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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET, MUNDIJONG ON MONDAY, 26TH JULY 2010. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.00 PM AND WELCOMED COUNCILLORS, STAFF AND THE MEMBERS OF THE GALLERY.

1. ATTENDANCES & APOLOGIES (including Leave of Absence):

IN ATTENDANCE:

COUNCILLORS: S TwinePresiding Member
M Harris
C Buttfield
MJ Geurds
C Randall
T Hoyer
A Lowry
E Brown
A Ellis
K Petersen

OFFICERS: Mrs J AbbissChief Executive Officer
Mr A Hart Director Corporate Services
Mr R Gorbunow Director Engineering
Mr B Gleeson Director Development Services
Mrs S van AswegenDirector Strategic Community Planning
Ms P KursarMinute Secretary

APOLOGIES: Nil

GALLERY: 7

2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

2.1 Mrs Bond - 70 Stockmans Close, Oakford

Q1 How much income will the new Community Resource Centre provide for the ratepayers ?

A1 The Director Corporate Services advised that the Community Resource Centre is built on Shire land, however the centre will be run by the community group that constructed the building. The Shire may receive a small revenue stream, a token amount.

Q2 Are the ratepayers responsible for the upkeep of the building?

A2 The Director Corporate Services responded that the community group will also maintain the building. Under the Local Government Act, the Council has to go through a process to lease the building to the community group.

Q3 Who is the considered FESA expert for the Serpentine Jarrahdale Shire?

A3 The Shire President advised that the Manager of Emergency Services would be the responsible officer.

Q4 How much is the central ward election going to cost the ratepayers?

- A4 The Director Corporate Services advised that the cost estimate is approximately \$13,000.

As an additional point of clarification to the answers provided during the Ordinary Council Meeting of 28 June 2010 it is important to note that the Manager Emergency Services is the Shire's emergency services expert but is not a FESA employee.

2.2 John Kirkpatrick -16 Harris Place, Jarrahdale

Costing for the structure plan for the Byford Town Centre

- Q1 Has the project run over budget again?

A1 The Byford Town Centre Local Structure Plan was finalised within budget and was adopted by Council. Some modifications are required in terms of the Council resolution (this has been budgeted for in the 2009/10 budget) and these are currently being done to enable it to be sent to the WAPC for approval. The WAPC will then make a determination as to whether the LSP is acceptable. As was stated from the outset of the project there is unfortunately no certainty that the WAPC will agree to the LSP. They may agree to its implementation, they may request minor changes or they may request major changes. Whatever the case funding will be required to do the necessary implementation work to ensure that the LSP can be implemented. This will include the necessary statutory provisions that need to be included in the town planning scheme to ensure that all levels of planning are consistent, additional technical studies if required and legal fees. This is all part of the planning process over which the Shire does not have control.

- Q2 If so, by how much?

A2 The Byford Town Centre Local Structure Plan did not exceed its budget allocation for the 2009/2010 financial year. Funding will however be required for the implementation once the LSP has been evaluated by the WAPC. These costs can only be estimated at this stage as the WAPC will make a determination in this regard. Some funding has been requested for this in the next financial year to cover these costs.

- Q3 What would be the cause of any budget overrun?

A3 The Byford Town Centre Local Structure Plan did not exceed its budget allocation for the year as indicated in Q1 and Q2.

Mr T Farrell and companies associated with him have worked for the Shire as consultants for a period of time. As a result of this could I have the following information?

- Q4 How much money was paid to the above during the years 2008-2009 and 2009-2010 up to the end of May 2010 in total?

A4 2008/09 - \$67,913.60
2009/10 - \$73,869.05

- Q5 Also, on which projects and how much on each project?

A5	Bruno Gianatti Hall Upgrade	\$13,816.72
	Clem Kentish Hall Upgrade	\$15,908.38
	Byford Hall Upgrade	\$39,661.55
	Jarrahdale Heritage Park	\$49,429.79

Mundijong Changerooms	\$19,800.81
St Pauls Church Jarrahdale	\$ 2,815.40
Mundijong Community Resource Centre	\$ 350.00

In the Council Policies and Procedures could you tell me the following?

Q6 Does any new drainage work and design have to take into consideration the possibility of the hundred year storm event?

A6 Drainage in newly created subdivisions is assessed against the Institute of Public Works Engineers Australia guidelines and Shire of Serpentine Jarrahdale addendum (2010) adopted by Council as well as any District Water Management Plan, Local Water Management Strategy or Urban Water Management Plan that applies to the site which will define how the 100 year ARI is to be considered.

Q7 If not, why not, as this is common engineering practice and has been for many years?

A7 See answer to question 6.

2.3 Kay Spencer - 312 Lightbody Road, Mardella

Our question to Council is:

Q What is Council going to do about the dust pollution to residents on Lightbody Road caused by its use as a through road?

A Council will endeavour to minimise the dust on Lightbody Road through its maintenance programme.

3. PUBLIC QUESTION TIME:

Public Question Time commenced at 7.02pm.

3.1 Kay Spencer – 312 Lightbody Road, Mardella

We consider the answer to our prior question at the council meeting on the 9 July to once again be ambiguous and lacking in commitment to address the issue and again ask that council inform us:

Q What will be done to stop the dust pollution to residents on Lightbody Road caused by its use as a through road?

We further ask that Council give a meaningful answer this time as we have been asking for a solution for a number of years now.”

The Shire President advised that this question will be taken on notice and that a response will be provided in writing.

3.2 Loretta Oud – 301 Lightbody Road, Mardella

Let me recap Lightbody Road resident’s attempts to resolve the last bout of 9 months of atrocious dust pollution to our homes. In April 2009 we commenced communication with the Shire to discuss and resolve our dust issue but did not receive any response from the Shire for over six months.

By the time the issue was finally discussed we were well into the dry season and had already been subjected to months of extreme dust pollution. We were informed that there was no money in the maintenance budget to carry out any effective solution.

An attempt at applying dust suppressant was totally ineffective and we have been informed that there is not enough gravel surface left on the road for dust suppressant to bind with and gravel re-sheeting is necessary to achieve any result. Subsequently, we were subjected to horrendous dust pollution to our homes for that vast majority of the year.

In light of this and in light of the long history of broken promises, back flips and questionable politics surrounding Lightbody Road, we view Council's response to Kay Spencer's question unworthy of demonstrating any meaningful commitment to deal with our issue. Therefore we ask Council:

Q1 Will the Shire make a meaningful commitment to resolve the dust issue to the residents of Lightbody Road?

Q2 Will the Shire allocate finances to carry out an effective solution to solve the dust pollution to residents before the onset of the dry months?

The Shire President advised that these questions will be taken on notice and that a response will be provided in writing.

3.3 Jackie Marsh – 340 Lightbody Road, Mardella

In the Examiner Newspaper on the 14 May 2009 Council stated in relation to traffic travelling on Lightbody Road that:

"...85% of drivers were travelling at over 85km/hour which is too fast for a gravel road."

And that:

"Council will....request Main Roads Western Australia to install signs all the way along Lightbody Road indicating that the road is a 70km/hour speed zone.

Another Examiner article on 4 June 2009 stated:

Ms Needham said the safety of the road was the main concern. "Council will improve the condition and safety of the road and request Main Roads WA to install signs all the way along Lightbody Road indicating that the road is a 70km an hour zone." she said.

Our question to Council is:

Q Why has a 70km/hr speed zone not been applied to Lightbody Road as stated by Council and when will this be done?

A The Director Engineering responded that a gravel road cannot have traffic signs installed and he will continue to follow up previous requests to Main Roads.

3.4 John Kirkpatrick – 16 Harris Place, Jarrahdale

Will the Shire President please instruct the CEO to reply to all correspondence as per Council policies? I currently have four unanswered letters from March and April 2010.

I asked a question on when a new sporting facility will be provided in the Shire. The reply was evasive and full of gobdddy-gook and spin. After reading the reply it would appear that the Shire has no intentions of providing any new facilities in the foreseeable future. Is this correct? If so, I repeat my question –

Q When will new facilities be provided considering that we have about 3 new families a day coming into the area?

At the June OCM I tabled a copy of a letter from the Minister for Emergency Services in which he indicated that there was to be a review of Shire local emergency Policies and Procedures by the Shire and FESA. This was following the events of the night of the 22 March 2010. My questions are:

Q1 Has this review been undertaken?

Q2 If not, when will it happen?

Q3 Were or will the public of Jarrahdale be invited to participate in any such review as they were the people impacted by the events of the night?

Q4 Will the President instruct the CEO to reply to questions taken on notice to be replied to in a frank and non evasive manner? Not full of spin designed to confuse and mislead?

Q5 That these questions be answered in a reasonable time?

I always ask that my questions be taken on notice to give the others a reasonable chance to make an accurate reply. I also always provide a written copy to avoid any misunderstanding of the question.

The Shire President advised that these questions will be taken on notice and that a response will be provided in writing.

3.5 Mrs Bond – 70 Stockmans Close, Oakford

Q1 How can you justify an 8% increase in the rates of ratepayers who provide their own water and wastewater treatment?

Q2 It has been 77 days since I made a Freedom of Information application. It can reasonably be deemed as a refusal at this point. Why has this not been met within the 45 days?

The Shire President advised that these questions will be taken on notice and that a response will be provided in writing.

Mrs Bond requested that all mail be posted to her post office box and not the street address.

Public Question Time ended at 7.11pm.

4. PUBLIC STATEMENT TIME:

4.1 John Kirkpatrick – 16 Harris Place, Jarrahdale

I wish to make a statement about the comment forms about the proposed skate park being distributed in Jarrahdale. It would appear that the officer who wrote the document knew the answer that they needed and phrased the

questions to get the desired result. The document appears to be biased and does not tell the complete picture.

Why only ask for people under 25 to be in the working group which would preclude the parents of young people that would use the facility being involved as they would all be over 25. The selection of the sites looks like someone threw darts at a map to choose them. For example, one is in a creek and under water a lot of the time. There's one on National Trust land and enquirers to them have been told that the National Trust will not support a skate park there. One requires the relocation of a children's playground. One is adjacent to the war memorial and will destroy the solitude and solemnity of the location. Some are on property that is owned by the education department.

A number of them do not meet the criteria in the distance from dwellings. It is a pity that both the Shire President and CEO have publicly stated their preferred site prior to public consultation. The fire brigade has raised concerns about vandalism and graffiti on the fire station and this raises the question if the fire station needs a security fence to protect it. As a number of the young people that are of an age to use a skate park are already active in cadets, one wonders where the vandalism will come from.

Why the need for a consultant to select a site as when contacted the consultant stated that a skate park can be designed to fit any type of location including going around trees to preserve them. In fact one of their designs shows this being done. The way this issue is being handled is causing great angst among the residents of the district. I would suggest that the Central Ward Councillors take notice of the way this is being handled.

4.2 Loretta Oud – 301 Lightbody Road, Mardella

To consider a commitment to the extension of George Road whilst Lightbody Road is still incomplete is to further insult us. Questionable politics saw the motion to close Lightbody Road rescinded with a deceitful intent in the resolution to leave Lightbody Road as a through road.

Lightbody Road is an existing substandard road and is our primary and ONLY means of access to our homes, yet council considers it to be of low priority with regards to future expenditure.

A commitment to funding the sealing of Lightbody Road should take priority over a commitment to investigate funding options that will consider the expenditure of ratepayer funds, or the use of difficult to obtain grant monies, for the purpose of building a road, where no road currently exists to provide a secondary access to commercial sites fronting the Southwest Highway.

The Shire must commit as a matter of priority to its obligations to deal with Lightbody Road's issues by either sealing in its entirety or closing it before it commits to projects such as George Street.

4.3 Mrs Bond - 70 Stockmans Close, Oakford

There has been 32 semi trailer loads of sand delivered in the street. Complaints have been made to Council and the offender has been overlooked. Currently the last house on Kellet Drive, Oakford has a lot of fill going on site. Many semi trailer loads have been going in there for over a week. The matter has been reported to Casey Rose who does not seem to

be concerned. The Director Development services requested the Director Operations follow up with the Manager Health & Ranger Services.

5. PETITIONS & DEPUTATIONS:

Nil

6. PRESIDENT'S REPORT:

Since our last Ordinary Council Meeting, much has been happening in our Shire.

I shall pick out a few of the past and coming events:

- On Thursday evening, Kim Petersen was elected as our newest councillor. Welcome, and I hope you will find the rest of your term rewarding. Please remember that we are all here to help you find your feet.
- On 2 July, our Emergency Service Volunteers were honoured at an Awards Night held at Briggs Park Pavilion. Many awards were given to both adults and cadets to recognise their valuable service to the community at all hours, in all weathers and in all fire conditions. We rest peacefully in our beds because of those dedicated volunteers.
- The long awaited fuel card for country areas has at last been received by our pensioners living in Serpentine, Keysbrook and Jarrahdale. This will ease the plight of our older residents where there is little or no public transport.
- Winter has seen many residents out in groups planting seedlings in our reserves and on their own verges. The Serpentine Jarrahdale Shire again gave out free verge plants on Saturday 10th July.
- On the morning of Friday 20th August, four of our renovated Halls will have a grand 're-opening ceremony' with plaques being unveiled. The halls are the Mundijong Change Rooms, the Byford Hall, the Clem Kentish Hall in Serpentine and the Bruno Gianatti Hall in Jarrahdale. We hope that many residents will come and enjoy this occasion with us.

7. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

Cr Hoyer declared an interest of impartiality in item SD011/07/10 as he is a delegate on community committees and this will not affect the way Cr Hoyer votes on this matter.

Cr Buttfield declared an interest of impartiality in item SD011/07/10 as she is a delegate on community committees and this will not affect the way Cr Buttfield votes on this matter.

Cr Twine declared an interest of impartiality in item SD011/07/10 as she is a delegate on community committees and this will not affect the way Cr Twine votes on this matter.

Cr Petersen declared an interest of impartiality in item SD011/07/10 as she was involved in completing some of the grant applications for community groups applying for funding and Councillor Petersen will leave the room when this item is discussed.

8. RECEIPTS OF MINUTES OR REPORTS AND CONSIDERATION FOR RECOMMENDATIONS:

7.1 Ordinary Council Meeting – 28 June 2010

Moved Cr Brown, seconded Cr Buttfield

The *attached (E10/3298)* minutes of the Ordinary Council Meeting held on 28 June 2010 be confirmed.

CARRIED 10/0

Moved Cr Ellis, seconded Cr Harris

7.2 Special Council Meeting – 9 July 2010

The *attached (E10/3496)* minutes of the Special Council Meeting held on 9 July 2010 be confirmed.

CARRIED 10/0

REPORTS OF COMMITTEES:

SD008/07/10 LOCAL STRUCTURE PLAN – BYFORD WEST – LOTS 4 & 5 ABERNETHY ROAD, BYFORD (A1670)		
Proponent:	Gray & Lewis Land Use Planners	In Brief A Local Structure Plan has been prepared for Lots 4 & 5 Abernethy Road, Byford. The Local Structure Plan has been adopted by Council and approved by the Western Australian Planning Commission. It is recommended that Council adopt the Local Structure Plan pursuant to Clause 5.18.3.15.
Owner:	Byford West Pty Ltd	
Author:	Michael Daymond - Senior Planner	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	22 June 2010	
Previously	SD071/12/09 SD103/03/06	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Date of Receipt: 23 November 2005
 Advertised: Yes
 Submissions: Yes
 Lot Area: 31.56 hectares
 L.A Zoning: Urban Development
 MRS Zoning: Urban
 Byford District Structure Plan: Residential (R20), Neighbourhood Node, Multiple Use Corridor, Drainage Basin Indicative Location, Proposed Neighbourhood Park, District Recreation, Future Roads.

Background

Council at its meeting of 27 March 2006 considered a draft Local Structure Plan (LSP) for Lots 4 & 5 Abernethy Road, Byford. At this meeting, Council deemed the draft LSP to be satisfactory for advertising subject to modifications. These modifications were undertaken, the draft LSP was advertised and a report was taken back to Council to consider the submissions and formally adopt the LSP.

