clubs. It is envisaged that this is done through a media release seeking nominations for representatives onto a community reference group of no more than 40 people.

Attachments:

Nil

Alignment with our Strategic Community Plan:

Objective 1.2	Progressive Organisation: Implement an integrated planning and reporting framework.
Key Action 1.2.3	Establish and communicate the Shire's purpose, vision, values and goals.

Statutory Environment:

Local Government Act 1995
Planning and Development Act 2005

Financial Implications:

The cost of the project will be funded from the Shire's current operational budget.

Voting Requirements: Simple Majority

Officer Recommendation:

That Council:

1. Supports the proposed process to develop a 2050 Vision.
2. Calls for nominations onto a Community Reference Group from representatives of the community within the following sectors:
 - a. Community Groups and Non-for Profit Organisations;
 - b. Environmental and Heritage Groups or Associations;
 - c. Business, Industry and Developer Representatives; and
 - d. Education Committees and Sporting Clubs.

OCM065/04/16 COUNCIL DECISION / Officer Recommendation:

Moved Cr Rich, seconded Cr Piipponen

That Council:

1. Supports the proposed process to develop a 2050 Vision.
2. Calls for nominations onto a Community Reference Group from representatives of the community within the following sectors:
 - a. Community Groups and Non-for Profit Organisations;
 - b. Environmental and Heritage Groups or Associations;
 - c. Business, Industry and Developer Representatives; and
 - d. Education Committees and Sporting Clubs.
 - e. Primary Producers

CARRIED UNANIMOUSLY

Council Note: The Officers Recommendation was amended by adding Condition 2e.

OCM066/04/14	Thomas Road – Consideration of re-classification, proclamation and request to transfer to Main Roads WA (SJ1285)
Author:	Peter Varelis – Project Coordinator: Development Contributions
Senior Officer/s:	Gordon Allan – Director Engineering
Date of Report:	12 April 2016
Disclosure of Officers 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

Introduction:

The purpose of this report is to provide Council with the opportunity to consider requesting Main Roads WA (MRWA) to proclaim Thomas Road between South Western Highway and the Tonkin Highway as a 'main road' and assume care, maintenance, control and responsibility.

Background:

Thomas Road is identified as an 'Other Regional Road' under the Metropolitan Region Scheme (MRS), providing a road connection between South Western Highway through to the (current) southern end of Tonkin Highway and the Kwinana Freeway. The draft State Planning Policy (SPP) – Perth Metropolitan Freight Network identifies Thomas Road as a 'primary freight route', with the portion of Thomas Road between Tonkin Highway and South Western Highway designated as being under the jurisdiction of the Shire of Serpentine Jarrahdale.

The Byford Structure Plan (BSP) has identified Thomas Road as an important component of the road network for the Byford Area, for both the short-term and long-term. The report that accompanied the BSP, upon its adoption in August 2005 stated the following:

“8.2.3.1 Thomas Road

Thomas Road will serve as the collector road on the northern limit of the Study Area as well as a feeder route to Tonkin Highway. Currently Thomas Road while providing an east west linkage between Tonkin Highway and South Western Highway does not provide an arrival point into Byford. The Structure Plan therefore proposes the deviation of Thomas Road to the south east close to the intersection with the unconstructed Malarkey Road to ultimately connect with the Town Centre. “

Relevant Previous Decisions of Council:

OCM065/09/14– Thomas Road Upgrade: Project Update

Community / Stakeholder Consultation:Stakeholder

Formal dialogue has occurred at various phases of the design process for the upgrading of Thomas Road with state agencies such as the Department of Planning (DoP) and MRWA.

No formal consultation has occurred with MRWA regarding the re-classification, proclamation and transfer of Thomas Road to MRWA as a 'main road'. Further dialogue will occur subsequent to Council's recommendation.

Comment:Asset Responsibility

Road assets in WA are either the responsibility of State or local government with the Federal Government providing funding for both State and local roads. The responsibilities for road assets are summarised below:

State Government

All ‘highways’ and ‘main roads’ are managed by MRWA under the provisions of the Main Roads Act 1930. Roads under the State’s responsibility are deemed to perform a regional function and are identified through the administrative classification process.

Local Government

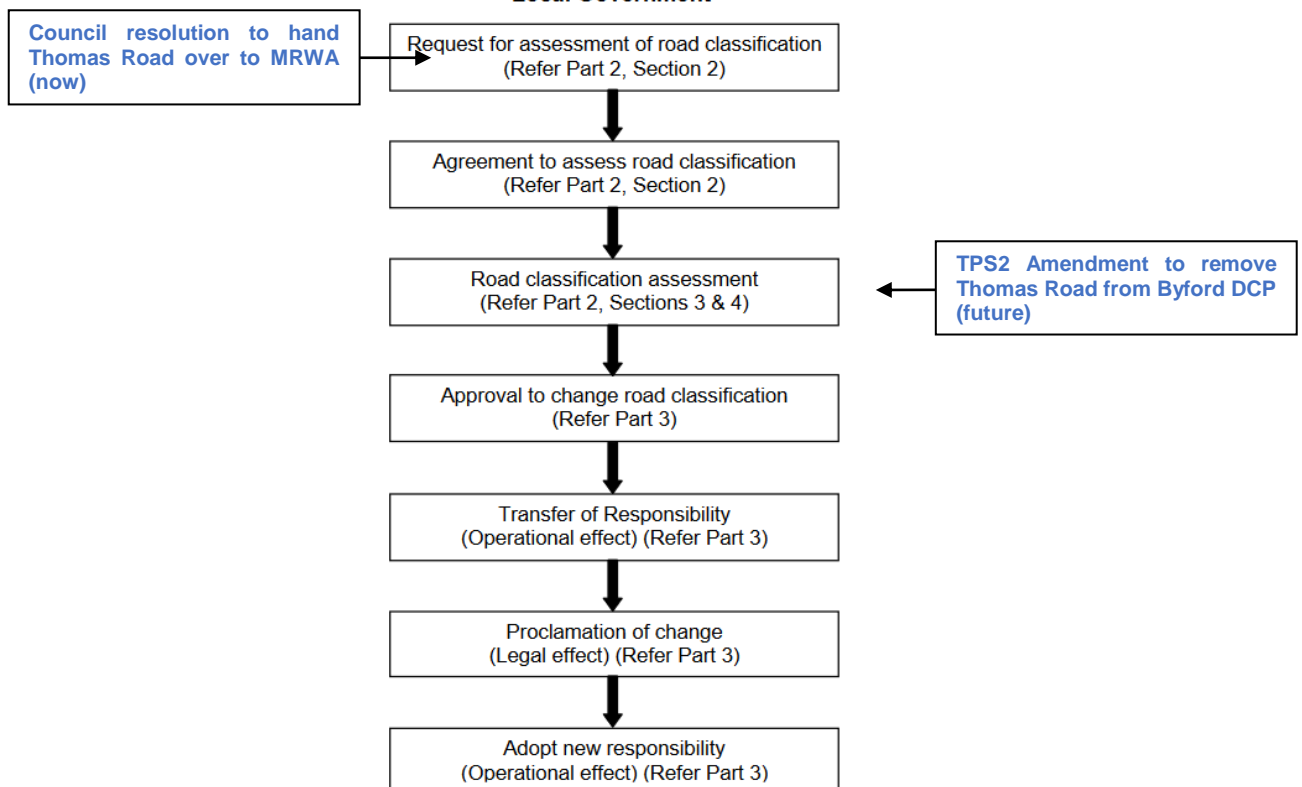
All other road assets in WA are the responsibility of local government. However, as specified in the Road Traffic Act 1974, MRWA has the legal responsibility for regulatory traffic signs and devices on local government roads. Should the Shire be successful in having Thomas Road proclaimed as a ‘main road’ the ultimate responsibility (and in turn control/level of influence) on road planning matters will be with MRWA.

Process

The ‘Guidelines for Determining and Assigning Responsibility for Roads in Western Australia’ (the Guidelines) determines which roads are the responsibility of the State Government, and the process to be undertaken to proclaim roads as either a ‘highway’ or ‘main road’ in accordance with Section 13 of the Main Roads Act 1930.

The Guidelines contain the policies and procedures associated with classification and are applicable when reclassifying existing roads. Broadly the process as outlined in the Guidelines for the transfer of road responsibility between State and Local Government is as follows:

Figure 5.1: Process for Transfer of Road Responsibility Between State and Local Government



A request for an administrative classification assessment may be initiated by local government and directed to MRWA. The assessment will be undertaken against the criteria outlined in Section 13 of the Main Roads Act 1930. In considering whether to re-classify a road MRWA will take into account the following:

1. The moneys available or likely to be available for main roads;
2. Whether the road is or will be the main route connecting any large producing area, or any area capable of becoming in the near future a large producing area, with its market or closest port or railway station;

3. Whether the road is or will be the main route of intercommunication between 2 or more large producing areas, or areas capable of becoming, in the near future, large producing areas, or between large centres of population; and
4. Whether the road is or will be a major route for high volume traffic movements within large urban areas.

In assessing the matters that will be taken into account, the following is noted:

1. *The moneys available or likely to be available for main roads;*

This matter relates to the money available for the State Government to assume asset maintenance responsibilities for Thomas Road. The current state of the State's budget may be a risk and used a reason for not re-classifying Thomas Road. A major consideration for Council is MRWA's maintenance programs and their ability to maintain Thomas Road to an acceptable standard in the context of the maintenance requirements of the broader metropolitan region.

2. *Whether the road is or will be the main route connecting any large producing area, or any area capable of becoming in the near future a large producing area, with its market or closest port or railway station;*
3. *Whether the road is or will be the main route of intercommunication between 2 or more large producing areas, or areas capable of becoming, in the near future, large producing areas, or between large centres of population; and*

Thomas Road is currently a main route connecting the metropolitan region with the south-west and wheatbelt regions for Restricted Access Vehicles (RAV) and other high productivity vehicles carrying various supplies including livestock between these regions. It is known to the Shire that the transport industry utilises the Thomas Road route in lieu of Armadale Road for the following reasons:

- The intersection of Armadale Road and South Western Highway is constrained by topography that is not conducive to RAV turning movements;
- Armadale Road has suburban rail services and crossings traversing its access; and
- Armadale Road has numerous roundabouts that are not conducive to RAV operation.