At the Ordinary Council Meeting held on 21 December 2009, Council considered the LSP for adoption and resolved to adopt the LSP pursuant to Clause 5.18.3.7 of the Shire's Town Planning Scheme No.2 (TPS 2) subject to a number of modifications and forward the LSP to the Western Australian Planning Commission (WAPC) for a determination. A copy of the full resolution is detailed below:

"SD071/12/09 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Harris, seconded Cr Randall

A. *That Council for the purposes of Clause 5.18.3.9(a) of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, notes the submissions received on the draft Local Structure Plan for Lots 4 and 5 Abernethy Road, Byford, and endorses the Shire staff responses to those submissions.*

B. *That Council pursuant to Clause 5.18.3.7(a) of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, adopts the draft Local Structure Plan for Lots 4 and 5 Abernethy Road, Byford (as advertised), subject to the following modifications:*

Map

- (1) *The identification of all road connections into adjoining Lots based upon approved and draft Local Structure Plans;*
- (2) *The relocation of the road connection between Lot 4 and adjoining Lot 3 further north of the multiple-use corridor to facilitate the retention and protection of existing vegetation on Lot 3;*
- (3) *The inclusion of the two Neighbourhood Node sites in accordance with the Byford District Structure Plan;*
- (4) *The designation of the future bus route identified by the Public Transport Authority;*
- (5) *The identification of areas where the retention of vegetation is a priority matter; and*
- (6) *The designation of lots that require the preparation of Detailed Area plans to facilitate the retention of vegetation, to the maximum extent practicable.*

Statutory Section

- (7) *The inclusion of a ‘Statutory Section’, in accordance with Attachment SD071.3/12/09, with the following changes:*
 - (i) *text that states that to the extent of an inconsistency, the provisions of Town Planning Scheme No. 2 prevail over the Local Structure plan*
 - (ii) *the deletion of the text from Section 8.2.1, which reads ‘There are no uses other than Residential (R20) and POS proposed’.*
 - (8) *The inclusion of relevant provisions in relation to the retention of existing vegetation.*
 - (9) *The inclusion of relevant provisions in respect of the proposed neighbourhood nodes.*
 - (10) *The inclusion of text that identifies that all signage will need to be in accordance with the Shire’s Local Planning Policy No. 5 – Control of Advertisements, and that no entry statements or advertising signage for the estate is permitted,*
- C. *Council adopt the updated Drainage Strategy for Lots 4 and 5 Abernethy Road, Byford as provided in attachment marked SD071.4/12/09.*
- D. *Following compliance with Part B and C of Council’s resolution, pursuant to Clause 5.18.3.9 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 to the satisfaction of the Director Development Services, forward to the Western Australian Planning Commission:*
1. *A summary of all submissions and comments received by the Shire in respect of the draft Local Structure Plan for Lots 4 and 5 Abernethy Road, Byford, and Council’s decisions or comments in relation to these.*
 2. *Council’s recommendation to the Western Australian Planning Commission to adopt the draft Local Structure Plan for Lots 4 and 5 Abernethy Road, Byford, with modifications.*
 3. *Any other information that may be relevant to the Western Australian Planning Commission’s consideration of the draft Local Structure Plan for Lots 4 and 5 Abernethy Road, Byford.*
- E. *Advise the applicant and all agencies and persons who made a submission on the draft Local Structure Plan for Lots 4 and 5 Abernethy Road, Byford, of its resolution.*
- F. *The applicant is required to facilitate the formulation and execution of a binding legal agreement between the Department of Education and Training, Shire of Serpentine Jarrahdale, the landowner of the adjoining property containing the primary school site and the subdivider, for the provision, ongoing maintenance and ongoing public access to the shared recreation facilities at the primary school site, at the earliest opportunity.*
- G. *Request Shire Officers to negotiate with the applicant in relation to achieving the community outcomes identified within the Shire’s Community Facilities and Services Plan 2020.*

CARRIED 7/3”

In accordance with the provisions set out in TPS 2, the LSP was forwarded to the WAPC for a determination under the Clause 5.18.3.10 of TPS 2. The WAPC approved the LSP on 24 May 2010 incorporating all of the modifications requested by Council.

In accordance with the provisions set out in TPS 2, following the approval of an LSP by the WAPC, Council is required to adopt the LSP pursuant to Clause 5.18.3.15. Accordingly, the matter is presented to Council for adoption.

A location plan and aerial photograph are with attachments marked SD008.1/07/10.

A copy of the LSP map is with attachments marked SD008.2/07/10.

A copy of the statutory text is with attachments marked SD008.3/07/10.

A copy of the Local Water Management Strategy (LWMS) is with attachments marked SD008.4/07/10.

Sustainability Statement

Effect on Environment: The proposed Multiple Use Corridor (MUC) will facilitate improved water quality outcomes as well as vegetation retention. The LSP facilitates the retention and preservation of existing vegetation on-site and within adjoining land.

Resource Implications: A large portion of the area has been set aside as a MUC which will provide a significant environmental function in terms of water quality and vegetation retention.

Use of Local, Renewable or Recyclable Resources: The proponent should be encouraged to use local contractors and materials wherever possible in the eventual construction phase of the development. Also, the reuse of drainage and storm water runoff in the irrigation of public open space and the MUC will be required.

Economic Viability/Benefits: The R20 residential development proposed by the LSP is generally consistent with that developed and readily marketed elsewhere in Byford. The Neighbourhood Nodes will facilitate the establishment of small-scale commercial and retail development and contribute to the local economy and provide employment opportunities.

Social – Quality of Life: The LSP is generally consistent with the principles of Liveable Neighbourhoods and is considered to provide an appropriate quality of life.

Social and Environmental Responsibility: The LSP will facilitate the retention and protection of existing vegetation and address water quality objectives through the provision of a MUC. As stated above, the LSP is considered to provide an appropriate quality of life in a social sense.

Social Diversity: The LSP provides R20 residential development, catering for larger household sizes. The provision of the Neighbourhood Nodes will provide opportunities for housing diversity at medium densities. Such development will facilitate the provision of housing for smaller household sizes.

Statutory Environment:

Planning and Development Act 2005
Town Planning Scheme No. 2 (TPS 2)

Policy/Work Procedure

Implications:

WAPC Operational Policy - Liveable Neighbourhoods
State Planning Policy 2.1 – Peel-Harvey Coastal Plain
Catchment
Local Planning Policy 22 – Water Sensitive Urban Design

Financial Implications: There are no financial implications related to this proposal.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT				
	Landscape	1	Safeguard	Restore and preserve the visual amenity of our landscapes.
		3		Maximise the preservation of existing trees and vegetation.
		4		Incorporate environmental protection in land use planning.
		5	Restore	Establish and enhance waterways and bush corridors.
		6		Establish increased levels of natural vegetation in urban and rural environments.
		13	Protect	Protect specific ecological features and processes including rare species, threatened ecological communities, wetland vegetation and ecological linkages throughout the Shire.
	Integrated Water Cycle Management	16	Quantity	Promote and implement water conservation and reuse.
		19		Protect and develop natural and man-made water sources.
		20	Quality	Improve and maintain surface and ground water quality.
		22	Planning and Design	Ensure integrated water cycle management is incorporated in land use planning and engineering design.
		23		Enforce the adoption of "better urban water management".
		24	Natural systems	Understand the behaviour of natural flood systems in land use planning and engineering design to ensure safe communities.
		25		Facilitate and encourage the preservation, management and restoration of natural water systems.
	Climate Change	29	Mitigation	Ensure that energy and water conservation is addressed at the local level.
BUILT ENVIRONMENT				
	Land Use Planning	3	Urban Villages	Incorporate the principles of emergency management, community safety and crime prevention in new and existing developments.
		4		Ensure interesting, safe and well-connected pathways accessible and suitable for all users.
		5		Residential developments will accommodate a variety of lot sizes, water wise native gardens and shade trees.
		6		Subdivision layout will maximise the achievement of sustainable development through the utilisation of solar passive design principles.
		7		Press for the provision of public transport and the density of development needed to give effect to transit orientated design.
		8		Ensure local structure plans have a range of attractions within a walkable distance of

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				residential areas.
		9	Rural Land	Ensure the built form complements and enhances the rural environment.
		13	Buildings	Ensure the Shire's rural character is sensitively integrated into urban and rural villages.
		14		Encourage built form that positively contributes to streetscape amenity.
		15		Ensure that all buildings incorporate principles of environmentally sustainable design, suitable for our specific climate and location.
		20	Landscape	Prioritise the preservation of landscape, landform and natural systems through the land development process.
		21		Provide a variety of affordable passive and active public open spaces that are well connected with a high level of amenity.
		22		Continue the development of low maintenance multiple use corridors to accommodate water quality and quantity outcomes and a diversity of community uses.
		23		Protect the landscape and environmental values of natural reserves and areas from the impacts of development.
		25	Transport	Ensure future public transport needs and infrastructure are incorporated into the land use planning process within the Shire and region.
	Infrastructure	35	Roads and bridges	Protect, enhance and develop shady vegetated road verges to reflect the rural character of the locality and provide wildlife habitats and linkages.
		39	Water Management	Minimise the use of piped and artificial drainage and its impact on the landscape.
		40		Promote, implement and celebrate best practice integrated water cycle management.
		41		Create low maintenance living streams and ephemeral wetlands.
		42		Where appropriate, create road side swales that add to the visual amenity, habitat, water quality and recreational enjoyment of the urban environment.
		43		Ensure infrastructure planning and design protects the community from flooding.
		48	Vegetation management	Acknowledge the future economic value of natural vegetation and landform.
		49		Ensure local native, low maintenance and water wise trees and plants are incorporated in streetscapes and public spaces.
PEOPLE AND COMMUNITY				
	Wellbeing	2	Healthy	Promote a variety of recreation and leisure activities.
		4		Monitor and respond to the changing needs of our ageing population.
		6	Happy	Improve access and inclusion for all.
		13	Safe	Achieve a high level of community safety
	Places	29	Vibrant	Create vibrant urban and rural villages.
		30		Develop well connected neighbourhood hubs and activity centres.
		33		Plan and facilitate the provision of a range of facilities and services that meet community needs

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		34		Enable a diverse range of places that accommodate a variety of active and passive recreational pursuits.
		36		Plan and develop safe communities and places.
OUR COUNCIL AT WORK				
	Leadership	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
	Strategy and Planning	27	Strategic Direction	Prepare effectively for future development.
	Customer and Market Focus	52	Gaining and using knowledge of customers and markets	Align systems and processes to meet customer needs.

Community Consultation

In accordance with the requirements of TPS 2, the draft LSP was advertised for public comment to state government authorities, servicing/infrastructure authorities and adjacent land owners. At the Ordinary Council Meeting of 21 December 2009, Council formally considered the submissions received during the advertising period. All those persons who lodged a submission during the advertising period will be advised that that the LSP has commenced formal operation, following a decision by Council

Comment

The LSP has been progressed through the statutory processes outlined in TPS 2, including advertising, adoption by Council and approval by the WAPC. The final step in the process is for Council to adopt the LSP pursuant to Clause 5.18.3.15 of TPS 2. In accordance with Clause 5.18.6.1 of TPS 2, a Structure Plan commences operation on the date it is adopted by the local government pursuant to clause 5.18.3.15 of TPS 2.

In the interests of clarity and consistent with the State Government's Better Urban Water Management Framework, it is important that Council formally adopt the LSP map, operative text and LWMS. These documents are provided as attachments to this report.

Options

There is only one option available to Council under TPS 2, being to adopt the LSP pursuant to Clause 5.18.3.15.

Conclusion

The LSP is ready to commence formal operation. Adoption of the LSP is recommended.

Voting Requirements: Simple Majority

SD008/07/10 COUNCIL DECISION/Committee Recommended Resolution:

**Moved Cr Randall, seconded Cr Geurds
That Council:**

- A. Adopt the Local Structure Plan 'map', 'statutory text' and Local Water Management Strategy for Lots 4 & 5 Abernethy Road, Byford pursuant to**

Clause 5.18.3.15 of Town Planning Scheme No. 2 as provided in attachments SD008.2/07/10, SD008.3/07/10 and SD008.4/07/10.

- B. Notify the proponent, the Western Australian Planning Commission, all relevant state government agencies and those persons who lodged a submission during the formal advertising of the Local Structure Plan for Lots 4 & 5 Abernethy Road, Byford of Council's decision to adopt the Local Structure Plan pursuant to Clause 5.18.3.5 of Town Planning Scheme No.2.**
- C. Make arrangements for the Local Structure Plan for Lots 4 & 5 Abernethy Road, Byford to be made available for inspection by any member of the public during office hours.**

CARRIED 10/0

SD009/07/10 PROPOSED FUNDING AGREEMENT FOR POLICY DEVELOPMENT PROGRAM UNDER THE AUSTRALIAN GOVERNMENT HOUSING AFFORDABILITY FUND PROGRAM (A1856)		
Proponent:	N/A	In Brief The report provides Council with the opportunity to consider a funding agreement with the Australian Government, to facilitate the funding of policy development initiatives at the Shire. Authorising the Chief Executive Officer to enter into the funding agreement is recommended.
Owner:	N/A	
Author:	Simon Wilkes – Executive Manager Planning	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	9 July 2010	
Previously	N/A	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The Australian Government established the Housing Affordability Fund to help in reducing the cost of new homes for home buyers. The program seeks to address two significant barriers to increasing the supply of housing, as follows:

- The 'holding' costs incurred by developers as a result of long planning and approval times, such as interest paid to banks while waiting on development decisions by councils; and
- Infrastructure costs, such as laying water pipes sewerage, transport and creation of parks.

The desired outcomes of the fund are to stimulate the supply of new houses and make housing more affordable by:

- Ensuring best practice in local government in respect of residential development assess and planning processes;
- Speeding up development assessment processes to reduce the costs to developers associated with the time taken to approve a development, and ultimately the costs that flow through to the home buyer;
- Reducing the burden of infrastructure charges on developers in order to generate savings for purchasers of homes.

In some respects, the Housing Affordability Fund has replaced the previous State Government Local Government Assistance Program.

In January 2010, Shire officers put forward two funding applications for consideration by the Australian Government, as follows:

1. To assist with implementation measures to support the draft Byford Town Centre Local Structure Plan;
2. To facilitate a significant policy development program, contributing to the Shire's framework for future subdivision and development.

The first funding submission was not successful. The second funding submission was successful, attracting funding to an amount of \$124,000.

This report provides Council with the opportunity to consider a proposed funding agreement with the Australian Government to facilitate the ultimate transfer of funds to the Shire and in turn the delivery of the proposed policy development program.

A copy of the proposed funding agreement is with attachments marked SD009.1/07/10.

Sustainability Statement

Effect on Environment:

The development of a robust policy framework, with resources provided through the Housing Affordability Fund, will incorporate a range of important local planning policies that effectively integrate environmental protection with the planning system. This integration will better equip the Shire to identify and protect natural resources through local planning decisions.

Resource Implications: The funding provided by the Housing Affordability Fund will give Council opportunity to invest in significant policy development with minimal impact on existing financial and human resources.

Use of Local, Renewable or Recycled Resources: The development of local planning policy for incorporation of sustainability principles into planning and development will provide a framework to achieve more efficient use and reuse of resources in new urban developments.

Economic Viability: The external funding available ensures the project can be delivered without impacting on Council's current municipal funds.

There will not be any longer term economic impact to Council. The development of robust planning policies in the short term, will increase Council's longer term economic viability as efficiencies in the delivery of planning services will be achieved.

Economic Benefits: The external funding provided by the Housing Affordability Fund provides an immediate economic benefit to the Shire, with funding available for the engagement of consultants and other resources required to develop a robust planning policy framework.

Social – Quality of Life: Planning policies developed with the resources provided by the Housing Affordability Fund will provide a framework for the provision of community facilities and benefits in new developments.

Improved decision making processes, and the resultant reduction in costs to developers, will result in more affordable housing as the savings in development costs are passed on to home buyers.

Social and Environmental Responsibility: Developing a planning policy framework that improves environmental outcomes and reduce costs to homebuyers will demonstrate the Shire as a leader in social and environmental responsibility.

Statutory Environment:

Local Planning Policies generated through the funded policy development program will need to be progressed

and implemented in accordance with the procedures set out in Part IX of Town Planning Scheme No. 2

Policy/Work Procedure Implications:

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

Financial Implications:

The proposed agreement will facilitate the transfer of funds (\$124,000 + GST) to the Shire on a progressive basis through the 2010/2011 financial year, with the following performance based payment schedule:
1 August 2010 - \$65,000
30 March 2011 - \$59,000

Strategic Implications:

A robust planning policy framework is fundamental to a significant number of objectives within the Plan for the Future. This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Obj Number	Objective Summary	Objective
NATURAL ENVIRONMENT	Landscape	4		Incorporate environmental protection in land use planning.
		11		Develop active partnerships with stakeholders.
	Integrated Water Cycle Management	22	Planning and Design	Ensure integrated water cycle management is incorporated in land use planning and engineering design.
BUILT ENVIRONMENT	Land Use Planning	1	Rural Villages	Preserve the distinct character and lifestyle of our rural villages and sensitively plan for their growth.
		2		Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.
		3	Urban Villages	Incorporate the principles of emergency management, community safety and crime prevention in new and existing developments.
		4		Ensure interesting, safe and well-connected pathways accessible and suitable for all users.
		5		Residential developments will accommodate a variety of lot sizes, water wise native gardens and shade trees.
		6		Subdivision layout will maximise the achievement of sustainable development through the utilisation of solar passive design principles.
		8		Ensure local structure plans have a range of attractions within a walkable distance of residential areas.
		9	Rural Land	Ensure the built form complements and enhances the rural environment.
		13	Buildings	Ensure the Shire's rural character is sensitively integrated into urban and rural villages.
		14		Encourage built form that positively contributes to streetscape amenity.
		15		Ensure that all buildings incorporate principles of environmentally sustainable design, suitable for our specific climate and location.
		16		Enable built form that accommodates a range of business and family circumstances and needs.
		19		Plan for the creation and preservation of iconic buildings and places that add to our sense of identity.
20	Landscape		Prioritise the preservation of landscape, landform and natural systems through the land development process.	

Vision Category	Focus Area	Obj Number	Objective Summary	Objective	
		21		Provide a variety of affordable passive and active public open spaces that are well connected with a high level of amenity.	
		22		Continue the development of low maintenance multiple use corridors to accommodate water quality and quantity outcomes and a diversity of community uses.	
		25	Transport	Ensure future public transport needs and infrastructure are incorporated into the land use planning process within the Shire and region.	
		26	General	Facilitate the development of a variety of well planned and connected activity centres and corridors.	
		27		Ensure land use planning accommodates a diverse range of lifestyle and employment opportunities and activities.	
		31		Encourage innovative solutions, technology and design.	
	Infrastructure	40		Promote, implement and celebrate best practice integrated water cycle management.	
		41		Create low maintenance living streams and ephemeral wetlands.	
		47	Trails and linkages	Plan and develop well connected, distinctive, multiple use pathways that contribute to the individuality and sense of place of each neighbourhood.	
		48	Vegetation management	Acknowledge the future economic value of natural vegetation and landform.	
		49		Ensure local native, low maintenance and water wise trees and plants are incorporated in streetscapes and public spaces.	
		50		Incorporate, in selective locations, deciduous "air conditioning", fruit and ornamental trees in streetscapes and public spaces.	
		52	Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.	
		53		Proactively and positively negotiate mutually beneficial outcomes with the development industry.	
		56		Continue to work with funding agencies to secure grants for projects.	
		58		Celebrate awards and achievements with partners to promote our vision.	
	59		Interact with professional and industry bodies to keep abreast of best practice.		
	SUSTAINABLE ECONOMIC GROWTH	Industry Assistance	22		Protect existing and future businesses from incompatible land uses and activities.
			26	Infrastructure	Facilitate the development of consistent appropriate and informative signage throughout the Shire.
PEOPLE AND COMMUNITY	Wellbeing	1	Healthy	Promote a wide range of opportunities to enable optimal physical and mental health.	
		2		Promote a variety of recreation and leisure activities.	
		3		Enable the provision of a range of facilities and services for families and children.	
		4		Monitor and respond to the changing needs of our ageing population.	
		13	Safe	Achieve a high level of community safety	
	Relationships	27	Celebrate	Actively engage, and value the contribution of all stakeholders in better decision making.	
	Places	29	Vibrant	Create vibrant urban and rural villages.	
		30		Develop well connected neighbourhood hubs and activity centres.	