4. *Whether the road is or will be a major route for high volume traffic movements within large urban areas.*

Thomas Road is anticipated to provide a linkage between South Western Highway and Tonkin Highway for local, commuter, and commercial traffic. Residential and commercial development within the Byford and Wungong urban areas is anticipated to form a significant part of the traffic generation on Thomas Road. The MRWA Regional 2031 ROM Traffic Model anticipates approximately 25,000 vehicle movements per day on Thomas Road (assumes complete build out of Byford, Mundijong-Whitby and Wungong).



Byford Development Contribution Plan

Appendix 16A – Byford Development Contribution Area of the Shire’s Town Planning Scheme No.2 (TPS2) identifies Thomas Road as a development contribution item. On this basis the Shire has proportionally collected funds to upgrade Thomas Road in accordance with the Development Contribution Plan (DCP). Consideration will need to be given to the fact that if Thomas Road is proclaimed a ‘main road’ that it would no longer be a DCP item administered by the Shire. In this context, the DCP will require modification through a TPS2 amendment prior to the proclamation taking effect. The TPS2 amendment will need to be initiated by Council for the removal of Thomas Road and consideration of other DCP infrastructure items that will service the Byford locality will also be considered in detail at this time. At the time of consideration there may be a need to review the funds collected towards Thomas Road.

Conclusion

To date, the Shire has been supportive of MRWA by maintaining Thomas Road to a satisfactory standard for use by the freight industry and commuter vehicles. Recognising the projected traffic volumes, the functional requirements for the road network, providing for regional freight, RAV, increased mass under permit vehicles and servicing broader productivity needs, the burden of maintaining Thomas Road is deemed to be outside the scope of the Shire. The Shire does not have the financial capacity to service these broader state needs and the asset responsibilities for Thomas Road should not be a liability which is borne by the rate payers of the Shire.

For all the reasons outlined in this report and in the interests of road safety, the Shire has no choice but to request MRWA to take over Thomas Road as a main road. Failure for MRWA to take over Thomas Road will result in the Shire restricting the use of this route by freight vehicles which will have a direct impact on the economies of the transport industry.

Attachments:

Nil

Alignment with our Strategic Community Plan:

Objective 3.1	Urban Design with Rural Charm
Key Action 3.1.1	Maintain the area’s distinct rural character, create village environments and provide facilities that serve the community’s needs and encourage social interaction
Objective 6.2	Active and Connected People
Key Action 6.2.2	Use community facilities to provide social interactions for all age groups through appropriate activities and events

Statutory Environment:

- Planning and Development Act 2005;
- Town Planning Scheme No.2;
- SPP – Perth Metropolitan Freight Network (draft);
- Metropolitan Region Scheme;
- Byford Structure Plan; and
- Main Roads Act 1930.

Financial Implications:

The funding arrangements for the maintenance of Thomas Road has significant financial implications for the Shire and other stakeholders.

Voting Requirements: Simple Majority

OCM066/04/14 COUNCIL DECISION / Officer Recommendation:

Moved Cr Urban, seconded Cr Hawkins

That Council:

- 1. Note the implications, findings and recommendations outlined in this report.**
- 2. Note that a Town Planning Scheme No.2 amendment will be prepared and presented to Council to remove Thomas Road as an infrastructure item from the Byford Development Contribution Arrangement.**
- 3. Request Main Roads WA to formally initiate the process to proclaim Thomas Road between Tonkin Highway and South Western Highway as a 'main road' pursuant to Section 13(3) of the Main Roads Act 1930, as amended.**

CARRIED UNANIMOUSLY

OCM067/04/16	Proposed Deed of Licence Extension between the Shire of Serpentine Jarrahdale and the Western Australian Police Department (SJ975-04) (E15/2323)
Author:	Kristen Cooper – Leasing and Property Officer
Senior Officer/s:	Alan Hart – Director Corporate and Community
Date of Report:	17 March 2016
Disclosure of Officers 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

Introduction

The purpose of this report is to seek Council's endorsement of this Deed of Licence Extension. Once Council's approval is obtained the Deed of Licence Extension will be executed by the Chief Executive Officer and Shire President.

Background:

The Western Australian Police Department (WAPOL) has exercised their option to renew their licence agreement with the Shire for space on the communications tower in Jarrahdale for a further five year term. The Department of Parks and Wildlife (DPAW) control the land and the Shire leases the land on which the communications tower stands.

The site is located south east of Jarrahdale townsite between Serpentine Dam and to the east of Kingsbury Drive. The tower is 120 metres tall and includes a secure fenced compound at the base of the tower where equipment is housed. The Shire of Serpentine Jarrahdale owns the tower and manages the compound. Under the provisions of the Head Lease, the Shire has the power to permit up to twelve carriers/service providers the right to use the land, without obtaining the consent of the Head Lessor.



(Site Image: Tower & Infrastructure)

The telecommunications network is an essential resource of the West Australian Police Force. It is vital that they have the infrastructure in place to be able to offer the high quality service to the Jarrahdale community and surrounds.

In accordance with the terms of the original licence, an annual licence fee of \$3,000 plus CPI per annum is payable.

Relevant Previous Decisions of Council:

CGAM107/05/09 - Delegated authority to the Chief Executive Officer and Shire President to sign, on behalf of Council, licence documents associated with the Western Australian Police Department. The original licence was signed on 1 June 2009 for a five year period, with an option to extend for a further five years.

Community / Stakeholder Consultation:

Not required

Attachments:

- [OCM067.1/04/16](#) – Proposed Deed of Licence Extension between the Shire of Serpentine Jarrahdale and the Western Australian Police Department (IN16/5787)

Alignment with our Strategic Community Plan:

This proposal is aligned with promoting investment in the region.

Objective 2.3	Financial Diversity
Key Action 2.3.2	2.3.2 Encourage commercial investment in the Shire that positively impacts on the natural environment.

Statutory Environment:

Section 3.58 – Disposition of Property. This is a disposition of property in accordance with the *Local Government Act (1995)* as amended. This was advertised prior to Council entering into the original agreement with the Western Australian Police in 2009. As this is a Deed of Licence Extension and the original licence still applies, including no change to the licence fee, the advertising requirements have been met.

Financial Implications:

There is an annual licence fee of \$3,000 plus CPI payable by the licensee for the use of the property. All costs in relation to the preparation of the Deed of Licence Extension will be paid by the licensee.

Voting Requirements: Absolute Majority

OCM067/04/16 COUNCIL DECISION / Officer Recommendation:

Moved Cr Hawkins, seconded Cr Urban

That Council:

1. Endorse the terms and conditions in the Deed of Licence Extension as per attachment OCM067.1/04/16.
2. Endorse an annual licence fee of \$3,000 plus CPI per annum.
3. Authorise the Chief Executive Officer and Shire President to sign the Deed of Licence Extension as per attachment OCM067.1/04/16 with the Western Australian Police.

CARRIED UNANIMOUSLY

OCM068/04/16	Proposed Funding Agreement between the Commonwealth of Australia as represented by the Department of Infrastructure and Regional Development and the Shire of Serpentine Jarrahdale (SJ514-07)
Author:	Alan Hart – Director Corporate and Community
Senior Officer/s:	Richard Gorbunow – Chief Executive Officer
Date of Report:	12 April 2016
Disclosure of Officers 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

Introduction

The purpose of this report is to seek Council's approval for the Chief Executive Officer and Shire President to sign a Funding Agreement between the Commonwealth of Australia as represented by the Department of Infrastructure and Regional Development and the Shire of Serpentine Jarrahdale for the upgrade of Abernethy Road.

Background and Relevant Previous Decisions of Council:

Council resolved through OCM027/03/15 to upgrade Abernethy Road in Byford.

Comments

The scope of this project is to upgrade Abernethy Road to a dual carriageway to facilitate the expansion of the Byford Town Centre and improve the safety of vehicles, pedestrians and cyclists.

The project will increase visitation to the Byford Town Centre and unlock the expansion of commercial enterprises, in particular undersupplied retail shopping outlets which will support much needed local employment, and planned residential development opportunities.

The transformation of Abernethy Road from a single carriageway road with one lane in either to direction to a dual carriageway will reduce head on collisions and broader accidents associated with congestion. Improved and separated infrastructure to support pedestrian and cycle traffic will improve the safety of residents and school children using the route.

It is therefore recommended that the Endorse the funding deed of agreement and authorise the Chief Executive Officer and Shire President to sign the document.

Community / Stakeholder Consultation:

Not applicable.

Attachments:

- [OCM068.1/04/16](#) – Proposed Funding Agreement between the Commonwealth of Australia as represented by the Department of Infrastructure and Regional Development and the Shire of Serpentine Jarrahdale (IN16/7020)

Alignment with our Strategic Community Plan:

The construction of infrastructure is an important aspect of developing communities and ensuring the safety and wellbeing of all residents.

Objective 2.1	Responsible Management.
Key Action 2.1.2	Manage assets and prioritise major capital projects to ensure long-term financial stability.
Objective 3.2	Appropriate Connecting Infrastructure.
Key Action 3.2.2	Ensure that planning for the bridge and road network incorporates community safety and emergency management.

Statutory Environment:

The scope of this project warrants a Funding Agreement of this legal standing to assist with risk mitigation for all parties. The use of the common seal is also deemed appropriate in this instance.

By way of resolution, under section 9.49(A) (4) of the Local Government Act (1995), Council can authorise the Chief Executive Officer to sign documents on behalf of the Shire.

Financial Implications:

The total project cost is in the order of \$19.7 million. This Grant will contribute \$5.68 million towards the cost of this project.