Vision Category	Focus Area	Obj Number	Objective Summary	Objective		
		32		Ensure community spaces and places are accessible and inviting.		
		33		Plan and facilitate the provision of a range of facilities and services that meet community needs		
		34		Enable a diverse range of places that accommodate a variety of active and passive recreational pursuits.		
		36		Plan and develop safe communities and places.		
		37	Innovative	Promote and encourage the development of affordable and appropriate lifelong living environments.		
		38		Facilitate the establishment of educational places that offer a range of lifelong learning opportunities.		
		39		Enable and develop sustainable, multipurpose facilities where duplication is minimised.		
		40		Encourage the use of the arts to express our cultural identity.		
		41	Distinctive	Recognise, preserve and enhance the distinct characteristics of each locality.		
		43		Acknowledge and accommodate diversity and multicultural interests in our places.		
OUR COUNCIL AT WORK	Leadership	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.		
		2		Our structure, processes, systems and policies are aligned with the Plan for the Future.		
		3		Our structure, processes, systems and policies are based on the “keep it simple” principle.		
		4		We are realistic about our capacity to deliver.		
		6		The Council and Leadership Team drive Strategy and Policy development.		
		9		All decisions by staff and elected members are evidence based, open and transparent.		
		10		The elected members and staff operate from a common understanding of sustainability.		
		11		The Shire will further establish itself as an innovative leader.		
	15		The Shire will set policy direction in the best interests of the community.			
		Strategy and Planning	27	Strategic Direction	Prepare effectively for future development.	
			28		Position the Shire to be responsive and resilient to changes in State or Federal policy direction.	
			Success and Sustainability	39	Achieving Sustainability	Projects and goals are realistic and resourced.
				40		The culture, decision making and work systems need to be readily adaptable to change.
	42				Position the Shire to be responsive and resilient to changes in State or Federal policy direction.	
	Knowledge	51	Creating	Critically examine the efficiency and		

Vision Category	Focus Area	Obj Number	Objective Summary	Objective
	and Information		value through applying knowledge	effectiveness of service delivery
	Customer and Market Focus	52	Gaining and using knowledge of customers and markets	Align systems and processes to meet customer needs.

Community Consultation:

Stakeholder engagement is a critical component with all policy development initiatives. At a minimum, all local planning policies that are developed through the policy development program will need to be advertised to members of the public and relevant government agencies for a period of not less than 21 days. Through the policy development program, it is hoped that a significant number of opportunities will be generated for further stakeholder engagement.

Comment:

The funds secured will be utilised to engage suitably qualified and experienced contract staff and consultants to develop a significant policy development program. The policies that will be developed will address but not be limited to the following:

- Detailed area plans;
- Structure plans;
- Housing;
- Bicycle facilities in urban developments;
- Integrating sustainability principles into land use planning processes;
- Fast food outlets;
- Public open space;
- Reviewing existing local planning policies; and
- A comprehensive review of delegated authority to support the new and updated policies.

While delivering the objectives of the Housing Affordability Fund, including reducing timeframes for planning processes, the proposed policy development program will also assist in delivering a number of additional benefits including:

- Improved customer service through faster processing of applications, clearer documentation/application requirements and decision-making processes;
- Opportunities to strengthen relationships with various stakeholders, including developers and home builders, through extensive dialogue about the new policies and their implementation;
- Greater community understanding and confidence in the planning system;
- Reductions in work-loads for officers with more stream-lined processes;
- Improved built form outcomes for our existing and future communities; and
- Increasing capacity for the Shire to positively respond to future State and Federal Government planning reform initiatives.

The proposed policy development program requires significant resources, however the funding made available through the Housing Affordability Program will make this possible. The short, medium and long-term outcomes achieved by a robust policy framework will represent a significant return on the investment.

Voting Requirements: Simple Majority

SD009/07/10 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Randall, seconded Cr Buttfeld

That Council authorise the Chief Executive Officer to enter into the proposed funding agreement and the placement of the common seal.

CARRIED 10/0

SD010/07/10 FINALISATION OF SCHEME AMENDMENT NO. 162 – REZONING OF VARIOUS LOTS IN THE SERPENTINE URBAN DEVELOPMENT AREA (A1640)		
Proponent:	Serpentine Jarrahdale Shire	In Brief This proposal involves the rezoning of various portions of land in the Serpentine Urban Development area to the “Urban Development” zone. That Council resolves to finalise Scheme Amendment No. 162.
Owner:	Not applicable	
Author:	Heleen Muller - Senior Strategic Planner	
Senior Officer:	Suzette van Aswegen - Director Strategic Community Planning	
Date of Report	16 June 2010	
Previously	SCM003/09/08 8 September 2008	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The Shire, at a Special Council Meeting on 8 September 2008, recommended that the subject properties in the Serpentine urban development area be rezoned to “Urban” to align the Shire’s Town Planning Scheme No. 2 (TPS2) with the Metropolitan Regional Scheme (MRS).

A copy of the plan showing the subject property and current zoning under Town Planning Scheme No. 2 is with attachments marked SD010.1/07/10.

	Area	Zoning under MRS	L.A. Zoning under TPS2
Lot 1 Richardson Street	1.0743Ha	Urban	Residential R10
Lot 82 Richardson Street	0.9257Ha	Urban	Residential R10
Lot 84 Richardson Street	0.5053Ha	Urban	Residential R10
Part of Lot 10 Richardson Street	Approximately 1.4353Ha based on MRS.	Urban	Rural
Part of Lot 12 Richardson Street	Approximately 3.6817Ha based on MRS.	Urban	Rural
Part of Lot 13 Richardson Street	Approximately 0.1264Ha based on	Urban	Rural

	MRS.		
Part of Lot 14 Richardson Street	Approximately 3.7112Ha based on MRS.	Urban	Rural
Lot 111 Wellard Street	0.4397Ha	Urban	Residential R10
Lot 113 Wellard Street	0.1992Ha	Urban	Residential R10
Part of Lot 17 Karnup Road	Approximately 0.7712Ha based on MRS.	Urban	Rural
Part of Lot 18 Karnup Road	Approximately 1.2912Ha based on MRS.	Urban	Rural
Part of Lot 15 Karnup Road	Approximately 2.1167Ha based on MRS.	Urban	Residential R10
Lot 1 Leslie Street	0.19996Ha	Urban	Residential R5
Lot 123 Leslie Street	2.1659ha	Urban	Residential R5
Lot 124 Leslie Street	1.9651Ha	Urban	Residential R5
Lot 125 Leslie Street	2.1623Ha	Urban	Residential R5
Lot 94 Lefroy Street	2.0248Ha	Urban	Residential R5
Lot 95 Lefroy Street	2.0248Ha	Urban	Residential R5
Lot 96 Lefroy Street	2.0246Ha	Urban	Residential R5
Lot 97 Lefroy Street	2.5400Ha	Urban	Residential R5
Lot 109 Lefroy Street	3.0906Ha	Urban	Residential R5
Lot 110 Lefroy Street	2.9447Ha	Urban	Residential R5
Lot 98 Rudall Street	2.4749Ha	Urban	Residential R5
Lot 99 Rudall Street	1.9332Ha	Urban	Residential R5
Lot 100 Rudall Street	1.9735Ha	Urban	Residential R5
Lot 101 Rudall Street	2.0144Ha	Urban	Residential R5
Lot 93 Rudall Street	1.9396Ha	Urban	Residential R10
Lot 102 Rudall Street	3.5889Ha	Urban	Rural
Lot 103 Rudall Street	3.0368Ha	Urban	Rural
Lot 104 Rudall Street	4.0490Ha	Urban	Rural
Lot 105 Rudall Street	4.0489Ha	Urban	Rural
Lot 106 Rudall Street	4.0479Ha	Urban	Rural

Sustainability Statement

Effect on Environment:

Rezoning of these properties to “Urban Development” may ensure preservation, rehabilitation and enhancement of the properties. The areas of remnant vegetation, Threatened Ecological Communities (TEC’s), Resource Enhancement Wetlands and Conservation category wetlands can be protected through detailed studies at District Structure Plan level. These studies include a detailed wetland assessment, a wetland buffer

assessment, site specific wetland buffers, wetland management plans, a survey of TEC's and a study indicating the impact of development on TEC's.

The proposal will also enable controls to be places on land uses able to be carried out on the land which will provide additional protection for groundwater and the Peel Harvey Coastal Plain Catchment.

Resource Implications:

There will be no additional cost to the Shire. Energy Use; Water Use; Land; Non renewable Resources and Waste issues will be addresses as part of a District Structure Plan in future.

Use of Local, Renewable or Recycled Resources:

The proposal does not require resources as the proposal is only aligning the Shire's Town Planning Scheme No. 2 (TPS2) with the Metropolitan Regional Scheme (MRS) as per statutory requirements.

Economic Viability:

The proposal does not impact on the natural, social or economic environment as the proposal is only aligning the Shire's Town Planning Scheme No. 2 (TPS2) with the Metropolitan Regional Scheme (MRS) as per statutory requirements.

Future economic, social and environment implications will only arise once District Structure Planning is done for the Serpentine Development Area

Economic Benefits:

At this stage, the proposal does not create additional economic benefits for the community, but does however rezone the land in order to conduct future structure planning in the area which will address economic benefits for the community.

Social – Quality of Life:

At this stage, the proposal does not create additional social benefits for the community, but does however rezone the land in order to conduct future structure planning in the area which will address social aspects and strive to improve the quality of life for all residents.

Social and Environmental Responsibility:

The rezoning requires that significant environmental issues to be addressed at District Structure Plan level before development commences which will address environmental aspects and strive to improve the quality of life for all residents.

Statutory Environment:

Local Planning Policy No. 29
Town Planning Scheme No. 2
Planning and Development Act 2005
Town Planning Regulations 1967

Policy/Work Procedure Implications:

State Planning Policy 2.1 – Peel-Harvey Coastal Plain Catchment

Financial Implications:

The Shire to pay the amendment fees.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
BUILT ENVIRONMENT				
	Land Use Planning	2	Rural Villages	Ensure land use planning accommodates a vibrant and diverse range of activities

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				and employment opportunities.
		9	Rural Land	Ensure the built form complements and enhances the rural environment.
		10		Plan for the preservation of rural land and its integration with urban and rural villages.
		11		Consider the viability of rural land uses in strategy and policy development.
		30	General	Collaborate in the development of State planning proposals and lobby for the protection of Serpentine Jarrahdale's unique attributes.
		45		Engage utility providers in strategic land use planning to ensure that communities are well serviced by appropriately located and timely constructed infrastructure.
		48	Vegetation management	Acknowledge the future economic value of natural vegetation and landform.
		52	Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.
		61		Form strategic alliances for the more effective resolution and achievement of regional land use planning and infrastructure delivery.
SUSTAINABLE ECONOMIC GROWTH				
	Industry Development	1	General	Attract and facilitate appropriate industrial, commercial and retail development.
PEOPLE AND COMMUNITY				
	Wellbeing	5	Happy	Promote respect, responsibility and resilience in our community.
	Places	29	Vibrant	Create vibrant urban and rural villages.
		37	Innovative	Promote and encourage the development of affordable and appropriate lifelong living environments.
		41	Distinctive	Recognise, preserve and enhance the distinct characteristics of each locality.
OUR COUNCIL AT WORK				
		15		The Shire will set policy direction in the best interests of the community.
	Strategy and Planning	27	Strategic Direction	Prepare effectively for future development.
	Knowledge and Information	45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.

Community Consultation:

The Amendment was advertised for public comment and referred to relevant government authorities for 42 days with the advertising period closing on 18 September 2009. Advertising was undertaken in the following manner:

- All land owners, surrounding land owners (Serpentine Development Area residents) and relevant government agencies were advised in writing of the proposal;

- Notices were placed on Council’s notice board and Library;
- The proposal was made available on the Shire’s website; and
- An advertisement was placed in the Examiner newspaper.

Resulting from the advertising, five (5) submissions from government referral authorities and five (5) public submissions were received. No major issues or concerns were raised regarding the amendment, however various recommendations and requirements were identified which should be addressed at District and Local Structure Plan level.

A schedule of submissions is with the attachments marked SD010.2/07/10.

A map showing wetlands is with attachments marked SD010.3/07/10.

A list of Threatened Ecological Communities (TEC’s) is with the attachments marked SD010.4/07/10.

Comment:

Proposal

The subject land comprises of various portions of land in the current Serpentine Town site which has been zoned “Urban” under the Metropolitan Regional Scheme (MRS). “Urban” zone under the MRS are defined as “areas in which a range of activities are undertaken, including residential, commercial, recreation and light industry”. The Shire has a statutory obligation to align their Town Planning Scheme No. 2 (TPS2) with the MRS. This amendment serves to align TPS2 with the MRS.

The Shire has also developed Local Planning Policy No. 23 (LPP23) which is a planning framework for Serpentine Development Area. This planning framework requires various requirements to be address to ensure development in Serpentine will occur in an orderly and proper manner these planning requirements include the preparation of a District Structure Plan (DSP), Local Structure Plans (LSP’s) and applications for subdivision and development. LPP23 was adopted by Council at its Council meeting on 27 April 2010.

Matters raised by the Department of Environment and Conservation and Water Corporation will be addressed at the DSP and LSP stages and do not impact on the scheme amendment specifically.

Six submissions provided suggestions that should be considered when drafting a District Structure Plan for Serpentine. These are submissions 2, 4, 7, 8, 9 and 10 of the attached schedule. The submissions were considered in some detail and although no modifications to Amendment No. 162 are suggested, the drafting of a DSP should consider addressing these.

Main Issues

- **Time frame and allocation of resources:**
With Amendment 162, the Shire is aligning its TPS 2 with the Metropolitan Regional Scheme, as per statutory requirements and to ensure an orderly process, not to determine a timeline for development. However, at this stage, the Shire does not have an estimate timeframe for development of a DSP for Serpentine due to budgetary constraints. The development of a DSP for Serpentine will be reconsidered when the Shire’s Plan for the Future 2009 – 2014 (Shire’s 5 year strategic plan) is reviewed.
- **Interim Development Policy:**
In order to ensure progress, the Shire is in the process of drafting an Interim Development Policy for the Serpentine Area. This policy will guide development until such a time as a DSP has been prepared and adopted for Serpentine. All

applications received under the Interim development policy will be assessed against its merits.

- **Environmental Impacts:**

The Shire, before drafting further Structure Plans for the area, should request the development of:

- a) A Local Water Management Strategy;
- b) A detailed wetland assessment;
- c) A wetland buffer assessment, including site specific wetland buffers;
- d) A wetland management plan;
- e) A Survey of remnant native vegetation that may be subject to or impacted by clearing to determine the floristic community types (FCT's) present; and
- f) Occurrence of TEC's that may be subject to impacts from development.

Conclusion

The proposed scheme amendment proposes to align TPS2 with the MRS. The Serpentine Townsite and Urban Development Area to be subject to structure planning as per LPP23, before any development and or subdivision applications will be considered by the Shire. It is therefore recommended that scheme amendment No. 162 be adopted without modification.

Voting Requirements: Simple Majority

Committee Decision/Officer Recommended Resolution:

That Council:

- A. Notes the schedule of submissions and the officer comment in relation to the Attachment SD010.2/07/10 prepared in respect of Amendment No. 162 to the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2**
- B. Pursuant to Section 72 of the Planning and Development act amends the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 by:**
 - 1. Rezoning Lots 1, 82 and 84 Richardson Street, Serpentine from 'Residential R10' to 'Urban Development'.**
 - 2. Rezoning Part of Lots 10, 12, 13 and 14 Richardson Street, Serpentine from 'Rural' to 'Urban Development'.**
 - 3. Rezoning Lots 111 and 113 Wellard Street and Lot 121 Turner Street, Serpentine from 'Local Roads' and 'Residential R10' to 'Urban Development'.**
 - 4. Rezoning Part of Lot 17 and 18 Karnup Road, Serpentine from 'Rural' to 'Urban Development'.**
 - 5. Rezoning Part of Lot 15 Karnup Road, Serpentine from 'Residential R10' to 'Urban Development'.**
 - 6. Rezoning Lots 1, 123, 124 and 125 Leslie Street, Serpentine from 'Residential R5' to 'Urban Development'.**
 - 7. Rezoning Lot 94, 95, 96, 97, 109 and 110 Lefroy Street, Serpentine from 'Residential R5' to 'Urban Development'.**
 - 8. Rezoning Lots 98, 99, 100 and 101 Rudall Street, Serpentine from 'Residential R5' to 'Urban Development'.**
 - 9. Rezoning Lot 93 Rudall Street, Serpentine from 'Residential R10' to 'Urban Development'.**

10. Rezoning Lots 102, 103, 104, 105 and 106 Rudall Street, Serpentine from 'Rural' to 'Urban Development'.
- C. Amends the Scheme Map accordingly.
- D. Submits the amendment documentation be signed and sealed and submitted to the Western Australian Planning Commission along with the endorsed schedule of submissions and steps taken to advertise the amendment with a request for the endorsement of final approval by the Minister for Planning.
- E. Advises the submitters of Council's decision.

SD010/07/10 COUNCIL DECISION/Alternate Officer Recommended Resolution:

Moved Cr Brown, seconded Cr Randall

That Council defer item SD010/07/10 to the 17 August 2010 Sustainable Development Committee Meeting.

CARRIED 10/0

Note: Letters informing submitters that this item was to be presented at the July Sustainable Development Committee Meeting were posted out after the event, consequently not providing submitters sufficient time to prepare for Sustainable Development Committee of 20 July 2010 or the Ordinary Council Meeting of 26 July 2010.