Voting Requirements: Simple Majority

OCM068/04/16 COUNCIL DECISION / Officer Recommendation:

Moved Cr Ellis, seconded Cr Gossage

That Council:

1. Approve the terms and conditions in the Funding Agreement as per attachment OCM068.1/04/16.
2. In accordance with Section 9.49(A) (4) of the Local Government Act (1995) authorise the Chief Executive Officer and Shire President to sign the Funding Agreement as per attachment OCM068.1/04/16 between the Commonwealth of Australia as represented by the Department of Infrastructure and Regional Development and the Shire of Serpentine Jarrahdale for the construction of Abernethy Road, Byford.

CARRIED UNANIMOUSLY

OCM077/04/16 Proposed Changes to Ordinary Council Meetings	
Author:	Councillor Barry Urban
Date of Report:	18 April 2016
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Comment

Council is requested to consider amending Ordinary Council Meetings from fortnightly to monthly, with the first meeting of the proposed one ordinary council meeting per month scheduled to commence Monday 27 June 2016.

Regulation 12 of the Local Government (Administration) Regulations 1996 requires a local government to give local public notice of any change to the date, time or place of an ordinary council meeting.

To ensure compliance with the Regulations, it is proposed to hold, as currently advertised and scheduled, Ordinary Council Meetings for the 9th and 23rd of May and then the monthly meetings will commence from 27th June.

Voting Requirements: Simple Majority

OCM077/04/16 COUNCIL DECISION / Councillor Recommendation:

Moved Cr Urban, seconded Cr Hawkins

That Council:

1. **Adopt the format of one Ordinary Council Meeting per month, to be held the fourth Monday of each month (unless that day is a public holiday, then the meeting will be held on the following business day.) The first meeting in this monthly format will be Monday 27 June 2016, commencing at 7pm.**
2. **In accordance with Regulation 12 of the Local Government (Administration) Regulations 1996, advertise by local public notice, the 2016 Ordinary Council Meeting dates as -**
27 June 2016
25 July 2016
22 August 2016
27 September 2016 (Tuesday)
24 October 2016
28 November 2016
19 December 2016 (The December 2016 meeting will be brought forward one week so it does not conflict with the Christmas break.)

Council Notes:

1. **Policy Forum meetings are to be held on the 1st and 2nd Monday of each month (unless that day is a public holiday, then the meeting will be held on the following business day).**
2. **Councillor Question and Answer sessions are to be held on the 3rd Monday of each month (unless that day is a public holiday, then the meeting will be held on the following business day).**

CARRIED 5/3
Councillors Ellis, Erren and Hawkins voted against the item and requested their votes be Recorded.

COUNCIL DECISION**Moved Cr Piipponen, seconded Cr Urban**

That the meeting be closed to members of the public at 7.52pm to allow Council to Discuss OCM078/04/16 Confidential Item – Request for Leave Entitlements Information as per section 5.23(2) of the Local Government Act 1995.

CARRIED 8/0

Members of the public were asked to leave the meeting while confidential item OCM078/04/16 was discussed. The doors were closed at 7.53pm.

OCM078/04/16	CONFIDENTIAL ITEM - Request for Leave Entitlements Information
Author:	Councillor Barry Urban
Date of Report:	20 April 2016
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Voting Requirements: Simple Majority**OCM078/04/16 COUNCIL DECISION / Councillor Recommendation:****Moved Cr Urban, seconded Cr Piipponen**

That Council requests information relating to leave records as detailed in Confidential attachment OCM078.1/04/16 be presented to Council at the next Ordinary Council Meeting on Monday 9 May 2016 as a confidential item, or at a Special Council Meeting, whichever is held first.

CARRIED 5/3

Councillors Ellis, Erren and Hawkins voted against the item and requested their votes be Recorded.

COUNCIL DECISION:**Moved Cr Piipponen, seconded Cr Rich**

That the meeting be reopened to the public at 8.05pm.

CARRIED UNANIMOUSLY

Members of the public returned to the Chamber and the Presiding Member advised that the Councillors recommendation was carried for item OCM078/04/16 with a vote of 5/3 .

10. Information Reports:

OCM069/04/16	Councillors Information Report (SJ514-07)
Author:	Kirsty Peddie – Executive Assistant
Senior Officer:	Richard Gorbunow - Chief Executive Officer
Date of Report:	8 April 2016
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Introduction:

The purpose of this report is to provide information in relation of committees and working groups of which Councillors attend. The following details are provided to Councillors for information only:

Committee and Working Group Meetings for March 2016:

- Darling Downs Management Committee – 2 March 2016
- Armadale Hospital Community Advisory – 4 March 2016
- Serpentine Jarrahdale Community Resources Centre Committee Meeting – 9 March 2016
- Jarrahdale Heritage Society Meeting – 9 March 2016
- Land Care Centre Management Committee Meeting – 11 March 2016
- Serpentine Jarrahdale Land Conservation District Committee – 16 March 2016
- SJ Bushfire Advisory Committee – 17 March 2016
- Mundijong Community Association Meeting – 17 March 2016
- Land Care SJ Board Meeting – 23 March 2016

Voting Requirements: Simple Majority

OCM069/04/16 COUNCIL DECISION / Officer Recommendation:

Moved Cr Hawkins, seconded Cr Urban

That Council accept the Councillors Information Report for March 2016.