Cr Peterson declared an interest of impartiality in item SD011/07/10 and left the meeting at 7.31pm.

SD011/07/10 COMMUNITY FUNDING PROGRAM (A1671)		
Proponent:	Various Community Groups	In Brief Council is asked to consider the recommendations of the Community Funding Program Working Group in relation to the 2010/11 Budget allocation for the Community Funding Program.
Owner:	Not applicable	
Author:	Julie Sansom – Community Development Officer	
Senior Officer:	Suzette van Aswegen - Director Strategic Community Planning	
Date of Report	15 June 2010	
Previously	SD126/06/09; SD092/05/08; SD106/05/07	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The Serpentine Jarrahdale Shire and the Byford & Districts Community Bank - Bendigo Bank signed a community funding partnership agreement for the 2010/2011 round of the Community Funding Program (CFP). The purpose of the partnership is to enable increased funding within the Shire for the benefit of the community. One of the conditions of the agreement is to maintain and match the Shire's \$20,000 (plus GST). Another condition of the funding agreement which has been implemented is for the Byford & Districts Community Bank - Bendigo Bank's Board to also review the officer's recommendations. It is also agreed that recommendations from the Working Group and the Board will still be subject to Council resolution.

Thirty one (31) funding applications, requesting a total of \$52,896 were received for the 2010/2011 CFP and assessed by the CFP Working Group in line with the assessment criteria outlined in *Policy PC102 Financial Assistance to Community*. This compares to thirty

three (33) funding applications, requesting a total in excess of \$50,650 received for the 2009/2010 CFP.

Council Policy PC102 states:

“All applications are to be assessed by the Community Funding Program Working Group which is to make recommendations to Council as to how the total Community Funding Program budget allocation be divided between the selected groups.”

“The nominal provision for this program is \$20,000 per annum however Council will determine the actual budget provision in the annual budget process”

Sustainability Statement

Effect on Environment: The CFP relates to the social and cultural environment in which we live. The CFP selection criteria rates more highly projects that are: based in or relevant to Serpentine Jarrahdale Shire; Shire (community) facilities; high community benefit; value for money; matched by other funds (cash or in-kind); urgent in need; material in nature (as opposed to operational) and sustainable in nature (environmentally, economically and/or socially).

Resource Implications: It is proposed that thirty of the thirty one applications be funded through the CFP. A Council contribution of \$20,000 along with the Byford & Districts Community Bank - Bendigo Bank's contribution of \$20,000 will enable approximately \$340,070 worth of projects to be accomplished across the community.

Use of Local, Renewable or Recycled Resources: The CFP works through a capacity building model that encourages partnerships and use of local and regional resources (including volunteer labour). The CFP is only available to local groups and many projects use local resources both human and material to achieve their project outcomes.

Economic Viability: The process encourages the development of business plans to justify funding requests – which should lead to more strategic applications and planning in future. Of the thirty applications, twenty have business plans and nine groups work as an umbrella group under a larger organisational structure. The CFP process also enables Council to identify where groups may be able to work together or share resources to accomplish outcomes.

Economic Benefits: The Program aims to build the capacity of the community to apply for funding from other sources – through skill development as well as assisting with seeding or matching funds to increase their chances of drawing more funds to this community. One of the applicants was asked to apply to another funding body after the Community Development Officer scoped the possibility of funding through the funding body. Many of the projects utilise local resources, businesses and/or attract visitors to the Shire who then spend money locally.

Social – Quality of Life: The program encourages partnerships that enable progress towards achieving sustainability. The process has been designed to build the capacity of the community to put together funding applications for this and other programs. The Community Development team works with the groups to this end.

Social and Environmental Responsibility: This process involves a holistic approach encouraging groups to be socially, environmentally and economically responsible.

Social Diversity: The program is holistic and aims to be inclusive of all social groups.

Statutory Environment: Not Applicable

Policy/Work Procedure

Implications:

PC102 Financial Assistance to Community linked with a signed community funding partnership agreement with Byford & Districts Community Bank - Bendigo Bank for the 2010/2011 round of the Community Funding Program

Financial Implications:

The Community Funding Program in 2010/2011 is being co-funded in partnership with the Byford & Districts Community Bank - Bendigo Bank. Council and the Bendigo Bank will each contribute \$20,000 towards these worthwhile community driven projects.

Strategic Implications:

This proposal relates to the following Focus Areas through the numerous projects that the funding will enable as well as through the partnership being developed with the Byford & Districts Community Bank - Bendigo Bank.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective	
NATURAL ENVIRONMENT	Landscape	1	Safeguard	Restore and preserve the visual amenity of our landscapes.	
		3		Maximise the preservation of existing trees and vegetation.	
		6		Establish increased levels of natural vegetation in urban and rural environments.	
		9		Control and manage weeds and plant diseases.	
		10		Promote and develop appropriate tourism, recreation and educational opportunities.	
		15	Restore	Manage and restore local natural areas and revegetate new areas to increase native fauna habitat.	
		BUILT ENVIRONMENT		29	
SUSTAINABLE ECONOMIC GROWTH	Industry Development	8	Tourism	Maximise the tourism and recreation potential of our natural environment.	
		9		Develop and maintain our heritage assets to encourage visitors.	
		18	Information		Provide support and guidance for local activities, events and community groups.
PEOPLE AND COMMUNITY	Wellbeing	1	Healthy	Promote a wide range of opportunities to enable optimal physical and mental health.	
		2		Promote a variety of recreation and leisure activities.	
		4		Monitor and respond to the changing needs of our ageing population.	
		6	Happy	Improve access and inclusion for all.	
		9		Invest in the development of future community leaders.	
		10		Understand and respond to the needs of our	

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				youth.
		12		Encourage youth participation in community activities, groups and networks.
		13	Safe	Achieve a high level of community safety
	Relationships			
		16	Encourage	Encourage intergenerational interactions and activities.
		17		Create opportunities to identify and address social isolation.
		18		Identify opportunities for people to work together for their mutual benefit.
		19	Empower	Grow and sustain our strong community spirit.
		20		Develop a skilled, self determining community who participate in shaping the future and own and drive the changes that occur.
		21		Empower people to represent their community of interest.
		22		Achieve a sense of belonging through active networks and community groups.
		24		Foster ownership and commitment within partnerships in order to achieve shared visions.
	Places			
		31		Build the community's capacity to create vibrant places through activities and events.
		32		Ensure community spaces and places are accessible and inviting.
		37	Innovative	Promote and encourage the development of affordable and appropriate lifelong living environments.
		42	Distinctive	Foster the sense of belonging and pride of place in our community.

Community Consultation:

All community groups were given equal opportunity to apply for the CFP 2010/2011. The community groups represent the interest of their membership community. It was a compulsory requirement that all community groups consult with a Community Development Officer prior to submitting their written application. This ensured groups were not disadvantaged by submitting an application for which a grant could not be considered. Only one of the groups did not comply with this requirement.

Comment:

Of the thirty one applications, thirty are recommended for funding through the 2010/2011 CFP, with requested funds scaled down in ten cases in order to assist all recommended applications within the budget of up to \$40,000. Two of these, although compliant, have conditional recommendations (Table B in recommendation). One application received has not been recommended for funding.

It is also proposed that the CFP guidelines, application forms and education process be reviewed to encourage groups to better explain through their applications the true value of the contributions being made by community groups towards the projects, as well as an increase in contributions where possible. In many cases the groups are focussing on the part or item of the project that they want assistance for and consequently not declaring the total cost of the overall project and so it appears that they are not contributing.

A table detailing the Community Funding Program applications not recommended for funding through CFP528 in the 2010/2011 Budget is with attachments marked SD011.1/07/10.

Voting Requirements: Simple Majority

Committee Decision/Officer Recommended Resolution:

That Council considers the recommendations of the Community Funding Program Working Group in relation to the 2010/11 Budget allocation for the Community Funding Program:

A. Recommended Projects

Organisation	Name of Project	Total Cost of Project	Grant Requested	Recommended Funding through CFP 2010/11
Mardella Ladies Club	Ceiling Fans Installation	\$781.00	\$781.00	\$781.00
Marri Grove Primary School P & C	Sustainability Garden, Recycling and Worm Farm	\$1,481.05	\$1,000.00	\$1,000.00
Mundijong Playgroup	Storage, Book display, Fine motor Toys/Puzzles	\$1,086.00	\$1,086.00	\$1,086.00
Girl Guides WA	Renewal - tables, vacuum cleaner, gas heater and bottles	\$1,143.00	\$1,143.00	\$1,143.00
Byford Community Kindergarten	Window tinting	\$2,970.00	\$2,000.00	\$2,000.00
Serpentine Jarrahdale Youth Activity Group	Continuation of Safety & Vocation Educational Courses	\$53,451.10	\$1,500.00	\$1,500.00
Jarrahdale Primary School	Revamp Stage (Resurface & add steps to make mobile)	\$1,798.00	\$1,398.00	\$1,398.00
Mundijong Primary School	Bluearth Program	\$10,000.00	\$1,500.00	\$1,500.00
SJ Jotters	Publish Pioneers Memories	\$1,000.00	\$1,000.00	\$1,000.00
Serpentine Horse and Pony Club Inc	Brick Paving of Shade Sail area	\$3,368.78	\$1,000.00	\$1,000.00
Riding for the Disabled Association of Western Australia Inc Oakford	Tractor Appliances	\$1,389.00	\$1,389.00	\$1,389.00
Serpentine Playgroup Inc	Toys and Art/Craft Supplies	\$1,720.00	\$1,720.00	\$1,500.00
Serpentine Primary School P & C	School Vegetable Garden & Nursery	\$8,845.00	\$2,500.00	\$1,500.00
Serpentine Primary School P & C	Mathletics Program	\$2,800.00	\$2,500.00	\$1,500.00
Graceford Independent Living	Vegetable Garden, Composting and Worm Farm	\$1,450.00	\$1,450.00	\$1,450.00
Byford Classic Car Club	Awning for Display Trailer	\$1,600.00	\$1,600.00	\$1,600.00
Rotary Club of Byford & Districts	Data Projector & Screen	\$1,570.00	\$1,321.00	\$1,321.00
Rotary Club of Byford & Districts	Youth Participation Projects	\$3,300.00	\$3,000.00	\$1,600.00

Organisation	Name of Project	Total Cost of Project	Grant Requested	Recommended Funding through CFP 2010/11
Jarrahdale Community Association	Youth Group - Indoor Games	\$1,435.00	\$1,435.00	\$1,435.00
Jarrahdale Community Association	Mini Tabloid Games and Equipment	\$698.00	\$598.00	\$598.00
Jarrahdale Community Association	Barbecue	\$539.00	\$439.00	\$439.00
Serpentine & Districts Country Women's Asn	Garden Storage Shed, First Aid Training, Toys	\$3,050.00	\$2,550.00	\$1,875.00
Serpentine Historical Society	Equip Ivan Elliot Pavilion (tables, chairs, etc)	\$2,696.00	\$2,496.00	\$1,902.00
Serpentine Police & Citizens Youth Club Inc	Office Blinds	\$556.00	\$556.00	\$556.00
Serpentine Police & Citizens Youth Club Inc	Security gate – Clem Kentish storeroom	\$1,925.00	\$1,625.00	\$1,625.00
The School Volunteer Program Inc	Mentors Making a Difference in Schools	\$22,500.00	\$7,500.00	\$3,000.00
South Metro M.A.R.E.S. Inc	Portable Signage	\$462.00	\$462.00	\$462.00
Keysbrook Environment Group	Myara Brook Reserve Restoration (ongoing)	\$3,025.00	\$825.00	\$825.00
Sub-total A		\$336,638.93	\$48,896.00	\$36,985.00

B. Projects – Conditional Approval

Organisation	Name of Project	Conditional Recommendation	Total Cost of Project	Grant Requested	Conditional Recommended Funding through CFP 2009/10
Hugh Manning Tractor & Machinery Museum Inc	Signage for building - includes installation (9.6m X 600mm)	This project is subject to applicable Planning and Reserves Advisory Group approval.	\$1,816.10	\$1,500.00	\$1,500.00
Jarrahdale Community Association	Forest Green Project - DEC Bench & Seats	This project is subject to applicable Planning and Reserves Advisory Group approval.	\$1,615.25	\$1,515.00	\$1,515.00
Sub Total B			\$3,431.35	\$3,000.00	\$3,015.00
	Control total of A & B				\$40,000.00

Cr Geurds left the meeting at 7.33pm and returned at 7.34pm.

SD011/07/10 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Buttfield, seconded Cr Randall

That Council considers the recommendations of the Community Funding Program Working Group in relation to the 2010/11 Budget allocation for the Community Funding Program:

A. Recommended Projects

Organisation	Name of Project	Total Cost of Project	Grant Requested	Recommended Funding through CFP 2010/11
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Serpentine Primary School P & C	Mathletics Program	\$2,800.00	\$2,500.00	\$1,500.00
Graceford Independent	Vegetable Garden, Composting and	\$1,450.00	\$1,450.00	\$1,450.00

Organisation	Name of Project	Total Cost of Project	Grant Requested	Recommended Funding through CFP 2010/11
Living	Worm Farm			
Byford Classic Car Club	Awning for Display Trailer	\$1,600.00	\$1,600.00	\$1,600.00
Rotary Club of Byford & Districts	Data Projector & Screen	\$1,570.00	\$1,321.00	\$1,321.00
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Keysbrook Environment Group	Myara Brook Reserve Restoration (ongoing)	\$3,025.00	\$825.00	\$825.00
Sub-total A		\$336,638.93	\$48,896.00	\$36,985.00

B. Projects – Conditional Approval

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Jarrahdale Community Association	Forest Green Project -	This project is subject to applicable	\$1,615.25	\$1,515.00	\$1,515.00

Organisation	Name of Project	Conditional Recommendation	Total Cost of Project	Grant Requested	Conditional Recommended Funding through CFP 2009/10
	DEC Bench & Seats	Planning and Reserves Advisory Group approval.			
Sub Total B			\$3,431.35	\$3,000.00	\$3,015.00
	Control total of A & B				\$40,000.00

C. Council acknowledge the valued partnership and contribution to the Community Funding Program from the Bendigo Bank.

CARRIED 8/1

Cr Petersen was not present and did not vote.

Council Note: The Officers Recommended Resolution was changed by adding point C. The Presiding Officer advised that this does not alter the intent of the recommendation.

Cr Petersen returned to the meeting at 7.35pm.

CGAM002/07/10		GEORGE STREET BYFORD - PETITION TO PROVIDE ROAD ACCESS (R0195)	
Proponent:	Byford Family Practice	<p>In Brief</p> <p>A petition was received on the 7 April 2010 from Byford Family Practice requesting the extension of George Street from Pitman Way to Larsen Road (or alternatively at least from Pitman Way to Evans Way). The petition attained 700 signatures (166 signatories provided incomplete details).</p> <p>It is recommended that Council consider allocating \$150,000 per year from 2011 to 2014 financial years being the estimated cost to commence with the initial phase of design and construction of George Street extension and associated drainage works.</p>	
Owner:	Not Applicable		
Officer:	Laurence Bresland - Manager Infrastructure and Development		
Senior Officer:	Richard Gorbunow - Director Engineering		
Date of Report	24 May 2010		
Previously	Not Applicable		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995		
Delegation	Council		

Background

The petition was received on the 7 April 2010 from Byford Family Practice requesting the extension of George Street from Pitman Way to Larsen Road. This was presented on the 15th June 2010 at the Corporate Governance Asset Management Committee Meeting, and the following was resolved:

Moved Cr Randall, seconded Cr Geurds

1. The petition received from the Byford Family Practice be accepted and referred to the Corporate Governance and Asset Management committee for consideration and a report be prepared for the July meeting.

2. Correspondence be sent to the Byford Family Practice advising of this decision.

CARRIED 5/0

A copy of the petition is with attachments marked CGAM002.1/07/10 (IN10/4864)

Sustainability Statement

Effect on Environment:

The proposal will improve:

- the built environment
- the community environment
- the Business environment

Economic Viability:

Construction of this section of George Street will provide access to the business, banking and shopping precinct, especially for residents living in the area from Byford Central through to the Byford Trotting area.

It is proposed to construct George Street over a 3 year period. Grant funding request will be submitted to the South East Metropolitan Road Group

As businesses are developed a contribution will be levied to assist with funding.

Economic Benefits:

Access to the businesses in the George Street precinct will be improved and encourage Local growth.

Social and Environmental Responsibility:

The proposal will provide safe access to local businesses by allowing direct access other than via South West Highway.

Financial Implications:

There are financial implications to Council. A budgeted amount of \$150,000 will be required over 3 financial years to complete the project. Our restricted funds account shows that no funds are being held for this road.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
BUILT ENVIRONMENT				
	Land Use Planning			
		24	Transport	Ensure safe and efficient freight and transport linkages within the Shire and region.
	Infrastructure			
		37	Roads and bridges	Develop and adequately fund a functional road network and bridges based on the level of service set by Council.
		38		Ensure that bridge and road network planning and development considers community safety and emergency management.
		56		Continue to work with funding agencies to secure grants for projects.
		60		Establish, implement and maintain effective developer contribution schemes.
SUSTAINABLE ECONOMIC GROWTH				
	Industry			

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
	Development			
		3	General	Encourage value adding opportunities for local industries and resources.
		16	Small Business and Cottage Industries	Nurture and support small business, cultural and cottage industries
	Industry Assistance			
		21	Strategy	Ensure strategy, policy development and land use planning provides increased opportunities for economic development, value adding activities and industry clusters.
PEOPLE AND COMMUNITY				
	Wellbeing			
		6	Happy	Improve access and inclusion for all.
		13	Safe	Achieve a high level of community safety
	Relationships			
		27	Empower	Actively engage, and value the contribution of all stakeholders in better decision making.
	Places			
		30	Vibrant	Develop well connected neighbourhood hubs and activity centres.
		32		Ensure community spaces and places are accessible and inviting.
OUR COUNCIL AT WORK				
	Leadership			
		26	Society, community and environmental responsibility	The Shire is focused on building relationships of respect with stakeholders.