CARRIED UNANIMOUSLY

OCM070/04/16	Chief Executive Officer Information Report (SJ1508)
Author:	Kirsty Peddie – Executive Assistant
Senior Officer:	Richard Gorbunow - Chief Executive Officer
Date of Report:	8 April 2016
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Introduction:

The purpose of this report and associated attachments is to provide information to Councillors relating to recent activity regarding operational matters that need to be reported to Council either through a statutory mechanism or as information. The following details are provided to Councillors for information only:

Attachments:

- [OCM070.1/04/16](#) - Common Seal Register Report – March 2016 (E02/5614)

Voting Requirements: Simple Majority

OCM070/04/16 COUNCIL DECISION / Officer Recommendation:

Moved Cr Hawkins, seconded Cr Piipponen

That Council accept the Chief Executive Officer Information for March 2016.

CARRIED UNANIMOUSLY

OCM071/04/16 Confirmation Of Payment Of Creditors (SJ514-07)	
Author:	Vicki Woods - Finance Officer
Senior Officer:	Alan Hart - Director Corporate and Community
Date of Report:	4 April 2016
Disclosure of Officers 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

Introduction

The purpose of this report is to prepare a list of accounts paid by the Chief Executive Officer each month, as required by The *Local Government (Financial Management) Regulations 1996*.

Relevant Previous Decisions of Council

There is no previous Council decision relating to this issue.

Community / Stakeholder Consultation

No community consultation was required.

Comment

In accordance with the *Local Government (Financial Management) Regulations 1996* 13(1), Schedules of all payments made through the Council's bank accounts are presented to Council for their inspection. The list includes details for each account paid incorporating:

- a) Payees name;
- b) The amount of the payment;
- c) The date of the payment; and
- d) Sufficient information to identify the transaction.

Invoices supporting all payments are available for the inspection of Council. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and that the amounts shown were due for payment, is attached and relevant invoices are available for inspection.

It is recommended that Council receives the payments authorised under delegated authority and detailed in the list of invoices for period of 1 March 2016 to 31 March 2016, as per the attachment.

Attachments:

- [OCM071.1/04/16](#) - Creditors List of Account 1 March 2016 to 31 March 2016 (E16/2715)

Alignment with our Strategic Community Plan:

The Strategic Community Plan has placed an emphasis on undertaking best practice financial and asset management and is in line with the category of Financial Sustainability.

Financial Sustainability

Objective 2.1	Responsible Management
Key Action 2.1.1	Undertake best practice financial and asset management.

Statutory Environment

Section 5.42 and 5.45(2) of the *Local Government Act 1995* states that the Local government may delegate some of its powers to the Chief Executive Officer. Council have granted the Chief Executive Officer Delegated Authority CG07 - Payments from Municipal and Trust Fund.

Financial Implications

All payments that have been made are in accordance with the purchasing policy and within the approved budget, and where applicable budget amendments, that have been adopted by Council.

Voting Requirements Simple Majority

OCM071/04/16 COUNCIL DECISION / Officer Recommendation:

Moved Cr Hawkins, seconded Cr Ellis

That Council accepts the payments authorised under delegated authority and detailed in the list of invoices for period of 1 March 2016 to 31 March 2016, as per attachment OCM071.1/04/16 - Creditor List of Accounts 1 March 2016 to 31 March 2016 including Creditors that have been paid and in accordance with the *Local Government (Financial Management) Regulations 1996*.

CARRIED UNANIMOUSLY

OCM072/04/16 Monthly Financial Report - March 2016 (SJ514-07)	
Author:	Stacey Hobbins – Management Accountant
Senior Officer/s:	Alan Hart – Director Corporate and Community
Date of Report:	7 April 2016
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Introduction:

The purpose of this report is to provide a monthly financial report which includes rating, investment, reserve, debtor, and general financial information to Councillors in accordance with Section 6.4 of the *Local Government Act 1995*.

Background:

The Local Government Act and Financial Management Regulations require that the Shire prepare a Statement of Financial Activity each month. The *Local Government Act 1995* further states that this statement can be reported by either by Nature and Type, Statutory Program or by Business Unit.

The Shire has resolved to report by Business Unit and to assess the performance of each business unit, by comparing the year-to-date budget and actual results. This gives an indication of how each business unit (and collectively the Shire) is performing against expectations for this point in time and any variance over or under 10% is reported.

Relevant Previous Decisions of Council:

There is no previous Council decision relating to this application/issue.