Comment:

Currently George Street is unconstructed from Pitman Way to Larsen Road.

The petition states “We, the undersigned, urge the Council to make the construction of George Street a priority to improve Local Traffic flow and avoid accidents at the Larsen Road, Highway intersection.”

There are several properties that abut George Street that currently have access from South West Highway.

There is no requirement for the properties that abut George Street to contribute to the Developer Contribution Scheme, however any redevelopment will require a contribution to Road and Drainage infrastructure, and a policy will be presented to Council in this regard.

Construction of this section of George Street was not identified as a priority in the past. However, it needs to be noted that the provision of access from George Street over South West Highway has considerable road safety advantages.

The proposal will ensure that access to the business district will be improved.

It is recommended that officers pursue Main Roads WA grant funding opportunities and stage the works as funds are received.

It is proposed to construct George Street over 3 financial years, as funds are allocated through Council’s budget process.

The first stage is to install drainage culverts in three locations and place base material to allow for vehicular and pedestrian access.

The second stage will involve the lifting of the sewerage manholes and other services and placement of additional base course material and sealing.

The third stage will involve asphaltting and the provision of flush kerbing so that as development occurs. Right angle parking can be provided along with street scaping including trees, footpaths, lighting and furniture.

Council officers will commence the ultimate design which will be submitted to Council for consideration prior to the 2011/2012 budget.

Voting Requirements: Simple Majority

Officer Recommended Resolution:

That Council;

1. Commence preliminary design and costing on the George Street Link utilising the Shire's internal resources.
2. Consider allocating \$150,000 per year from 2011 to 2014 financial years towards the construction of the George Street Link.
3. Seek funding opportunities to offset the cost of construction of the George Street Link in 2011 to 2014.

CGAM002/07/10 COUNCIL DECISION/Committee Recommendation Resolution:

Moved Cr Geurds, seconded Cr Brown

That Council;

1. **Commence preliminary design and costing on the George Street Link utilising the Shire's internal resources.**
2. **Investigate how the project can be incorporated into the Shire's forward financial plan (fully costed Plan for the Future) and determine a realistic timeframe for project commencement as well as other potential income sources such as grants and developer contributions.**

CARRIED 9/1

Council Note: The Officer Recommended Resolution was changed by deleting part 3, however this did not impact on the intent of the recommendation due to further information being made available.

CGAM003/07/10		BUILDINGS ASSET MANAGEMENT PLAN (A1731)
Proponent:	Not Applicable	In Brief This report is presented to Council to endorse the Asset Management Plan for the Serpentine Jarrahdale Shire's buildings.
Owner:	Not Applicable	
Authors:	Marius Vermeulen - Special Projects / Asset Officer Julie Brown – Asset Management Coordinator	
Senior Officer:	Richard Gorbunow – Director Engineering	
Date of Report	20 May 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	

Delegation	Council	
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Background

The Serpentine Jarrahdale Shire has placed strategic importance on the proper management of its infrastructure. At the Ordinary Council meeting held in August 2009, Council's first Asset Management Improvement Strategy was adopted, which defined the pathway for organisational wide commitment to the principles of sound asset management.

The purpose of this Asset Management Plan is to clearly state how the Council will approach the management, organisation, maintenance, disposal and performance of its property assets.

A copy of the Building Asset Management Plan is with attachments marked CGAM003.1/07/10 (E10/3347)

Sustainability Statement

Effect on Environment: The development of asset management plans has incorporated the consideration of environmental issues in relation to the upgrade and renewal of assets and ensures community assets are managed in a way that is responsible and efficient.

Resource Implications: The asset management plan for buildings proposes the development of a building disposal strategy which would allow for the optimisation of resources through analysis of facility needs and uses.

Economic Viability: The building asset management plan creates no new costs, however it provides information as to the financial requirements of current infrastructure into the next 20 years. This information will allow Council to adequately provide for future needs of current infrastructure.

Economic Benefits: The Asset Management Plan outlines activities and requirements which are necessary to ensure that assets are used in the most effective and efficient way to support the delivery of the Plan for the Future. Good asset management is crucial to providing high quality and cost effective services and is a key component to ensuring best value.

Social – Quality of Life: The Plan defines recommended service levels and proactive and reactive maintenance routines to maintain the building assets in a functional condition. It also defines hierarchies which determine at what condition a building will be listed for renewal, ensuring that optimisation between the timing of financial injection and the deterioration rate of the building is achieved.

Social and Environmental Responsibility: The Building Asset Management Plan outlines a commitment to building infrastructure in an environmentally friendly manner with due consideration to the environmental impact of new facilities.

As this is the first building asset management plan developed by the Serpentine Jarrahdale Shire, there is limited opportunity for the community to be involved. As the Shire moves towards advance asset management, increased opportunities will present themselves for broad community involvement through the defining of levels of service for building infrastructure.

Social Diversity: Development of Asset Management Plans incorporates analysis of the need for facilities to meet community requirements.

Statutory Environment: Nil

Policy/Work Procedure

Implications:

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

Financial Implications:

The Plan outlines the financial requirements to sustain building infrastructure over the next 20 years. The short term requirements amount to an average of \$500,000 over the next 4 years.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
	Infrastructure	32	Asset management	Continually improve the accuracy of the long term financial Plan for the Future by accommodating asset management plans that are developed.
		34		Ensure asset management plans extend to whole of life costings of assets and reflect the level of service determined by Council.

Community Consultation:

Not Applicable

Comment:

The Plan supports Councils Asset Management Policy through the development of asset management plans prepared in accordance with the recommended format of the Institute of Public Works Engineering Australia's (IPWEA) International Infrastructure Manual.

The draft asset management plan is a culmination of data and strategies which together define future management, financial and technical practices required for the Shire's building facilities.

The main risks associated with the adoption of this plan are:

- Community concern over the contents of the plan. The buildings listed for disposal may conflict with some ideas regarding user groups needs. This risk can be minimised through a commitment to undertake community consultation prior to the disposal of any sensitive asset.
- Not including financial requirements for input into the long term financial plan. This will result in building assets deteriorating to a worse condition than desired, leading to heightened community concern if assets become non functional. It will also lead to an increase in financial allocations required to restore the building due to the high rate of deterioration near the end of an asset's life.

The development of this plan has involved determining the hierarchy for buildings, undertaking condition assessments for all buildings and estimating the useful life of components. Building values have been derived from the information provided by the Shire's valuers as a replacement cost. These details have been used as a basis for determining the financial projections over the next 20 years.

Several actions for improving the accuracy of detail of this plan have been identified. These include undertaking a review of the replacement costs of all buildings to ensure they accurately represent the cost of replacing components on a cyclic basis, increasing the level of information on building assets, developing a building maintenance plan that incorporates the levels of service and undertake a risk assessment of critical building assets.

Adoption of the Building Asset Management Plan assists in ensuring that assets are used in the most effective and efficient way to support the delivery of the Plan for the Future. Information is provided to allow financial requirements to be accommodated and linked to future strategic planning documentation. The Plan will be enhanced on an annual basis as data becomes more complete and processes are increasingly measured and recorded.

Voting Requirements: Simple Majority

CGAM003/07/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:

**Moved Cr Harris, seconded Cr Hoyer
That Council adopts the Building Asset Management Plan
CARRIED 10/0
Note: Cr Harris commented that this was a very well written report.**

9. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

OCM001/07/10 PROPOSED AMENDMENT NO. 167 TO SHIRE OF SERPENTINE JARRAHDAL TOWN PLANNING SCHEME NO. 2 – REVISED SCHEME PROVISIONS FOR DEVELOPMENT CONTRIBUTION ARRANGEMENTS (A1859)		
Author:	Peter Varelis – Planning Officer	In Brief Council is requested to initiate Amendment No. 167 to Shire of Serpentine Jarrahdale (the Shire) Town Planning Scheme No. 2 (TPS2). This Amendment will update existing Scheme provisions with regard to development contributions to generally reflect the most recent model provisions prepared by the State Government and ensure a more efficient and effective approach to the preparation and administration of development contribution arrangements (DCAs).
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	20 July 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Purpose

The purpose of this report is for Council to initiate an Amendment to the Shire’s TPS2 relating to DCAs.

Background

DCAs are often prepared and managed by local governments to facilitate the sharing of costs relating to common infrastructure and other items depicted within a development area.

The Shire is seeking to progress several DCAs in the short to medium term for specific areas including Byford and Mundijong-Whitby. The Western Australian Planning Commission (WAPC) has recently finalised Statement of Planning Policy 3.6 – Development Contributions for Infrastructure (SPP3.6) setting out the WAPC’s policy position with regard to development contributions. The SPP also sets out recommended model provisions for inclusion in local government planning Schemes dealing with DCAs. These provisions have been designed to replace the previous model provisions prepared by the WAPC, which are currently contained as Part 5.19 of TPS2.

Given that the Shire is currently seeking to progress several DCAs, it is considered pertinent to update the Shire's TPS 2 provisions to generally reflect the Policy position of the WAPC. These new provisions are considered to allow for the preparation and implementation of development contribution arrangements in a more efficient and effective manner.

Broadly the proposed Scheme Amendment seeks to:

- Delete the existing provisions under Part 5.19 of TPS2 relating to development contribution arrangements (DCAs) and insert new provisions based on the model provisions contained in SPP 3.6.
- Delete the existing textual content of Appendix 16 of TPS2 and replace it with a new format based on SPP3.6.
- Make several related minor changes to the Scheme.

The Amendment will update the DCA provisions of TPS2 generally in accordance with the model provisions of SPP3.6. In areas where the Shire seeks to vary the model provisions of SPP3.6 justification and explanation is provided and outlined within the Amendment documentation.

It is important to note that Council at a Special Meeting held 15 December 2009 resolved to pass a number of key principles and other items providing direction to the Byford specific DCA. In addition to the principles of SPP3.6 'Risk Minimisation' has been added to this Amendment as it is considered prudent that this be reflected in the Scheme for all DCA's Shire wide.

It is strongly recommended that Councillors carefully read the draft Scheme Amendment documentation.

A copy of the Amendment documentation is with attachments marked OCM001.1/07/10.

Sustainability Statement

Effect on Environment: DCAs are generally established to provide a framework for the timely and equitable provision of infrastructure and associated costs, in areas of fragmented land ownership. Directly, DCAs have no impact on the environment, as they are principally 'administrative' and 'financial' arrangements. Indirectly, however, DCAs can assist in the timely delivery of infrastructure, land and associated technical investigations that can provide significant benefits to the natural environment. Equally, the infrastructure that may be funded from a DCA may have a significant impact on the environment; for example the construction of drainage infrastructure, the upgrading of regional road networks and the provision of public open space.

Resource Implications: DCAs can provide a suitable framework for the timely, efficient and coordinated delivery of infrastructure for new urban areas. Compared to ad-hoc delivery, a coordinated approach may enable the Shire's natural, human and financial resources to be efficiently and effectively used.

Economic Viability: DCAs have the potential to have a very significant impact on the financial position of a wide range of stakeholders and the viability of development projects. Interim and ultimate financial contributions to DCAs have a significant impact on cash-flows for developers and ultimately on the pricing structures for residential development. The financial implications (and risks) for Council are very significant. Local Governments are required to effectively 'underwrite' contribution arrangements and from time to time, make good short-falls that have resulted from the operation of a contribution arrangement. The

financial impacts of DCAs on all stakeholders should not be underestimated. Further information on this matter is provided later in this report.

The financial risks associated with establishing and implementing DCAs needs to be carefully considered. Should Council have to invest significant funds into a DCA (for example, to pre-fund infrastructure or to make good a loss), its ability to meet other social and environmental obligations may be compromised.

Economic Benefits: DCAs, as a basic principle, are not intended to deliver infrastructure, services or similar that would not ordinarily be provided through subdivision and development processes; as such, a DCP does not offer any direct economic benefits to an area. DCAs can, however, assist in the timely, efficient and equitable provision of infrastructure that may in turn facilitate economic growth and employment creation.

Social – Quality of Life: The provision of infrastructure in a timely, coordinated and responsible manner can have a significant impact on the quality of life for both existing and future residents. Impacts on the quality of life need to be considered at both a micro and macro level, with infrastructure planning needing to deliver net community benefits and recognising that the expectations of not every single person will be able to be satisfied. Roads, paths and public open space are some of the key considerations.

Social and Environmental Responsibility: It is important that DCAs are easily understandable by all stakeholders in terms of what they are and what they are not. Infrastructure needs to be carefully designed, costed and ultimately delivered to ensure that social and environmental impacts are minimised and that benefits are maximised.

Social Diversity: A timely and coordinated approach to the delivery of infrastructure can assist with meeting the needs of a diverse community, both existing and into the future.

Statutory Environment: Planning and Development Act 2005
Local Government Act 1995
Town Planning Scheme No. 2 (TPS 2)
Statement of Planning Policy 3.6
Byford Structure Plan

Policy/Work Procedure Implications: A number of policies and work procedures will need to be developed and implemented to support the finalisation of the developer contribution plan.

Financial Implications: There are significant financial implications associated with DCAs. The implications are discussed in detail later in this report.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT				
	Infrastructure	37		Develop and adequately fund a functional road network and bridges based on the level of service set by Council.
	Strategy and Planning	27	Strategic Direction	Prepare effectively for future development.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		28		Position the Shire to be responsive and resilient to changes in State or Federal policy direction.
		29		Create innovative solutions and manage responsibly to aid our long term financial sustainability.
		30		Consider the regional delivery of services in the acquisition of compatible infrastructure and assets.
		31	The Planning Process	Develop comprehensive governance policies and strategies.
		32		Prioritise and integrate the financial implications of policy and strategy into the fully costed Plan for the Future.
		33		Create dynamic, adaptable policy and processes to aid rigour, currency and relevance.

Consultation

Public Consultation

In the instance that Council decides to resolve to initiate the Amendment, the Amendment is to be referred to the Environmental Protection Authority and Western Australian Planning Commission in accordance with the Planning and Development Act 2005 and the Town Planning Regulations 1967. If the Amendment complies with the provisions of the EPA Act then the Shire is to advertise the Amendment for a period of at least 42 days. The Amendment will be advertised in the local newspaper and displayed in the Shire Offices. On completion of the advertising the Council is to consider the submissions and resolve to forward the Scheme Amendment documentation to the Commission or resolve not to continue and provide the Commission written notice. Once a Scheme Amendment has been initiated then the Minister has the ability to progress the Amendment through the adoption process.

Department of Planning Consultation

Prior to initiation officers saw merit in seeking comments from senior staff at the Department of Planning (DoP). The DoP were satisfied with the format and content of Amendment No. 167 advising staff to progress to advertising and deal with any submissions in the final report.

Comment

Statutory Framework

The Shire has existing provisions within its Town Planning Scheme addressing development contributions. These provisions are however outdated and it is considered necessary to update the provisions generally in accordance with the new model provisions contained in SPP 3.6. The new provisions will allow for the preparation and implementation of DCAs in a more efficient and effective manner. This is especially considered necessary given that the DCAs for Byford and Mundijong-Whitby will be progressed in the short to medium term.

This Amendment will not result in the creation of any specific development contribution arrangements; it will provide a revised statutory framework in which to do so.

Timeline & Steps Involved

A diagrammatical explanation of where this Amendment sits within this broader statutory process is with attachments marked OCM001.2/07/10.

Draft DCAs addressing Traditional Infrastructure for Byford and Mundijong-Whitby will be presented to Council in the coming months. The first area specific Traditional Infrastructure DCA is for the Byford urban area and will be present to Council in August. Subsequent Scheme Amendments initiating the Traditional Infrastructure DCA for Mundijong-Whitby is envisaged to be presented to Council around September / October.

In relation to Community Infrastructure, the Shire still has to undertake and finalise a number of investigations at both a statutory and strategic level before initiating the Scheme Amendments for the Community Infrastructure DCAs. It is difficult to specify timeframes; however officers are committed to progressing the Community Infrastructure DCA amendments in a timely manner.

Options

There are three options that are available to Council in considering the Amendment, they are as follows:

- 1) resolve to initiate the Amendment, without modification;
- 2) resolve to initiate the Amendment, with modification/s; and
- 3) resolve not to initiate Amendment.

Conclusion

This report proposes to initiate Scheme Amendment No. 167 to replace Part 5.19 of TPS2. This proposal will provide statutory provisions that will assist the Shire in creating area specific DCAs generally in accordance with SPP3.6.

Voting Requirements: Simple Majority

OCM001/07/10 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Hoyer, seconded Cr Randall

That:

1. The Council of the Shire of Serpentine Jarrahdale, under Section 75 and by virtue of the power conferred upon it in that behalf by the Planning and Development Act 2005 (as amended), hereby amends Town Planning Scheme No. 2 by:

- (a) Removing Clause 5.19 Development Contribution Areas from the Scheme.
- (b) Removing the following definitions from Appendix 1 – Interpretations of the Scheme:

‘Common Infrastructure – means any components or services jointly required by all owners of land within a Structure Plan, which are, in the opinion of Council, essential to facilitate the subdivision or development of that land, and which are generally in accordance with the Commission’s Policy on Developer Contributions for Infrastructure.’