Community / Stakeholder Consultation:

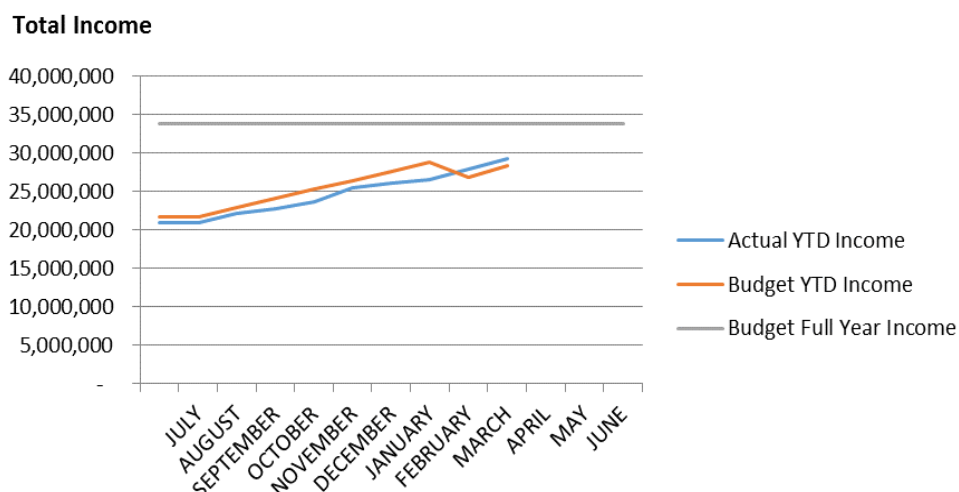
No community consultation was undertaken / required.

Comment:

The period of review is March 2016. The municipal surplus for this period is \$9,050,737 compared to a budget deficit position of (\$3,702,836). This is considered a good result for the Shire.

Income for the March 2016 period, year-to-date is \$29,294,644. The budget estimated \$28,396,502, would be received for the same period. The variance to budget is \$898,142. Details of all significant variances are provided in the notes to the Statement of Financial Activity by Directorate.

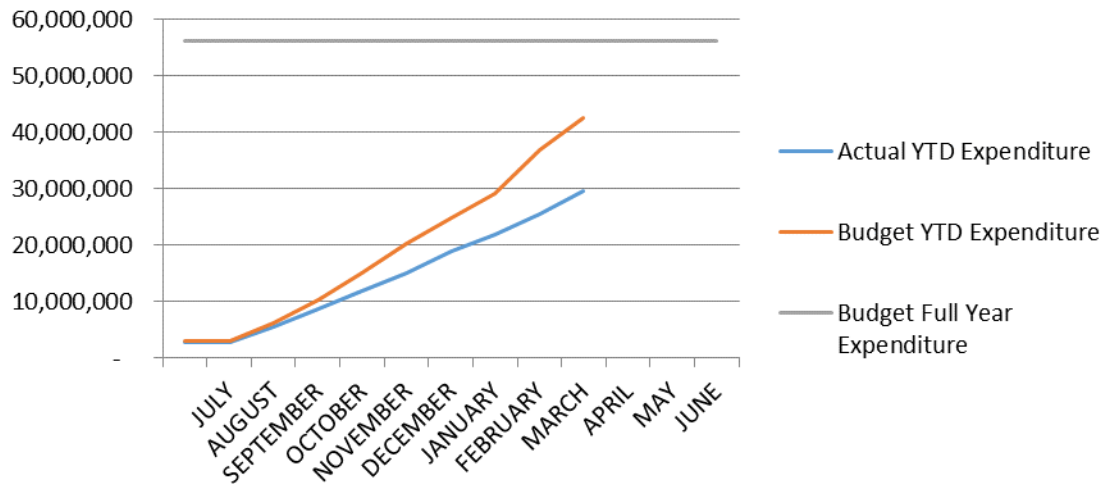
The following graph illustrates actual income to-date compared to the year-to-date budget.



Expenditure for the March 2016 period, year-to-date is \$29,548,136. The budget estimated \$42,448,865 would be spent for the same period. The variance to budget is \$12,900,729. Details of all significant variances are provided in the notes to the Statement of Financial Activity by Directorate.

The following graph illustrates actual expenditure to-date compared to the year-to-date budget.

Total Expenditure



Attachments:

- [OCM072.1/04/16](#) – Monthly Financial Report March 2016 (E16/2797)

Alignment with our Strategic Community Plan:

Financial Sustainability

Objective 2.1	Responsible Management
Key Action 2.1.1	This report is a tool for evaluating performance against service delivery to ensure efficiency, effectiveness and meets the needs of the community, elected members, management and staff

Statutory Environment:

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare an annual financial statement for the preceding year and other financial reports as are prescribed.

Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996* as amended requires the local government to prepare monthly financial statements and report on actual performance against what was set out in the annual budget.

Financial Implications:

There are no financial implications relating to the preparation of the report. Any material variances that have an impact on the outcome of the annual budget are detailed in this report.

Voting Requirements: Simple Majority

OCM072/04/16 COUNCIL DECISION / Officer Recommendation:
Moved Cr Urban, seconded Cr Hawkins
That Council accepts the Monthly Financial Report for March 2016, in accordance with Section 6.4 of the *Local Government Act 1995*.
CARRIED UNANIMOUSLY

OCM073/04/16 Corporate and Community Information Report (SJ514-07)	
Author:	Elba Strijdom – PA to Director Corporate and Community
Senior Officer/s:	Alan Hart – Director Corporate and Community
Date of Report:	7 April 2016
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Introduction

The purpose of this report and associated attachments is to provide information to Councillors relating to recent activity regarding operational matters that need to be reported to Council either through a statutory mechanism or as information.

Attachments

- [OCM073.1/04/16](#) – Delegated Authority – Financial Services 1-31 March 2016 (E16/2717)
- [OCM073.2/04/16](#) – MCA Minutes 59 – 17 March 2016 (IN16/6529)
- [OCM073.3/04/16](#) – Minutes of the SJ CRC Board – 9 March 2016 (IN16/6527)

Voting Requirements

Simple Majority

OCM073/04/16 COUNCIL DECISION / Officer Recommendation

Moved Cr Hawkins, seconded Cr Ellis

That Council accept the Corporate and Community Information Report.

CARRIED UNANIMOUSLY

OCM074/04/16	Planning Information Report (SJ514-06)
Author:	Mary-Ann Toner - Personal Assistant to the Director Planning
Senior Officer:	Andre Schonfeldt – Director Planning
Date of Report:	8 April 2016
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Introduction:

The purpose of this report and associated attachments is to provide information to Councillors relating to recent activity regarding operational matters that need to be reported to Council either through a statutory mechanism or as information. The following details are provided to Councillors for information only.

Attachments:

- [OCM074.1/04/16](#) Planning, Building, Health, Rangers and Development Compliance – Delegated Authority Information Report (E16/2823)
- [OCM074.2/04/16](#) Scheme Amendment, Local Planning Policies and Local Structure Plans (E12/3985)

Voting Requirements Simple Majority

OCM074/04/16 COUNCIL DECISION / Officer Recommendation:

Moved Cr Gossage, seconded Cr Rich

That Council accept the Planning Information Report for March 2016.

CARRIED UNANIMOUSLY

OCM075/04/16	Bushfire Advisory Committee Information Report (SJ648)
Author:	Gillian French – Emergency Services Technical Officer
Senior Officer/s:	Andre Schonfeldt – Director Planning
Date of Report:	7 April 2016
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Introduction:

The purpose of this report and associated attachments is to provide the minutes of the Bushfire Advisory Committee Meeting of 17 March 2016 to Council for endorsement.

Relevant Previous Decisions of Council:

There is no previous Council decision relating to this issue.

Statutory Environment:

Section 67 of the Bush Fires Act.

Alignment with our Strategic Community Plan:

Objective 1.2	Progressive Organisation
Key Action 1.2.4	Provide robust reporting that is relevant, transparent and easily accessible by staff and the community.
Objective 6.2	Active and Connected People
Key Action 6.2.4	Continue encouraging volunteering by providing support, training, funding, promotion and recognition.

Attachments:

- [OCM075.1/04/16](#) – Bushfire Advisory Committee Minutes (E16/1646)
- [OCM075.2/04/16](#) – Prescribed Burning – Parks and Wildlife (E16/2599)
- [OCM075.3/04/16](#) – Local Government Grant Scheme 2016/17 (E16/2600)
- [OCM075.4/04/16](#) – Correspondence to Department Fire Emergency Services (E16/2601)

Voting Requirements: Simple Majority

Committee Recommendation:

That Council accepts the Bushfire Advisory Committee Minutes of 17 March 2016 as per attachment OCM075.1/04/16

OCM075/04/16 COUNCIL DECISION / New Motion:

Moved Cr Gossage, seconded Cr Piipponen

That Council

- 1. Receives the Bushfire Advisory Committee Minutes of 17 March 2016 as per attachment OCM075.1/04/16**
- 2. Sends the letter to the Commissioner of DFES as per attachment OCM075.4/04/16.**
- 3. Requests an item explaining the budget amount required for the Annual Volunteers Dinner.**

CARRIED UNANIMOUSLY

OCM076/04/16	Engineering Services Information Report (SJ514)
Author:	Jill Jennings – Personal Assistant to Director Engineering
Senior Officer:	Gordon Allan – Director Engineering
Date of Report:	8 April 2016
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Introduction:

The purpose of this report and associated attachments is to provide information to Councillors relating to recent activity regarding operational matters that need to be reported to Council either through a statutory mechanism or as information. The following details are provided to Councillors for information only.

Attachments:

- [OCM076.1/04/16](#) – Engineering Delegation of Authority Report, March 2016 (E16/2790)

Voting Requirements: Simple Majority

OCM076/04/16 COUNCIL DECISION / Officer Recommendation:

Moved Cr Urban, seconded Cr Hawkins

That Council accept the Engineering Services Information Report.

CARRIED UNANIMOUSLY

11. Urgent Business:

Nil

12. Councillor questions of which notice has been given:

Nil

13. Closure:

There being no further business the Presiding Member declared the meeting closed at 8.11pm.

I certify that these minutes were confirmed at the
Ordinary Council Meeting held on 9 May 2016

.....
Presiding Member

.....
Date