‘Common Infrastructure Cost – means the cost of a common infrastructure item of any area required to be contributed by the owner’s subdividing or otherwise developing land within that area;’

‘Contribution Agreement – means a set of provisions defining the common infrastructure costs applicable to an area and the method of apportioning those costs between owner’s in the area, incorporated in the Appendix 16 as an amendment to the Scheme;’

‘Cost Contribution – means the contribution to the cost of Infrastructure payable by an Owner under clause 5.19 and the applicable Development Contribution Plan;’

‘Infrastructure – means services and facilities which, in accordance with the Commission’s policy, it is reasonable for owners to make a Cost Contribution towards;’

‘Owner – means an owner of land that is located within a Development Contribution Area;’

- (c) Renumbering Clause 5.20 of the Scheme to:
‘5.19’
- (d) Renumbering Clause 5.20.1 of the Scheme to:
‘5.19.1’
- (e) Renumbering Clause 5.20.2 of the Scheme to:
‘5.19.2’
- (f) Renumbering Clause 5.20.3 of the Scheme to:
‘5.19.3’
- (g) Renumber the reference to Clauses 5.20.1 in the text notes of Table 1 – Zoning Table to:
‘5.19.1’
- (h) Renumber the reference to Clauses 5.20.3 in the text notes of Table 1 – Zoning Table to:
‘5.19.3’
- (i) Adding the symbol (a) prior to the text Poultry Farm Special Control Area under Clause 10.1.1 of the Scheme, to read:
‘(a) Poultry Farm Special Control Area’
- (j) Adding the following text into sub-clause 10.1.1 of the Scheme after sub-clause 10.1.1(a) Poultry Farm Special Control Area:
‘(b) development contribution areas shown on the scheme map as DCA with a number and included in Appendix 16.’
- (k) Adding the following text into the Scheme following Clause 10.2 Poultry Farm Special Control Area:
‘10.3 Development contribution areas

10.3.1 Interpretation

In clause 10.3, unless the context otherwise requires:

‘Administrative costs’ means such costs as are reasonably incurred for the preparation and (with respect to standard infrastructure items) implementation of the development contribution plan and such costs as are reasonably incurred by the local government for the preparation and implementation of any structure plan applicable to the development contribution area.

‘Administrative items’ means the administrative matters required to be carried out by or on behalf of the local government in order to prepare and (with respect to standard infrastructure items) implement the development contribution plan, including legal, accounting, planning engineering, and other professional advice, and the administrative matters required to be carried out by or on behalf of the local government in order to prepare and implement any structure plan applicable to the development contribution area.

‘Cost apportionment schedule’ means a schedule prepared and distributed in accordance with clause 10.3.10.

‘Cost contribution’ means the contribution to the cost of infrastructure and administrative costs.

‘Development contribution area’ means an area shown on the scheme map as DCA with a number and included in Appendix 16.

‘Development contribution plan’ means a development contribution plan prepared in accordance with the provisions of State Planning Policy 3.6 Development Contributions for Infrastructure and the provisions of this clause 10 of the scheme (as incorporated in Appendix 16 to this scheme).

‘Development contribution plan report’ means a report prepared and distributed in accordance with clause 10.3.10.

‘Infrastructure’ means the standard infrastructure items (services and facilities set out in appendix 1 of State Planning Policy 3.6 Development Contributions for Infrastructure) and community infrastructure, including recreational facilities; community centres; child care and after school centres; libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be requested having regard to the objectives, scope and provisions of this policy.

‘Infrastructure costs’ means such costs as are reasonably incurred for the acquisition and construction of infrastructure.

‘Local government’ means the local government or local governments in which the development contribution area is located or through which the services and facilities are provided.

‘Owner’ means an owner of land that is located within a development contribution area.

10.3.2 Purpose

The purpose of having development contribution areas is to:

- (a) provide for the equitable sharing of the costs of infrastructure and administrative costs between owners;***
- (b) ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the development contribution area; and***
- (c) coordinate the timely provision of Infrastructure.***

10.3.3 Development contribution plan required

A development contribution plan is required to be prepared for each development contribution area.

10.3.4 Development contribution plan part of scheme

The development contribution plan is incorporated in Appendix 16 as part of this scheme.

10.3.5 Subdivision, strata subdivision and development

10.3.5.1 The local government shall not withhold its support for subdivision, strata subdivision or refuse to approve a development solely for the reason that a development contribution plan is not in effect, there is no approval to advertise a development contribution plan, or that there is no other arrangement with respect to an owner’s contribution towards the provision of community infrastructure.

10.3.5.2 Where a local government has received consent to advertise a development contribution plan, land within that development contribution area will be considered to be subject to a development contribution plan.

10.3.5.3 Where a development contribution plan is required but not yet in effect or a local government has received consent to advertise a development contribution plan, the local government may recommend conditions of subdivision or strata subdivision approval or impose conditions of a development approval requiring the owner to make other interim arrangements, satisfactory to the local government, with respect to the owner's contribution toward the provision of infrastructure, land and administrative items and costs in a development contribution area.

10.3.6 Guiding principles for development contribution plans

The development contribution plan for any development contribution area is to be prepared in accordance with the following principles:

(a) Need and the nexus

The need for the infrastructure included in the plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).

(b) Transparency

Both the method for calculating the development contribution and the manner in which it is applied should be clear, transparent and simple to understand and administer.

(c) Equity

Development contributions should be levied from all developments within a development contribution area, based on their relative contribution to need.

(d) Certainty

All development contributions should be clearly identified and methods of accounting for cost adjustments determined at the commencement of a development.

(e) Efficiency

Development contributions should be justified on a whole of life capital cost basis consistent with maintaining financial discipline on service providers by precluding over recovery of costs

(f) Consistency

Development contributions should be applied uniformly across a development contribution area and the methodology for applying contributions should be consistent.

(g) Right of consultation and review

Owners have the right to be consulted on the manner in which development contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe the calculation of the costs of the contributions is not reasonable.

(h) Accountable

There must be accountability in the manner in which development contributions are determined and expended.

(i) Risk Minimisation

The financial risk to the local government and other stakeholders is to be mitigated through the minimisation of items included.

10.3.7 Recommended content of development contribution plans

10.3.7.1 The development contribution plan is to specify:

(a) the development contribution area to which the development contribution plan applies;

(b) the infrastructure and administrative items to be funded through the development contribution plan;

(c) the method of determining the cost contribution of each owner; and

(d) the priority and timing for the provision of infrastructure.

10.3.8 Period of development contribution plan

A development contribution plan shall specify the period during which it is to operate.

10.3.9 Land excluded

In calculating both the area of an owner's land and the total area of land in a development contribution area, the area of land provided in that development contribution area for:

- (a) roads designated under the Metropolitan Region Scheme as primary regional roads and other regional roads;***
- (b) existing public open space;***
- (c) existing government primary and secondary schools; and***
- (d) such other land as is set out in the development contribution plan, is to be excluded.***

10.3.10 Development contribution plan report and cost apportionment schedule

10.3.10.1 Within 90 days of the development contribution plan coming into effect, the local government is to adopt and make available a development contribution plan report and cost apportionment schedule to all owners in the development contribution area.

10.3.10.2 The development contribution plan report and the cost apportionment schedule shall set out in detail the calculation of the cost contribution for each owner in the development contribution area, based on the methodology provided in the development contribution plan, and shall take into account any proposed staging of the development.

10.3.10.3 The development contribution plan report and the cost apportionment schedule do not form part of the scheme, but once adopted by the local government they are subject to review as provided under clause 10.3.11.

10.3.11 Cost contributions based on estimates

10.3.11.1 The determination of Infrastructure costs and administrative costs is to be based on amounts expended, but when expenditure has not occurred, it is to be based on the best and latest estimated costs available to the local government and adjusted accordingly, if necessary.

10.3.11.2 Where a cost apportionment schedule contains estimated costs, such estimated costs are to be reviewed at least annually by the local government:

(a) in the case of land to be acquired, in accordance with clause 10.3.12; and

(b) in all other cases, in accordance with the best and latest information available to the local government, until the expenditure on the relevant item of infrastructure or administrative costs has occurred.

10.3.11.3 The local government is to have such estimated costs independently certified by appropriate qualified persons and must provide such independent certification to an owner when requested to do so.

10.3.11.4 Where any cost contribution has been calculated on the basis of an estimated cost, the local government:

(a) is to adjust the cost contribution of any owner in accordance with the revised estimated costs; and

(b) may accept a cost contribution, based upon estimated costs, as a final cost contribution and enter into an agreement with the owner accordingly.

10.3.11.5 *Where an owner's cost contribution is adjusted under clause 10.3.11.4, the local government, on receiving a request in writing from an owner, is to provide the owner with a copy of estimated costs and the calculation of adjustments.*

10.3.11.6 *If an owner objects to the amount of a cost contribution, the owner may give notice to the local government requesting a review of the amount of the cost contribution by an appropriate qualified person ('independent expert') agreed by the local government and the owner at the owner's expense, within 28 days after being informed of the cost contribution.*

10.3.11.7 *If the independent expert does not change the cost contribution to a figure acceptable to the owner, the cost contribution is to be determined:*

(a) by any method agreed between the local government and the owner; or

(b) if the local government and the owner cannot agree on a method pursuant to (a) or on an independent expert, by arbitration in accordance with the Commercial Arbitration Act 1985, with the costs to be shared equally between the local government and owner.

10.3.12 Valuation

10.3.12.1 *Unless Part 10 of the Land Administration Act 1997 applies, clause 10.3.12 applies if it is necessary to ascertain the value of any land for the purposes of clause 10.3.*

10.3.12.2 *In clause 10.3.12:*

"Value" means the capital sum which an unencumbered estate in fee simple of the land might reasonably be expected to realise if offered for sale on such reasonable terms and conditions as a bona fide seller would require:

(a) on the basis that there are no buildings, fences or other improvements of a like nature on the land;

(b) on the assumption that any rezoning necessary for the purpose of the development has come into force;

(c) taking into account the added value of all other improvements on or appurtenant to the land.

'Valuer' means a licensed valuer agreed by the local government and the owner, or, where the local government and the owner are unable to reach agreement, by a valuer appointed by the President of the Western Australian Division of the Australian Property Institute.

10.3.12.3 *If an owner objects to a valuation made by the valuer, the owner may give notice to the local government requesting a review of the amount of the value, at the owners expense, within 28 days after being informed of the value.*

10.3.12.4 *If, following a review, the valuer's determination of the value of the land is still not a figure acceptable to the owner, the value is to be determined:*

(a) by any method agreed between the local government and the owner; or

(b) if the local government and the owner cannot agree, the owner may apply to the State Administrative Tribunal for a review of the matter under part 14 of the Planning and Development Act 2005.

10.3.13 Liability for cost contributions

10.3.13.1 *An owner must make a cost contribution in accordance with the applicable development contribution plan and the provisions of clause 10.3.*

10.3.13.2 *An owner's liability to pay the owner's cost contribution to the local government arises on the earlier of:*

- (a) the Western Australian Planning Commission endorsing its approval on the deposited plan or survey strata plan of the subdivision of the owner's land within the development contribution area;**
- (b) the commencement of any development on the owner's land within the development contribution area;**
- (c) the approval of any strata plan by the local government or Western Australian Planning Commission on the owner's land within the development contribution area; or**
- (d) the approval of a change or extension of use by the local government on the owner's land within the development contribution area.**

The liability arises only once upon the earliest of the above listed events.

10.3.13.3 Notwithstanding clause 10.3.13.2, an owner's liability to pay the owner's cost contribution does not arise if the owner commences development of:

- (a) the first single house or outbuildings associated with that first single house on an existing lot which has not been subdivided or strata subdivided since the coming into effect of the development contribution plan;**
- (b) a single dwelling on a single lot and associated outbuildings;**
- (c) a change of use where no development is proposed;**
- (d) a development which is defined as 'public works' under the Public Works Act 1902;**
- (e) a fence;**
- (f) a home business;**
- (g) a home occupation;**
- (h) a home office; or**
- (i) any development which is permitted and excluded from the requirement for planning consent pursuant to clause 5.1.2.**

10.3.13.4 Where a development contribution plan expires in accordance with clause 10.3.8, an owner's liability to pay the owner's cost contribution under that development contribution plan shall be deemed to continue in effect and be carried over into any subsequent development contribution plan which includes the owner's land, subject to such liability.

10.3.14 Payment of cost contribution

10.3.14.1 The owner, with the agreement of the local government, is to pay the owner's cost contribution by:

- (a) cheque or cash;**
- (b) transferring to the local government or a public authority land in satisfaction of the cost contribution;**
- (c) the provision of physical infrastructure;**
- (d) some other method acceptable to the local government; or**
- (e) any combination of these methods.**

10.3.14.2 The owner, with the agreement of the local government, may pay the owner's cost contribution in a lump sum, by instalments or in such other manner acceptable to the local government.

10.3.14.3 Payment by an owner of the cost contribution, including a cost contribution based upon estimated costs in a manner acceptable to the local government, constitutes full and final discharge of the owner's liability under the development contribution plan and the local government shall provide certification in writing to the owner of such discharge if requested by the owner.

10.3.15 Charge on land

10.3.15.1 The amount of any cost contribution for which an owner is liable under clause 10.3.13, but has not paid, is a charge on the owner's land to which the cost contribution relates, and the local government

may lodge a caveat, at the owner's expense, against the owner's certificate of title to that land.

10.3.15.2 The local government, at the owner's expense and subject to such other conditions as the local government thinks fit, can withdraw a caveat lodged under clause 10.3.15.1 to permit a dealing and may then re-lodge the caveat to prevent further dealings.

10.3.15.3 If the cost contribution is paid in full, the local government, if requested to do so by the owner and at the expense of the owner, is to withdraw any caveat lodged under clause 10.3.15.

10.3.16 Administration of funds

10.3.16.1 The local government is to establish and maintain a reserve account in accordance with the Local Government Act 1995 for each development contribution area into which cost contributions for that development contribution area will be credited and from which all payments for the infrastructure costs and administrative costs within that development contribution area will be paid. The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that development contribution area.

10.3.16.2 Interest earned on cost contributions credited to a reserve account in accordance with clause 10.3.16.1 is to be applied in the development contribution area to which the reserve account relates.

10.3.16.3 The local government is to publish an audited annual statement of accounts for that development contribution area as soon as practicable after the audited annual statement of accounts becomes available.

10.3.17 Shortfall or excess in cost contributions

10.3.17.1 If there is a shortfall in the total of cost contributions when all cost contributions have been made or accounted for in a particular development contribution area, the local government may:

(a) make good the shortfall;

(b) enter into agreements with owners to fund the shortfall; or

(c) raise loans or borrow from a financial institution,

but nothing in paragraph 10.3.17.1(a) restricts the right or power of the local government to impose a differential rate to a specified development contribution area in that regard.

10.3.17.2 If there is an excess in funds available to the development contribution area when all cost contributions have been made or accounted for in a particular development contribution area, the local government is to refund the excess funds to contributing owners for that development contribution area. To the extent, if any, that it is not reasonably practicable to identify owners and/or their entitled amount of refund, any excess in funds shall be applied, to the provision of additional facilities or improvements in that development contribution area.

10.3.18 Powers of the local government

The local government in implementing the development contribution plan has the power to:

(a) acquire any land or buildings within the scheme area under the provisions of the Planning and Development Act 2005; and

(b) deal with or dispose of any land which it has acquired under the provisions of the Planning and Development Act 2005 in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.

10.3.19 Arbitration

Subject to clauses 10.3.12.3 and 10.3.12.4, any dispute between an owner and the local government in connection with the cost contribution required to be made by an owner is to be resolved by arbitration in accordance with the Commercial Arbitration Act 1985.'

(I) Deleting the following text from Appendix 16 of the Scheme:

'Area

(see clause 5.19 and Appendix 16)

Common Infrastructure

(see clause 5.19)

Detail of Contribution

Arrangement for Area

(see clause 5.19)'

- 2. That the Council of the Shire of Serpentine Jarrahdale forward Amendment No. 167 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 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 25(2) of the Town Planning Regulations (1967) for a period of 42 days to the satisfaction of the Director Development Services.**

CARRIED 10/0

Council Note: Council acknowledges the significant work and expertise involved in the preparation of this item.

OCM002/07/10 PROPOSED DRAFT LOCAL PLANNING POLICY NO. 52 – INTERIM DEVELOPER CONTRIBUTIONS – WESTERN BYFORD (A0429)		
Author:	Peter Varelis – Planning Officer	In Brief To adopt Local Planning Policy No. 52 - Interim Developer Contributions Western Byford for advertising.
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	10 May 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

Draft Local Planning Policy No. 52 - Interim Developer Contributions Western Byford (the Policy) has been developed to provide guidance with regard to interim developer contributions.

Council at its Ordinary Meeting held 27 April 2010 resolved to adopt Council Policy No. 11 (P11). P11 addressed interim developer contributions for subdividers within the existing Byford quarter east of South Western Highway. This subsequent policy addresses subdividers within the greenfield sites west of the highway and remaining subdividers within the development contribution areas not addressed though P11. The purpose of this report is to introduce the Policy and request adoption for advertising.

A copy of the Policy is with the attachments marked OCM002.1/07/10.

Sustainability Statement

Effect on Environment: DCAs are generally established to provide a framework for the timely and equitable provision of infrastructure and associated costs, in areas of fragmented land ownership. Directly, DCAs have no impact on the environment, as they are principally ‘administrative’ and ‘financial’ arrangements. Indirectly, however, DCAs can assist in the timely delivery of infrastructure, land and associated technical investigations that can provide significant benefits to the natural environment. Equally, the infrastructure that may be funded from a DCA may have a significant impact on the environment; for example the construction of drainage infrastructure, the upgrading of regional road networks and the provision of public open space.

Resource Implications: DCAs can provide a suitable framework for the timely, efficient and coordinated delivery of infrastructure for new urban areas. Compared to ad-hoc delivery, a coordinated approach may enable the Shire’s natural, human and financial resources to be efficiently and effectively used.

Economic Viability: DCAs have the potential to have a very significant impact on the financial position of a wide range of stakeholders and the viability of development projects. Interim and ultimate financial contributions to DCAs have a significant impact on cash-flows for developers and ultimately on the pricing structures for residential development. The financial implications (and risks) for Council are very significant. Local Governments are required to effectively ‘underwrite’ contribution arrangements and from time to time, make good short-falls that have resulted from the operation of a contribution arrangement. The financial impacts of DCAs on all stakeholders should not be underestimated. Further information on this matter is provided later in this report.

The financial risks associated with establishing and implementing DCAs needs to be carefully considered. Should Council have to invest significant funds into a DCA (for example, to pre-fund infrastructure or to make good a loss), its ability to meet other social and environmental obligations may be compromised.

Economic Benefits: DCAs, as a basic principle, are not intended to deliver infrastructure, services or similar that would not ordinarily be provided through subdivision and development processes; as such, a DCP does not offer any direct economic benefits to an area. DCAs can, however, assist in the timely, efficient and equitable provision of infrastructure that may in turn facilitate economic growth and employment creation.

Social – Quality of Life: The provision of infrastructure in a timely, coordinated and responsible manner can have a significant impact on the quality of life for both existing and future residents. Impacts on the quality of life need to be considered at both a micro and macro level, with infrastructure planning needing to deliver net community benefits and recognising that the expectations of not every single person will be able to be satisfied. Roads, paths and public open space are some of the key considerations.

Social and Environmental Responsibility: It is important that DCAs are easily understandable by all stakeholders in terms of what they are and what they are not. Infrastructure needs to be carefully designed, costed and ultimately delivered to ensure that social and environmental impacts are minimised and that benefits are maximised.

Social Diversity: A timely and coordinated approach to the delivery of infrastructure can assist with meeting the needs of a diverse community, both existing and into the future.

Statutory Environment:

Planning and Development Act 2005
Local Government Act 1995
Town Planning Scheme No. 2 (TPS 2)
Statement of Planning Policy 3.6
Byford Structure Plan

Policy/Work Procedure

Implications:

A number of policies and work procedures will need to be developed and implemented to support the finalisation of the developer contribution plan.

Financial Implications:

There are significant financial implications associated with DCAs. The implications are discussed in detail later in this report.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT				
	Infrastructure			
		37		Develop and adequately fund a functional road network and bridges based on the level of service set by Council.
	Strategy and Planning			
		27	Strategic Direction	Prepare effectively for future development.
		28		Position the Shire to be responsive and resilient to changes in State or Federal policy direction.
		29		Create innovative solutions and manage responsibly to aid our long term financial sustainability.
		30		Consider the regional delivery of services in the acquisition of compatible infrastructure and assets.
		31	The Planning Process	Develop comprehensive governance policies and strategies.
		32		Prioritise and integrate the financial implications of policy and strategy into the fully costed Plan for the Future.
	33		Create dynamic, adaptable policy and processes to aid rigour, currency and relevance.	

Comment

Interim Developer Contribution Arrangements

In the interim and until such time as the formal DCA is finalised, Clause 5.19.1.5 of TPS 2 provides provision for other arrangements, satisfactory to the Shire, being established to attain developer contributions. Interim Developer Contribution Arrangements (IDCA) are created to provide landowners with the flexibility of proceeding with subdivision and/or development prior to finalisation of the DCA. IDCAs also ensure that sufficient funds are collected to facilitate the delivery of associated infrastructure and lands. Contribution rates applied in the interim are almost certain to evolve by the time of finalisation. IDCAs are the legal mechanism by which the Shire can apply current cost estimates, provide sufficient security to cover its financial interests and ultimately collect contributions from developers who have already developed as per rates depicted at the time the DCA is finalised.

Through this Policy, Council provides the broader community with an understanding of what the Shire considers to be a satisfactory arrangement.

Potential Off-sets

In determining contribution rates the Shire may take into consideration situations where developers have provided infrastructure and/or land, envisaged to be included with the

finalised DCA. In determining the value of any envisaged off-sets, the Shire may have regard to both the latest infrastructure and land rates adopted by Council and those provided by subdividers. Subdividers are to acknowledge that off-sets are based on infrastructure items envisaged to be included within the finalised DCA and provided in that stage of subdivision. The inclusion or exclusion of items that provide for an off-set cannot be guaranteed by the Shire as final approval lies with the Western Australian Planning Commission and the Minister for Planning. In this regard, the value of infrastructure and land provided as an off-set may need to be paid upon finalisation of the DCA should the off-set not form part of the finalised DCA.

Financial Risks

IDCAs are intended to protect the financial and community interests of the Shire and all landowners within a contribution area. Interim arrangements as outlined above become the legal mechanism by which contributions can be collected in the interim and any shortfall or excess, collected or refunded at the time of finalisation. If no mechanism was put in place to ensure finalised contributions were paid a number of outcomes may result including but not limited to:

- Infrastructure not being provided, either in a timely manner or at all,
- A significant financial burden on the Shire, that may need to be addressed through the allocation of municipal funds;
- A financial burden on future landowners, that may need to be addressed through the establishment of a rating-mechanism;
- A financial burden on other existing landowners, through higher contributions at the time of subdivision and development.

Although interim arrangements are not popular, require resources to establish and administer and do not completely eliminate financial risk to stakeholders, the benefits of having interim arrangements generally outweigh the negative aspects.

Resource Implications

It is important to note that DCA's require significant resources to be allocated to them to ensure their orderly finalisation. The processes and procedures entailed with establishing interim arrangements take up a significant amount of officer time. Council should focus the Shire's finite resources on finalising the DCA at the earliest opportunity and on activities where direct and indirect costs are recoverable by the Shire.

Policy Context

The advertising of this Policy in accordance with the provisions of TPS2 will provide a formal forum to receive submissions and feed feedback from the broader community. This process provides Council with the opportunity to consider this feed back and attune the policy in an open and transparent manner.

The provisions of this Policy do not bind Council to this approach and other arrangements may be considered on their merits should they arise or circumstances change over time. It is important to note that the Policy reflects recent decisions made by the Executive and provides for a fair and consistent approach amongst subdividers.

Community Consultation:

In accordance with the provisions of Section 9.3 of TPS 2, Council is required to seek public comment on a draft LPP for a period of not less than 21 days before making a decision to finally adopt a LPP. The provisions of TPS 2 require Council to publish a notice once a week for two consecutive weeks in a local newspaper circulating within the district.

To ensure that stakeholders have sufficient opportunity to provide comment, in addition to notices being placed in a newspaper it is recommended that the advertising of the LPP include the following:

- A notice being placed in the Shire's Administration Centre
- A notice being placed on the Shire's internet website
- A letter being sent to key developers within the policy area
- A letter being sent to the development industry peak body, the Urban Development Institute of Western Australia
- A letter being sent to all relevant state government agencies, including but not limited to, the Department of Planning.

Options

There are three primary options that are available to Council in considering the draft LPP, as follows:

- (1) to adopt the draft LPP, without modification;
- (2) to adopt the draft LPP, with modification/s; and
- (3) to not adopt the draft LPP.

In the instance that Council decides to adopt the draft LPP, a further report will need to be presented to Council, post-advertising, to determine whether to grant final adoption of the LPP.

Conclusion

The Policy provides clear guidance to developers on interim developer contributions and for those that are providing district infrastructure, an outline of how the Shire will equate a potential off-set.

The Shire's officers are committed to progressing the Byford DCA in a timely manner. However, it is important for Council to establish a formal policy position in the interim, as the pace of development continues to grow and matters relating to interim developer contributions arise.

Adoption of the Policy for advertising in accordance with the above is recommended.

Voting Requirements: Simple Majority

OCM002/07/10 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Hoyer, seconded Cr Geurds

That Council:

- 1. Pursuant to Clause 9.3(a) of Town Planning Scheme No. 2 adopt draft Local Planning Policy No. 52 – Interim Developer Contributions – Western Byford.**
- 2. Invites public comment on draft Local Planning Policy No. 52 – Interim Developer Contributions – Western Byford for a period of not less than 21 days by way of a:**
 - a) notice published once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area**
 - b) notice being placed in the Shire's Administration Centre**
 - c) notice being placed on the Shire's internet website**
 - d) letter being sent to key developers within the policy area**
 - e) letter being sent to the development industry peak body, the Urban Development Institute of Western Australia**
 - f) letter being sent to all relevant state government agencies**

CARRIED 10/0

Council Note: Council acknowledges the significant work and expertise involved in the preparation of this item.

OCM003/07/10 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE FUNDING PROGRAM (A1597)		
Proponent:	Joanne Abbiss – Chief Executive Officer	In Brief Through recent Federal Government policy decisions the Shire has been offered the opportunity to apply for \$30,000 in funds to undertake infrastructure construction and improvement projects. The purpose of this report is to consider making an application to utilise the funds to continue works on the carpark adjacent to the new SJ Community Resource Centre.
Owner:	Not applicable	
Officer:	Joanne Abbiss – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	22 July 2010	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

Regional and Local Community Infrastructure Program (RLCIP)

The Regional and Local Community Infrastructure Program was announced by the Prime Minister at the Australian Council of Local Government inaugural meeting on 18 November 2008 as part of the Nation Building Economic Stimulus Plan. Since its inception, the Regional and Local Community Infrastructure Program has made more than \$1 billion available to local government authorities to build and modernise community infrastructure.

On the 18th June 2010, the Australian Government made \$100 million available to boost the Regional and Local Community Infrastructure Program (RLCIP). This investment is intended to support local jobs during difficult global economic times and provide long-term benefits to communities by assisting councils to build and modernise local infrastructure. This report considers Council's application which is a direct allocation of \$100 million shared between local governments of which Serpentine Jarrahdale Shire's portion is \$30,000.

Funds under the RLCIP \$100 million will be provided directly to councils as a one-off payment. The funding will be administered by the Department of Infrastructure, Transport, Regional Development and Local Government (the Department). Eligible projects must be additional, ready to proceed, or additional stages of current projects. Additional projects are those which have not been included in the local government's financial budget for 2010/11 and can be brought forward as a result of RLCIP funding. Projects that are ready to proceed are those that will begin construction within six months of signing the Funding Agreement (contract).

A copy of the RLCIP program guidelines released on 18th June 2010 is with attachments marked SCM003.1/07/10.

Applications for Round Three of the RLCIP (\$100 million) opened on 18 June 2010 and close on 30 July 2010.

Statutory Environment:

The guidelines applicable to the funding program must be adhered to and in effect form part of the statutory environment.

Policy/Work Procedure

Implications:

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

Financial Implications:

The financial implications are addressed within the comment section of this report.

Strategic Implications:

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT				
	Integrated Water Cycle Management			
		16	Quantity	Promote and implement water conservation and reuse.
		18		Identify and implement opportunities for detention and storage of stormwater.
BUILT ENVIRONMENT				
	Infrastructure			
		52	Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.

Community Consultation:

Required: No

Given the tight timeline for submission of the grant, community consultation has not been undertaken.

Comment:

The Shire has limited projects that are “ready to go”, fit the funding guidelines and are in addition to works budgeted in 2010/2011. The “Community Resource Centre Carpark improvements” is a priority project considered worthy of recommendation for the RLCIP funding.

The Community Resource Centre Carpark improvements project consists of four sub-projects being the:

- Landscaping the carpark and surrounds using water sensitive urban design guidelines.
- Construction of garden beds/stormwater retention basins to collect and re-use rainwater from the building.
- Line marking to delineate dedicated parking bays
- Construction of a natural entry statement on the corner of Mundijong Road and Paterson Streets

A Concept Plan for the project is attached at OCM003.2/07/10.

Conclusion

It is acknowledged that there are many competing infrastructure needs and valid arguments could be mounted for them all. However given the construction of the Community Resource Centre in Mundijong and the significant location of the building as it is the entrance to Mundijong, it is important that the Shire complete this project and for a building of this location, make it a significant civic entry statement to the town.

Voting Requirements: Simple Majority

OCM003/07/10 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Buttfield, seconded Cr Harris

That Council:

1. **Apply to the Regional and Local Community Infrastructure Program for \$30,000 towards the Community Resource Centre Carpark improvements.**
 2. **Advise residents of Council's decision in the SJ Update and by media releases.**
- CARRIED 10/0**

10. CHIEF EXECUTIVE OFFICER'S REPORT

OCM004/07/10		INFORMATION REPORT
Proponent	Joanne Abbiss – Chief Executive Officer	In Brief Information Report.
Officer	Trish Kursar - Personal Assistant to the Chief Executive Officer	
Signatures - Author:		
Senior Officer:	Joanne Abbiss – Chief Executive Officer	
Date of Report	19 July 2010	
Previously		
Disclosure of Interest		
Delegation	Council	

OCM004.1/07/10 COMMON SEAL REGISTER REPORT – JUNE 2010

The Common Seal Register Report for the month of June 2010 as per Council Policy G905 - Use of Shire of Serpentine Jarrahdale Common Seal is with the **attachments marked OCM004.1/07/10.**

OCM004.2/07/10 POLICY FORUM – 6 JULY 2010

The following items were discussed at the 6 July 2010 Policy Forum:

Topic / Subject
Issues / Clearing House & Report on Progress
<ul style="list-style-type: none"> • Report on progress of Council and Committee resolutions • Report on Councillor correspondence
Ward and Delegate update
Presentations
Truck Permit - Mr Hedley Fowler
"Introduction to Physical Activity and Healthy Choices Policy / Position Statement"
STATUTORY PLANNING
New Local Planning Policies

Topic / Subject
Appeal Proceedings - Fisher Road, Keysbrook
Appeal Proceedings - Mineral Sands Mine, Keysbrook
Update on Planning Reform
Telecommunications Infrastructure – Lot 4 Yangedi Road, Keysbrook
Modified Subdivision Guide Plan – L1254 Abernethy Road, Oakford
Review of Regional Development Commission
Hatchery presentation
Byford Central Stockpiles update
RLCIP Round 3 Funding
Report on change of Council Meetings

OCM004.3/07/10 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) SOUTH EAST METROPOLITAN ZONE AGENDA – 28 JULY 2010 (A1164-02)

In the attachments marked OCM004.3/07/10 (IN10/11155) is the agenda of the South East Metropolitan Zone Meeting to be held on 28 July 2010.

OCM004.4/07/10 WALGA STATE COUNCIL AGENDA – 8 AUGUST 2010 (A1164-02)

In the electronic attachments marked OCM004.4/07/10 (IN10/10986) is the agenda of the WALGA State Council meeting to be held on 8 August 2010 as part of the Local Government Convention.

OCM004/07/10 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Brown, seconded Cr Harris
The Information Report to 23 July 2010 is received.
CARRIED 10/0

11. URGENT BUSINESS:

OCM005/07/10 BYFORD LOCALITY FUNDING		
Proponent	Councillor M Geurds	In Brief An application of \$10,000 be considered for the Byford Locality Funding to be used as seed funding for the restoration of the Millbrace Railway Bridge.
Officer		
Signatures - Author:		
Senior Officer:		
Date of Report	26 July 2010	
Previously		
Disclosure of Interest		
Delegation	Council	

OCM005/07/10 Councillor Recommended Resolution

Moved Cr Geurds, seconded Cr Randall
Council request that an application of \$10,000 be considered within the current round of applications for the Byford Locality Funding to be used as seed funding for the restoration of the railway bridge at Millbrace. A report considering all applications, including this application, will be presented to Council for their formal determination.

Cr Harris foreshadowed a procedural motion of dissent that the item was not urgent business.

COUNCIL DECISION

**Moved Cr Lowry, seconded Cr Buttfield
That standing orders 9.5, 9.6, 10.7 and 10.13 be suspended.
CARRIED 10/0**

Cr Lowry left the meeting at 8.22pm and returned at 8.24pm.

COUNCIL DECISION

**Moved Cr Buttfield, seconded Cr Randall
That standing orders 9.5, 9.6, 10.7 and 10.13 be reinstated.
CARRIED 9/0**

WITHDRAWAL OF MOTION

Cr Geurds withdrew his motion with the consent of the seconder, Cr Randall.

Cr Geurds left the meeting at 8.33pm.
Cr Brown left the meeting at 8.33pm and returned at 8.35pm.

12. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:

Nil

13. CLOSURE:

There being no further business, the meeting closed at 8.35pm.

I certify that these minutes were confirmed at the
Ordinary Council Meeting held on 23 August 2010.

.....
Presiding Member

.....
Date

14. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

SD001/07/10		PROPOSED OVERHEIGHT AND OVERSIZE SHED LOT 54 LEFROY STREET, SERPENTINE (P02531/01)
Proponent:	Highline Ltd	In Brief Application for the construction of oversize outbuilding in Serpentine town site. Approval subject to conditions is recommended.
Owner:	J Allen & J Topliss	
Officer:	Casey Rose - Planning Assistant	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	31 May 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution CGAM064/02/08	

SD001/07/10 Committee Decision/Officer Recommended Resolution:

That the application for approval to commence development for an oversized outbuilding on, Lot 54 Lefroy Street, Serpentine be approved subject to the following conditions:

1. All existing native trees on the subject lot and adjacent road verge shall be retained and shall be protected from damage prior to and during construction unless subject to an exemption provided within Town Planning Scheme No. 2 or the specific written approval of the Shire has been obtained for tree removal either through this planning approval or separately.
2. All storm water to be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is prohibited.

Advice Note

1. The outbuilding is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant Legislation for other types of effluent disposal systems.
2. A building licence is required to be issued prior to the commencement of development including earthworks.

CARRIED 7/0

SD005/07/10		PROPOSED SINGLE DWELLING AND CONVERSION OF EXISTING DWELLING TO RURAL WORKERS ACCOMMODATION – LOT 363 (1272) NETTLETON ROAD, KARRAKUP (P01135/02)
Proponent:	B & S O'Neil	In Brief The applicant seeks planning approval to construct a new single dwelling and conversion of the existing dwelling to a Rural Worker's Dwelling. It is recommended that the application be conditionally approved.
Owner:	As Above	
Author:	Helen Maruta – Planning Officer	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	16 June 2010	
Previously	Not applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

SD005/07/10 Committee Decision/Officer Recommended Resolution:

That the application for approval to commence development for Rural Worker's Dwelling on Lot 363 (1272) Nettleton Road, Karrakup be approved subject to the following conditions:

1. Occupation of the Rural Worker's Dwelling shall be restricted to persons engaged in any of the following approved uses on that same property: cottage industry; feedlot; fish farming; horticultural pursuit; pig farming; poultry farming, rural industry or rural use or family members involved in the operation of an agricultural enterprise on that land.
2. The Section 70A notification shall be prepared by the Shire's solicitors to the satisfaction of the Serpentine-Jarrahdale Shire and all costs of and incidental to the preparation of the registration of the Section 70A notification, including the Shire's solicitor's costs shall be met by the applicant or the owner of the land.
3. All driveway surfaces are to be constructed of a suitable permeable material, such as paving, road base or coarse gravel to limit the generation of dust and sediments entering nearby creeks and drainage lines.
4. The Rural Worker's Dwelling is to share the existing access to the property and all other existing services where practicable.
5. All storm water to be disposed of within the property This to be achieved by either soak wells or spoon drains or the use of storm water retention/re-use methods such as rain water tanks or the grading of hard stand areas to lawns and garden beds. Direct disposal of storm water onto the road, neighbouring properties, water courses or drainage lines is not permitted.
6. All existing trees along the front boundary of the site shall be retained, except where required to be removed to permit a single width vehicle access point and/or firebreaks required under the Shire's local laws and shall be protected from damage prior to and during construction.

Advice Notes:

1. The dwelling is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant Legislation for other types of effluent disposal systems.

2. A building licence is required to be issued prior to the commencement of development including earthworks.
CARRIED 7/0

SD007/07/10		REQUEST FOR RENEWAL OF PLANNING APPROVAL FOR AUTOMOTIVE VEHICLE WASH – LOT 22 SOUTH WESTERN HIGHWAY, BYFORD (P00011/05)
Proponent:	Bazan Pty Ltd	In Brief Approval for an Automotive Vehicle Wash at Lot 22 South Western Highway, Byford was issued on 17 June 2008. The development has not yet been constructed and the approval is due to expire on 17 June 2010. The applicant now seeks to renew this approval.
Owner:	As Above	
Author:	Michael Daymond - Senior Planner	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	22 June 2010	
Previously	SD107/06/08 SD077/03/08 SD064/12/06	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

SD007/07/10 Committee Decision/Officer Recommended Resolution:

The application for the renewal of planning approval for an Automotive Vehicle Wash on Lot 22 South Western Highway, Byford be approved subject to the following conditions:

PLANNING

1. A schedule of colours and materials shall be submitted for approval by the Director Development Services prior to the issue of a building licence.
2. The proposed noise wall, for the purpose of noise attenuation, is to be constructed a minimum of 9.0 metres from Nettleton Road in a position to be agreed to by the Director Development Services. Specific details of the noise wall, including materials and colours, to be submitted with the building licence application.

ENGINEERING

3. No earthworks shall encroach or stormwater drainage shall discharge onto the South Western Highway reserve.
4. All vehicle access from South Western Highway shall be restricted to the existing driveways.
5. Suitable arrangements being made to the satisfaction of the Director Engineering for connection of the land to the comprehensive district drainage system at the landowners cost.
6. A Stormwater Drainage Management Plan and detailed technical drawings and specifications for the entire paved area and roofed area are to be submitted for approval by the Council's Director Engineering prior to the issue of a building licence.
7. Stormwater to be detained on-site and connected to the existing drainage system at pre-development hydraulic flow rates and water quality regimes.

Should on-site disposal of stormwater be considered, a Geotechnical Report is to be prepared by a NATA Certified Geotechnical Engineering organisation and submitted for approval detailing site conditions, particularly in respect to soil and groundwater and stormwater disposal by soakage (clearance, quantity, soil permeability and location and size of soak wells). If on-site disposal of stormwater is proposed, then where possible, water sensitive urban design methods are encouraged including the grading of hardstand areas to allow stormwater to be disposed of within garden beds and rainwater tanks (above or below ground) being provided to store runoff from the roofed areas. Such captured water is to be used for the watering of garden beds subject to suitable treatment to remove any oils, fuels and other contaminants.

8. A petrol and oil trap being installed in the car park drainage system to the specification and satisfaction of Council's Director Engineering.
9. All vehicle parking areas, accessway(s) and crossovers shall be designed, constructed, sealed, kerbed, drained, signed and line-marked and thereafter maintained in accordance with the approved plan and specification to the satisfaction of the Director Engineering prior to the occupation of the development for the use hereby permitted.
10. If there has been any landfill, including backfilling, a Geotechnical Report prepared by a NATA Certified Geotechnical Engineering organisation is to be provided and is to include confirmation that the land has been sufficiently compacted.
11. Appropriate lighting being provided to the front and rear of the car washing facilities to address potential security concerns regarding concealed areas.
12. All disturbed ground shall be treated so as to prevent the generation of dust or other wind-borne materials in accordance with the *Guideline for the Prevention of Dust and Smoke Pollution from Land Development Sites in Western Australia* (DEC, Nov 06).

ENVIRONMENTAL HEALTH

13. An application for an effluent disposal system suitable for the site shall be lodged with the Shire, for approval by the Shire and the Department of Health, prior to the issue of a building licence.
14. The car wash being constructed in accordance with the amended layout and specifications, including all noise control measures, as detailed in the May 2008 Noise Impact Assessment report to the satisfaction of Director Development Services.
15. Within three (3) months of the commencement of the approved use, the landowner shall commission an acoustics engineer agreed to by the Shire to undertake, at the landowner's full cost, a noise assessment of the operation of the Automotive Vehicle Wash, indicating whether the development complies with the *Environmental Protection (Noise) Regulations 1997* and in the case of any non-compliance what measures or works must be undertaken to achieve compliance. The acoustics engineer shall provide a copy of the report to the Shire at the same time as providing the report to the landowner. The owner shall then undertake and complete any required works or measures within three (3) months of receipt of the acoustic engineers report.

ENVIRONMENTAL

16. A Landscaping, Vegetation and Environmental Management Plan must be submitted, for the car parking area and the area of land between the southern side of the building and the southern boundary for approval by the Director Strategic Community Planning prior to the issue of a building licence.
17. Landscaping and timed reticulation is to be established in accordance with the approved plans prior to occupation of the development and thereafter maintained to the satisfaction of the Shire.

ADVICE NOTES

1. No development, other than landscaping or car parking shall be permitted on the land shown required for future road purposes on the Main Roads drawing 8321-29-2.
2. Technical drawings and detailed specifications of all infrastructure and servicing works require approval by the Local Government prior to the commencement of site works (including the clearing of vegetation). The applicant is advised to liaise with the Local Government regarding the required form of the construction drawings.
3. In regard to condition 7, the applicant is advised that stormwater outflow is to achieve pre-development hydraulic flow regimes up to the 1 in 100 year storm event. The system is to be designed by a suitably qualified hydraulic consulting engineer. The applicant is requested to contact Council's Engineering Services regarding disposal of stormwater.
4. In relation to condition 16, the Landscape, Vegetation and Environmental Management Plan shall be drawn to a scale of 1:100, shall show the location, name and mature heights of proposed trees and shrubs and include a maintenance regime for the landscaped areas that provide stormwater treatment. Trees and shrubs to be planted are to be locally indigenous sedges and rushes suited to the purpose of high water use in irrigation beds.
5. No stormwater runoff to enter Nettleton Road or South West Highway road reserves or any adjoining property via overland flow from the subject lot. Construction of a highpoint may be required at the boundary to prevent overland stormwater flows.
6. The provision of "Give Way", "No Entry", "No Exit" and "No Parking" signs and vehicular guide signs, is required to the satisfaction of Council's Director Engineering at the landowner's cost.
7. The northern crossover onto South Western Highway is to be altered to enable left-turning traffic entry only and is to be signed to indicate "No Exit".
8. Vehicle pathways for the car wash facility should be clearly delineated with line-marking (including lines and directional arrows) and signs to indicate a one-way system with entry from the west and exit to the east.
9. All No Parking areas are to be clearly marked as such with both signage and line marking (words) as per Australian Standards.
10. The eastern-most crossover onto Nettleton Road shall be widened to 5.0 metres.
11. The provision of "One Way" signs where required by the Council's Director Engineering at the applicant's cost.

CARRIED 7/0

SD002/07/10 PROPOSED ADDITIONS TO EXISTING DWELLING - LOT 4 (53) FIRNS ROAD, SERPENTINE (P00158/01)		
Proponent:	Addstyle Constructions	In Brief The applicant seeks planning approval for additions to an existing dwelling in the landscape protection policy area. The applicant seeks variation to the prescribed building height of LPP8 and proposes roof materials and finishes inconsistent with the natural tones promoted by the policy. It is recommended that the application be conditionally approved.
Owner:	Lethven Nominees (Norbert & Jane Radny)	
Author:	Colleen Murphy - Senior Planner	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	20 July 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	

Delegation	Committee – in accordance with resolution CGAM064/02/08	
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SD002/07/10 Committee Decision/Officer Recommended Resolution:

That the application for approval to commence development for additions to an existing dwelling on Lot 4 (53) Firns Road, Serpentine be approved, subject to the following conditions:

1. All existing native trees on the subject lot and adjacent road verge shall be retained and shall be protected from damage prior to and during construction unless subject to an exemption provided within Town Planning Scheme No. 2 or the specific planning approval of the Shire has been obtained for tree removal.
2. The schedule of materials and colours attached to this approval is to be complied with unless otherwise approved in writing by the Shire.
3. All stormwater to be disposed of within the property. This shall be achieved by either soakwells or spoon drains or the use of stormwater retention/re-use methods such as rainwater tanks or the grading of hardstand areas to lawns and garden beds. Direct disposal of stormwater onto the road, neighbouring properties, watercourses or drainage lines is not permitted.
4. An application for an effluent disposal system suitable for the site shall be lodged with the Shire, for approval by the Shire prior to the issue of a building licence.

Advice Note

1. A building licence is required to be issued prior to the commencement of development including earthworks.
2. The approved additions are not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant Legislation for other types of effluent disposal systems. Please contact Council's Health Services for setbacks and requirements to other systems.

CARRIED 7/0

SD003/07/10		PROPOSED SINGLE DWELLING AND CONVERSION OF EXISTING DWELLING TO RURAL WORKERS ACCOMMODATION – LOT 505 (440) HENDERSON ROAD, SERPENTINE(P00194/05)
Proponent:	Dykstra Planning	In Brief The applicant seeks planning approval to construct a new single dwelling and conversion of the existing dwelling to a Rural Worker's Dwelling. It is recommended that the application be conditionally approved.
Owner:	Geyer Nominees	
Author:	Helen Maruta – Planning Officer	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	16 June 2010	
Previously	Not applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

SD003/07/10 Committee Decision/Officer Recommended Resolution:

That the application for approval to commence development for Rural Worker's Dwelling on Lot 505 Henderson Road, Serpentine be approved subject to the following conditions:

1. Occupation of the Rural Worker's Dwelling shall be restricted to persons engaged in any of the following approved uses on that same property: cottage industry; feedlot; fish farming; horticultural pursuit; pig farming; poultry farming, rural industry or rural use or family members involved in the operation of an agricultural enterprise on that land.
2. The Section 70A notification shall be prepared by the Shire's solicitors to the satisfaction of the Serpentine-Jarrahdale Shire and all costs of and incidental to the preparation of the registration of the Section 70A notification, including the Shire's solicitor's costs shall be met by the applicant or the owner of the land.
3. All driveway surfaces are to be constructed of a suitable permeable material, such as paving, road base or coarse gravel to limit the generation of dust and sediments entering nearby creeks and drainage lines.
4. The Rural Worker's Dwelling is to share the existing access to the property and all other existing services where practicable.
5. All storm water to be disposed of within the property This to be achieved by either soak wells or spoon drains or the use of storm water retention/re-use methods such as rain water tanks or the grading of hard stand areas to lawns and garden beds. Direct disposal of storm water onto the road, neighbouring properties, water courses or drainage lines is not permitted.
6. All existing trees along the front boundary of the site shall be retained, except where required to be removed to permit a single width vehicle access point and/or firebreaks required under the Shire's local laws and shall be protected from damage prior to and during construction.

Advice Notes:

1. The dwelling is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant Legislation for other types of effluent disposal systems.
2. A building licence is required to be issued prior to the commencement of development including earthworks.

CARRIED 7/0

SD004/07/10		PROPOSED OVERSIZE OUTBUILDING (STABLES) - LOT 118 (209) KARGOTICH ROAD, OAKFORD (P00940/04)	
Proponent:	C Campbell & N Britton	In Brief Application for the construction of oversize outbuilding (stables). Approval subject to conditions is recommended.	
Owner:	As Above		
Author:	Helen Maruta - Planning Officer		
Senior Officer:	Brad Gleeson – Director Development Services		
Date of Report	18 June 2010		
Previously	None		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act		

Delegation	Committee – in accordance with resolution CGAM064/02/08	
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SD004/07/10 Committee Decision/Officer Recommended Resolution:

That the application for approval to commence development for oversized stables on Lot 118 (209) Kargotich Road, Oakford be approved subject to the following conditions:

1. Horses are to be kept and the land managed in accordance with the management plan attached to and forming part of this approval.
2. The stables are to be constructed of new materials.
3. All stormwater runoff from roofs and hardstand areas to be disposed of on-site.
4. A maximum of three (3) horses are to be permitted to be kept on the property on a permanent basis unless otherwise approved in writing by the Shire.
5. Stock are to be stabled a minimum of twelve (12) hours out of each twenty four (24) hour period.
6. Manure from paddocks is to be collected weekly and either taken off site or composted in a fly proof container with an impermeable base and covered to prevent rainwater access.
7. The paddocks are to be irrigated as required to maintain a pasture coverage of at least 95 percent year round.
8. Stock are to be kept out of any paddock that is partially or completely inundated with water at any time.
9. All chemicals associated with the care of the land and stock are to be stored so as to eliminate the possibility of spillage onto permeable surfaces.
10. All existing drainage lines including the trails are to be fenced off from stock.
11. All fencing shall be of post and rail or post and wire unless otherwise approved by the Shire.
12. Flooring of the shelter and yards are to consist of an impermeable base to prevent nutrients leaching into the soil.
13. Any trees that exhibit signs of ringbarking or root compaction are to be fenced off from stock.

Advice Notes:

1. Disposal of hard and liquid wastes is to be in accordance with Health Local Law 1999 – Part 6, Division 2 – ‘Keeping of Large Animals’.
2. The stables are not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant legislation.
3. A building licence is required to be issued prior to the commencement of development including earthworks.

CARRIED 7/0

SD006/07/10 PROPOSED USE NOT LISTED (EARTHMOVING DEPOT), EQUESTRIAN ACTIVITY (EQUINE FACILITY), INDUSTRY RURAL AND CARETAKER'S DWELLING – LOT 54 (595) KING ROAD, OLDBURY (P05597/09)		
Proponent:	RPS Koltasz Smith	In Brief The applicant seeks approval for a use not listed (Earthmoving Depot), Equestrian Activity (Equine Facility), Industry Rural and Caretaker's Dwelling on the subject property. It is recommended that the application be refused.
Owner:	GMF Contractors	
Author:	Michael Daymond – Senior Planner	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	12 May 2010	
Previously	SD110/06/08; OCM021/12/06; SD030/02/05; P203/01/03	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

SD006/07/10 Committee Decision/Officer Recommended Resolution:

- A. Council determines that an Earthmoving Depot is a use not listed in the Zoning Table of Town Planning Scheme No. 2.
- B. Council in accordance with Clause 3.2.5 of Town Planning Scheme No. 2 determines that the use of an Earthmoving Depot is not consistent with the objectives and purposes of the Rural zone.
- C. The application for a proposed Earthmoving Depot, Equestrian Activity (Equine Facility), Industry Rural and Caretaker's Dwelling at Lot 54 (#595) King Road, Oldbury be refused for the following reasons:

- 1. The proposed use of the property for an Earthmoving Depot does not comply with the purpose and intent of the Rural zone as provided for by Clause 5.10.1 of the Shire of Serpentine Jarrahdale Town Planning Scheme No.2 as follows:

5.10.1 The purpose and intent of the Rural Zone is to allocate land to accommodate the full range of rural pursuits and associated activities in the Scheme Area.

- 2. The proposed Earthmoving Depot is contrary to the objective of the Rural Policy area, which is to maintain the current standards and practice of agricultural use and development.
- 3. The proposed development is contrary to the objective of supporting and protecting agricultural and horticultural industries, as it would result in increased pressure for fragmentation of land to other uses.
- 4. The proponent has failed to demonstrate how storm water management will be addressed.

- D. The applicant be advised that the Shire would be willing to consider an application for an Equestrian Activity (Equine Facility) and Caretaker's Dwelling on the subject property.

CARRIED 7/0

Committee Note: A minor amendment was made to Part D with the addition of the word 'dwelling'.

SD012/07/10 INFORMATION REPORT		
Proponent:	N/A	In Brief To receive the Information Report to the 21 June 2010.
Owner:	N/A	
Author:	Various	
Senior Officer:	Brad Gleeson - Director Development Services, Suzette van Aswegen – Director Strategic Community Planning	
Date of Report	21 June 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

SD012/07/10 Committee Decision/Officer Recommended Resolution

**That Council accept the Information Report.
CARRIED 7/0**

CGAM001/07/10 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent:	Not Applicable	In Brief To confirm the creditor payments made during the period of 21 May 2010 to 20 June 2010.
Owner:	Not Applicable	
Author:	Joanne Egitto - Finance Officer	
Senior Officer:	Alan Hart - Director Corporate Services	
Date of Report	22 June 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution CGAM064/02/08	

CGAM001/07/10 Committee Decision/Officer Recommended Resolution:

**That Council receives the payments authorised under delegated authority and detailed in the list of invoices for period of 21 May 2010 to 20 June 2010, presented as per the summaries set out above include Creditors yet to be paid and in accordance with the Local Government (Financial Management) Regulations 1996.
CARRIED 7/0**

CGAM004/07/10		INFORMATION REPORT
Proponent:	Not Applicable	In Brief To receive the information report to 25 June 2010.
Owner:	Not Applicable	
Author:	Various	
Senior Officer:	Alan Hart - Director Corporate Services	
Date of Report	25 June 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution CGAM064/02/08	

CGAM004/07/10 Committee Decision/Officer Recommended Resolution:

**That the Information Report to 25 June 2010 be received.
CARRIED 7/0**

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